



Office of Cannabis Management

KATHY HOCHUL

Governor

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Cannabis Control Board Chair

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Board Member

HOPE KNIGHT

Board Member

CRYSTAL J. RODRIGUEZ DABNEY

Board Member

JENNIFER GILBERT JENKINS

Board Member

FELICIA A. B. REID

Acting Executive Director

Meeting Minutes

Title:	New York State Cannabis Control Board Meeting
Time & Date:	November 12, 2024 at 11:00 AM
Location:	SUNY Global Center, 116 E 55 th St., Global Classroom, New York, NY 10022, Roswell Park Comprehensive Cancer Center, Research Science Center, Gaylord Cary Conference Hall, 665 Elm Street, Buffalo, NY 14263, Empire State Development, 625 Broadway, 8 th Fl., Albany, NY 12245, SUNY Morrisville, Bicknell Hall, Room 212, 80 Eaton St., Morrisville, NY 13408 and Virtual via Webcast

Attendance

Board Chair:	Tremaine Wright
Board Members Present:	Jessica Garcia
Board Members Present (virtually):	Crystal Rodriguez-Dabney, Jennifer Gilbert Jenkins, Hope Knight
Board Members Absent:	N/A
Others Present:	Celena Ditchchev, John Kagia, Patrick McKeage, Tabatha Robinson
Others Present (virtually):	Matthew Wilson

Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from October 10, 2024 Board Meeting
- IV. Consideration of Adult-Use Applications for Approval
- V. Discussion of Approval of a Proposed Location for Certain Adult-Use Dispensary Applicants
- VI. Consideration of Adult-Use Licensee Location or Tier Change Amendment Requests
- VII. Consideration of Registered Organization Applications for Approval
- VIII. Consideration of Municipal Opinion Responses
- IX. Consideration of Registered Organization Special Licensing Fee Alternative Payment Schedule



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- X. Consideration of Provisional License Extension for Certain CAURD
- XI. Consideration of Certain Requests of Appeal for Administrative Law Decisions
- XII. Office of Cannabis Management Report
- XIII. Public Comment
- XIV. Adjourn

Action Items

Resolution No. 2024-109:	Resolution to Issue Certain Adult-Use Cannabis Licenses.	Passed, Unanimous Vote
Resolution No. 2024-110:	Resolution to Approve the Proposed Location of Certain Conditional Adult-Use Retail Dispensary Applicants.	Passed, Unanimous Vote
Resolution No. 2024-111:	Resolution to Approve Certain Cannabis License and Permit Amendment Requests for the Purpose of a Change in the Location or Cultivation Tier of a Licensee or Permittee's Licensed Premises or Study Site.	Passed, Unanimous Vote
Resolution No. 2024-112:	Resolution to Approve Certain Registered Organization Applications for Registration.	Passed, Unanimous Vote
Resolution No. 2024-113:	Resolution to Issue Responses to Negative Municipal Opinions of Applicants the Board has Issued Licenses.	Passed, Unanimous Vote
Resolution No. 2024-114:	Resolution to Consider Alternative Payment Method for Special Licensing Fees for Registered Organizations Demonstrating Financial Need.	Passed, Unanimous Vote
Resolution No. 2024-115:	Resolution to Extend the Provisional License Period for Certain Conditional Adult-Use Retail Dispensary Licensees.	Passed, Unanimous Vote
Resolution No. 2024-116:	Resolution to Render a in the Matter of Roll Up Nation v. OCM, Inspection No. 202202306070002, Administrative Appeal, Affirming the Decision and Order of the ALJ.	Passed, Unanimous Vote
Resolution No. 2024-117:	Resolution to Render a Decision in the Matter of Gift Shop and Candy Corp v. OCM, Inspection No. 202202405220001, Administrative Appeal, Affirming the Decision and Order of the ALJ.	Passed, Unanimous Vote
Resolution No. 2024-118:	Resolution to Render a Decision in the Matter of Shopsmart Convenience dba The Garden v. OCM, Inspection No. 202202407170025, Administrative Appeal, Affirming the Decision and Order of the ALJ.	Passed, Unanimous Vote

Notes & Comments

- Chair Wright commented that she is very happy to continue to see their dispensaries opening. She stated that adult-use cannabis dispensaries have been steadily opening across New York State (NYS) and as of today's Board meeting, 230 dispensaries are open and



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operational. She noted that a list of open dispensaries is available on the Office's website and can also be accessed by going to their LOCAL map. She commented that with the new dispensaries, it is also encouraging to see the program is maintaining its equity goals as they continue to exceed the Cannabis Law's goal of issuing 50% of adult-use licenses to businesses designated as Social and Economic Equity (SEE) applicants. She noted that they will endeavor to maintain this benchmark as they continue to license additional businesses in the coming months. She stated that as they begin to approach the end of 2024 and start to look back and reflect on the progress made in the adult-use cannabis market, they can all be proud of the milestones they have accomplished as they have transitioned to a more mature market. She further stated that over 1,000 licenses have been issued in the past year, many of these businesses are working hard to become operational and they remain eager to see what they can accomplish.

- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Crystal Rodriguez-Dabney, the Minutes of the October 10, 2024 Cannabis Control Board ("CCB" or the "Board") Meeting were approved unanimously.
- Patrick McKeage, Chief Operating Officer for the Office of Cannabis Management ("OCM" or the "Office"), provided an overview of Resolution No. 2024-109, a Resolution to Issue Certain Adult-Use Cannabis Licenses. Before the Board today, is the tenth cohort of adult-use cannabis licenses which have cleared the multistep review process and are being recommended for approval by the Board. These applications are from the application window that opened on October 4, 2023 and closed for all application types on December 18, 2023. The 125 applicants include 42 retail dispensaries, 30 microbusinesses, 6 cultivators, 11 distributors and 36 processors. This cohort also includes one Conditional Adult-Use Retail Dispensary (CAURD) applicant that is receiving its final license. If approved, this will make 1,311 adult-use cannabis licenses issued in 2024.
- For CAURD applicants that had their provisional license issued by the Office, they will have to come back before the Board for final approval. CAURD applications were originally submitted back in September 2022, but due to litigation, the Office was unable to process a subset of them until the second quarter of 2024. Of the 904 original CAURD applications that were submitted, all but two have now received a final determination, 543 have received a provisional license, and 359 were either denied, withdrawn or administratively closed. Of the 543 that received a provisional license, 217 of those have received their final license.
- In the November queue, the Office is up to 1,619 in the queue order. This leaves approximately 400 applications that still remain in a "submitted" status which means the Office has not begun the review on the application yet. For those applicants whose queue number is shortly after 1,619, be on the lookout for a deficiency e-mail from the Office in the coming weeks. The main deficiency for application review continues to be getting all of an applicant's True Parties of Interest (TPI) disclosures submitted in a timely manner. Each TPI that is listed on an application is responsible for submitting their own TPI disclosure which often requires the individual to also be fingerprinted.
- The Office has also been able to make progress in the December queue. In the cultivator queue, 39 licenses have been issued and include a mix of both Tier 1 and Tier 2 indoor cultivation licenses. The processor queue consists of three queues within it. Applications



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that applied as Type 1 processors can do all processor activities including extraction, Type 2 processors can infuse manufacture value added products but are not authorized to extract, and Type 3 processors who are either only authorized to manufacture cannabis flower products or Type 3 brand licenses. In the processor queue, 161 licenses have been issued and includes 48 for Type 1, 61 for Type 2 and 52 for Type 3. Similarly, in the distributor queue, 27 licenses have been issued to date.

- Chair Wright recused herself from any discussion or vote on application OCMCULT-2023-000055.
- Board Member Jennifer Gilbert Jenkins asked if they could speak directly to the December queue and tell them about the process of what they are looking at moving forward.
- Patrick McKeage stated that they are working their way through those processes and focusing on getting the November queue completed as they laid out in the May Board meeting, and they can expect to give the December queue an update at the December Board meeting on how they want to approach the December queues because the number of licenses issued is ultimately up to the Board.
- Chair Wright asked if they are already tapping into the December queue.
- Patrick McKeage stated yes, and they can provide a further update at the December meeting.
- Board Member Jennifer Gilbert Jenkins stated that if they are already tapping into the December queue, could they explain to people why they are licensing some people from the December queue and telling everybody else that they are waiting and how some people from the December queue are being jumped ahead while as other folks are still waiting.
- Patrick McKeage stated that he does not think that jumps ahead is the correct phrase because they are going in the order of the queue and that the ultimate question will be whether or not they are reviewing all the applications in the December queue.
- Board Member Jennifer Gilbert Jenkins asked why is it that when they are still going through the November queue, are they also doing some of the December queue.
- Patrick McKeage stated that the licensing team at the Office is split into three subgroups, one group that is focused on CAURD, helping get those post-election applications through, one group solely focused on the November queue, reviewing those retail and microbusinesses applications, and then there is another cohort of the licensing staff who just work on the December queue, primarily the supply side licenses.
- John Kagia, Senior Director of Policy for OCM, stated that part of the technical expertise that they have been building in their licensing review process is, because the applications submitted for each of these cohorts were slightly different, they basically had people get trained and focus their time reviewing specific type of license. He stated that as they have progressed through completing the review of the AUCCs/CPs who were transitioned, and have now been able to complete the review of most of those licensees, they then began taking the staff who had been working on the supply side queues and transitioning to start working on the supply side applications, which they had not yet begun to review from the December queue.
- Chair Wright asked if the applications that they have been looking at from December, conditional licensees that had to convert to full license regular adult-use and if they are the primary population of licenses that they have been looking at.



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- Patrick McKeage stated that the AUCCs and AUCPs are not in the December queue, so it is new applicants.
 - Chair Wright stated that they just need a fuller explanation because there is a confusion of which population they are looking at and why, and it has gotten convoluted where the conditional set, if they were in their November queue, if they are now in December queue, and who in December is actually being tapped at this moment and why, and if they can get those questions answered, that would be helpful.
 - Upon a motion from Board Member Jessica Garcia, and a second from Board Member Jennifer Gilbert Jenkins, Resolution No. 2024-109, a Resolution to Issue Certain Adult-Use Cannabis Licenses, was approved unanimously.
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- Patrick McKeage, Chief Operating Officer for OCM, provided an overview of Resolution No. 2024-110, a Resolution to Approve the Proposed Location of Certain Adult-Use Retail Dispensary Applicants. Under Article 4 of the Cannabis Law, the Board has the responsibility of overseeing all adult-use cannabis activities. As outlined in Section 64 of the Cannabis Law, the Board is to establish regulations for determining whether granting an applicant's adult-use license would promote Public Convenience and Advantage (PCA). Currently, these factors are defined under Section 119.4 of the New York Codes, Rules and Regulations. At the September 10, 2024 Board meeting, the Board approved a resolution directing the Office to file proposed amendments to these regulations for public comment. While the Board is considering these requests under the framework in the current regulations, future requests, including requests received after the new regulations were voted on, will be evaluated under the regulations voted on by the Board that are currently undergoing the public comment process. The five applicants in this resolution have all submitted information requesting PCA and the Office has shared those requests with the Board for their consideration. This approval is based solely on the existing regulations and does not set a precedent for future determinations under the amended regulations once they are finalized.
 - Chair Wright stated that there is a small process change here since they are doing them individually and that she is going to bring each request forward for discussion after a motion is made to either approve and/or deny the request and will take a vote on that motion so that they can thereafter move forward to the next item. She stated that the first request is in the matter of Leafy NYC II LLC, Adult-Use Retail Dispensary license application ID No. OCMRETL-2023-000951, located at 245 W 14th St., New York, NY 10011.
 - Board Member Jessica Garcia asked for a review of what led to the recommendation.
 - Patrick McKeage stated that each of the applicants, and this goes for all of them submitted before the Board today, put together a request under those seven factors that are essentially listed in Part 119, whether or not the public convenience and request would be finding PCA for their proposal and this particular location is in a provisional status, meaning that their application has been reviewed and they have received a provisional license, they have submitted this location, there is no active licenses within 1000 feet of the proposed location. He stated that however, there is a CAURD applicant that is receiving proximity protection within 815 feet of this proposed location in the packet, and they also submitted a screenshot of what the walking distance for the two locations looks like as opposed to the bird's eye door to door measurement from the door of the dispensary to the door of the other dispensary. He



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stated that just for awareness, that is how their proximity regs currently are enforced and it goes in a straight-line measurement from door to door, not necessarily following the road factors and the Office put together this information. He further stated that they have also received a positive Community Board opinion for the proposed location and that is actually true of all of the applicants before the Board today, and that they all have received a positive either Community Board or local municipality provision and the Office is sharing that information for the Board's consideration.

