



# Office of Cannabis Management

<b>KATHY HOCHUL</b>	<b>TREMAINE WRIGHT</b>	<b>JESSICA GARCIA</b>	<b>HOPE KNIGHT</b>	<b>CRYSTAL J. RODRIGUEZ DABNEY</b>	<b>BRAD USHER</b>	<b>FELICIA A.B. REID</b>
Governor	Cannabis Control Board Chair	Board Member	Board Member	Board Member	Board Member	Acting Executive Director

No. 2025-04  
February 14, 2025

## RESOLUTION TO ISSUE CERTAIN ADULT-USE CANNABIS LICENSES

**WHEREAS**, pursuant to Article 4 and Section 10(1) of the Cannabis Law, the Cannabis Control Board (Board) is given the authority and discretion to issue licenses related to adult-use cannabis;

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

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

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

**WHEREAS**, certain Municipalities have expressed an Opinion for or against the Board’s issuance of an adult-use license to certain applicants;

**WHEREAS**, the Chairperson of the Board has made a preliminary determination to grant adult-use licenses to certain individuals and entities that have applied for adult-use licenses (as identified by the applications in Attachment A);

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

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

**WHEREAS**, the Board desires to issue a license as indicated, to every applicant that has received the Chairperson’s aforementioned preliminary determination to grant an adult-use license as identified on Attachment A hereto;



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**WHEREAS**, the Board desires that a response be issued to those Municipalities that have expressed an Opinion explaining how such Opinion was considered; now, therefore, be it

**BE IT FURTHER RESOLVED**, the Board hereby delegates its authority to the Office, effective immediately, to issue a response to Municipalities that have expressed an Opinion in favor of the issuance of a license to the applicants identified on Attachment A explaining how the Opinion was considered;

**BE IT FURTHER RESOLVED**, the Board approves, and directs the Office to issue, the responses contained in Attachment B hereto to Municipalities that have expressed an Opinion in opposition of the issuance of a license to the applicants identified on Attachment A;

**BE IT FURTHER RESOLVED**, the Board issues an adult-use license as indicated to every applicant that has received the Chairperson’s aforementioned preliminary determination to grant an adult-use license as identified on Attachment A; and

**BE IT FURTHER RESOLVED**, the Board dictates that an adult-use licensee shall not begin adult-use cannabis operations until the completion of any additional requirements to the satisfaction of the Office including written approval from the Office’s compliance team.



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## Attachment A

Application ID	License Type	Entity Name
OCMDIST-2023-000058	Adult-Use Distributor License	HERBAL HARVEST OF BUFFALO LLC
OCMDIST-2023-000071	Adult-Use Distributor License	Ultimate Supplement Manufacturing Inc
OCMDIST-2023-000152	Adult-Use Distributor License	American Legacy Cannabis Company, LLC
OCMDIST-2023-000200	Adult-Use Distributor License	Dumbo Electric LLC
OCMDIST-2023-000276	Adult-Use Distributor License	5PC LLC
OCMDIST-2023-000312	Adult-Use Distributor License	FLX EXTRACTS LLC
OCMMICR-2023-000118	Adult-Use Microbusiness License	Donna's Buds & Edibles Farm LLC
OCMMICR-2023-000129	Adult-Use Microbusiness License w/ Retail	Three Cord Ranch LLC
OCMMICR-2023-000222	Adult-Use Microbusiness License	Verdant Farms LLC
OCMMICR-2023-000286	Adult-Use Microbusiness License	Block Work Global LLC
OCMMICR-2023-000332	Adult-Use Microbusiness License	Magical Weeds LLC
OCMMICR-2023-000378	Adult-Use Microbusiness License	Brooklyn Micro LLC
OCMMICR-2023-000395	Adult-Use Microbusiness License	Jeremiah W clifford
OCMMICR-2023-000411	Adult-Use Microbusiness License	Dank Nugs LLC
OCMMICR-2023-000545	Adult-Use Microbusiness License	Cannurban NY LLC
OCMMICR-2023-000601	Adult-Use Microbusiness License	JNY GROUP, LLC
OCMPROC-2023-000080	Adult-Use Processor License	Jeanette Padilla Negi
OCMPROC-2023-000085	Adult-Use Processor License	CM Spencer Processing LLC
OCMPROC-2023-000101	Adult-Use Processor License	apache consultant & management inc
OCMPROC-2023-000202	Adult-Use Processor License	Lion's Mane Infusions, LLC
OCMPROC-2023-000208	Adult-Use Processor License	Gron NY LLC
OCMPROC-2023-000214	Adult-Use Processor License	QDM GROUP INC



