



Meeting Minutes

Title:	New York State Cannabis Control Board Meeting
Time & Date:	November 13, 2025 at 11:00 AM
Location:	Empire State Plaza Concourse, Meeting Room 7, Albany, NY 12242, Community Outreach & Engagement Center, 907 Michigan Avenue, Buffalo, NY 14203, Office of Cannabis Management, 59 Maiden Lane, New York, NY 10038 and Virtual via Webcast

Attendance

Board Chair:	Jessica Garcia
Board Members Present:	Brad Usher
Board Members Present (virtually):	Hope Knight, Crystal Rodriguez-Dabney
Board Members Absent:	N/A
Others Present:	June Chin, Celena Ditchev, Stephen Geskey, Patrick McKeage, Felicia A. B. Reid, L. Simone Washington
Others Present (virtually):	Matthew Wilson

Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from October 6, 2025 Board Meeting
- IV. Consideration of Adult-Use Applications for Approval
- V. Consideration of Adult-Use License and Permit Amendment Requests
- VI. Consideration of Conditional Adult-Use Retail Dispensary Renewal
- VII. Consideration of Adult-Use Application Renewal Application
- VIII. Consideration of Packaging, Labeling, Marketing and Advertising Regulations
- IX. Consideration of Registered Organization Amendment Request
- X. Consideration of Certain Applications with Non-Viable Locations Requesting the Board Determine Whether Granting the License Would Promote Public Convenience and Advantage
- XI. Consideration of Unreasonable Impracticable Advisory Opinion
- XII. Consideration of Administrative Appeals
- XIII. Office of Cannabis Management Report
- XIV. Public Comment
- XV. Adjourn



Action Items

Resolution No. 2025-77:	Resolution to Issue Certain Adult-Use Cannabis Licenses.	Passed, Unanimous Vote
Resolution No. 2025-78:	Resolution to Approve Certain Cannabis License Amendment Requests.	Passed, Unanimous Vote
Resolution No. 2025-79:	Resolution to Renew Certain Conditional Adult-Use Retail Dispensary Licenses.	Passed, Unanimous Vote
Resolution No. 2025-80:	Resolution Approving Certain Application Form for Renewal of Adult-Use Cannabis Licenses.	Passed, Unanimous Vote
Resolution No. 2025-81:	Resolution Directing the Office of Cannabis Management to File a Notice of Adoption for Proposed Cannabis Packaging, Labeling, Marketing and Advertising Regulations, 9 NYCRR Parts 128 and 129.	Passed, Unanimous Vote
Resolution No. 2025-82:	Resolution to Approve Certain Registered Organization Amendment Requests.	Passed, Unanimous Vote
Resolution No. 2025-83:	Resolution to Consider Certain Applications with Non-Viable Locations Requesting the Board Determine Whether Granting the License Would Promote Public Convenience and Advantage.	Pure Blossoms LLC – Passed, Unanimous Vote Of the Earth Canna LLC – Passed, Unanimous Vote Diamond Star Group Inc. – Passed, Unanimous Vote Cannibus NY LLC – Failed Vote NDICA Green LLC – Failed Vote NY Retail 4 Inc. – Passed, Unanimous Vote Purple Buds, Inc. – Passed, Unanimous Vote Higher Reason LLC – Tabled The CLUB ZAZA LLC – Passed, Unanimous Vote



Resolution No. 2025-84:	Resolution to Issue Advisory Opinion.	Passed, Unanimous Vote
Resolution No. 2025-85:	Resolution to Render a Decision for Administrative Appeal OCM v. Breckenridge Cafe NYC LLC DBA Breckenridge Cannabis Cafe, Inspection No. 103 2024 0718 0034, Denying Appellant’s Appeal and Affirming the ALJ’s Decision and Order.	Passed, Unanimous Vote
Resolution No. 2025-86:	Resolution to Render a Decision for Administrative Appeal OCM v. Ignite Outlet’s Inc., Inspection No. 207 2024 0821 0042, Denying Appellant’s Appeal and Affirming the ALJ’s Decision and Order.	Passed, Unanimous Vote