- Chair Wright stated that one of the things that was important to her in this case is the location and that this is centered right in lower Manhattan and there are two blocks north, south blocks away from each other and then half a block east, west and it is also a very densely populated area and it is a lot of things that they can consider in thinking about if it is a possibility once that store is open, if it is something that would impact their profitability and if they would still be able to thrive the way they hope and intended for them to and she appreciates that the Community Board has spoken to this as well as all of the other applications for this community because there is a lot of interest in it.
- Chair Wright stated that since this is a provisional licensee, when they vote, they are voting also on their license here.
- Upon a motion from Board Member Jennifer Gilbert Jenkins, and a second from Board Member Hope Knight, the motion to approve the request in the matter of Leafy NYC II LLC and grant the license because the proposed location would promote PCA under the factor set forth in Cannabis Law, Section 64 and Title 9, New York Codes, Rules and Regulations, Section 119.4, was approved unanimously.
- Chair Wright asked for a brief overview of what was presented in this packet for Buzzy NY, LLC, Adult-Use Retail Dispensary license application ID OCMRETL-2023-001459, located at 137 Court St., Brooklyn, NY 11201.
- Patrick McKeage stated that this is still in the applicant stage and the consideration for the Board here is just the approval of the location and there would still be additional application requirements that would need to be met and fulfilled here. He stated that this conflicts with two current licensees that are receiving proximity protection, one is an active license, which is 956 feet away from the door-to-door measurement and the other is a pending CAURD license which is 743 feet away from the proposed location. He further stated that this one also has a positive municipal opinion from the Community Board, stating that they have no issue with the retail dispensary at the proposed location and those are the top level.
- Upon a motion from Board Member Hope Knight, and a second from Board Member Jessica Garcia, the motion to approve the request in the matter of Buzzy NY, LLC and grant the license because the proposed location would promote PCA under the factor set forth in Cannabis Law, Section 64 and Title 9, New York Codes, Rules and Regulations, Section 119.4, was approved unanimously.
- Chair Wright asked for a brief overview of 463 Station, Inc, Adult-Use Retail Dispensary license application ID OCMRETL-2023-001132, located at 463 Main St., Beacon, NY 12508.
- Patrick McKeage stated that this one has one conflicting dispensary, which is an active license, but what makes this one a little bit unique is this is a retail dispensary proposed location that is conflicting with a microbusiness proposed location. He stated that the



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microbusinesses are a little bit of a different look and feel because they can only sell products that they produce and that a dispensary which is not limited to that would have a lot more of a kind of product offerings and be a little less niche as opposed to a microbusiness which is a little bit more of that craft brewery vibe. He stated that there is microbusiness 794 feet away and that is the only pending location, and that there are also two letters of support, one from an assembly member, and one from the local municipality, voicing support for this dispensary in the community.

- Upon a motion from Board Member Crystal Rodriguez-Dabney, and a second from Board Member Jennifer Gilbert Jenkins, the motion to approve the request in the matter of 463 Station, Inc. and grant the license because the proposed location would promote PCA under the factor set forth in Cannabis Law, Section 64 and Title 9, New York Codes, Rules and Regulations, Section 119.4, was approved unanimously.
- Chair Wright asked for a brief overview of AT THE FACTORY, LLC, Adult-Use Retail Dispensary license application ID OCMRETL-2023-001225, located at 424 Troutman St., Brooklyn, NY 11237.
- Patrick McKeage stated that this is a provisional license and they have gone through the first step of the application, received the provisional license and have requested the PCA request. He stated that there is one pending location within the proximity of this one and that there is an active license, which is a CAURD that is 523 feet away. He stated that there are no pending licenses within the proximity of this proposed location, and they also received support from the local Community Board for this proposed location to be a retail dispensary.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Crystal Rodriguez-Dabney, the motion to approve the request in the matter of AT THE FACTORY, LLC and grant the license because the proposed location would promote PCA under the factor set forth in Cannabis Law, Section 64 and Title 9, New York Codes, Rules and Regulations, Section 119.4, was approved unanimously.
- Chair Wright asked for a brief overview of Greenleaf Cannabis LLC, Microbusiness license application ID OCMMICR-2023-000621, located at 356 W 40th St., New York, NY 10019.
- Patrick McKeage stated that what makes this one a little different is they have already received their license and have a license under their microbusiness. He noted that however, all microbusiness applicants can add a retail location. He stated that they applied with the retail location for this application, however, due to the proximity, it was denied at the time of licensure and now they are coming back requesting PCA for the proposed retail location at the same location as their cultivation and processing. He noted that there are two conflicting dispensaries within this proposed location, one is an active license, and one is a pending license and that the active license is 890 feet away and the pending license, which is a CAURD applicant, is 302 feet away. He stated that this request also includes a positive opinion from the local Community Board, as well as a letter from the New York City Council Member who represents the area. He further stated that the Office is sharing hesitation with this approval at this time, given the 300 foot distance from the location that it is conflicting with and would like the Board to be very aware of that fact for this particular one, just given they are at the beginning of the market and they know a lot of people are looking to get up their stores and 300 feet away is likely too close to be accepting a waiver at this time.



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- Board Member Jennifer Gilbert Jenkins asked do they have a map of this one to show that 300-foot distance and is it on the same block or is it across avenues.
- Patrick McKeage stated that it is one block down.
- Chair Wright stated that the address for this location is 356 W 40th Street, which sits between 8th and 9th Avenue and the other location is on 39th between 9th and 10th. She stated that it is somewhat of a Z, so it crosses an avenue, and it is also two different streets. She then asked is that proposed location a full dispensary or is it a micro.
- Patrick McKeage stated that the micro is requesting the PCA, and the conflict is a full CAURD dispensary.
- Chair Wright stated that it is a full dispensary that cannot carry the products that would be sold in this micro and asked is that correct.
- Patrick McKeage stated that they can carry micro products and it would be the microbusiness that can only carry their stuff.
- Chair Wright stated that this micro, unless they share their products with that institution, that they hope opens on a block away, there would be no real competition between the two and asked is that correct because they would be distinct products.
- Patrick McKeage stated that they would still be selling adult use-cannabis products, but the microbusiness presumably would have a much smaller selection and more of a selected group of products they manufactured, where a retail dispensary would have like a liquor store, a variety of brands that this microbusiness would not be carrying and would be distinct in that way.
- Board Member Jessica Garcia asked aside from the proximity, what else distinguishes this request from the one in Beacon, which was also a microbusiness.
- Patrick McKeage stated that primarily it is just the proximity that is the only thing that is really different in this one.
- Board Member Jennifer Gilbert Jenkins stated that the fact they are on different streets is significant, and that one is on 40th and one on 39th is a significant difference.
- Chair Wright stated that it is somewhat significant that they are on different avenues and that the product lines will be quite different and that unless this micro decides that they want to engage in business and if these two businesses agree that they want to sell the same products, there is no way on earth for them to sell the same products and that by itself sets them up as completely distinct and different entities and they would not have necessarily the same consumers looking for the same products. She further stated that just saying adult-use is way more broad than they need to consider in this moment because she does not know what that micro is producing.
- John Kagia stated that they have seen at least to date a fairly consistent product mix within both their micros and adult-use stores and the micros who are just getting started will be generally working with processor partners to get those value-added products, but they have seen adults start with a fairly broad selection of flower products which account for about half the demand. He stated that they expect that as this market grows, at least in terms of the nature of the products carried, they will at least initially be some similarity.
- Chair Wright stated similarity but not the same.



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- Board Member Jennifer Gilbert Jenkins stated that someone going to a place that can only sell the product that they have made, is going there specifically because they are interested in that brand and that product, and they don't necessarily directly conflict with each other.
- Chair Wight stated that they are trying to say that you cannot sell like items in the same area and that might be hindering the growth of businesses, particularly a business like this where they have already licensed them to process and to cultivate at that location. She stated that giving someone the nod for them to move forward with their business at that location, they need to really be careful about thinking about what they are prohibiting them from doing and the cost it would impose for them to have to find an entirely different location to run what is sort of the lifeblood of their business and they don't have a space to sell their products at this moment and their products are not in other places and they are really just eating the cost at this moment and she is a little bit more concerned about that.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Hope Knight, the motion to approve the request in the matter of Greenleaf Cannabis LLC and grant the license because the proposed location would promote PCA under the factor set forth in Cannabis Law, Section 64 and Title 9, New York Codes, Rules and Regulations, Section 119.4, was approved unanimously.

- Patrick McKeage, Chief Operating Officer for OCM, provided an overview of Resolution No. 2024-111, a Resolution to Approve Certain Cannabis License and Permit Amendment Requests for the Purpose of a Change in the Location or Cultivation Tier of a Licensee or Permittee's Licensed Premises or Study Site. The Cannabis Law and Regulations allow the Board to authorize amendments to cannabis licenses. The Office launched an amendment survey on August 27, 2024, which allowed adult-use cannabis licensees to request certain amendments, including location changes, which require Board approval in accordance with the cannabis regulations. The Office has begun the review of these amendment requests and will be reviewing the requests on a rolling basis. The amendment requests before the Board today include both supply side and retail dispensary licensees. In total, there are 13 licensees who are requesting a location change. The licensees have provided all necessary information in accordance with the cannabis regulations and are being recommended for approval by the Office. The Office will only process amendment requests received via the amendment survey which is located on their website under the "Licensing tab" on the Adult-use page. E-mail submissions of location requests will not be considered.
- Upon a motion from Board Member Jennifer Gilbert Jenkins, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2024-111, a Resolution to Approve Certain Cannabis License and Permit Amendment Requests for the Purpose of a Change in the Location or Cultivation Tier of a Licensee or Permittee's Licensed Premises or Study Site, was approved unanimously.

- Tabatha Robinson, Director of Economic Development, Policy and Research for OCM, provided an overview of Resolution No. 2024-112, a Resolution to Approve Certain Registered Organization Applications for Registration. Section 35(9) of the Cannabis Law states that the Board shall register additional Registered Organizations (ROs) in the Medical Cannabis Program to provide services to unserved and underserved areas of the state and



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shall actively promote racial, ethnic, and gender diversity when registering additional ROs. The Board approved the application under Resolution No. 2023-34 and the Office has been diligently reviewing applications since last year. One application has been removed to conduct further diligence. For the four registrations listed in the attached resolution, the Office is recommending approval. The applicants have provided all necessary information in accordance with the cannabis regulations. Applicants must demonstrate their ability and capacity to serve the public interest, for example, through cultural, linguistic and medical competence, affordable products for all patients, protecting environmental sustainability objectives, diversity, equity and inclusion goals, and outreach to practitioners and researchers. These applications before the Board today are for approval. This is not an authorization for them to commence operations, but the green light in terms of getting started.

- Chair Wright asked how will the ROs know where they are ultimately authorized to operate.
- Tabatha Robinson stated that the Office will bring that before the Board.
- Board Member Jennifer Gilbert Jenkins asked did they specify which one was being pulled.
- Tabatha Robinson stated that she did not specify and there are four applicants remaining.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Hope Knight, Resolution No. 2024-112, a Resolution to Approve Certain Registered Organization Applications for Registration, was approved unanimously.