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OCMPROC-2023-000239	Adult-Use Processor License	99th Floor Products LLC
OCMPROC-2023-000255	Adult-Use Processor License	New York Grower Cup LLC
OCMPROC-2023-000261	Adult-Use Processor License	TISSA LLC
OCMPROC-2023-000262	Adult-Use Processor License	TribeTokes LLC
OCMPROC-2023-000265	Adult-Use Processor License	ESLSUGAR LLC
OCMPROC-2023-000282	Adult-Use Processor License	UKIYO NICHOL LLC
OCMPROC-2023-000286	Adult-Use Processor License	NAY-TAY LLC
OCMPROC-2023-000345	Adult-Use Processor License	Breakfast Connections LLC
OCMPROC-2023-000451	Adult-Use Processor License	MIX NYC LLC
OCMPROC-2023-000467	Adult-Use Processor License	Canna Study, LLC
OCMPROC-2023-000489	Adult-Use Processor License	Ape New York LLC
OCMPROC-2023-000521	Adult-Use Processor License	Upstate Mary LLC
OCMPROC-2023-000537	Adult-Use Processor License	TurnBell LLC
OCMPROC2-2024-000004	Adult-Use Processor License	Roxanne Burford
OCMPT3B-2024-000004	Adult-User Processor License Branding	Durban Dames of New York LLC
OCMPT3B-2024-000005	Adult-User Processor License Branding	Mrs. C Botanicals LLC
OCMPT3B-2024-000006	Adult-User Processor License Branding	BUDDFELLAS, INC
OCMPT3B-2024-000010	Adult-User Processor License Branding	Banzzy870 LLC
OCMPT3B-2024-000011	Adult-User Processor License Branding	TOKESY LLC
OCMPT3B-2024-000012	Adult-User Processor License Branding	JOE ROTA'S LLC
OCMPT3B-2024-000013	Adult-User Processor License Branding	Sky Blue Stables, LLC
OCMPT3B-2024-000017	Adult-User Processor License Branding	Linda Shen
OCMPT3B-2024-000018	Adult-User Processor License Branding	David Chun



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OCMPT3B-2024-000022	Adult-User Processor License Branding	Rosie's Cannabis LLC
OCMPT3B-2024-000026	Adult-User Processor License Branding	Flying Leaf LLC
OCMPT3B-2024-000032	Adult-User Processor License Branding	IMDIAW LLC
OCMPT3B-2024-000033	Adult-User Processor License Branding	The House of Hash, LLC
OCMPT3B-2024-000035	Adult-User Processor License Branding	Robert D Tollin
OCMPT3B-2024-000036	Adult-User Processor License Branding	In The Clouds NY LLC
OCMPT3B-2024-000037	Adult-User Processor License Branding	SeedToFire LLC
OCMPT3B-2024-000041	Adult-User Processor License Branding	CANNA SUDZ LLC
OCMPT3B-2024-000044	Adult-User Processor License Branding	HI SUN MANAGEMENT LLC
OCMPT3B-2024-000046	Adult-User Processor License Branding	Asteria Cannabis Farm LLC
OCMRETL-2023-000350	Adult-Use Retail Dispensary License	IGAL CONSULTING, INC.
OCMRETL-2023-000547	Adult-Use Retail Dispensary License	Nipapoa LLC
OCMRETL-2023-000553	Adult-Use Retail Dispensary License	Decades Hamburg
OCMRETL-2023-000634	Adult-Use Retail Dispensary License	Greenerie LLC
OCMRETL-2023-000941	Adult-Use Retail Dispensary License	HORNBILL INC.
OCMRETL-2023-001290	Adult-Use Retail Dispensary License	14707 45 <sup>th</sup> LLC
OCMRETL-2023-001318	Adult-Use Retail Dispensary License	10613 Northern LLC
OCMRETL-2023-001571	Adult-Use Retail Dispensary License	HIGH CITY CANNABIS LLC
OCMRETL-2023-001656	Adult-Use Retail Dispensary License	Green Comfort Inc.
OCMRETL-2023-001695	Adult-Use Retail Dispensary License	Kingston Cannabis
OCMRETL-2023-001703	Adult-Use Retail Dispensary License	JWA DH Inc
OCMRETL-2023-001739	Adult-Use Retail Dispensary License	TopTierCo, LLC
OCMRETL-2023-001765	Adult-Use Retail Dispensary License	Best Budz Cannabis Co. LLC