Notes & Comments

- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, the Minutes of the October 6, 2025 Cannabis Control Board (“CCB” or the “Board”) Meeting were approved unanimously.
- Patrick McKeage, Executive Deputy Director of Regulatory Operations for the Office of Cannabis Management (“OCM” or the “Office”), provided an overview of Resolution No. 2025-77, a Resolution to Issue Certain Adult-Use Cannabis Licenses. Before the Board today, is a cohort of 68 adult-use cannabis applications, which have cleared the multistep review process and are being recommended for approval by the Board. The 68 applicants include 11 cultivators, 24 retail dispensaries, 5 microbusinesses, 8 distributors, 17 processors and 3 final Conditional Adult-Use Retail Dispensary (“CAURD”) licenses. If approved, this will bring the total number of licenses approved by the Board to 1,990.
- The Office provided an update on the number of applications that remain pending across the different queues.
 - For the November queue, which included 1,603 applications that were queued, 722 have received a final license, 242 have been issued a provisional license, 257 applications are under review, and 382 applications have been closed.
 - For the December queue, which included 4,666 applications that were queued, the following number of applications remain pending: 2,705 Retail Dispensaries, 874 Microbusinesses, 144 Cultivators, 98 Processors and 174 Distributors.
 - Application and Licensing Queue Reminders:
 - Five Distinct queues
 - The term “December queue” is sometimes used as shorthand but there is one November queue and four distinct queues that make up the December queue: Cultivation, Processing, Distribution, and Retail Dispensary and Microbusiness.
 - Difference Between the November and Retail Dispensary and Microbusiness December Queue



- The November queue includes retail dispensary and microbusiness applicants that submitted with proof of control over a location by November 17, 2023. Applicants that did not submit with proof of control or applied after November 17, 2023, were included in the Retail Dispensary and Microbusiness December queue.
- Purpose of Queues
 - The queues only determine the order of initial application review of applications within each queue. The order licenses are issued are not determined by the queue and have to do with unique factors and complexity of each application.
- Applications Being Reviewed Not in the Queue
 - Adult-Use Conditional Cultivators and Adult-Use Conditional Processors.
 - CAURD Provisional Licensees.
 - Processor Type 3 applications.
 - Processor applications for entities that already hold a cultivator license.
 - Distributor applications for entities that already hold a processor license.
 - Renewals and amendments.
- Litigation in the Retail Dispensary and Microbusiness December Queue
 - The Office is still currently working through the review of the November queue before moving to the Retail Dispensary and Microbusiness December queue.
 - There is litigation that is currently impacting the Office's ability to review retail dispensary applications in this queue that did not apply with proof of control over a location (provisional application). This includes the majority of applications in this queue.
 - There is additional litigation that may have additional impact on this queue (Variscite NY Four, LLC and Variscite Five, LLC).
 - The Office is actively monitoring the ongoing litigation and will provide applicants with an update as soon as one is available.
- Chair Garcia stated that they occasionally will get an inquiry from those individuals who participated in OCM's trainings and where they fall in in terms of prioritizing their licensing review. She then asked if they could explain what is going on with those applicants and how they are impacted by all of this.
- Patrick McKeage stated that the CCTM program was a program put out by the Office to help do some training before the application window opened. He stated that they had a cohort of people go through that training and then part of the queuing process, they were given certain benefits in that queuing process, for lack of a better term, an extra ball in the queuing process



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

to have their application appear multiple times so they would have a chance of being higher in the queue versus lower in the queue. He stated that unfortunately the review of those applications that are in the retail dispensary and microbusiness December queue is still on hold with how they are waiting to approach that entire queue. He further stated that as soon as they are able to move forward with that queue, those CCTM applicants are in that and would be part of the review.