- Patrick McKeage, Chief Operating Officer for OCM, provided an overview of Resolution No. 2024-113, a Resolution to Issue Responses to Negative Municipal Opinions of Applicants the Board has Issued Licenses. Section 76(4) of the Cannabis Law provides that when a city, town, or village within NYS, or a community board within New York City expresses an 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 when deciding to either issue or deny the license. At the July Board meeting, the Board delegated to the Office the ability to respond to municipalities that issued a positive or neutral opinion. The Board retained the authority to issue letters for municipalities that provided a negative opinion. The five letters attached to this resolution are responses from the Board to respond to the municipalities who have issued a negative opinion. The positive opinions are being replied to by the Office.
- Board Member Jessica Garcia asked if they could have somebody look at these because there are a couple of typos.
- Patrick McKeage responded definitely, yes.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Hope Knight, Resolution No. 2024-113, a Resolution to Issue Responses to Negative Municipal Opinions of Applicants the Board has Issued Licenses, was approved unanimously.

- Patrick McKeage, Chief Operating Officer for OCM, provided an overview of Resolution No. 2024-114, a Resolution to Consider Alternative Payment Method for Special Licensing Fees for Registered Organizations Demonstrating Financial Need. This resolution will authorize an alternative payment schedule for RO licensees who are able to demonstrate financial need for the initial payment of the Registered Organization Dispensing (ROD) special license fee. The Office is recommending an alternative payment schedule be available to ROs to help



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strengthen the medical program and receive vital revenue for social and economic equity incubation and technical assistance programming. As outlined in the Cannabis Law, the one-time special license fee is earmarked for SEE initiatives. The current ROD special license fee is \$20 million, with an upfront payment of \$5 million in order to begin co-locating activities at one dispensary. This resolution would still require the full amount of the fee to be paid but instead of requiring the payment upfront, it would allow ROs who can demonstrate financial need through the submission of financial statements, the ability for the upfront \$5 million fee to be paid over a period of 18-months over three installments. With a decline in the number of patients in the medical cannabis program, many medical only dispensaries are struggling to remain operational. The ability to co-locate a dispensary and offer adult-use sales will help offset costs and keep more medical dispensaries open which is necessary for patient access. A ROD who participates in the alternative payment methodology is prohibited from closing any operational medical cannabis dispensary or reducing hours of operation at a medical dispensing facility. This alternative payment schedule would only apply to the first \$5 million of the special license fee and not impact the payments remaining which becomes due when a ROD opens additional co-located locations or hits certain revenue targets outlined in their regulations.

- Board Member Jessica Garcia asked how they oversee the hours of operation of a medical dispensary to confirm that they have not reduced those hours.
- Patrick McKeage stated that they are required to let the Office know what their hours of operation are, and they have all of that information, and because it impacts patients access, if there is any dramatic increase or decrease or closing of a location, they are required to let the Office know that that is happening and ultimately seek the okay.
- Chair Wright stated that they are focused on financial need and asked what the trigger for financial need is.
- Patrick McKeage stated that this will really come down to looking at the dollars and cents of the RO's medical dispensary operations, particularly in New York. He stated that they are asking for standard financial documents, and they have had a couple preliminary discussions with several ROs who have sent some additional information, and they are really just looking to see if the cost of operations can be maintained through the sales in the medical program.
- Chair Wright stated that it is not just a dollar amount and asked is it an overall assessment of their operations.
- Patrick McKeage responded correct and that it could be more of a holistic assessment.
- Chair Wright stated that they do not have a trigger and it is not one thing that triggers.
- Patrick McKeage responded yes.
- Chair Wright asked if they would have to be committed to doing an assessment in order to accelerate payments unless they told them otherwise.
- Patrick McKeage responded correct.
- Board Member Jennifer Gilbert Jenkins asked if they are only looking at their finances in New York or are they taking their finances in other states into account saying, if they are in another state and they are doing poorly there, are they going to give them that benefit here because as a whole they are having economic problems, but their New York side is not.



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- Tabatha Robinson stated as they look at their analysis and look across their financials, they are looking at what their cash flow is, does this company have \$5 million right now in cash to provide it, if they don't, then what is their projection based on their New York operations that they will be able to provide that funding. She stated that now because the fee is part of their transition to New York retail, they are specifically interested in what their New York retail operations and cash flow may allow.
- Board Member Jennifer Gilbert Jenkins stated that they have to be established as a medical dispensary before they can co-locate and asked are they looking at just their medical dispensary success here or are they taking into account the fact that they are being run into the ground in another state and therefore are looking to NYS to subsidize their expansion here.
- Tabatha Robinson stated that they are looking at the ways in which their New York operations, both on the medical side and the adult-use side, can help them fund that fee and in terms of what their operations may look like in other states, other states have different requirements, and the way that a company might structure in one state is different from the way that a company might structure within NYS, and they are most interested in their ability to serve this population here and what that means in terms of their costs and their revenue.
- Board Member Jennifer Gilbert Jenkins stated that the idea behind this is really important, but the devil is in the details, and she is nervous about the way that they follow up and that they ensure that they are not just giving a handout to corporations on the back of some of their smaller retail dispensaries that don't get a help like this.
- Chair Wright asked if they are prohibited from expanding before this payment is completed and the payment scheduled requires that the final payment is at least six months before any renewals.
- Tabatha Robinson stated that they have these protections in place to ensure that this is not a green light for them to just keep on running, keep growing on the AU side, and continue to claim that they are under financial distress and that there is a prohibition, so once they request this deferral fee, they cannot open any other AU stores, and if they intend to grow, then the fee is due.
- John Kagia stated that it only applies to one location that they are transitioning. He stated that there is also a default trigger, which is if they do not receive a payment, then they will have to cease the AU activities until such time as they can make a payment and then continue along that payment plan.
- Chair Wright stated that they do have a couple of backstops to help them manage the payment schedule without actually going in and doing an assessment of their finances and they are scheduling it to end six months before the license ends and they can stop the adult-use sales and they have the authority to not renew any license that comes before them for renewal if payments are not made or if they are delinquent.
- Tabatha Robinson stated that 18 months is what they are given in terms of deferral and renewal happens every 24 months, and they have a number of backstops in which they are looking at whether this deferral is still appropriate. She stated that if the company ever goes a major reorganization or an acquisition or gets a large injection of cash, then that would trigger another analysis and they would potentially lose that deferral.



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- Chair Wright stated that if they are out raising money and they know about it, then that triggers them, and then they know that they can also tap in to say that they would like this debt to be paid as well.
 - Tabatha Robinson stated exactly.
 - Upon a motion from Board Member Jessica Garcia, and a second from Board Member Jennifer Gilbert Jenkins, Resolution No. 2024-114, a Resolution to Consider Alternative Payment Method for Special Licensing Fees for Registered Organizations Demonstrating Financial Need, was approved unanimously.
- Patrick McKeage, Chief Operating Officer for OCM, provided an overview of Resolution No. 2024-115, a Resolution to Extend the Provisional License Period for Certain Conditional Adult-Use Retail Dispensary Licensees. Provisional CAURD licenses are valid for 12 months from the date that the provisional license is issued. The first cohort of CAURD provisional licenses is set to expire at the end of November 2024. Various unique factors affected the adult-use rollout as related to the CAURD program, including uncertainty regarding the Social Equity Fund, litigation delays, and recent changes allowing CAURD provisional licensees to locate in a region outside the region initially selected on their application. The Office is proposing a 6-month extension of the CAURD provisional license from the date the provisional license was originally approved by the Board. To prevent the provisional license from expiring, provisional CAURD must receive their final CAURD license showing that they have completed all requirements for licensure.
 - Chair Wright stated that she wanted to be clear that they have over 400 licensees that would be impacted by this.
 - Patrick McKeage stated correct and basically, any CAURD that received their provisional license before the injunction, so anyone who received the license before August 7th, 2023.
 - Upon a motion from Board Member Crystal Rodriguez-Dabney, and a second from Board Member Jessica Garcia, Resolution No. 2024-115, a Resolution to Extend the Provisional License Period for Certain Conditional Adult-Use Retail Dispensary Licensees, was approved unanimously.
- Celena Ditcher, Associate Counsel for OCM, provided an overview of Resolution No. 2024-116, a Resolution to Render a Decision in the Administrative Appeal Matter of Roll Up Nation v. OCM, Inspection No. 202202306070002. Before the Board today, is a proposed decision for an Administrative Appeal submitted to the Board for review. Under the Cannabis Law and Regulations, the Board has the responsibility of reviewing an Administrative Law Judge's (ALJ) decision when a party takes an exception and submits a written administrative appeal within 30 days of the ALJ's decision. The review of the appeals is actively underway and will continue on a rolling basis before the Board. The incident matter before the Board is an appeal from a decision issued by an ALJ with the Office of the Administrative Hearings (OAH). A regulatory inspection was conducted, and a subsequent hearing was held before the OAH. The presiding ALJ determined that there was unlicensed cannabis activity and assessed a \$10,000 penalty. The proposed recommendation and resolution to the Board is to affirm the ALJ's decision and order.



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- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2024-116, a Resolution to Render a Decision in the Administrative Appeal Matter of Roll Up Nation v. OCM, Inspection No. 202202306070002, affirming the decision and order, was approved unanimously.

- Celena Ditchev, Associate Counsel for OCM, provided an overview of Resolution No. 2024-117, a Resolution to Render a Decision in the Administrative Appeal Matter of Gift Shop and Candy Corp v. OCM, Inspection No. 202202405220001. Before the Board today, is a proposed decision for an Administrative Appeal submitted to the Board for review. The matter stems from a regulatory inspection that was conducted and a subsequent hearing held before the OAH. The presiding ALJ determined that there was unlicensed cannabis activity and ordered that the Order to Seal be extended from one year from the date of the decision. The proposed resolution and decision before the Board is to affirm the ALJ’s decision.
- Upon a motion from Board Member Crystal Rodriguez-Dabney, and a second from Board Member Hope Knight, Resolution No. 2024-117, a Resolution to Render a Decision in the Administrative Appeal Matter of Gift Shop and Candy Corp v. OCM, Inspection No. 202202405220001, affirming the decision and order, was approved unanimously.

- Celena Ditchev, Associate Counsel for OCM, provided an overview of Resolution No. 2024-118, a Resolution to Render a Decision in the Administrative Appeal Matter of Shopsmart Convenience dba The Garden v. OCM, Inspection No. 207202407170025. Before the Board today, is a proposed decision for an Administrative Appeal submitted to the Board for review. The matter stems from a regulatory inspection that was conducted and a subsequent hearing held before the OAH. The presiding ALJ determined that there was unlicensed cannabis activity and ordered that the Order to Seal be extended from one year from the date of the decision. The proposed resolution and decision before the Board is to affirm the ALJ’s decision.
- Upon a motion from Board Member Crystal Rodriguez-Dabney, and a second from Board Member Hope Knight, Resolution No. 2024-118, a Resolution to Render a Decision in the Administrative Appeal Matter of Shopsmart Convenience dba The Garden v. OCM, Inspection No. 207202407170025, affirming the decision and order, was approved unanimously.

- Patrick McKeage, Chief Operating Officer for OCM, John Kagia, Senior Director of Policy for OCM, Tabatha Robinson, Director of Economic Development, Policy and Research for OCM, and Matthew Wilson, Director of Community Grants Reinvestment Fund for OCM, provided the following OCM report.
 - Compliance Update
 - Compliance Inspection Update
 - Since the adoption of the adult-use cannabis regulations on September 27, 2023, the Office has completed over 170 on-site inspections, spent 468 hours at licensee locations completing inspections, issued 513 findings to licensees, and received 434 corrective action plans to address the inspection findings.
 - The average time for licensees to resolve findings with an approved corrective action plan was 28 days. The Office completed 184



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virtual retail pre-operation inspections and spent 138 hours completing these virtual pre-operational inspections.