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OCMRETL-2023-001872	Adult-Use Retail Dispensary License	Empire Dreams, LLC
OCMRETL-2023-001969	Adult-Use Retail Dispensary License	Crown and Gavel LLC
OCMRETL-2023-002172	Adult-Use Retail Dispensary License	xylocopa exotics llc
OCMCAURDP-2023-000092	Conditional Adult-Use Retail Dispensary	Dynasty Commodities, Inc
OCMCAURDP-2024-000057	Conditional Adult-Use Retail Dispensary	Root 13, LLC
OCMCAURDP-2024-000080	Conditional Adult-Use Retail Dispensary	Piffords Inc



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## Attachment B

February 14, 2025

**SENT VIA EMAIL**

Brooklyn Community Board 13  
1201 Surf Ave  
Brooklyn, NY 11224

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

Dear Brooklyn Community Board 13:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for IGAL Consulting, Inc (OCMRETL-2023-000350) located at 2851 Cropsey Avenue, Brooklyn, NY 11214.

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

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

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

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.



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

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant. Furthermore, the Board reviewed and confirmed IGAL Consulting, Inc’s completion of all application requirements for final licensure.

After careful review and consideration of the opinion received from your Locality, and pursuant to the Cannabis Law and related regulations, a license was approved for IGAL Consulting Inc located at 2851 Cropsey Avenue, Brooklyn, NY 11214.

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

Sincerely,  
Cannabis Control Board





# Office of Cannabis Management

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February 14, 2025

**SENT VIA EMAIL**

Queens Community Board 11  
46-21 Little Neck Pkwy  
Flushing, NY 11362

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

Dear Queens Community Board 11:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for Root 13, LLC (OCMCAURD-2022-000390) located at 25306 Northern Blvd, Little Neck, NY 11362.

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

On or about May 28, 2024, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Root 13, LLC, and the Board is responding as follows:

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

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
  - The two entities must be located on the same street for the 200-foot requirement to be applicable.



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Acting Executive Director

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

In the attached opinion provided, your Community Board expressed concerns regarding proximity to a community facility, pre-k school and elementary school. The Board appreciates the Community Board for providing this information. In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant. Due to your Office’s concerns, the Office of Cannabis Management (OCM) further reviewed the proposed site at 25306 Northern Blvd, Little Neck, NY 11362 using the measuring factors above. OCM determined that the proposed retail dispensary located on Northern Blvd does not share the same road as the schools located on Little Neck Parkway. Please note, the Adult-use Cannabis Regulations define public youth facility as a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Therefore, in order for a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law. Currently, New York City has not adopted a local law establishing distance requirements from Public Youth Facilities.

The Board appreciates and values the concerns raised by the Community Board and in its review the Board determined the proposed site 25306 Northern Blvd, Little Neck, NY 11362 is not in violation of any statutory and/or regulatory distance requirements for a retail dispensary. Further, the Board reviewed and confirmed Root 13, LLC’s completion of all application requirements for final licensure.

After careful review and consideration of the opinion received from your Locality, and pursuant to the Cannabis Law and related regulations, a license was approved for Root 13, LLC located at 25306 Northern Blvd, Little Neck, NY 11362.

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

Sincerely,



# Office of Cannabis Management

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Cannabis Control Board



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February 14, 2025

**SENT VIA EMAIL**

Manhattan Community Board 10  
215 West 125th Street, 4th Floor  
New York, NY 10027

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

Dear Manhattan Community Board 10:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for Dynasty Commodities Inc (OCMCAURD-2022-000275) located at 2119 Frederick Douglass Blvd, New York, NY 10026.

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

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

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

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.