- Board Member Brad Usher stated that you talked about how an applicant might move quicker through the queue than some other applicant. He then asked how Public Convenience and Advantages (“PCA”) are affected by that, say that an applicant further up the queue is not moving, does that impact later applicants who might be moving quicker in terms of consideration of PCAs.
- Patrick McKeage stated that the queue also has implications for someone's location being determined to be viable. He stated that if someone higher up in the queue, let's say number two in the queue, gets that letter saying their location is viable and they are on the local map, and then they get to application three in the queue, application three's location would be evaluated based on application two's location already being considered and so applicant number three could request a PCA if applicant two's application was taking longer to review. He further stated that is kind of the way to add a little flexibility in the process, understanding that each application has a different review time period with it.
- Chair Garcia stated that she knows that applicants when they look at the local map, they are seeing those who are licensed, and they are seeing those who have already been deemed viable. She stated that they may not be seeing the folks who are pending but also are in conflict who may be before them. She then asked how they are looking to address that lack of transparency because it is important for applicants to know that.
- Patrick McKeage commented absolutely, and that he completely agrees. He stated that they are working to get those pinpoints on the map and distinguished a little bit differently than the other pinpoints on the map. He stated that to add that transparency of hey, this applicant is working on a PCA request, it needs to be an order of operations worked through before you could move on to another applicant in that area. He further stated that it is a work in progress, and they hope to have an update soon.
- Chair Garcia asked if they have a sense of how quickly the map could be updated.
- Patrick McKeage stated that they were working with their technology vendor who helps host that map. He further stated that he thinks that it should only take a couple of weeks, and they just need to find the time to do it, and it is a priority for the Office to get it done before the end of the year.
- Chair Garcia stated that she has one question regarding the packet that they have not yet voted on. She stated that for OCM retail license 2023-001362, there were quite passionate letters of opposition from the State Senator, as well as the community, and the main point that really struck her of concern was their concerns of what they called a school, that is within 334 feet of the applicant. She then asked if the agency has engaged the Senator about her concerns, and if they could explain to them what their findings were regarding that location.



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

- Patrick McKeage stated that yes, they received correspondence from the State Senator in that area about this proposed school. He stated that their counsel's office and licensing team did a dive into it and determined that did not meet the definition of a school as set out in Section 72 of the Cannabis Law. He stated that it was more akin to a daycare and because of that, it is not location that would be factored into the 500-foot requirements. He further stated that they actually got back to the Senator earlier this week explaining that for this particular school in question.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, Resolution No. 2025-77, a Resolution to Issue Certain Adult-Use Cannabis Licenses, was approved unanimously.

- Patrick McKeage, Executive Deputy Director of Regulatory Operations for OCM, provided an overview of Resolution No. 2025-78, a Resolution to Approve Certain Cannabis License Amendment Requests. The Cannabis Law and Regulations allow the Board to authorize amendments to cannabis licenses. Via the amendment survey, cannabis licensees can request certain amendments including location changes or tier changes, which require Board approval in accordance with the cannabis regulations. Before the Board are 46 licensees who are requesting an amendment in some form. It includes a mix of both supply side licensees, cultivators, processors, distributors, microbusinesses, as well as retail licensees. The licensees have provided all necessary information in accordance with the cannabis regulations and the Office is recommending approval.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, Resolution No. 2025-78, a Resolution to Approve Certain Cannabis License Amendment Requests, was approved unanimously.