- Product Quarantines
 - A quarantine pauses a product from moving forward in the supply chain pending further investigation. The Office may lift a quarantine once the concern is resolved, allowing the product to move forward again. A product deemed to have an unresolvable risk to public health and safety may be removed from the supply chain. Products deemed unresolvable at the cultivation or processing level of the supply chain must be destroyed. Products that have progressed to the retail level are recalled.
 - Since September 27, 2023, 76 products were quarantined due to identified potential risk to public health and safety. Of these 76 quarantined products, 64 quarantines were lifted upon completion of investigation, 2 product quarantines resulted in product recall, 7 product quarantines resulted in product being destroyed, and 3 quarantines are currently pending further investigation.
- Market Update
 - New York has sold \$800 million in legal cannabis.
 - Weekly sales reached a new high of \$24.3 million in early November, bringing the 2024 year-to-date total to \$638.5 million. At the current pace, 2024 sales will exceed \$800 million.
- Seed-To-Sale Update
 - Pursuant to Section 78 of the Cannabis Law, OCM requires all licensees to utilize an electronic system that tracks cannabis as it moves through the supply chain, a complex inventory management system called a seed to sale system.
 - All licensees must report their data to OCM using the BioTrack seed to sale system Application Programming Interface (API). In order to ensure unique identification of inventory, licensees will purchase inventory tags from BioTrack in advance of operations. OCM will cover a total of \$250,000 in tag purchases across licensees, at the launch of the project. The unique identifiers tied to each tag are representative of one piece of inventory that stays with that inventory from the plant stage to final product.
- Processor Type 3 Branding License Application Update
 - The Processor Type 3 Branding license is a processor license type outlined in the cannabis regulations.
 - This license type does not authorize any cannabis plant touching activity or require a licensed premises in NYS. This license type allows cannabis brands to pursue white-labeling agreements with duly licensed processors without becoming a TPI in another processor.
 - The branding license type also captures ownership and TPI information for cannabis brands. With this disclosure, the Office can better regulate



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cannabis brand activity, and the Cannabis Brand licensee must adhere to all regulations pertaining to undue influence and control, ownership limits and tier violations.

- Adult-Use Application Review Update – November Queue
 - o The Office is prioritizing the review of the November queue and is reviewing applications in the order of the queue.
 - o To date, the Office has started the review of up to number 1,619 in the queue review order.
 - o Currently, 1052 dispensary locations are receiving proximity protection.
- Licensing Update
 - o There are currently 217 CAURD with final licenses, 273 adult-use retail dispensaries, 95 provisionally approved retail dispensaries, 219 microbusinesses, 197 cultivators, 256 processors and 149 distributors.
 - o There are currently 229 dispensaries open for business across NYS.
- Social and Economic Equity (SEE) Update
 - o To date, 54% of adult-use licenses are SEE owned. The breakdown includes 38% Minority-Owned Business, 44% Women-Owned Business, 7% Service-Disabled Veteran-Owned Business (SDV), 6% Distressed Farmer, and 5% Communities Disproportionately Impacted (CDI).
 - o To date, 38% of Adult-Use Cultivators, 43% of Adult-Use Processors, 36% of Adult-Use Distributors, 58% of Microbusinesses, and 81% of Adult-Use Retail Dispensaries, are held by SEE licensees.
- Community Reinvestment Program Grants Update
 - o The Community Reinvestment Program is designed to ensure equitable distribution of resources throughout NYS, with at least one grant awarded in 13 priority counties and each Empire State Development (ESD) region.
 - o The Applicant Pre-Submission Webinar for the Community Reinvestment Program grant took place on Wednesday, October 30, 2024, and had over 400 participants.
 - o The application deadline is December 13, 2024 at 5:00pm.
 - o This solicitation aims to support 501c3 Organizations serving young people ages 0-24 years old. OCM is accepting applications that address three specific program areas: Mental Health, Housing, and Workforce Development. The total available funding for this grant opportunity in 2024 is \$5 million. Each individual grant award will total \$100,000.

- Members of the public were provided the opportunity to address the CCB during the Public Comment period. Participating individuals must limit their remarks to two minutes and should only be related to specific agenda items. Public Comments are listed in Appendix A.
- The CCB adjourned the meeting.



Appendix A

NYS Cannabis Control Board 11/12/2024 Meeting – Public Comment

	First Name	Last Name	Organization (If Applicable)	Public Comment
1.	Paul	Steinbrucker	S&S Cultivation	Hi. My company's an indoor cultivation applicant whose queue is in the least and slowest licensed facet of this whole industry so far, the cultivation queue. We were required to have an executed lease to a apply a number of 2023. After paying rent for a whole year on a 10,000 square foot facility and still not being under review, we are now farmers who are distressed by this enormous financial hardship this slow process has caused us. Today, you only approved two applicants for licensure that were actually on the December cultivation queue, not the what, the sixth that you guys said. In the last four meetings, 120 days, only a total of 15 applicants that were actually on the December cultivation queue were licensed. In that same amount of time, you approved 163 licenses from the processor queue. Total approved today from the cultivation queue is only 39, which is only 14% of the queue. Total approved to date from the processor queue is 256, which is 47% of the processor queue. We need the same attention, consideration, and speed as the processor queue. We don't want to slow them down, but we ask to speed us up. As well as I would also like to ask that no applications be reviewed and licensed that didn't have a location requirement until all the applicants that were required to have a location be at least reviewed. So the type three processors should not be getting any kind of attention or any kind of review, as well as any non-lease required micros from the December before all of us lease requires have been reviewed. It will most certainly take resources and time away from us and the attention that we need, and we should not be committed to this serious financial hardship. And that's all. Please, we ask you for your help. Thank you.
2.	Jeffrey	Hoffman		Good afternoon. Thank you very much. My name is Jeffrey Hoffman. I'm an attorney here in New York City. I want to thank the board very much for awarding licenses to my clients today. In particular, I'd like to point out one that was the result of a application that had previously been voided, it was then re-reviewed and correctly un-



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	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>voided. I believe we have a rash of these. I have several other clients that I believe were improperly voided. I've also spoken with a number of other attorneys that also believe that they have applicants that were improperly voided. So we just want to make, do we have a really good process to review that and make sure that all the applications that should get through the process are getting through the process. As I've said at previous board meetings, we've got two very important bills that we want to turn into law in the next legislative session. One would require all medical professionals in the State of New York to take a CME and continuing medical education class about the endocannabinoid system. The other would require the healthcare entities that are funded entirely by New York State to cover medical cannabis. You gave away some more medical license today. I think we really need to jumpstart the program, and I think both of those bills getting turned into law would definitely do that. Thank you very much for your time today. I think I'm also supposed to say I represent nyra. Jason will be very happy about that. I also represent a nonprofit called the Cannabis Justice and Equity Initiative. Workforce development is the most important thing we can do. While there's going to be a few thousand licenses, there's going to be hundreds of thousands of jobs in the state, and we really have to focus on the workforce development efforts, the Cannabis Justice and Equity Initiative is doing that. I encourage folks to go onto the web and take a look at the program and see how we can get folks jobs from communities that were disproportionately impacted in the cannabis industry. That will truly be the success of what we're doing here. Thank you very much.</p>
3.	Adam	Drake	DTV Enterprises	<p>Good afternoon. Thank you for your time. My name is Adam Drake. I'm a part of DTV Enterprises. Our journey has been a long one, to say the least. I received a CAURD license over a year and a half ago for Long Island, which turns out wasn't the best choice. But then I was able to lock down a building in Brooklyn. I asked the OCM to switch my geographical location and was denied. So then I reapplied in the November queue with site control, proof of property. Then the OCM allowed CAURD licensees to change regions. I was denied yet again. The reason for denial is why I'm here today. Proximity protection was</p>



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	First Name	Last Name	Organization (If Applicable)	Public Comment
				given to an applicant that no longer has anything to do with that location. They've never had site control. This proximity protection is blocking us out. We have provided evidence of this multiple times. We actually have a letter from the landlord dated May 16th, 2024, confirming that that relationship with the tenant was terminated. If we receive a response, it's very genetic with little guidance. This has been going on for over seven months. And now on top of that, that applicant with proximity protection somehow got approved in September with the location that she doesn't have anything to do with. We have been respectful. We haven't bombarded with calls or emails, just a steady line of questioning that goes unanswered. My last email actually bounced back because my email was blocked by a member of the OCM. We know this is a difficult situation for everyone involved. We just feel invisible at the moment, and we ask for help. Thank you for your time.
4.	Larry	Bragaglia	DTV Enterprises	Hi, all. Just adding to Adam Drake, my partner, Adam Drake. My name's Larry Bragaglia. I'm a proud partner of DTV Enterprises. We are justice involved, as you know, and I'm here with my team to seek answers out of frustration. We have site control since last October, and we continue to pay rent. The Community Board too approved us last December and we are anxiously waiting for a response from the OCM. Our building is primed and ready for build out. Our families are invested with us and have been patiently waiting, knowing this was no easy task, but at this point, it's embarrassing. It has been an entire year. We are still waiting for answers from the OCM. I'm here to today to peacefully, ask the OCM to answer our emails and give us the clarity so we have direction. Thank you for this platform and hopefully you'll provide us with a positive path. Thank you.
5.	Joshua	Germuga	DTV Enterprises	How you doing everyone? I'm, I'm Joshua Germuga. I'm the third member of the DTV Enterprise. Thank you all for the board of everything you do and the opportunities that are in front of us. Our situation has gotten quite discouraging. We've invested a lot of money. We're currently paying rent on a property in Brooklyn, being buffed out with proximity protection with a location that we've done research on that is not viable apparently from what we know. And we are just here to, you know, ask for



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	First Name	Last Name	Organization (If Applicable)	Public Comment
				some more transparency. We have long trail of emails that we've given and we're just really searching for a little bit of answers. I mean, if the problem happened to be something that would keep us out of the mix of things, we would pivot. Again, this is the world that we're in, and we are going to be involved in this business regardless. But it's not fun when you're just seeing money go out the door every month and getting no response. So we are just asking for some sort of a clarification. Thank you.
6.	Bob	Ponce		It's been 246 days and counting since somebody from OCM occupied the position of Chief Equity Officer. Many of us are gratified that the investigation of Damian Fagan was resolved. And for the press who covered it, I have a word for you. It's called exoneration. You should use it, but that's not the issue. The question is why no interim equity officer was appointed over the last eight months and being as we're going to the end of the year, and it's not likely that that position is going to be resolved before 2025. I would urge that the OCM leadership look amongst their ranks and find somebody who they can appoint as interim executive officer to keep that momentum going. They can probably find somebody even in this room who could handle that position. Also interested in finding out where we are with the executive search for a permanent executive director. Interim director, Felicia Reid should be applauded and commended for jumping into the hot seat and bringing her experience in state government to bear on the issues at hand. Going forward into 2025, as this market breaks into a billion-dollar legal market, New York State deserves executive leadership with extensive experience in the cannabis industry, a commitment of resources and contacts, and also a commitment to MRTA. Thank you.
7.	Rodney	Theobal		Good afternoon, everyone. My name is Rodney Theobal. I'm here for Rodney Theobal. I'd just like to say thank you to the OCM even letting me participate in this wonderful industry. You know, it's New York City, most diverse cannabis market in the whole United States, and I really appreciate it. I'm generally happy. Thank you.
8.	Colleen	Hughes		Good afternoon. My name is Colleen. I've been in the legal cannabis space in New York for just about 10 years and have been a staunch advocate for the MRTA in repairing the harms of the drug war. I'm also a technical assistance provider through my nonprofit organization. While I