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

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

In the attached opinion, your Community Board raised concerns with information provided by the Applicant. The Board appreciates the Community Board for providing this information. In accordance with the Office of Cannabis Management (“OCM”) procedures and requirements, OCM has thoroughly evaluated the entire application as part of its licensing process and confirmed Dynasty Commodities Inc’s completion of all application requirements for final licensure. Additionally the applicant was able to provide several letters of community support from local council members, assembly members and businesses providing support for the application. After careful review and consideration of the opinion received from your Locality, and pursuant to the Cannabis Law and related regulations, a license was approved for Dynasty Commodities Inc. located at 2119 Frederick Douglass Blvd, New York, NY 10026.

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

Sincerely,  
Cannabis Control Board



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February 14, 2025

**SENT VIA EMAIL**

City of Peekskill  
840 Main St  
Peekskill, NY 10566

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

Dear City of Peekskill:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for OCMCAURD-2022-000769 (Cliff Mascarenas) located at 500 Highland Ave., Peekskill, NY 10566.

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

On or about December 1, 2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Cliff Mascarenas, and the Board is responding as follows:

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

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.



# Office of Cannabis Management

**KATHY HOCHUL**

Governor

**TREMAINE WRIGHT**

Cannabis Control Board Chair

**JESSICA GARCIA**

Board Member

**HOPE KNIGHT**

Board Member

**CRYSTAL J. RODRIGUEZ DABNEY**

Board Member

**JENNIFER GILBERT JENKINS**

Board Member

**FELICIA A.B. REID**

Acting Executive Director

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

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant. Please be aware that there is no mention of distance requirements from residential housing within Cannabis Law or the Regulations.

Further, in your advisory opinion you raised concerns with parking and vehicle traffic. The Board appreciates the City for providing this information and wants to clarify pursuant to § 119.2(a) of the Adult Use Regulations “Municipalities are authorized to adopt local laws and regulations governing the time, place, and manner; provided however, that such local laws and regulations shall not be unreasonably impracticable. The following activities constitute some of the permissible time, place, and manner restrictions that may be imposed by a municipality:

- Retail dispensary hours of operation for cities of one million (1,000,000) or less. In cities having a population of one million (1,000,000) or less, the hours of operation of when cannabis products can be sold at adult-use retail dispensaries:
  - i. shall not be from 2:00 a.m. to 8:00 a.m., unless given express written permission by such municipality, or the municipality passes a local law, authorizing it to operate during such hours; and
  - ii. do so; shall not be restricted to less than seventy (70) hours a week, unless the licensee agrees to;
- the visual or architectural integrity of the building if located within historical districts;
- parking;
- traffic control, including, but not limited to, pedestrian and vehicular traffic;
- odor, pursuant to article 13-E of the Public Health Law and the Clean Indoor Air Act, except as preempted under subdivision (b) of section 119.1 of this Part
- noise; and
- distance requirements between the retail dispensary, microbusiness, or ROD and a public youth facility, provided, however, that such distance requirement is no greater than 500 feet from the retail dispensary, microbusiness, or ROD.



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Additionally, in the attached opinion your Office raised concerns regarding the Cities requirements of this applicant obtaining approval from the Planning Commission for a Special Use Permit and Site Plan Approval. The Board appreciates the Cities for providing this information. Please note, applicants attest to a requirement that “[A]n applicant and licensee shall have an obligation to ensure that the information, documentation, attestations and assurances submitted to the Office of Cannabis Management (“OCM”) are not fraudulent, false, or misleading” as required by Section 120.1(g) of Title 9 of New York Codes Rules and Regulations (9 NYCRR), which includes obtaining all necessary permits, a certificate of occupancy and meeting all Town codes and license requirements. As such, the Board is authorized to issue such final licensure based on an applicant satisfying all requirements in Cannabis Law and Regulations. OCM can also require that the applicant/licensee show proof that they obtained the local permit necessary after license issuance. Even though the business has been issued a license from OCM, it is still subject to all applicable local laws/codes that are not specific to our licensed businesses.

The Board reviewed and confirmed Cliff Mascarenas completion of all application requirements for final licensure. After careful review and consideration of the opinion received from your Locality, and pursuant to the Cannabis Law and related regulations, a license was approved for Cliff Mascarenas located at 500 Highland Ave., Peekskill, NY 10566.

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

Sincerely,  
Cannabis Control Board