- Patrick McKeage, Executive Deputy Director of Regulatory Operations for OCM, provided an overview of Resolution No. 2025-79, a Resolution to Renew Certain Conditional Adult-Use Retail Dispensary Licenses. Title 9 of the New York Codes, Rules and Regulations ("9 NYCRR") Section 116.6(a)(2) states that prior to the expiration of the first renewal date, a licensee shall submit an application to renew the license as prescribed by the Office and include such information and fees, if any, as the Office may require. The Chairperson of the Board has made a preliminary determination to renew CAURD licenses to certain individuals and entities that have applied for license renewals as identified in this resolution. Pursuant to Section 76(4) of the Cannabis Law, Municipalities and community boards may issue an opinion as part of this renewal process. For those who have issued an opinion, a response will be sent to that Municipality or Community Board detailing how their opinion was considered in the decision to renew. In this packet, are 15 CAURD applications that are being recommended for renewal. The CAURD conditional period lasts four years, with the first renewal required after two years. Part 116 outlines the renewal process, and the Office is recommending the renewal of these 15 CAURD licensees before the Board today.
- Chair Garcia stated that their packet indicates that one of the applicants is still waiting for payment and then asked is that still something pending.



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

- Patrick McKeage stated that yes, they did receive confirmation that the licensee did submit that payment, so they should be good to go to consider them.
- Upon a motion from Board Member Hope Knight, and a second from Board Member Brad Usher, Resolution No. 2025-79, a Resolution to Renew Certain Conditional Adult-Use Retail Dispensary Licenses, was approved unanimously.

- Patrick McKeage, Executive Deputy Director of Regulatory Operations for OCM, provided an overview of Resolution No. 2025-80, a Resolution to Renew Certain Adult-Use Retail Dispensary Licenses. The first cohort of adult-use licensees that will be up for renewal begins in February 2026. If approved today, the Office will send the renewal application to this cohort so they can complete the application in time for the February expiration. The renewal application will be completed via the Alchemer Survey platform. It is very important that all licensees have up to date information with the Office for who their Point of Contact on their license is. The Point of Contact information can be updated via the Amendment Survey. The renewal application will be sent to that Point of Contact as it is listed on the application in the New York Business Express System. The renewal application itself includes several questions and will require information on the licensees' Community Impact Plan. The application will ask questions about the community impact goals, measurable impacts and the intended target population for the Community Impact Plan. The application will also require updated documentation showing the licensee has a Labor Peace Agreement with a Bonafide Labor Organization and that the agreement is valid for the duration of the license. Retail dispensary licensees and microbusinesses with retail locations, must submit an updated Notice to Municipality form as part of the renewal application. The application will also include the submission of application and licensing fees as set out in the Cannabis regulations. All Social and Economic Equity ("SEE") applicants will receive a 50% reduction on their application and licensing fee. The renewal application is a renewal of the current license. Any changes to the license will be handled via the Amendment survey.
- Board Member Hope Knight asked when the renewal application is going to be available.
- Patrick McKeage stated that their target is to make it available tomorrow, at least for that first cohort who is expiring.
- Board Member Brad Usher asked if someone does not complete this by the expiration date, is there a grace period or what is the consequence of that.
- Patrick McKeage stated that would be up for the Board but be well within your rights if you don't complete the renewal application that you would be unable to be renewed. He further stated that he wanted to highlight that SAPA question they have talked about before, where if an application has been filed complete and timely before the expiration date, the Office will be able to continue processing that application until a final determination has been made by the Board on that application, assuming their Board meeting dates might not always perfectly align and there is some flexibility built into the system as long as they complete the application.



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

- Chair Garcia asked when you say complete, do you mean complete and cured or do you mean complete and then subject to potential curing.
Patrick McKeage stated that complete in there could be curing, but as getting as much information as possible is necessary.
Chair Garcia asked how much time applicants should make to complete their renewal application.
Patrick McKeage stated that there is a number of questions on it but many of them are shorter multiple choice, so they are hoping that will be easier.
Chair Garcia stated that you mentioned that if somebody wants to submit any amendments to their license, that is a separate process.
Patrick McKeage stated that they will be able to handle it on the back end, regardless of the order of operation.
Chair Garcia asked if concurrently.
Patrick McKeage commented yes.
Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, Resolution No. 2025-80, a Resolution to Renew Certain Adult-Use Retail Dispensary Licenses, was approved unanimously.

