



No. 2025-77
November 13, 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;

WHEREAS, the Board desires that a response be issued to those Municipalities that have



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expressed an Opinion explaining how such Opinion was considered; now, therefore, be it

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 Number	License Type	Entity Name
OCMCULT-2023-000050	AU Cultivator	HEALTH RESORT INC
OCMCULT-2023-000088	AU Cultivator	Taco Bandit Cultivators LLC
OCMCULT-2023-000116	AU Cultivator	Big Yield Growers LLC
OCMCULT-2023-000178	AU Cultivator	Tarot Tokes LLC
OCMCULT-2023-000212	AU Cultivator	fox ranch llc
OCMCULT-2023-000288	AU Cultivator	Believe In Aisha LLC
OCMCULT-2023-000355	AU Cultivator	Nile of NY, LLC
OCMCULT-2023-000360	AU Cultivator	LIT Distribution and Logistics LLC
OCMCULT-2023-000361	AU Cultivator	Nako One 1 LLC
OCMCULT-2023-000370	AU Cultivator	Hippie Cafe LLC
OCMCULT-2023-000371	AU Cultivator	A.F.S.S.M, iNC
OCMDIST-2023-000008	AU Distributor	CannafarmsNY LLC
OCMDIST-2023-000104	AU Distributor	SNNJ INC.
OCMDIST-2023-000281	AU Distributor	Terp Land Farms LLC
OCMDIST2-2025-000008	AU Distributor	Reliable Telecommunication, INC
OCMDIST2-2025-000009	AU Distributor	HR BOTANICAL PROCESSING LLC
OCMDIST2-2025-000011	AU Distributor	Hemp Mutual LLC
OCMDIST2-2025-000013	AU Distributor	Robert L Ellis
OCMDIST2-2025-000015	AU Distributor	Sezby Growers LLC
OCMMICR-2023-000099	AU Micro	Small Batch Projects, LLC
OCMMICR-2023-000115	AU Micro	Adirondack Hemp Company, Inc
OCMMICR-2023-000279	AU Micro	Happy Family Farm Micro LLC
OCMMICR-2023-000737	AU Micro	Token Heights Cannabis Farm LLC
OCMMICR-2024-000004	AU Micro	Sparkle Holdings, LLC
OCMPROC-2024-000036	AU Processor	HPI CANNA Inc.
OCMPROC2-2025-000005	AU Processor	Black Dirt Cannabis Company LLC
OCMPROC2-2025-000008	AU Processor	GOOD ROOTS NY LLC
OCMPT3B-2024-000103	AU Processor	Generations LCA LLC
OCMPT3B-2024-000126	AU Processor	Hustla Pack LLC
OCMPT3B-2025-000017	AU Processor	Sourface Incorporation LLC
OCMPT3B-2025-000033	AU Processor	Healing Hrbs Corporation
OCMPT3B-2025-000040	AU Processor	GUNSMOKEINC LLC
OCMPT3B-2025-000051	AU Processor	Dream Team Consulting LLC
OCMPT3B-2025-000068	AU Processor	Quashie Construction Services Plus+ LLC



