



Office of Cannabis Management

KATHY HOCHUL

Governor

TREMAINE WRIGHT

Cannabis Control Board Chair

JESSICA GARCIA

Board Member

HOPE KNIGHT

Board Member

CRYSTAL J. RODRIGUEZ DABNEY

Board Member

JENNIFER GILBERT JENKINS

Board Member

FELICIA A. B. REID

Executive Director

No. 2024-100
October 10, 2024

RESOLUTION DENYING THE ISSUANCE OF CERTAIN CONDITIONAL ADULT USE RETAIL DISPENSARY LICENSES

WHEREAS, pursuant to Article 4 and Sections 10(1) and (2) of the Cannabis Law, the Cannabis Control Board (Board) is given the discretion to deny licenses related to adult-use cannabis and the sole discretion to limit, or not to limit, the number of licenses of each class to be issued.

WHEREAS, pursuant to Article 4 of the Cannabis Law, the Board is charged with the responsibility of overseeing activities related to adult-use cannabis;

WHEREAS, pursuant to Sections 62, 64, 72 and 85 of the Cannabis Law, the Board is charged with the responsibility of overseeing applications for adult-use cannabis retail dispensary licenses, selection criteria for adult-use cannabis retail dispensary licenses, and ownership and operation of adult-use cannabis retail dispensary licenses;

WHEREAS, pursuant to Section 8 the Office of Cannabis Management is charged with the responsibility of exercising the powers and duties provided by the Cannabis Law, including making recommendations to the Board;

WHEREAS, after having reviewed Cannabis Law and the New York Codes, Rules, and Regulations, laying out the licensure criteria, the Office reviewed the applications to determine whether they satisfy the licensure criteria and/or whether the applicant or majority owner is currently an adult-use cannabis retail dispensary licensee;

WHEREAS, upon such review, the Office determined that the applications identified on [**Attachment A**] do not satisfy the licensure criteria for the reasons set forth in the supporting documentation, and/or the applicant or majority owner is currently an adult-use cannabis retail dispensary licensee and thus shall not be awarded additional adult-use cannabis retail dispensary licenses at this time, and has recommended denial of licensure;

WHEREAS, the Chairperson of the Board, based on the Office’s recommendation and supporting documentation, has made a preliminary determination to deny conditional adult-use retail dispensary licenses to certain individuals and entities that have applied for a conditional adult-use retail dispensary license;



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WHEREAS, the members of the Board, waive their right pursuant to Section 10(1) of the Cannabis Law to take up to 14 days from the Chairperson’s preliminary determination to object to the Chairperson’s preliminary determination or to request that the matter be brought before the full Board for consideration;

WHEREAS, no member of the Board objects to the Chairperson’s preliminary determination to deny certain conditional adult-use retail dispensary licenses, and no member of the Board requests that the matter be brought before the full Board for consideration;

WHEREAS, the Board desires to deny a license to every applicant that has received the Chairperson’s aforementioned preliminary determination [**Attachment A**] to deny a conditional adult-use retail dispensary license for the reasons set forth in the denial letter issued to each such applicant; now, therefore, be it

RESOLVED, that the Board denies a conditional adult-use retail dispensary license to every applicant that has received the Chairperson’s aforementioned preliminary determination to deny a conditional adult-use retail dispensary license and such denial shall be a final administrative decision with no further appeals process provided therefor by the agency.

[Attachment A]



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Attachment A: Conditional Adult Use Dispensary Licenses Denied:

Application Number	Legal Business Name	Category	High-Level Reason for Denial
OCMCAURD-2022-000288	Cindy B Standish	Qualifying Business	Did not meet the definition of a qualifying business as defined in section 116.4(a)(2)(iii) hold or have held, for a minimum of two years, at least ten percent ownership interest in, and control of, a qualifying business, which means a business that had net profit for at least two of the years the business was in operation
OCMCAURD-2022-000368	Kandykoolers LLC	Qualifying Business	Did not meet the definition of a qualifying business as defined in section 116.4(a)(2)(iii) hold or have held, for a minimum of two years, at least ten percent ownership interest in, and control of, a qualifying business, which means a business that had net profit for at least two of the years the business was in operation
OCMCAURD-2022-000423	MUNCHIES DISPENSARY LLC	Justice Involved	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marijuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;



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OCMCAURD-2022-000649	OMG One Dollar Pizza	Qualifying Business	Did not meet the definition of a qualifying business as defined in section 116.4(a)(2)(iii) hold or have held, for a minimum of two years, at least ten percent ownership interest in, and control of, a qualifying business, which means a business that had net profit for at least two of the years the business was in operation
OCMCAURD-2022-000681 Qualifying Non-Profit	New Leaf Legacies, Inc	Qualifying NonProfit	Did not meet the definition of a qualifying nonprofit as defined in section 116.4(a)(3)(iii) to "operate and manage a social enterprise that had at least two years of positive net assets or profit as evidenced in the organization's tax returns; (iv) have a history of creating vocational opportunity for justice involved individuals; (v) have justice involved individual(s) on its board or as officers; and (vi) have at least five full time employees.
OCMCAURD-2022-000840 Qualifying Non-Profit	Lux Treats, INC	Qualifying NonProfit	Did not meet the definition of a qualifying nonprofit as defined in section 116.4(a)(3)(i) to (i) be recognized as an entity pursuant to section 501(c)(3) of the Internal Revenue Code;
OCMCAURD-2022-000902	Paula Carlotti	Justice Involved; Qualifying Business	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marijuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one; and Did not meet the definition of a qualifying business as defined in section 116.4(a)(2)(iii) hold or have held, for a minimum of two years, at least ten percent ownership interest in, and control of, a qualifying business, which means a business that had net



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			profit for at least two of the years the business was in operation.
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