Chair Garcia commented that she knows last month, they passed a resolution regarding the renewals for the Registered Organizations ("RO"). She stated that the Office has been getting some questions about what that resolution actually meant for ROs, and they wanted to clarify that the intent of that resolution is to grant those ROs an extension in applying for that renewal. She stated that they will have till March 26th to apply for a renewal, and this is just so that they actually have time to submit their renewal applications as the regulations specify. She further stated that ROs can continue operating as normal in the interim and just be sure to complete their renewal application by that deadline.

Patrick McKeage, Executive Deputy Director of Regulatory Operations for OCM, provided an overview on the proposed revised rules for Packaging, Labeling, Marketing and Advertising ("PLMA") rules and regulations for cannabis products in New York State ("NYS"). On July 25, 2025, the Board passed Resolution No. 2025-55, directing OCM to file a Notice of Revised Rulemaking with revised amendments to Parts 128 and 129 of 9 NYCRR, relating to PLMA of



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 products. The Notice of Revised Rulemaking was published in the NYS Register on August 27, 2025, for a 45-day public comment period, which ended on October 10, 2025. The regulations had to be updated as an issue was identified related to the treatment of billboards. The proposed regulations have been amended to make clear that billboards are not a permitted form of advertisement as it is prohibited in the Cannabis Law. The proposed regulations do this by defining a billboard and allowing two different size thresholds. Signs within 100 yards of a dispensary are permitted to be larger and signs far away from a dispensary must be smaller. If approved, the regulations would be filed in the State Register to be made effective.

- Board Member Brad Usher stated that there were apparently some public comments and then asked if they can discuss those and how the consideration of them.
- Patrick McKeage stated that the Office will be posting the full assessment of public comment, which will go into more detail about how those comments were considered and responded to. He stated that the majority of the comments were related to either the billboards or more signage questions wanting to advertise on automobiles or cars, stuff like that. He stated that currently, those remain prohibited forms of advertisement, but as the landscape of cannabis changes across the country and within NYS, they can expect they will be back amending this package at some point in the future. He further stated that it is actually their most amended regulation package to date, but which would make sense, the packaging labeling is a big part of this and as they mature as an industry, they want to keep up with that.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, Resolution No. 2025-81, a Resolution Directing the Office of Cannabis Management to File a Notice of Adoption for Proposed Cannabis Packaging, Labeling, Marketing and Advertising Regulations, 9 NYCRR Parts 128 and 129, was approved unanimously.

- Patrick McKeage, Executive Deputy Director of Regulatory Operations for OCM, provided an overview of Resolution No. 2025-82, a Resolution to Approve Certain Registered Organization Amendment Requests. Pursuant to Section 35(3)(e) of the Cannabis Law, the CCB may amend a RO's registration, in part to allow a RO to relocate its dispensaries or manufacturing location within the state or to add additional dispensaries as allowed under the Cannabis Law. Green Express Med, located in Middletown, NY, is submitting for approval a medical only dispensing location. This is the first approved location for this new RO.
- Upon a motion from Board Member Crystal Rodriguez-Dabney, and a second from Board Member Brad Usher, Resolution No. 2025-82, a Resolution to Approve Certain Registered Organization Amendment Requests, was approved unanimously.

- Patrick McKeage, Executive Deputy Director of Regulatory Operations for OCM, provided an overview of Resolution No. 2025-83, a Resolution to Consider Certain Applications with Non-Viable Locations Requesting the Board Determine Whether Granting the License Would Promote Public Convenience and Advantage ("PCA"). As of November 5, 2025, the PCA regulations voted on by the Board at the June 27, 2025, CCB meeting are now in effect. Applicants that have requested to be considered for PCA prior to November 5, 2025, will be