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OCMPT3B-2025-000071	AU Processor	Real Deal Organics LLC
OCMPT3B-2025-000072	AU Processor	Official Cleaning Detail LLC
OCMPT3B-2025-000073	AU Processor	Canyasa Opco LLC
OCMPT3B-2025-000074	AU Processor	DOUGH BOI CANNABIS LLC
OCMPT3B-2025-000080	AU Processor	Served365 Inc.
OCMPT3B-2025-000098	AU Processor	Xclusive smoke
OCMPT3B-2025-000244	AU Processor	Deewdrop LLC
OCMRETL-2023-000063	AU Retail	World Piece, LLC
OCMRETL-2023-000863	AU Retail	Mark L Cold
OCMRETL-2023-001179	AU Retail	Freedom 35 Cannabis Company LLC
OCMRETL-2023-001213	AU Retail	Mirae Corp
OCMRETL-2023-001215	AU Retail	HIGH CLASS SMOKES INC.
OCMRETL-2023-001277	AU Retail	Two Budz LLC
OCMRETL-2023-001362	AU Retail	Purple Provisions, LLC
OCMRETL-2023-001522	AU Retail	Griffon Cannabis LLC
OCMRETL-2023-001527	AU Retail	CANNAISSEUR NY LLC
OCMRETL-2023-001819	AU Retail	Black Bear Wellness NY LLC
OCMRETL-2023-001823	AU Retail	Smiley 370 LLC
OCMRETL-2023-001828	AU Retail	BWell Holdings NY, Inc.
OCMRETL-2023-001833	AU Retail	BALLI CANN, INC.
OCMRETL-2023-001957	AU Retail	Erik C Pye
OCMRETL-2023-001993	AU Retail	Whitstone LLC
OCMRETL-2023-002043	AU Retail	Gift Leaf 676 LLC
OCMRETL-2023-002093	AU Retail	GANJA RUS 1 LLC
OCMRETL-2023-002156	AU Retail	corporate gift solution inc
OCMRETL-2023-002159	AU Retail	Kornegay & Son LLC
OCMRETL-2023-002165	AU Retail	SACB Holdings Inc.
OCMRETL-2023-002185	AU Retail	Green Rise Inc.
OCMRETL-2023-002187	AU Retail	Forge Dispensaries, LLC
OCMRETL-2023-002191	AU Retail	Green Plan Source, Inc.
OCMRETL-2023-003492	AU Retail	Variscite NY One, Inc.
OCMCAURDP-2025-000008	CAURD	GREEN ENTERPRISE HOLDINGS LLC
OCMCAURDP-2024-000103	CAURD	Luxe Leaf Luxe Leaf Boutique LLC
OCMCAURDP-2023-000212	CAURD	Authentic 212 LLC



Attachment B

November 13, 2025

SENT VIA EMAIL

Queens Community Board 10
115-01 Lefferts Boulevard,
South Ozone Park, NY 11420

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

Dear Queens Community Board 10:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for OCMRETL-2023-002093 (Ganja Rus 1 LLC) located at 85-08 Pitkin Ave., Ozone Park, NY, 11417.

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) provides 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 August 28, 2025, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Ganja Rus 1 LLC. In the attached opinion your Office raised concerns with proximity of the proposed dispensary to a school and playgrounds, and also expressed general local opposition to adult use retail dispensaries. 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 (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more (unless the Board finds that issuing the license would promote public convenience and advantage).



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- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and school grounds.
- 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

On September 25, 2025, Albany County Supreme Court issued a preliminary injunction order in the matter of *ConBud, et. al. v New York State Cannabis Control Board, et. al.* The order requires the Office of Cannabis Management (OCM) to review cannabis dispensary applications under the standards that a retail dispensary can not be on the same road and within 500 feet of the entrance of a building occupied exclusively as a school. Such order extends until February 15, 2026. In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant the licensee to the applicant. While a playground or park may fall within the definition of a public youth facility, please note that New York City has not adopted a local law establishing distance requirements from Public Youth Facilities. As such, OCM did not find any violations of distance requirements from a public youth facility. In regard to proximity concerns with Ummah Academy, the location at 84-16 Pitkin Ave., Jamaica, NY 11417 appears to be a Mixed Residential & Commercial Building with one or more residential units within, and as such is not exclusively used as a school.

While the proposed site meets the regulatory distance requirements, the Board recognizes your concerns regarding the proximity to the aforementioned sites. The Board appreciates the Community Boards concern regarding the parks and playground proximity and shares the commitment to protecting youth from exposure to adult-use cannabis. To that end, New York’s adult-use cannabis program includes multiple safeguards in addition to distance requirements, including:

- Age Verification – 9 NYCRR § 123.10(d) requires retail dispensaries to require identification and verify age for every customer.
- Marketing & Advertising Restrictions – 9 NYCRR Parts 128 and 129 prohibit advertising that is attractive to individuals under twenty-one.
- Packaging & Labeling – 9 NYCRR Part 128 requires child-resistant tamper-evident packaging that cannot be attractive to individuals under twenty-one.
- Incident Reporting & Enforcement – Licensees must promptly submit detailed incident reports to OCM whenever a public-safety concern occurs. Violations of the Cannabis Law or regulations can result in fines, suspension, or license revocation under 9 NYCRR § 120.1(k) and Part 133.