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	First Name	Last Name	Organization (If Applicable)	Public Comment
				celebrate one of my clients getting their micro license, today, I am here with DTV Enterprises who just spoke and who have been abused by this process, and they're pleased for answers go ignored. We have sent several well-documented packets of information showing the property that buffed my clients out of their 1000 square foot area in downtown Brooklyn. Proved that the applicant, which was allowed to hold proximity protection over everyone in that area for not just the 30-day cure period, but for over seven months, didn't have an active lease and had no claim to the property. They and their attorney requested several reviews and determinations and have been ignored. I've pleaded with all manner of staffers who take our information and share it to the appropriate departments and still all go unanswered. Please communicate to the people you are tasked with helping. This is unsustainable for an industry rollout and for a regulatory body. Need a better process for meeting with applicants like my clients and triggering and triaging the shortcomings of the licensing appeal and request for determination processes. Thank you.
9.	Mike	McGregor	Soft Power Sweets	Dear OCM, thank you very much for all of your work in creating what has become one of the most diverse and interesting cannabis markets in the United States. I run Soft Power Sweets. We have a type two processor license in the Hudson Valley. Over the summer, we won the best edible in the state for our solventless live rosin, and immediately demand spiked and has not calmed down. What has calmed down is the availability of live rosin in this market. We have applied to transfer our type two license to a type one license in order to be able to process more material to create the kind of product that New York State is currently looking for. Our legal counsel and both, and people that we've spoken to in the OCM believe that it's within the existing rules to allow such upgrades without changing the regulations, it just needs a framework. The recently released framework for changing site locations was incredibly efficient once released. We employ you to use a similar structure to allow people who are already making products that are loved to be allowed to upgrade their status to produce the kind of products that they are being demanded for. This is unique request and that'll make both consumers and cultivators happy. More



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	First Name	Last Name	Organization (If Applicable)	Public Comment
				extraction options means that cultivators will be able to get cheaper, quicker extractions, and those reduced costs will funnel directly down to consumers, which will lead to less expensive products. This is a win-win. Please act.
10.	Scheril	Murray Powell Esq.		Yes, good afternoon to everyone, to the OCM Cannabis Control Board, to the OCM staff and our wonderful cannabis community. My name is Scheril Murray Powell, Esquire. I'm a cannabis agricultural dietary supplement, trade psychedelics and regulatory attorney. I've been practicing cannabis law for nine years. And, first thing I want to note is I want to thank the OCM for approving the extension for the CAURD licensees. There's been a lot of conversation about that, and of course, the right thing was done in the extension for these individuals. Also want to say thank you for recognizing the distinction of the micro business with regards to finding locations and the type of cannabis products that they will have in the micro business locations. This is especially important for our legacy community who were not, some people were not eligible for the CAURD license application because they didn't have the two years of the business. So their first opportunity was in October, and many of them chose a microbusiness license, so they would not be given the additional hardship with regards to identifying a location. So this is, you have our heartfelt thanks for taking that into consideration today. It is also important to our Faith-based community where many of them have also chosen a microbusiness license because of the need to control the chain of custody as Rastafari. This is especially important to us. So thank you for recognizing that distinction for people who chose a micro business opportunity so that they do not have this as an additional hardship. And it's good to see that more licenses were given today. We're moving through the November queue and its exciting times for the people that I support as clients, whether they are pro bono clients or they're paying clients. So thank you OCM and thank you for all the work that the staff is doing today. Thank you.
11.	Leslie	Rodriguez		Good afternoon. Members of the Cannabis Control Board and the OCM. My name is Leslie Rodriguez. I'm a 100% minority woman-owned business in the November queue, social equity and economically impacted, and also living in a community disproportionately impacted by the war on



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				<p>drugs. This license was made for people like me. I am number 140 in the November queue, OCM retail 0023001466. I've been instructed by my examiner to submit my application that it would be passed through, and a provisional license would be issued, and this was back in April 1st. I received proximity protection and for the last seven months have gotten very little guidance, very generic messages as to what to do next, how to move my. In May 1st, I received a different location. I secured it with the lease, trying to change my proximity protection to my new location and have gone with no success. Very generic messages. I try to even use the locator and my application number isn't in the Rolodex. I've secured a lease \$56,000, \$18,000 a month. I've paid thousands of dollars in architectural plans, in lawyer fees, continuity plans, SOPs, all to have been waiting with no answer to what to do next. I would urge, please the OCM and the board to review my application. I'm a social equity applicant. I scored in the 90 percentile, and I've gotten nothing from my examiner other than generic responses after seeking guidance. Please, I have I have literally every email, you know, instructing me to do this. And so I want to submit it with my lease and everything else so I can move forward and be successful. Thank you.</p>
12.	Michelle	Lopez		<p>Yes. Hello and thank you so much. This is my first time ever coming to give some form of a testimony, and I'm doing this today on behalf of saying this, individuals that are living with AIDS and HIV individuals that are having also to take care of their mental health and also individuals who are diabetics. And I'm going to be specific because I do research work and, in my work, I found there are entities. And I'm doing this work because I am also too, in my 34th year of being diagnosed, HIV positive. I've raised a baby. She's now 34, and I am out here looking, I'm part of committees that is part of the end, the HIV epidemic in New York. I'm not here representing anyone, but for those of us who don't feel as if we are safe to come and stand up and speak to OCM in reference to our need. As I said, I'm in my 34th year and my research work is doing gaps analysis in the community to where we can find entities for those of us who are marginalized. I'm speaking about black, brown individuals within the LGBT community, individuals who are transgendering. And as we know,</p>



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				these marginalized groups are severely being attacked now. I am looking at also to the licensing for medical entities that is trying to incorporate or implement us having access to cannabis in reference to, we have extended now, we have gotten an opportunity to extend our lives because of HIV medications. And I'm looking at where there are gaps in helping us. We are all suffering right now with an issue peripheral neuropathy. And no one really has a clear idea on the devastation that is bringing into us. We don't have access the entities that can help us in this format. And we have looked at how the cannabis entity have made a difference in many of our lives alongside our issue now of this neuropathy. The AIDS Institute, CDC, public Health Solutions, even the Office of Infectious Disease, don't have a clear sense of what this complication is part of the different comorbidities now that we are living with. And I can tell you standing here, I'm 57 right now, and if I don't have my cane, my walkers, I'm not here with either of these equipments today because of some outcomes that I have experienced. My medical doctors now are speaking to researchers who was using cannabis to help us with some of these complication. I'm looking. Thank you so much. You have to go to the next person. Thank you for listening.
13.	Walter	Iwachiw	Wee4Justice	Hello, my name is Walter Iwachiw from Wee4Justice 3. I want to thank the board for the work they're doing, and I'm afraid John stole my talk about the advances in the legislation for DEA. So, just thank everybody for the hard work and hope everything goes great for us. Thank you.
14.	Dario	Rodriguez		Yes. Hi, my name is Dario Rodriguez. First of all, I'd like to acknowledge the OCM Board and say hello and thank you for allowing us as the community to come to these meetings so that we can learn more and be educated on exactly what's going on in the cannabis community. I come from an area where it is poverty stricken. One thing I would like to say is that I do appreciate you guys cracking down on a lot of businesses that do sell illegal use of marijuana. Some of the marijuana that is there, it's quite for and it's actually harming people. So thank you very much for doing such a thing. The only thing that I will say is that I am on the December list, and I know the 4,556 other applicants would also like to know exactly what's going on, when that can be reviewed. And that's the whole



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				reason why I came down here for that because as long as I know the purpose that I have to bring to the cannabis community, I know there's several others that also want to have that opportunity of doing so and they are waiting on that term. So the only thing I can ask for is if you can, if there's a way that you can put a blast out to certain people so that they can know that, hey, your time is coming up in your December queue, that would be greatly appreciated. Thank you very much.
15.	CJ	Segal-Issacson	Growing Renaissance	<p>Hello. I want to thank the CCB and OCM that Growing Renaissance LLC has finally been granted its micro-business license today. Okay, I am speaking both as the CEO of Growing Renaissance woman-owned company and as co-founder of the Cannabis Farmers Alliance. I would like to point out that AUCCs were told that they would be processed first. OCM processed many of the general population's applications before the AUCCs. And of course, like many others have said, it took nearly a year for our application to be approved. AUCCs were also told that their applications would be considered separately from the general population of applicants, and that they would not be on a queue. OCM put them on a queue. My company growing Renaissance did not receive a letter of deficiency when other AUCCs did. After many tries, I finally reached a person in the OCM licensing department. It turned out our application had fallen between the cracks and had not been looked over for more than five months. We did receive our letter of deficiency quite soon after that. Getting a micro business or cultivator license is only the beginning for each small cannabis business. We need changes in the regulations if we are to have a chance to successfully compete with registered organizations and the multi-state operators that are moving into the market. Here are some changes to the regulations that would greatly help. Allow micro business dispensaries to carry other micro business and small cultivator products. The cost of packaging multiple brands is too much for a small business, but it is necessary to draw customers. Two, it creates that allowed distance from the farm to dispensary from 25 to 100 miles from microbusinesses in rural areas. Much of upstate New York is opted out of dispensaries in their municipalities. It is extremely hard to find a viable location. Three, allow micro businesses to deliver to customers without a brick-and-mortar store. That will help them enormously. Allow legal cannabis cultivators to change location and co-locate. OCM needs to create a</p>



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				process for this. Allow cultivators and micro businesses to change license type from cultivation to micro or vice versa. OCM needs to create a review process for this. Seven, eliminate the long waiting period for a small dispensary. Many people have spoken to that. So I'm gonna cut that short so I can get the last point in. Eight, increase the the allowed micro-business, outdoor cannabis size to 15,000 to 20,000 square feet.
16.	Vito	Uneberg		How you doing? My name is Vito Uneberg, HBV Enterprises. I'm here today. I'm an advocate for creating jobs in low-income neighborhoods. I lived in over 70 houses before the age of 15. My wife is a minority woman business enterpriser. And I have also opened up three medical facilities in low-income neighborhoods to help create jobs and put medical in low-income neighborhoods. These are all the neighborhoods that I have grown up in as a child. My application is for a retail dispensary. When I first put the application in, I was with Hempstead Village. I thought Hempstead Village would obviously be part of the big plan, but I was very disappointed that they were not. So, I kind of got like pushed out, pushed to the side, saying that your address is in the wrong area. So, then I had another lease that I had purchased, in Patchogue, which is a good area. I am just here because it is, I'm still waiting on like getting a license. I was told I would get a because when I did the application with somebody, they told me to take out the Patchogue, and re-put the address that was in, so I get a what's the license called? Where they, where you don't get the full operator's license? A provisional, yes. Thank you. So they told me you'll get a provisional license, but then when I read through the whole thing, I said, wait a minute. I want to be able to just have the building that I'm already paying for that's in a great area. So, I could just be fully operational when my license is approved because then if I get the provisional, I'm going to have to start all over again. I feel like at the beginning to get the approval for the building and stuff. And I'm like at that standpoint right now, I just need some help. Thanks so much.
17.	Kamel	Jamel	463 Station, Inc.	I just came to up to say thank you. You guys have done a great job for me and helped me out a lot and got me through the hard days. The email started coming in when I started attending these meetings. So, I encourage you guys to come up and speak your peace and be patient. Their jobs are difficult. Thank you again. And I congratulate you.



