



Office of Cannabis Management

KATHY HOCHUL

Governor

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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. 2024-113
November 12, 2024

RESOLUTION TO ISSUE RESPONSES TO NEGATIVE MUNICIPAL OPINIONS OF APPLICANTS THE BOARD HAS ISSUED LICENSES

WHEREAS, pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organizations with dispensaries, or for on-site consumption within the State.

WHEREAS, Section 76(4) of the Cannabis Law (Cannabis Law 76(4)) provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion.

WHEREAS, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

WHEREAS, pursuant to Section 10(23) of the Cannabis Law, the Board may delegate its functions, powers and duties to the Executive Director of the Office of Cannabis Management (Office) subject to certain exceptions;

WHEREAS, if the Board timely received an Opinion from a Municipality or Community Board against the issuance of a license to an applicant that has received the Board’s approval that has been issued which is the subject of the Opinion, through delegation by the Board, the Office shall provide a written response to the Opinion within a reasonable time;

WHEREAS, the Office recommends the issuance of the following written responses explaining and addressing the Municipality and Community Boards that have expressed an Opinion in opposition of the issuance of a license to the applicants identified in Attachment A;

RESOLVED, the Board approves, and directs the Office to issue, the responses contained in Attachment B hereto to Municipalities and Community Boards that have expressed an Opinion in opposition of the issuance of a license to the applicants identified on Attachment A.

[Attachment A]



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| Application # | Business name | Date Received | Address | Community Board or Municipality |
|-----------------------------|-------------------------|---------------|---|---------------------------------|
| OCMRETL-2023-001414 | Urban Pulse LLC | 12/01/2023 | 3740 W Henrietta Rd Rochester, NY 14623 | Town of Henrietta |
| OCMRETL-2023-001722 | Bright Elephant LLC | 12/15/2023 | 25 E Main St Morrisville, NY 13480 | Village of Morrisville |
| OCMCAURD-2022-000610 | EASTERN HOLDINGS 88 LLC | 05/31/2024 | 4034 Hylan Blvd Staten Island NY 10308 | Staten Island Community Board 3 |
| OCMRETL-2023-001433 | 10415 Jamaica LLC | 12/21/2023 | 104-15 Jamaica Avenue Richmond Hill NY 11418 | Queens Community Board 9 |
| OCMRETL-2023-001981 | Benjamin E. Botach | 11/29/2023 | 35 Chestnut St., Rochester, NY 14604 | City of Rochester |



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Attachment B

November 12, 2024

SENT VIA EMAIL

Town of Henrietta
475 Calkins Road, PO Box 999
Henrietta, NY 14467

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Town of Henrietta:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for OCM-RETL-24-000030 (Urban Pulse LLC) located at 3740 W Henrietta Rd, Rochester, NY 14623.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about December 15, 2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Urban Pulse LLC and the Board is responding as follows:

In the attached opinion, your Office raised concerns regarding the Town’s requirement of acquiring a Special Use Permit. The Board wants to clarify that on the application, applicants attest to a requirement that “[A]n applicant and licensee shall have an obligation to ensure that the information, documentation, attestations and assurances submitted to the Office of Cannabis Management (“OCM”) are not fraudulent, false, or misleading” as required by Section 120.1(g) of Title 9 of New York Codes Rules and Regulations (9 NYCRR), which includes obtaining all necessary permits and a certificate of occupancy. As such, the Board is authorized to issue such final licensure based on an applicant satisfying all requirements in Cannabis Law and Regulations. Please note, OCM can also require that the applicant/license show proof that they obtained the permit after license issuance.



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Please note, the Office of Cannabis Management does not take part of State Environmental Quality Review (SEQR). OCM does not want to usurp the objective judgment of the Planning Boards/Planning committees as it relates to the environmental impact statement classifications under SEQR.

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
 - The two entities must be located on the same street for the 200-foot requirement to be applicable.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.
 - The two entities must be located on the same street for the 500-foot requirement to be applicable.
 - Public Youth facility means a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Please note, in order of a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant.

After careful review and consideration of the opinion received from your Locality, and pursuant to the Cannabis Law and related regulations, license OCM-RETL-24-000030 was approved for Urban Pulse LLC located at 3740 W Henrietta Rd Rochester, NY 14623.



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Thank you for your patience while your opinion was being reviewed and this response was being formulated.

If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at municipalities@ocm.ny.gov.