Additionally, 9 NYCRR § 120.1(k) emphasizes that violations of the Regulations or the Cannabis Law by



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a licensee can result in significant penalties. These penalties may include fines, suspension, revocation of the license, and even debarment, as outlined in Part 133 of the Regulations.

Through regulations the Board has adopted comprehensive application and licensure requirements for entities operating in the industry. Pursuant to section 131 of the Cannabis Law, cities, towns, and villages had the option of passing a local law to opt-out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses from locating within their jurisdictions by December 31, 2021, or nine months after the effective date of the legislation. If a municipality did not opt-out by December 31, 2021, the municipality is unable to opt-out at a future date. Community Boards do not have the authorization to opt out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses from locating within their jurisdictions.

Furthermore, the Board reviewed and confirmed Ganja Rus 1 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 Ganja Rus 1 LLC located at 85-08 Pitkin Ave., Ozone Park, NY, 11417.

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

Sincerely,
Cannabis Control Board



November 13, 2025

SENT VIA EMAIL

Queens Community Board 4
46-11 104th Street
Corona, NY 11368

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

Dear Queens Community Board 4:

This letter is in reference to the Cannabis Control Board's decision to approve the license for OCMRETL-2023-001215 (High Class Smokes Inc) located at 8820 Roosevelt Ave, Jackson Heights, NY 11372.

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) provides the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about November 6, 2025 the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to HIGH CLASS SMOKES 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 (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and school grounds.



- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility.
 - 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 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

On September 25, 2025, Albany County Supreme Court issued a preliminary injunction order in the matter of *ConBud, et. al. v New York State Cannabis Control Board, et. al.* The order requires the Office of Cannabis Management (OCM) to review cannabis dispensary applications under the standards that a retail dispensary can not be on the same road and within 500 feet of the entrance of a building occupied exclusively as a school. Such order extends until February 15, 2026.

In the attached opinion provided by your Community Board, you raised concerns with proximity to schools, oversaturation and high crime. The Board appreciates you raising these concerns to their attention. As these concerns were expressed the Office of Cannabis management re-examined the proposed location for any proximity violations within our regulations. The Office of Cannabis Management can confirm there are no schools that fall within 500 of the proposed dispensary, nor any other retail dispensary are within 1,000ft of the proposed location at 8820 Roosevelt Ave. In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant the licensee to the applicant.

While the proposed site meets the regulatory distance requirements, the Board recognizes your concerns regarding the proximity to the aforementioned sites. The Board appreciates the Community Boards concern regarding the parks and playground proximity and shares the commitment to protecting youth from exposure to adult-use cannabis. To that end, New York’s adult-use cannabis program includes multiple safeguards in addition to distance requirements, including:

- Age Verification – 9 NYCRR § 123.10(d) requires retail dispensaries to require identification and verify age for every customer.
- Marketing & Advertising Restrictions – 9 NYCRR Parts 128 and 129 prohibit advertising that is attractive to individuals under twenty-one.
- Packaging & Labeling – 9 NYCRR Part 128 requires child-resistant tamper-evident packaging that cannot be attractive to individuals under twenty-one.
- Incident Reporting & Enforcement – Licensees must promptly submit detailed incident reports to OCM whenever a public-safety concern occurs. Violations of the Cannabis Law or regulations can result in fines, suspension, or license revocation under 9 NYCRR § 120.1(k) and Part 133.

Additionally, 9 NYCRR § 120.1(k) emphasizes that violations of the Regulations or the Cannabis Law by a licensee can result in significant penalties. These penalties may include fines, suspension, revocation of the license, and even debarment, as outlined in Part 133 of the Regulations.

Furthermore, the Board reviewed and confirmed High Class Smokes Inc completion of all application



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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 High Class Smokes Inc located at 8820 Roosevelt Ave, Jackson Heights, NY 11372.

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

Sincerely,
Cannabis Control Board



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November 13, 2025

SENT VIA EMAIL

Staten Island Community Board 2
900 South Avenue, Suite 28
Staten Island, NY 10314

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

Dear Staten Island Community Board 2:

This letter is in reference to the Cannabis Control Board's decision to approve the license for OCMRETL-2023-001362 (Purple Provisions LLC) located at 1399 Hylan Blvd., Staten Island, NY, 10305.