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18.	Peter	Colavecchio		I'll make it brief. Peter Colavecchio, I'm here on behalf of the Station Beacon. I just want to thank you for granting our license today. It does matter when you show up to these meetings. It does matter when you follow up with emails. Be persistent. They're working really hard. Thank you.
19.	Omari	Eastman		Hello, my name's Omari Eastman, former Marine. My business application is Micro 2023000787. Where I'm at, basically like what he said there's a lot of the, the like spots down, like the illicit, smoke shops. I really appreciate that because they were selling a lot of garbage, but now there's just no weed where I'm at and I'm from like, you know, Brownsville. So, I would like, you know, for my application to be looked at expedited because we can't afford to do a lot of other stuff that people are doing, like pay for leases and pay for all that other stuff in order to wait like we're low-income people. So I appreciate it. Thank y'all for the work y'all doing and goodbye.
20.	Ellington	Keys	Greens On Demand	Hello, my name is Ellington Keys. I have a lot to get off my chest, so if I go a little bit over, I apologize in advance. At the June OCM meeting, there was 131 retail licenses issued. Now there's 229. That's less than 20 licenses over the past five months. There are 4,500 applications in the December queue and 500 still left in the November queue. At this rate, it will take 20 years for the OCM to finish processing the applications in the two queues. I don't know if you realize you're pushing out social equity, small business and minority owners through attrition. The inefficiencies of the OCM to issue licenses in a reasonable amount of time seems to be intentional as I can't get any answers as to why it's taking so long. I emailed no less than a dozen New York politicians whose office reached out to the OCM on my behalf only to respond to me saying they were unable to get any answers as to why or as to when I can expect my license. If 50 people process one application per day, that's 1500 a month, 6,000 applications in four months, and both queues will be cleared. The OCM is not being asked to figure out how to time travel. The mental, emotional and financial toll this has taken on me has forced me to go into therapy. I've been bankrupted by not being able to open my business. I've haven't had a paycheck in two years since going down this rabbit hole of negativity, believing I could open a cannabis retail shop. Thinking if I hire an attorney to submit my application, create a solid business plan to fly in leading cannabis consultants through Flower Hire from California to help with my business plan and ensure we



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				are going about it the right way. Put together a team of investors so I'm not undercapitalized, hire marketing firms to put together a marketing deck, architects and contractors to create our interior design. Surely that would be sufficient and will be enough to get me a license. By March since we submitted our application in 2023. March came and went, and my investors began to question my business plan. I convinced them I'm going to every OCM CCB and CAB meeting, please be patient. It's not possible, it could take longer than June. June came and went, and I had to return their funds. Financial people don't let money sit idle because they know if it's not making money, it's losing money. I'm a resilient person, so I don't let it get me down. I thought, what else can I do to strengthen my application and become even more prepared. I decided to enroll in the Cannabis Retail Specialist program at BMCC, completed the program, and received my certification, but still no license. It's gotten to the, I understand I got a lot to get off my chest. I'm almost done. But when can I expect to get my license because I'm suffering mentally, emotionally, and financially.
21.	Colin	Decker	7 SEAZ Premium Cannabis	Number 140 into the December distribution queue. Good afternoon to the board. My name is Colin Decker. Many of you in this room know myself, my family, and my brand. I'm the owner and founder of the first legacy of the legal cannabis company here in New York State called 7 SEAZ Premium Cannabis. We're a family-owned Hudson Valley based small business that currently services over 125 plus licensed dispensaries right now with more being added weekly throughout the state of New York and our products have grown to become top sellers in this space. 7 SEAZ has made New York State history multiple times, including when our products were the first legal cannabis products ever purchased in the state capital city of Albany, New York. A year ago, we applied for a distribution license, and we still have everything in place to begin operations today as a fully compliant distributor here in New York State. However, we have not had one single communication with the OCM or heard anything regarding our license. We contribute heavily to the market here in New York and have done so for years now, generating massive amounts of tax revenue through sales and 7 SEAZ products at the distribution and retail levels and would like to know when we can start distributing our own products along with products made by other brands instead of having to utilize a third party to fulfill such needs. My family and many industry do not understand why a company like ours that



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				<p>has been heavily contributing to the market since day one, going back to when the MRTA was passed, still has yet to receive our license for distribution. Currently, our distro channel is more likely far and away, greater than most distributors and is already in place. Our relationships with retailers are already existing and strong. Our products are already highly sought after by dispensaries and consumers across New York State, selling out rapidly with each release, allowing for instantaneous generation of revenue for our company and large amounts of tax dollars for the state of New York. I was a licensed hemp farmer in New York since 2018, but the OCM did not transition my license to AUCC, even though I personally grew acres and acres of hemp plants in the hot sun spending day after day toiling in the fields, having grown for other families in this market in order to keep their farms alive. I have already had one opportunity taken away from me to have a license in this state. Please do not take another one away from my family. I've lost my father to cancer. I've lost my brother to cancer. I have what little family I have left. Please allow me to eat. Please allow my family to prosper and let me provide for what little family I still have left. Thank you to the board.</p>
22.	Sharon	Dang		<p>Good afternoon. I'm a licensed real estate broker here in New York State and the 51% owner of the SEE applicant and I guess the 400 applicants that are left in the November queue. And I'm still waiting for response. I spoke to you very at the I think the first meeting was like back in March, and I know that you, I've explained to my situation that I was a victim of predatory action by the person that submitted my application. I get it, like maybe OCM doesn't do messy, but you know, this is no excuse for me as the SEE applicant and the 51% stake majority stakeholder of this entity to get the runaround and have no access to my proper documents or the portal or any response from OCM. And I feel like, you know, if this is the case like this, you know, I know that I'm here for the right reasons. That's what I wanted a voice. And I know that a lot of these licensees that have been awarded a licenses have fallen into the wrong hands. I know firsthand as a real estate broker dealing with clients that had illegal smoke shops that were actually awarded licenses in this queue. Currently, I'm a real estate agent, as I had discussed earlier, and I'm a brought background in social work and my parents owned and operated an alcoholic AA and AA recovery house. And this is my wheelhouse and my dream to open a cannabis retail store is a reason for</p>



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				good reasons to bring back to the community and not for, just for economic gain. So I appreciate it and I really hope to hear back from you soon. Thank you so much.
23.	Annette	Fernandez	High Exposure Agency	Hi, my name is Annette Fernandez. Good morning. I'm co-founder of High Exposure Agency and number 3,559 in the December provisional queue, which seems to be dead. I will also shout out that at the beginning of this process, we called out that capital and real estate were going to be the number one issue for folks from CDIs and social equity applicants that did not have access to capital and real estate. And here we are, we've spent \$78 million of the social equity fund on 21 stores, which equals an average of \$3.7 million for each build out. The amount of money that was spent is a travesty. The fact is that \$150 million is still missing from the social equity fund. And I would like the Cannabis Control Board to continue to look into this because that fund that was promised to us has never materialized. This fund obviously was to fund 150 CAURD stores that have already come into existence, but however, we still don't have this money. And I would encourage those that borrowed money from the fund to not pay it, because at the end of the day, the state is on the hook for it. If you read the details, \$1.2 million went to Chris Webber and Levita and their associates. That is a travesty, all skin folk and kinfolk. We have to remember to stay on point with social equity and CDI and that fact that the December queue is dead will completely impact those social equity numbers that we continue to slice and dice. But somehow black men, brown women, black men, brown women, seem to be missing from those statistics. And I'm talking about the folks that were disproportionately impacted, like in communities from like Washington Heights, which just received their first two dispensaries two years into this program. I would also like to ask that we follow up on the \$50 million that registered operators are supposed to contribute to this market. Where is that money? Except that now they're getting a layaway program. I'd like a lay away program too for all of our fees. Thank you.
24.	David	Feder	Weed Law	I, David Feder, founder of Weed Law, been a cannabis attorney for over a decade in New York and founded one of the first registered organizations in New York. Unfortunately, got a story. 791 days ago, our company EPMNY submitted a foil request to the OCM requesting to seek transparency around the New York Canna license transfer. Today, we're still waiting. Our request is simple. We're asking for public records to clarify the



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				<p>circumstances around what we believe was an unapproved transfer of this license from New York Canna, a local business to an international corporation, Acreage, which is now being transferred to Canopy. New York's Freedom of Information Law requires timely responses. Agencies have five days to respond to an additional to respond to requests and an additional 20 days if more time is needed. Despite filing appeals in April of 2023, we received no substantive responses, no clarity, no transparency, no responses. In 2016, New York Canna earned its license on merit, which was, and it was merged out of existence without notice of the Department of Health. Without our consent and without the necessary approvals, this lack of transparency has enabled large out-of-state corporations to profit from a system meant to support New Yorkers, especially those affected by the past cannabis enforcement. This is not just about our company, EPMNY, it's about the integrity of New York's cannabis industry and its commitment to equity. If we allow corporations to bypass regulations, we set a dangerous precedent that risk hurting local businesses and betrays the foundation of this entire program. I help draft the MRTA, I know what it's about. We respect the work that the OCM has done to build a fair act industry, but we're concerned that overlooking these foil requests favors international corporations over the local New York businesses this program was created to support. In light of this, we respectfully urge please the board to disclose the foil requests documents so we can proceed with transparency and clarity. Let's keep New York's cannabis industry to its true mission. It's for the people, it's for us. Thank you so much for all your work. You guys are great.</p>
25.	Gennadi	Plotitz		<p>Alright, good afternoon, OCM board members. Okay. On October, 2023, I applied for a retail dispensary and a micro license. I did not know you're not supposed to do that. November 30th, 2023 after 1237, I called OCM to request an ownership correcting and a name change. I spoke to the program specialist and changed it to Gennadi Plotitz Housestone. Today, OCM's saying that it was withdrawn. The program specialist told us it was taken care of and that's the situation that we had. So we don't know what to do.</p>
26.	Erifc	C		<p>I would like to ask the Board not to extend any CAURD provisional licenses that may be expiring. These people have had at least 2 years to find a place, obtain funding and open doors. If someone can't do that in that amount of time they clearly will be unable to operate a business. The</p>



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				OCM needs to begin allowing people who want to operate a business to obtain a license rather than continue to extend to someone who has more than enough time to get operations going. Thank you.
27.	kishore	ramcharan		What is the status of reviewing and granting license applications which has been submitted in 2023?
28.	Christopher	Wilson	Verdant Global Inc	Is the OCC currently engaged in or planning a circular sustainable environment plan for our industry, both economically and infrastructure wise ? Would you agree that a merit based carbon neutral approach is the way we maintain industry stability and growth during these shifting times ?
29.	Sami	Abdelazim	Hemp Geek LLC	The NY state over regulation on hemp products has cause our buiness to go from 3 shops and 9 employees down to 1 shop and 2 employees in one year due to the awful over restrictive NY state hemp laws and citizens lost access to affordable high quality hemp edibles that helped for pain management and sleep aid while being cheap and effective. We don't need thca products but could we have 1:1 ratio. D9 THC : CBD products back? The new laws make it impossible to bring in customers favorite brands like snoozy that are 1:4 or Xite brand that are mostly 1:1 but offer 1:5 ratio too. The laws made us lose 80% of our products there is a 10 piece maximum per package part of the law which kills almost all products that usually come in 20 or 30 count packages.
30.	Scott	Ugell	Bella Talia Farms, Ltd	I have applied for three licenses a year ago, Ondoor grow, distribution and production- and have heard nothing. When can we expect to have these applications reviewed?
31.	Nicholas	Sudore	Upstate Green LLC	To whom it may concern Me and my partner submitted the micro business application back on October 5th of 2023. We had submitted as a social equity applicant and met 2 of the 3 requirements. I believe there was a glitch with the map not showing areas in the Rochester region so we got rejected for that portion. Although we still mostly fit the demographics and my partner is a veteran of the US. We are very eager to get going and our application has remained in process since April 2023. Is there anything we can do to get this approved because they're aren't really any applicants being approved in our area. We have the funds to get going and are eager to do so. We are doing this on our own and hope that you see we are the type of people you are looking for to license.
32.	Dnora	Avi		Thanks you for answering my question. Is there any way NYac can adopt the California cannabis board system , which eases both the state and the people ? It seems as if