Sincerely,
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November 12, 2024

SENT VIA EMAIL

Village of Morrisville
23 Cedar Street, PO Box 955
Morrisville, NY 13408

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Village of Morrisville:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for OCM-RETL-24-000041 (Bright Elephant LLC) located at 25 E Main St., Morrisville, NY 13480.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about December 15, 2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Bright Elephant LLC, and the Board is responding as follows:

In the attached opinion, your Office raised concerns regarding the Village’s requirement of acquiring site plan approval. The Board wants to clarify that on the application, applicants attest to a requirement that “[A]n applicant and licensee shall have an obligation to ensure that the information, documentation, attestations and assurances submitted to the Office of Cannabis Management (“OCM”) are not fraudulent, false, or misleading” as required by Section 120.1(g) of Title 9 of New York Codes Rules and Regulations (9 NYCRR), which includes obtaining all necessary permits, site plan approval and a certificate of occupancy. As such, the Board is authorized to issue such final licensure based on an applicant satisfying all requirements in Cannabis Law and Regulations. Please note, OCM can also require that the applicant/license show proof that they obtained the permit after license issuance.



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Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
 - The two entities must be located on the same street for the 200-foot requirement to be applicable.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.
 - The two entities must be located on the same street for the 500-foot requirement to be applicable.
 - Public Youth facility means a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Please note, in order of a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant.

Furthermore, the Board would like to address your Office’s concerns regarding illicit cannabis sales within your jurisdiction. Thank you for sharing this complaint as it has been referred to OCM’s Enforcement Division for investigation and the Board has and will consider the results of the investigation. Governor Kathy Hochul recently unveiled the strongest set of policies enacted thus far to tackle the illicit cannabis marketplace as part of the FY25 Budget. This initiative provides the Office of Cannabis Management and local counties and cities with enhanced authority to act against illicit cannabis storefronts and those who enable them. The New York State Office of Cannabis Management in collaboration with local governments are building a competitive cannabis market, built on principles of justice and access, to ensure broad economic and social prosperity across the state. These collaborative efforts foster greater levels of entrepreneurial innovation, quality consumer



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experiences, safer cannabis products, and broader educational outreach to keep our consumers safe and create a thriving market for the future of our communities. The Office of Cannabis enforcement division is working to end illicit and unlicensed cannabis activities within the State. Although your Office's concerns are well received, they do not pose a specific concern as it relates to the issuance of the contemplated license.

After careful review and consideration of the opinion received from your Locality, and pursuant to the Cannabis Law and related regulations, license OCM-RETL-24-000041 was approved for Bright Elephant LLC located at 25 E Main St Morrisville, NY 13480.

Thank you for your patience while your opinion was being reviewed and this response was being formulated.

If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at municipalities@ocm.ny.gov.

Sincerely,
Cannabis Control Board



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November 12, 2024

SENT VIA EMAIL

Staten Island Community Board 3
1243 Woodrow Rd
Staten Island, NY 10309

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Staten Island Community Board 3:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for OCM-CAURD-24-000169 (EASTERN HOLDINGS 88 LLC) located at 4034 Hylan Blvd, Staten Island, NY 10308.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about May 31, 2024, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to EASTERN HOLDINGS 88 LLC, and the Board is responding as follows:

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in



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municipalities with a population 20,000 or more.

- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
 - The two entities must be located on the same street for the 200-foot requirement to be applicable.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.
 - The two entities must be located on the same street for the 500-foot requirement to be applicable.
 - Public Youth facility means a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Please note, in order of a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant. The Board appreciates the information your Office provided regarding proximity to other dispensaries. However, a review was conducted of EASTERN HOLDINGS 88 LLC, prior to review of the November Que, of the proposed site location at 4034 Hylan Blvd, Staten Island, NY 10308 and this site was deemed to be in compliance of distance requirements established above.

After careful review and consideration of the opinion received from your Community Board, and pursuant to the Cannabis Law and related regulations, license OCM-CAURD-24-000169 was approved for EASTERN HOLDINGS 88 LLC located at 4034 Hylan Blvd, Staten Island, NY 10308.

Thank you for your patience while your opinion was being reviewed and this response was being formulated. If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at municipalities@ocm.ny.gov.

Sincerely,
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November 12, 2024

SENT VIA EMAIL

Queens Community Board 9
120-55 Queens Boulevard, Room 310-A
Kew Gardens, NY 11424

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Queens Community Board 9:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for OCMRETL-2023-001433 (10415 Jamaica LLC) located at 104-15 Jamaica Avenue Richmond Hill NY 11418.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about December 21, 2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to 10415 Jamaica LLC, and the Board is responding as follows:

The Board would like to address you concerns regarding illicit cannabis sales within your jurisdiction. Thank you for sharing this complaint as it has been referred to OCM’s Enforcement Division for investigation and the Board has and will consider the results of the investigation. Governor Kathy Hochul recently unveiled the strongest set of policies enacted thus far to tackle the illicit cannabis marketplace as part of the FY25 Budget. This initiative provides the Office of Cannabis Management and local counties and cities with enhanced authority to act against illicit cannabis storefronts and those who enable them. The New York State Office of Cannabis Management in collaboration with local governments are building a competitive cannabis market, built on principles of justice and access, to ensure broad economic and social prosperity across the state. These collaborative efforts foster greater levels of entrepreneurial innovation, quality consumer experiences, safer cannabis products, and broader educational outreach to keep our consumers safe and create a thriving market



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for the future of our communities. The Office of Cannabis enforcement division is working to end illicit and unlicensed cannabis activities within the State. Although your Office’s concerns are well received, they do not pose a specific concern as it relates to the issuance of the contemplated license.