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) provides 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 September 24, 2025, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Purple Provisions 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 (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more (unless the Board finds that issuing the license would promote public convenience and advantage).
- 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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- 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 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

On September 25, 2025, Albany County Supreme Court issued a preliminary injunction order in the matter of *ConBud, et. al. v New York State Cannabis Control Board, et. al.* The order requires the Office of Cannabis Management (OCM) to review cannabis dispensary applications under the distance requirements set in Cannabis Law § 72(6). A retail dispensary cannot be on the same road and within 500 feet of the entrance of a building occupied exclusively as a school. Such order extends until February 15, 2026. 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 provided by your Office, you raised concerns with the lack of a reliable method to determine cannabis related impairment while driving. The Board appreciates you raising these concerns to their attention, as traffic safety is an important social determinant to consider as part of the comprehensive regulatory framework for adult-use cannabis programs. OCM continues to establish measures to promote safer driving practices and increase traffic safety efforts in a manner that protects the public health and safety of all New Yorkers. In 2023, OCM joined the Governor’s Traffic Safety Committee (GTSC). Representation on the GTSC solidified ongoing collaboration with the GTSC, the entity primarily responsible for coordinating and managing New York State traffic safety campaigns for the past twenty-five years. Being a top priority of OCM, a memorandum of understanding was established with the NYS Department of Motor Vehicles (DMV) to expand capacity for cannabis-specific support staff to assist with continued coordination efforts to expand the Drug Evaluation and Classification program’s Advance Roadside Impaired Driving Enforcement (ARIDE) and Drug Recognition Expert (DRE) trainings across the State. More on the DRE and ARIDE training programs can be found in OCM Annual Reports.

Please be aware that under New York State Law it remains illegal to operate a motor vehicle while under the influence of cannabis. Pursuant to New York Vehicle and Traffic Law § 1192(4) “no person shall operate a motor vehicle while the person’s ability to operate such motor vehicle is impaired by the use of drugs,” which includes cannabis as defined in New York Public Health Law.

The Board has reviewed and confirmed Purple Provisions LLC completion of all application requirements for final licensure. After careful review and consideration of the opinion received from your Locality, and



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pursuant to the Cannabis Law and related regulations, a license was approved for Purple Provisions LLC located at 1399 Hylan Blvd., Staten Island, NY, 10305.

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

Sincerely,
Cannabis Control Board



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November 13, 2025

SENT VIA EMAIL

City of Rochester
30 Church Street
Rochester, NY 14614

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

Dear City of Rochester:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for OCMRETL-2023-000863 (Society of the Seven Sages) located at 656 South Ave., Rochester, NY 14620.

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) establishes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about November 14, 2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Society of the Seven Sages, 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 (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more (unless the Board finds that issuing the license would promote public convenience and advantage).
- 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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Cannabis Control Board
Chair

FELICIA A.B. REID

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 by your Office, you raised concerns with the proximity of the proposed dispensary to St. Boniface Church. In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant the licensee to the applicant. In review of the proposed location, the Office of Cannabis Management confirmed that the proposed retail dispensary does not share the same street nor is it within 200ft of the main entrance of St. Boniface Church.

Furthermore, the Board reviewed and confirmed Society of the Seven Sages 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 Society of the Seven Sages located at 656 South Ave., Rochester, NY 14620.

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

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

Sincerely,
Cannabis Control Board



**Office of Cannabis
Management**

BOARD MEMBERS

Hope Knight
Crystal Rodriguez-Dabney
Brad Usher

KATHY HOCHUL

Governor

JESSICA GARCIA

Cannabis Control Board
Chair

FELICIA A.B. REID

Acting Executive Director

November 13, 2025

SENT VIA EMAIL

Queens Community Board 5
61-23 Myrtle Avenue
Flushing, NY 11385

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

Dear Queens Community Board 5:

This letter is in reference to the Cannabis Control Board's decision to approve the license for OCMCAURD-2022-000716 (Green Enterprise Holdings LLC) located at 71-10 Grand Ave., Maspeth, NY, 11378.