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				<p>NYC is making it complicated for taxes ! If NYC has such an easy policy for cigarettes and those do unalive humans ! Then why is it so hard to adopt an easy system for cannabis in NYC like Vegas , LA ect . If NYC was to take advantage of how huge cannabis is then finances would expand immensely! But NYC is all about taxes , who has more, who can and who can't , making it very difficult for those who want to start a small business , w the cycles for license open then is closed , then people have to get on a waiting list , go thru the process and stay on a waiting list for an open cycle to see if they can make it to licensing ! Is an excruciating process from what I've heard overcharging low income community to even start thinking about opening a brick and mortar ! It's ridiculous if you ask me ! Also why is it so easy to sell cigarettes in NYC when most places is not accepted to smoke outdoors or indoors , yet cannabis is now legal w places eligible to be smoke outdoors and indoors , yet the process to get a license to sell or even process cannot in NYC is become a board full of monopoly ideas ! Just make the license process as easy as the liquor license or the license to sell cigarettes!</p>
33.	David	Nicponski	Freshly Baked NYC	<p>Greetings CCB members and OCM staff, I comment today to request real enforcement actions against the unlicensed cannabis retailers surrounding our licensed store. Over the 6 months since we opened for business, we have been filing reports of the operational unlicensed businesses every two to three weeks, complete with pictures and videos of them in operation, along with additional data about the stores (hours of operations, efforts they make to avoid enforcement, etc). Despite this mountain of information and repeated reports, we have been unable to secure any sustained enforcement efforts to shut these places down. Worse, there are more open and operating now than when we began reporting them. As a result, they represent an existential and growing threat to our business and to the community we serve. These businesses are generally marketing directly to teenagers, using bright and neon signs and logos, including those of popular children's products and child-focused brands (like "Rockstar Games" video game logo, for example) Recently, workers at one of the closest shops have spotted us walking through the neighborhood recording (from the sidewalks) images of the operations, and have begun to threaten us, our business, and our employees. We have tried to reach the NYC Sheriffs about this, but to date have not gotten any replies to our contact attempts.</p>



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				<p>Repeated contacts and enforcement requests from the local state Senator's office have been seemingly ignored as well.</p> <p>We are a licensed business, and do not deserve to have criminal enterprises threatening our employees and our livelihoods. It is incumbent upon the state to enforce the cannabis law passed by the legislature, using the enforcement tools and authority provided for that purpose, and to fulfill its commitment to licensees and our communities by shutting these dangerous, criminal, unlicensed businesses down, before they cause actual physical and bodily harm to us, our employees, and our business.</p> <p>The time to stand by and do nothing is over. The time to enforce the law against these criminal enterprises is here and now. We continue to be ready and willing to assist however helpful, as we point out in every written report we provide. Please step up and fulfill your duties and commitments by shutting these places down for good before people get hurt.</p> <p>Thank you, -David Nicponski Freshly Baked NYC</p>
34.	Steven	Mrowzinski		When will the window open for li senses again? Microbusiness? Dispensary? Transportation?
35.	Michael	Yocina	Harvest Moon	Is OCM still raiding Hemp farmers like the 27 veteran owned and licensed
36.	Alexis	Bronson		<p>Dear OCM & CCB members please consider granting CAURD applicants an additional 6 months to a year to become fully operational as we have the burden of locating a suitable premises for dispensary retail operations. Additionally renovations can typically take several months to a year depending on the scale of the renovations, permitting process, and construction complexity. Below are estimated timelines for similar businesses:</p> <ul style="list-style-type: none"> - 2 to 3 months to secure a property and complete lease agreements. - 1 to 2 month to secure buildout contractors, blueprints, and interior designers. - 6 to 8 months to complete construction buildout and secure a Certificate of Authority. - 1 month for security camera installation and final inspections. - 1 month for employee training, POS installation, and store inventory stocking. - Additional time may be required to secure loans and



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				operating capital. Thank you for your consideration to extend time for CAURD applicants to become fully operational.
37.	Michael	Yocina	NCWGS inc	When will OCM &/or CCB publicly publish the quark? NY has the worst "global" roll out of AU
38.	Gennadi	Plotitz		OCCMICR-2023-000253 GENNADI PLOTITZ HOUSESTONE APPLICATION for MICROBUSINESS SUBMITTED on 10-22-2023, under the tpi rule on November 30 2023 we called ocm customer service and informed and requested to have ownership correction name change for application OCCMICR-2023-000253 And be switched to my name Gennadi Plotitz housestone on June 25 2024 license OCCMICR-2023-000253 was suppose to be finalized and withdrawn from Dany kogan and updated and put to new Ownership correction name change Gennadi Plotitz housestone. I'm not sure how ocm system works or calls things, please help and tell me what number OCCMICR-2023-000253 gennadi plotitz housestone is on the November queue thank you
39.	Rob	Kay		Is there a timeframe in which new retail license applications can be submitted again or is the process closed for good?
40.	Murad	Yilmaz		Education is preparation
41.	Lauren	Rudick		CAURD licenses should not expire until there is a stable process upon which OCM is evaluating license terms and duration, for all licensees. OCM should articulate clear processes on what it means to "operationalize," and provide CAURDs (and all applicants) ample opportunity to seek extensions of any deadline within which to operationalize, for good cause shown (as in New Jersey). In New Jersey, the State promulgated clear metrics upon which the Cannabis Regulatory Commission would be able to make a reasonable determination with respect to any extension request. This process can be easily and quickly implemented in New York.
42.	JP	JP		Hello and thanks for taking my question. I would like to inquire about the estimated timeline for receiving updates on applications, specifically for those submitted one year ago. Any information on when applicants can expect any feedback would be greatly appreciated.
43.	Albert	Capraro	Albert D Capraro	Hey how's it going, my names Albert d Capraro I am sorry I can not make it in person I just had my son. I was one of the first 36 CAURD licensee to be given out in November of 2022. I am located in Long Island and I've had my Brick and mortar store leased and ready to buildout since January of 2023. The state and the town have both known about my location since January of 2023. The Town of



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				<p>Brookhaven will not help at all, with my emails I have sent to the OCM from the town I have showed consistently me trying to get open and to see how and what to do but nobody helps. It is not fair that the OCM will not grant me an extension on my CAURD.</p> <p>Nobody in the OCM provided any assistance to me with trying to get my building open and town approved, I can provide emails from the OCM being resistant to providing any assistance to get me open. My goal since day one was to get open and make Brookhaven the most tax money I could, since we all know they need it. Instead, I'm on the verge of losing my license which I am Justice involved and the town of Brookhaven will not deal with any justice involved people thinking we are bad people,, instead they try to intimidate me and not grant me permission to open. I went to Brookhaven with the state regulations that the Ocm told us that the town should be following And since they are not I am asking for an extension for one year on my Caurd license number 2022-00281. Please grant me an extension</p>
44.	John	Doe		<p>The OCM should not be reviewing the December queue until every business has been reviewed on the November queue from last year. The OCM explicitly stated that they would review the November queue first before moving onto the December queue. They are asking for another lawsuit.</p>
45.	Christina	Myers	Still Here Farm, LLC	<p>Hello, My name is Christina Myers. I am addressing the board after growing cannabis for two years on my farm in Saratoga County. I was contracted to grow, with approval and inspection from OCM, for Misty Bleu Farm LLC. I have yet to be paid for hundreds of pounds of cannabis that were harvested on my property. The product has been processed, sold at OCM approved Cannabis Growers Showcases, several dispensaries around the state and now through Misty Bleu's latest endeavor, 400 River Dispensary and Lounge in Troy, NY, under their micro license. Misty Bleu has refused to give final weights from the more than 2,000 plants I grew for them and has ignored their obligations since harvesting the plants. While OCM is not responsible for forcing license holders to pay their bills or honor their contracts, I am frustrated at the lack of response to any emails and calls I have made to OCM. Specifically, a FOIL request I made July 25, 2024 has been completely ignored, minus the auto generated reply upon receipt, for almost four months. Additional emails and calls have gone unanswered. I believe I should have access to records that were</p>



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				generated from cannabis grown on my property with OCM approval. My FOIL request was simple: I am looking to receive records related to cannabis grown at my address, specifically weights reported to OCM. If there was a breakdown of variety or strains that were reported, that would be helpful. However, if that would delay the receipt of records, weights alone could suffice. Thank you for your time, I hope my comments can alert the board to this matter and assist in a timely FOIL response.
46.	Demit	Strats		Why are there not clean and concise time frames for submissions and approvals of these licenses. Why would background take 4 months? I don't understand.
47.	Daisy	Mae	DM420 Inc.	OCM Board and Staff - Keith and I would like to thank you for reviewing and correcting our application issue, which allowed us to complete the application process. We are elated and look forward to working with you. Merry Holidays! Daisy Mae and Keith Hoffnagle OCM-RETL-2024-000710
48.	Jayson	Tantalo	New York Cannabis Retail Association	With regard to: RESOLUTION TO CONSIDER ALTERNATIVE PAYMENT METHOD FOR SPECIAL LICENSING FEES FOR REGISTERED ORGANIZATIONS DEMONSTRATING FINANCIAL NEED why wasn't the industry notified about this? The current adult use licensees are in desperate need for financial help and assistance, the industry collapsed because of THE OLD ADMINISTRATION and the CURRENT CCB because the lack of TRANSPARENCY! Why would there be any consideration for financial assistance for the current or new Registered Organizations participating in the New York market when the current adult use licensees are failing or struggling to make a profit. The FACTS are MILLIONS of DOLLARS that the RO's are responsible to cover go back into the current industry and its infrastructure. WHY would any of you consider to continue to BEAT DOWN and or DESTROY our market!! They had years to participate into this market WAY before anyone of the current licensees! What benefits will bring to our market?? What more are you guys going to give to them? Who is behind this? the CCB seems to be extremely corrupt and needs to GO!!! We the people who have built this industry need access to alternative ways to make payments, I do not think anyone who is registered in our state as medical operators need anymore from our industry! HOW ABOUT CHANGING THE WAY THE



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				MEDICAL PATIENT CAN PAY FOR THE PRODUCT FIRST! But NO help the ROs cover the spread?? MAKES NO SENSE!!!!!!!! JAYSON TANTALO!
49.	Casey	Smith	Rheem Bell & Freeman LLP for 807 Manhattan Avenue Condominium	<p>An Adult-use Retail Dispensary License should not be issued for 807 Manhattan Avenue, Unit C1, Brooklyn, NY 11222, in the 807 Manhattan Avenue Condominium (the "Condominium") for the following reasons:</p> <p>(1) The proposed use of a portion of the Condominium for operation of an Adult-use Retail Dispensary explicitly violates multiple provisions of the Condominium's Declaration and Bylaws (Filed at CRFN: 2017000366969, amended at CRFN: 2022000223236 and CRFN: 2022000397251), due to (a) the specific use being designated as a "Prohibited Use" that is barred by such documents, and (b) these documents containing a blanket prohibition against the conduct of any business which violates the federal laws of the United States of America, and (c) the proposed licensee, Altitude NY LLC, not being "of reputation and quality at least comparable to that of Capital One, N.A. on the Declaration Date", as expressly required by the Condominium documents.</p> <p>A cease and desist letter has already been sent to the owner of Unit C1 ordering them to terminate all activities in connection with seeking an Adult-use Retail Dispensary License for this location. Should such owner and/or OCM proceed with issuance of such License, it is likely that the Condominium will proceed with litigation against the owner of Unit C1 to enjoin the impermissible use thereof.</p> <p>(2) The Condominium is a mixed-use residential and commercial building having entrances on each of Manhattan Avenue, Calyer Street and Lorimer Street. Public School 31 is located on the same block of Lorimer Street as the Condominium and also has an entrance on Lorimer Street. The Lorimer Street entrances of the Condominium and Public School 31 sit at a distance of approximately 118 feet from one another, which is less than the 500-foot distance required by law.</p> <p>(3) Additionally, though not yet completed or open for business, there is a daycare center/preschool under construction at 171 Calyer Street. The Calyer Street entry to this preschool sits at a distance of 81 feet from the Calyer Street entrance of the Condominium, which is less than the 500-foot distance required by law.</p> <p>(4) It is unclear how this occurred, but the Adult-use Retail Dispensary License appears to have been approved by the Office of Cannabis Management prior to any meeting of the local Community Board (CB1). It appears that this</p>