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
 - The two entities must be located on the same street for the 200-foot requirement to be applicable.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.
 - The two entities must be located on the same street for the 500-foot requirement to be applicable.
 - Public Youth facility means a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Please note, in order of a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant.

After careful review and consideration of the opinion received from your Community Board, and pursuant to the Cannabis Law and related regulations, a license OCMRETL-2023-001433 was approved for 10415 Jamaica LLC located at 104-15 Jamaica Avenue Richmond Hill NY 11418.



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Thank you for your patience while your opinion was being reviewed and this response was being formulated.

If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at municipalities@ocm.ny.gov.

Sincerely,
Cannabis Control Board

October 10, 2024

SENT VIA EMAIL

City of Rochester
30 Church Street City Hall, Room 400A
Rochester, NY 14614-1295

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear City of Rochester:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for OCMRETL-2023-001981 (Benjamin E. Botach) located at 35 Chestnut St., Rochester, NY 14604.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with



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dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about November 29, 2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Benjamin E. Botach, and the Board is responding as follows:

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
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 - The two entities must be located on the same street for the 200-foot requirement to be applicable.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.
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In regard to your Office’s concern about the distance proximity of a retail dispensary to short-term housing units, please be aware that there is no mention of distance requirements from residential housing within Cannabis Law or the Regulations. In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant.

In the attached advisory opinion, your Office also expressed concerns about prior activity at this proposed location. In accordance with Office of Cannabis Management (the “OCM”) procedures and requirements, OCM has thoroughly evaluated these concerns as part of its licensing process. Licensed cannabis operators are held to strict compliance standards, as outlined in the Cannabis Law and related Regulations. In particular, Section 125.3(e) of the Regulations addresses security and the storage of cannabis. This section requires licensees to report any significant security breaches, diversion or theft, criminal activity occurring on or involving the licensed premises, or any other events that could compromise public health or safety, including incidents impacting the health or safety of the licensee's workforce.

When an incident occurs, licensees must submit a detailed incident report to the OCM. This report includes the circumstances of the incident, the corrective actions taken, and confirmation that the appropriate law enforcement authorities have been notified. This mandatory reporting ensures a swift and transparent response to any threats to public safety.

Additionally, Section 120.1(k) emphasizes that violations of the Regulations or the Cannabis Law by a licensee can result in significant penalties. These penalties may include fines, suspension, revocation of the license, and even debarment, as outlined in Part 133 of the Regulations.

The Board is authorized to issue such final licensure based on an applicant satisfying all requirements in Cannabis Law and Regulations, which includes obtaining all necessary permits and a certificate of occupancy. On their application, applicants attest to a requirement that “[A]n applicant and licensee shall have an obligation to ensure that the information, documentation, attestations and assurances submitted to the Office are not fraudulent, false, or misleading” as required by Section 120.1(g) of Title 9 of New York Codes Rules and Regulations (9 NYCRR). Please note, OCM can also require that the applicant/license show proof that they obtained the permit after license issuance.

After careful review and consideration of the opinion received from your municipality, and pursuant to the Cannabis Law and related regulations, license OCM-RETL-24-000100 was approved for Benjamin E. Botach located at 35 Chestnut St., Rochester, NY 14604.

We understand and respect the municipality’s concerns regarding the location. However, we want to assure you that this licensee has met the requirements of the Cannabis Law and has been approved by the Board. The OCM is committed to being a proactive partner with the municipality to ensure that all licensed operators maintain the



Office of Cannabis Management

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Board Member

JENNIFER GILBERT JENKINS

Board Member

FELICIA A. B. REID

Executive Director

highest standards of operation. We are more than willing to address any further questions or concerns you may have regarding the safety and security of this particular licensee.

While the application OCMRETL-2023-001981 met all requirements in Cannabis Law and related regulations to be awarded a final license, the OCM is deferential to the municipality when it comes to the procedure and enforcement of their own local laws.

Thank you for your patience while your opinion was being reviewed and this response was being formulated.

If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at municipalities@ocm.ny.gov.

Sincerely,
Cannabis Control Board