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) provides 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 February 14, 2025, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to GREEN ENTERPRISE HOLDINGS 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 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 (unless the Board finds that issuing the license would promote public convenience and advantage).



Office of Cannabis Management

BOARD MEMBERS

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- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and school grounds.
- 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 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

On September 25, 2025, Albany County Supreme Court issued a preliminary injunction order in the matter of *ConBud, et. al. v New York State Cannabis Control Board, et. al (ConBud v. OCM)*. The order requires the Office of Cannabis Management (OCM) to review cannabis dispensary applications under the standards that a retail dispensary can not be on the same road and within 500 feet of the entrance of a building occupied exclusively as a school. Such order extends until February 15, 2026.

In the attached opinion provided by your Community Board, you raised concerns with proximity to Public School 58, Maspeth High School and IS 73. The Board and Office of Cannabis Management (OCM) appreciate you raising these concerns for our attention. Based on these proximity concerns, OCM further assessed the proposed location for any proximity violations established within our regulations. As it relates to proximity to Maspeth High School, the proposed location at 71-10 Grand Ave. is beyond the 500-foot requirement and does not share the same street as the proposed dispensary. As it relates to proximity to IS 73, while the proposed dispensary is within 500ft of a school main entrance, the two sites do not share the same street. Finally, in relation to proximity concerns to Public School 58, while the two sites share the same street, the proposed dispensary entrance is beyond 500-foot from the main entrance of the school. 9 NYCRR 119.4(i) defines a main entrance as “a main door of a house of worship, a building on the school grounds, or public youth facility, if applicable, or of premises licensed and operating pursuant to this Title, regularly used to give ingress to the general public attending the house of worship, a building on the school grounds, public youth facility, the premises licensed and operating pursuant to this Title”.



Office of Cannabis Management

BOARD MEMBERS

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Acting Executive Director

In review of the proposed dispensary in February 2025, along with communication with NYC Public Schools, it was determined the doors located near the intersection of Grand Ave. and 72nd Pl. would not meet the definition of a main doors regularly used to give ingress to the general public attending the School at that time. In its consideration of the proposed license, and in accordance with the injunction in *ConBud v. OCM*, the Board has reviewed and confirmed the foregoing proximity requirements in its decision to grant the licensee to the applicant.

While the proposed site meets the regulatory distance requirements, the Board recognizes your concerns regarding the proximity to schools. The Board appreciates the Community Boards concern regarding the proximity and shares the commitment to protecting youth from exposure to adult-use cannabis. To that end, New York's adult-use cannabis program includes multiple safeguards in addition to distance requirements, including:

- Age Verification – 9 NYCRR § 123.10(d) requires retail dispensaries to require identification and verify age for every customer.
- Marketing & Advertising Restrictions – 9 NYCRR Parts 128 and 129 prohibit advertising that is attractive to individuals under twenty-one.
- Packaging & Labeling – 9 NYCRR Part 128 requires child-resistant tamper-evident packaging that cannot be attractive to individuals under twenty-one.
- Incident Reporting & Enforcement – Licensees must promptly submit detailed incident reports to OCM whenever a public-safety concern occurs. Violations of the Cannabis Law or regulations can result in fines, suspension, or license revocation under 9 NYCRR § 120.1(k) and Part 133.

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

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 Green Enterprise HoldingsLLC 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 Green Enterprise HoldingsLLC located at 71-10 Grand Ave., Maspeth, NY, 11378.

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

Sincerely,



**Office of Cannabis
Management**

BOARD MEMBERS

Hope Knight
Crystal Rodriguez-Dabney
Brad Usher

KATHY HOCHUL

Governor

JESSICA GARCIA

Cannabis Control Board
Chair

FELICIA A.B. REID

Acting Executive Director

Cannabis Control Board



**Office of Cannabis
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FELICIA A.B. REID
Acting Executive Director

November 13, 2025

SENT VIA EMAIL

Manhattan Community Board 6
211 E 43rd Street, Suite 1404
New York, NY 10017

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

Dear Manhattan Community Board 6:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for OCMCAURD-2022-000286 (CELES WALTERS) located at 820 2nd Ave., New York, NY, 10017.