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

considered by the Board under the previous Part 119.4 regulations. Applicants that request to be considered for PCA from November 5, 2025, on will be considered under the new regulations. The major changes to the new regulations include: only allowing PCAs to be considered if within 500 – 1,000 feet of a dispensary in a municipality with greater than 20,000 population, only allowing PCAs to be considered within 1,000 – 2,000 feet of a dispensary in a municipality with less than 20,000 population, requiring the submission of municipal notification and opportunity to provide an opinion, and the conflicting dispensary must be open for a period of nine months before a PCA can be considered. The PCAs that are before the Board today were all submitted before November 5, 2025, and will all be evaluated under the previous 119.4 regulations. The applicants have requested the Board proceed with the review of the entire application and determine whether granting the license would promote PCA. In addition, the Office is working on a guidance document, as well as a survey, to help collect this information moving forward, and will be sharing that within the next couple of weeks so folks will have more information on how to submit a PCA request under the new regulations.

- Chair Garcia stated that they are looking at OCMCAURDP-2024-000133, Pure Blossoms, looking to locate at 716 Amsterdam Avenue in Manhattan, NY.
- Patrick McKeage commented that Pure Blossom is a CAURD applicant. He noted that they have one conflict with a licensed dispensary that is approximately 900 feet away, that dispensary has been open since January 24, 2025, and they are also another CAURD licensee. He noted that there are no pending applications within 1,000 feet of this proposed location at 716 Amsterdam Ave. He stated that in the information provided to the Board, the applicant did reference a large amount of illicit activity nearby as a potential justification for the PCA. He stated that this particular applicant was also impacted by the school proximity issue over the summer, so they probably would have had their PCA come before the Board earlier, but now because of the TRO, they are using their old interpretation, they are able to be considered. He further stated that they also have a positive municipal opinion.
- Board Member Brad Usher commented that given the density of the area, the fact that they are a CAURD licensee, which in keeping with the equity goals of MRTA and the fact that the community board supports it, all strike him as strong factors in the favor of this applicant.
- Chair Garcia asked if the distance requirement is 1,000 feet for this licensee.
- Patrick McKeage stated correct.
- Chair Garcia stated that the closest one is 950, so it is almost there. She then asked if they happen to know off hand the density of licenses in that area, the upper west side. She further stated that it was in one of the packets and believes there might be six or seven in the area.
- Patrick McKeage stated that sounds right.
- Chair Garcia stated that the Upper West Side is a pretty congested or very populated neighborhood, with over 200,000 residents from her understanding. She stated that this one is looking to locate on Amsterdam and a lot of the other locations that she saw in the proximity report were on Broadway or on the streets. She further stated that there is one on 72nd and one on 84th, and as they know in New York City ("NYC"), those blocks can feel



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

pretty big going across the street, going east to west, so she feels that she can argue that the folks living around Amsterdam or even along Central Park West might benefit from having something closer to them on Amsterdam Avenue.

- Upon a motion from Board Member Hope Knight, and a second from Board Member Brad Usher, the motion to approve the request in the matter of OCMCAURDP-2024-000133, Pure Blossoms LLC, 716 Amsterdam Avenue, New York, NY 10025 and grant the license because the proposed location would promote PCA under the factors set forth in Cannabis Law, Section 64 and 9 NYCRR, Section 119.4, was approved unanimously.
- Chair Garcia stated that the next one up is Of the Earth Canna LLC, OCM-CAURD-25-000267, looking to locate at 1155 Liberty Ave in Brooklyn, NY.
- Patrick McKeage commented that there are no active licenses within 1,000 feet. He noted that there is one pending license, Marathon Trucking, which is another CAURD applicant that is approximately 475 feet from the proposed location. He stated that this applicant also cited the numerous amount of illicit dispensaries nearby as a justification for the need for more legal regulated cannabis. He further stated that there is no municipal opinion with this application, and there was a letter of opposition from that pending applicant, licensee, stressing concerns about approving this potential PCA request.
- Board Member Brad Usher stated that there seems to be some dispute about whether the other licensee and the site where they are supposed to be locating. He then asked if they could clarify what they know about that, if they are not open yet or it is their expectation that they are moving forward. He further stated that he does know that they oppose this application, so clearly, they are hoping to move forward.
- Patrick McKeage commented exactly, yes. He noted that they were able to get some correspondence from them. He stated that they are moving forward at the proposed location. He noted that they are working with NYC's Department of Buildings to rezone the building in which they are located in, and they are going through that process, and indicated to them they are still moving forward. He further stated that from their perspective, it does meet the location requirements as they are laid out in the Cannabis Law and regulations.
- Chair Garcia asked if they have seen evidence that they are working with the city on rezoning because they have also had this license for quite some time.
- Patrick McKeage stated that is what they indicated to them, and they could follow up with them to get more information.
- Chair Garcia stated that their report indicates that this is in conflict with two licensees. She then asked if it is just one now, one of them removed.
- Patrick McKeage commented yes.
- Chair Garcia stated that they are 475 feet away. She then asked when they submitted their location and got placed on the map, and if they had a date for that.
- Patrick McKeage stated that he does not have that at his fingertips.
- Board Member Brad Usher asked if they have a sense as to the density of this neighborhood, number of people in this community board or neighborhood otherwise defined.



