



# 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**

Acting Executive Director

No. 2024-110  
November 12, 2024

## RESOLUTION TO APPROVE THE PROPOSED LOCATION OF CERTAIN CONDITIONAL ADULT-USE RETAIL DISPENSARY APPLICANTS

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

**WHEREAS**, pursuant to Section 64(1)(g)(x) of the Cannabis Law, the Board is charged with developing regulations which establish factors for determining if granting an applicant’s adult-use cannabis license would promote public convenience and advantage;

**WHEREAS**, pursuant to Section 119.4(b) of Title 9 of the New York Codes, Rules and Regulations (9 NYCRR), the Board may determine that granting a license would promote public convenience and advantage as described in paragraphs [9 NYCRR 119.4(a)(1) and 119.4(a)(2)] by considering the following factors, which include: (1) the number, classes, and character of other licenses in proximity to the premises and in the particular municipality or subdivision thereof; (2) evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies; (3) whether there is a demonstrated need for such license, (4) effect of the grant of the license on pedestrian or vehicular traffic, and parking, in proximity to the premises; (5) the existing noise level at the premises and any increase in noise level that would be generated by the proposed premises; (6) the history of cannabis violations and reported criminal activity at the proposed premises; and (7) any other factors specified by law or regulation that are relevant to determine granting a license would promote public convenience and advantage of the community;

**WHEREAS**, at the Board’s September 10, 2024 meeting, via Resolution No. 2024-96, the Board directed the Office of Cannabis Management (Office) to file with the New York State Department of State to issue for public comment proposed adult-use regulation amendments to 9 NYCRR 119.4(b) (proposed regulations) in accordance with the State Administrative Procedure Act;

**WHEREAS**, the proposed regulations are different than the current version of 9 NYCRR 119.4(b);

**WHEREAS**, applicant identified in Attachment A (applicant) submitted a request to the Office that it’s proposed conditional adult-use retail dispensary location be approved as it would promote public convenience and advantage under the current factors enumerated in 9 NYCRR 119.4(b);

**WHEREAS**, the Office reviewed the applicant’s above-mentioned request by analyzing the current factors enumerated in 9 NYCRR 119.4(b);



# 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**

Acting Executive Director

**WHEREAS**, the Office’s analysis of public convenience and advantage under the current factors enumerated in 9 NYCRR 119.4(b) will only pertain to requests for public convenience and advantage received prior to the approval of Resolution No. 2024-96.

**WHEREAS**, in light of the above, the Office has prepared the information related to this public convenience and advantage request for the Board’s consideration;

**RESOLVED, that** the Board approve applicant’s proposed conditional adult-use retail dispensary location identified in Attachment A, and that this determination of public convenience and advantage in this resolution does not bind any future determinations of public convenience and advantage under the proposed regulations in the near future.

**[Attachment A]**



# 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**

Acting Executive Director

## Attachment A

Application or License Number	Business Name	Address
OCMRETL-2023-001459	Buzzy NY, LLC	137 Court St Brooklyn, NY 11201
OCMRETL-2023-001225	AT THE FACTORY, LLC	424 Troutman St Brooklyn, NY 11237
OCMRETL-2023-001132	463 Station, Inc.	463 Main St Beacon, NY 12508
OCMRETL-2023-000951	Leafy NYC II LLC	245 W 14th St New York, NY 10011
OCMMICR-2023-000621	Greenleaf Cannabis LLC	356 West 40th Street New York, NY 10019