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) provides the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about November 14, 2024, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to CELES WALTERS, 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 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 (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.



Office of Cannabis Management

BOARD MEMBERS

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Acting Executive Director

- 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 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

In the attached opinion provided by your Office, you raised concerns regarding proximity to other schools and diplomatic missions. The Board appreciates you raising these concerns. On September 25, 2025, the Albany County Supreme Court issued a preliminary injunction order in the matter of *ConBud, et. al. v New York State Cannabis Control Board, et. al.* The order requires the Office of Cannabis Management (OCM) to review cannabis dispensary applications under the distance requirements set in Cannabis Law § 72(6). A retail dispensary cannot be on the same road and within 500 feet of the entrance of a building occupied exclusively as a school. The order mandating these distance measurements extends until February 15, 2026. A further review of the proposed location 820 2nd Ave., New York, NY, 10017 for distance violations was conducted. 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.

Your office raised further concerns with the partnership agreement between CELES WALTERS and Michael Flynn dba Flynnstoned Cannabis Company. While FlynnStoned may raise questions due to its phonetic resemblance to a well-known animated program, note the OCM evaluates such matters on a case-by-case basis. In this case, OCM has not found sufficient evidence that the name alone, without the use of protected intellectual property or cartoon imagery, constitutes a violation of our youth appeal standard. OCM is continuing to monitor the licensee's broader branding and marketing materials to ensure compliance. OCM values Manhattan Community Board 6's role as a partner in promoting public health and protecting youth. If you observe additional marketing, signage, or activities by this licensee — or any others — that you believe contravene state regulations, OCM encourages you to share that information with the Office for further review.

Additionally, the Office's Trade Practice Bureau (“TPB”) has reviewed the associated Membership Interest Purchase Agreement and Operating Agreement for Flynnstoned's minority ownership interest purchase. Following the review, the TPB determined the agreement and governance documents are in compliance with the adult-use cannabis regulations.

Furthermore, the Board reviewed and confirmed CELES WALTERS 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 CELES WALTERS located at 820 2nd Ave., New York, NY, 10017.

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



**Office of Cannabis
Management**

BOARD MEMBERS

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Sincerely,
Cannabis Control Board



**Office of Cannabis
Management**

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Acting Executive Director

November 13, 2025

SENT VIA EMAIL

Town of Brookhaven
1 Independence Hill
Farmingville, NY 11738

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

Dear Town of Brookhaven:

This letter is in reference to the Cannabis Control Board's decision to approve the license for OCMRETL-2023-001823 (Smiley 370 LLC) located at 370 Ronkonkoma Ave., Lake Ronkonkoma, NY 11779.

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) provides 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, 2024, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license in relation to the proposed location 370 Ronkonkoma Ave, and the Board is responding as follows:

The opinion provided by your Office highlights concerns that the 370 Ronkonkoma Ave., Lake Ronkonkoma, NY 11779 address is zoned improperly for a retail cannabis dispensary. Note that "an applicant and licensee shall have an obligation to ensure that the information, documentation, attestations and assurances submitted to the Office of Cannabis management are not fraudulent, false or misleading," provided by 9 NYCRR § 1201.1(g), which includes obtaining all necessary permits and meeting other Town code and license requirements. OCM may require an applicant/licensee show proof they obtained the local permit necessary after license issuance, prior to commencing operation. Although the business has been issued a license from OCM, it is subject to all applicable local laws/codes that are not specific to our licensed businesses.

In the attached opinion provided by your Office you raised concerns with proximity to residential dwellings. While the Board appreciates the Town raising these concerns, there are no state statutory or regulatory distance requirements set upon a retail dispensary from a residential dwelling. In its consideration of the proposed license, the Board reviewed and confirmed the location met all state proximity requirements in its decision to grant the licensee to the applicant.



**Office of Cannabis
Management**

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Acting Executive Director

Furthermore, the Board reviewed and confirmed Smiley 370 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 Smiley 370 LLC's located at 370 Ronkonkoma Ave., Lake Ronkonkoma NY 11779.

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

Sincerely,
Cannabis Control Board