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

- Patrick McKeage stated that he does not have that on his fingertips but could definitely follow up with additional information.
- Chair Garcia stated that she did see in the application, the applicant indicated that their location is on what they called a city line commercial corridor, and they are looking to locate at a former GameStop retail store. She further stated that she is concerned that it is a populated area with a lot of potential for offering cannabis to the community for those who seek it, but they really have not had a location really opening in that area for quite some time and they have been holding out for this one entity to open and get the right approvals from the city but that has been a long time coming.
- Board Member Brad Usher asked if both this licensee and the existing licensee are CAURD applicants.
- Patrick McKeage stated correct.
- Chair Garcia stated that the other licensee in conflict is in a supposed residential zone, so it is not even that they are in a zone area that makes sense commercially, it is a more residential area, and she wonders how long that it is going to take and whether they are really comparing apples to apples here in terms of the areas.
- Board Member Crystal Rodriguez-Dabney stated that she just wanted to confirm that Brad asked was there any information about population density and the Office did not have that information.
- Patrick McKeage stated that not on his fingertips, unfortunately.
- Chair Garcia stated that it is Brooklyn, New York. She stated that she believes it is East New York and definitely a community that has been disproportionately impacted by the war on drugs. She stated that is a community that they should be supporting and should see reap the benefits of having a legal dispensary open sometime soon.
- Board Member Brad Usher stated that apparently Of the Earth has been working with the NYC small business services on their application. He then asked if they have any information on that and how that might factor into this.
- Patrick McKeage stated that they were smartly taking advantage of their sister agency in NYC, who offers some training, technical assistance on getting through this complicated process and it looks like they completed that, which is encouraging to see.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, the motion to approve the request in the matter of OCM-CAURD-25-000267, Of the Earth Canna LLC, 1155 Liberty Ave, Brooklyn, NY 11208 and grant the license because the proposed location would promote PCA under the factors set forth in Cannabis Law, Section 64 and 9 NYCRR, Section 119.4, was approved unanimously.
- Chair Garcia stated that the next up is Diamond Star Group Inc., OCMRETL-2023-000779, on 85 Nassau Street in Manhattan.
- Patrick McKeage stated that this proposed location was also one of those that was formerly impacted by the school proximity change but are now able to be considered. He noted that they have one conflict that is approximately between 300 and 400 feet from the nearest active



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

license. He stated that active license is at 111 Fulton Street, which recently opened August 9, 2025. He stated that there are no pending licenses within 1,000 feet. He noted that the applicant cited illicit dispensaries nearby. He stated that there is a positive municipal opinion stipulation agreement for this proposed location, as well as a petition that was included for a number of just nearby community residents showing support for the proposed dispensary in in the financial district. He further stated that the applicant did provide some information related to a 12% growth in the financial district's population, which has grown since the end of 2019 from 62,000 to 70,000 thousand residents by the end of 2024.