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				License was initially approved for a location in Manhattan, but is now proposed to be transferred to this Brooklyn location. How can an approval in one Borough be transferred to a different Borough where it has not been properly vetted by the local community?
50.	Mark	Stuver	807 Manhattan Condominiums	<p>The residents in the 29 homes, with 17 small children and more on the way, in the 807 Manhattan Avenue Condominiums have been blindsided by Altitude NY LLC's proposed cannabis storefront in the retail section of our building.</p> <p>Our building's plans, submitted to the CB1 Cannabis Review Committee and at the Public Safety Community Board meeting, demonstrate the connection between the retail and residential sections of the building. Fire codes require the open egress between the sections is maintained.</p> <p>Altitude NY LLC has confirmed their business will require armed guards. These guards will have access to the hallways our children walk. And if - at the alarming rates that have been well documented nationally where cannabis has been legalized at the state level - armed perpetrators enter our building, Altitude's armed guards will be protecting money and drugs, and not our families. How could NYS OCM reasonably license a business that puts families and children in the crossfire of businesses that are known to have extremely high rates of armed and/or violent theft perpetrated against them?</p> <p>https://www.asisonline.org/security-management-magazine/articles/2024/04/cannabis/alarming-trends-in-cannabis-crime/</p> <p>The Owner-Operators of Altitude NY LLC don't fit at all into OCM's comprehensive regulatory framework. From a Social Justice perspective, are any of these owner-operators from communities that were disproportionately impacted by policies of Cannabis prohibition? From a Public Health and Safety Perspective, 807 Manhattan Avenue is a mixed-use, majority residential, building with, as stated, has required easements and egress from the commercial section; this proposed business will put the families that invested in this building first at increased security risk. Addit, its extremely close proximity to elementary and preschools will certainly expose children daily to the marketing, purchase and use of adult-use only products. From an Economic Development perspective, these owner operators are not a small business that needs OCM's help acquiring a storefront. There are ample opportunities for storefront locations in Greenpoint that are</p>



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				<p>retail only and not so close to schools, nor in mixed-use residential buildings, nor in mixed use residential zones, and these owner-operators seem to have abundant resources and experience to find an appropriate location. OCM's own paperwork does not correctly measure the distance between the entrance of PS 31 where grades 1-3 enter to the egress of 807 Manhattan on Calyer Street, nor does it acknowledge the YMCA on the same block, and the Preschool opening directly across the street. OCM's license for Altitude, OCM-RETL-24-000121, designates 750 Saint Nicolas Ave in Manhattan as the business address, so why is this license being freely applied to the historic Greenpoint Savings Bank?</p> <p>Why is OCM fast-tracking a cannabis business for this problematic location? Families have chosen to live in this building, PS31 achieved great success less that 500ft away, so why would OCM create bad will by fundamentally altering the character of a historic neighborhood of families, schools, and churches by locating here the largest cannabis storefront in the city? Do they think the toddlers in the building and the kids on the way to school need to be exposed to this adult-use only product and business? Capri Social Club, a bar within 500ft of PS31, cannot operate during hours that would overlap with ANY school activities. Will Altitude's business have the same restrictions?</p> <p>Greenpoint Ave, just a few blocks away, has retail only spaces, ie. Polonaise Terrace, that would be ideal for a dispensary, as would any of the struggling chain pharmacies (CVS, Walgreens) in the immediate vicinity. We at 807 Manhattan Ave. Condominiums implore you to facilitate Altitude's opening in a more appropriate location. We wish them luck as a business, just not in a building and neighborhood of families and children.</p>
51.	CJ	Segal-Isaacson	Cannabis Farmers Alliance	<p>I am speaking this afternoon as both the CEO of Growing Renaissance, a woman owned-company, and as a co-founder of the Cannabis Farmers Alliance.</p> <p>I want to thank the CCB and OCM that that they granted Growing Renaissance LLC its microbusiness license today.</p> <p>However, I would like to point out that:</p> <ol style="list-style-type: none"> 1. AUCCs were told their applications would be processed first. OCM processed many of the general population's applications before the AUCCs. 2. It took nearly a year for our application to be processed. 3. AUCCs were told their applications would be considered separately from the general population of



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				<p>applicants. OCM put them on the same queue.</p> <p>4. My company, Growing Renaissance, did not receive a letter of deficiency when other AUCCs did. After many tries I finally reached a person in the OCM licensing department. It turned out our application had fallen between the cracks and had not been looked at for over five months.</p> <p>Getting a microbusiness or cultivator license is only the beginning for each small cannabis business.. We need changes in the regulations if we are to have a chance to successfully compete with Registered Organizations and the multi-state operators that are moving into the market. Here are some changes to the regulations that would greatly help:</p> <ol style="list-style-type: none"> 1. Allow microbusiness dispensaries to carry other microbusiness and small cultivator products. The cost of packaging multiple brands is too much for a small business such as a microbusiness but multiple brands are necessary to stock a dispensary and draw customers. 2. Increase the allowed distance from the farm to the dispensary from 25 to 100 miles for microbusinesses in rural areas. Much of upstate New York has opted out of dispensaries in their municipalities. It's extremely hard to find a viable location. 3. Allow microbusinesses to deliver to customers without a brick and mortar store. 4. Allow microbusinesses to deposit their own cash rather than using an armored car service. 5. Allow legal cannabis cultivators to change location and co-locate. OCM needs to create a process for this. 6. Allow cultivators and microbusinesses to change license type from cultivation to micro or vice-versa. OCM needs to create a review process for this. 7 .Eliminate the long waiting period for a small dispensary to be inspected in order to open. There should be a dedicated and specialized staff to insure expediency. 8. Increase the allowed microbusiness outdoor canopy size to 15,000 -20,000 square feet. <p>Additionally, For All Recreational Cultivators And Microbusinesses:</p> <ol style="list-style-type: none"> 1. Allow all AUCCs to grow at least their full acre of biomass for their new license. This was originally promised to AUCCs. 2. For compliance manuals, OCM should develop a standardized template for standard operating procedures (SOPs) and specify the areas for which cannabis license holders need to fill in their own procedures. For example,



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				<p>a cultivator would be asked to provide their SOP for remediating mold on cannabis flower. The SOP template would make it much easier to complete the details.</p> <p>3. Aspergillus testing for recreational cannabis should either be removed from the regulations or some allowance for some aspergillus be made.</p> <p>4. Motion sensor detection for outdoor grows are unnecessary.</p> <p>5. Cultivators should not have to tag every plant. They should be able to tag rows or strains.</p> <p>6. Cultivators should be able to use whatever tagging system they want that is compatible with their seed to sale program. They should not be forced to purchase special tags from Biotrack. Biotrack's tags don't hold up well in summer sun and heat.</p> <p>7. The licensing fee for the lower tiers of cultivators is disproportionately high and should be reduced.</p> <p>8. The need for fences for outdoor cultivation should be assessed on a case by case basis.</p> <p>9. There should be no unannounced inspections for cultivators. All inspections should have a minimum of one week's notice with a 4 hour window.</p>
52.	Thomas	Ballistrea Jr	Cannabaceae LLC	<p>My name is Thomas Ballistrea Jr., I'm the founder and CEO of Cannabaceae LLC, a graduate of the CCTM program and I'm also proud to be a microbusiness licensee and grateful to have the privilege of being a part of the solution. The following comments are in reference to the CCB meeting held on 11-12-2024 and the resolutions that were approved by the board in the meeting.</p> <p>In reference to CCB resolution No. 2024-114 and as per NYSCRR S. 854--A § 87 (4.) and; S. 854--A § 99-ii. New York state cannabis revenue fund; As we make allowances for registered organizations to allow for financial relief via CCB resolution No. 2024-114 and as we are all well aware, traditional sources of revenue are not available for Cannabis related businesses, I would humbly ask the board, the Office and the CAB to please consider instituting programs that provide capital by way of unsecured, unsubsidized, revolving, low and zero interest loans, grants, and tax incentives directly to all licensees to; increase accessibility for all individuals in the Adult Use Cannabis market in New York state, provide financial relief for all licensees and allow for all licensees to meet the compliance standards set forth in the NYSCRR S. 854--A.</p> <p>These programs should echo the statutory goals set in the NYSCRR S. 854--A for equity by setting goals to award 50% of the assistance programs to SEE licensees</p>



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				<p>as defined in the NYSCRR S. 854--A § (3) (50) and take into account the economic status of the licensee when setting the terms of the unsecured, unsubsidized, revolving low and zero interest loans and assistance programs, including but not limited to, the interest rates and/or repayment methods for unsecured low and zero interest loans and eligibility for loans, grants and other assistance programs.</p> <p>These assistance programs and incentives should provide working capital and resources that can be used to maintain compliance and establish infrastructure in a manner that is compliant as well as ensures that the development of these businesses has a minimal negative impact on our environment while establishing a safe working environment for individuals.</p> <p>Assistance via unsecured, unsubsidized, revolving, low and zero interest loans, grants, tax incentives and other programs for all Cannabis related businesses must be offered by New York state to allow small business and economically challenged individuals to proliferate in a well-regulated industry as per the NYSCRR S. 854--A and such as those that have been instituted in other Cannabis markets for example; Colorado established the Cannabis Resource Optimization Program and California established; the Qualified Cultivator funding opportunity, the Cleanup, remediation and watershed Enhancement program; and the Cannabis research and innovation funding opportunity, to name just a few.</p> <p>The time to enact these incentive programs is now, small businesses are failing due to a lack of working capital and individuals are being subject to predatory practices due to the lack of adequate funding for Cannabis businesses and/or are unable to operate due to the financial barriers to entry that a well-regulated industry presents.</p> <p>I would also like to extend my gratitude to everyone that labors to create a post prohibition reality for our community. I hope that this comment finds you all well and that you consider the needs of our community that I have included in the body of this public comment.</p>
53.	Thomas	Ballistrea Jr	Cannabaceae LLC	<p>My name is Thomas Ballistrea Jr., I'm the founder and CEO of Cannabaceae LLC, a graduate of the CCTM program and I'm also proud to be a microbusiness licensee and grateful to have the privilege of being a part of the solution. The following comments are in reference to the CCB meeting held on 11-12-2024 and the resolutions that were approved by the board in the meeting.</p>



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				<p>In reference to CCB resolution No. 2024-109 and the discussions that surrounded CCB resolution No. 2024-110/111; as The board continues to award licenses to individuals and approve changes to existing licensees permits and locations to operate in the adult use Cannabis industry in New York, reiterating my prior comments, please consider amending the NYSCRR S. 854--A Article 4 section 120.3 (c) (1) to include a combination option for indoor and outdoor cultivation as well as increasing the canopy size limits to allow microbusinesses to compete in the adult use Cannabis market.</p> <p>Additionally, please consider amending S. 854--A Article 4 section 123.12 (a) (7) (8) as well as all corresponding references in the NYSCRR including S. 854--A to allow Microbusinesses to sell Cannabis products other than their own cannabis products and perhaps limit those sales to other microbusinesses products to elevate the craft Cannabis industry in New York State.</p> <p>The current regulations limit the ability of microbusiness licensees to be successful and in some cases make the structure of the microbusiness not economically viable given the ability of established licensees to produce Cannabis grown in a controlled environment and at a large scale as well as the ability for retail licensees to carry multiple SKUs.</p> <p>Lastly, I would like to extend my gratitude to everyone that labors to create a post prohibition reality for our community. I hope that this comment finds you all well and that you consider the needs of our community that I have included in the body of this public comment.</p>