- Board Member Brad Usher asked if neither this applicant nor the existing applicant are SEE or CAURD applicants.
- Patrick McKeage stated correct and actually he is not a 100% sure on the conflicting applicant and he would need to double check that.
- Board Member Brad Usher stated that he thinks that is correct based on the paperwork.
- Patrick McKeage commented okay, yes.
- Board Member Brad Usher stated that it does not seem like there is a lot of options in Lower Manhattan, which it is certainly an extremely dense neighborhood. He further stated that the nearest one from what they are saying there really are not a lot of other licenses and he won't ask how many people live in Lower Manhattan or work in Lower Manhattan, but it is a lot.
- Chair Garcia stated that the next closest is Savo Group, it is 1,800 feet away and is what the notes say, and the proximity report indicates. She stated that these are really close, but she does recognize that it is a very dense area. She stated that also heavy foot traffic, tourists as well as those working in the district. She further stated that the PCA paperwork indicated that the conflicting licensee was at 11 Fulton Street, but the applicant indicated that location was actually 155 William Street, and it is only like a 100 or so feet of difference. She then asked what the actual storefront door is for the licensed entity status New York.
- Patrick McKeage stated that this has come up and he believes it is 155 William Street, so the building is that building. He further stated that the lease is for 111 Fulton Street, but the actual entrance makes it a slightly farther away from the proposed dispensary here.
- Chair Garcia stated that she found the community board's input compelling, persuasive because they were fully aware of how close the two dispensaries are or would be and did get the applicant to make some concessions, some agreements about how the manner in which they would operate and they are recommending knowing that they are close and that is assuring that there is community support and the petitions from residents is also very helpful to consider.
- Board Member Brad Usher stated that he agrees and also the applicant has pointed out the density of unlicensed establishments in the area and that is something they in establishing a legal market, they need to be trying to make sure that there are adequate numbers of legal stores for people to choose from.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, the motion to approve the request in the matter of OCMRETL-2023-000779, Diamond



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

Star Group Inc., 85 Nassau Street, New York, NY 10038 and grant the license because the proposed location would promote PCA under the factors set forth in Cannabis Law, Section 64 and 9 NYCRR, Section 119.4, was approved unanimously.

- Chair Garcia stated that next they have OCMRETL-2023-000996, Cannibus NY, looking to locate at 56 Main Street in New Paltz, NY. She then asked if this would be a 2,000-foot distance requirement.
- Patrick McKeage commented correct, exactly. He stated that a municipality less than 20,000 population, it is 2,000-foot buffer distance and over 20,000, it is 1,000 feet. He stated that he happens to have the population here and the Town of New Paltz is 15,000, and the Village of New Paltz where the dispensary is located is 8,000. He noted that the SUNY is also there, so a decent number of people in the area, but not over that 20,000 mark. He stated that there was previously a microbusiness that had a license down the street from this proposed location. He stated that they notified the Office over the summer that they lost control of that location, which opened up the opportunity to go to who is next in line. He stated that there is one conflict for this proposed PCA and that is not a fully licensed. He stated that they are approximately 325 feet away from the proposed licensee, applicant NNC 1 LLC. He stated that within a one-mile radius of the proposed location, there are two licensed dispensaries and not too much the farther you get outside of New Paltz. He further stated that there is a positive / neutral opinion from the municipality, and they did cite the potential proximity to the library in Main Street but just flagged it as a concern and it was not a negative opinion.
- Board Member Brad Usher asked if they have any more information about the pending application, the status of it and he knows that there was some back and forth about whether that was actually a viable location.
- Patrick McKeage stated that the team did review and that there is a house of worship that is within 200 feet of that proposed location. He further stated that however, it is located on a different street, so it does not factor into their proximity review and the location is viable.
- Board Member Brad Usher stated that the PCA applicant claims something about being occupied by Starbucks, but he understands that there is a separate location at the same address.
- Patrick McKeage commented correct
- Board Member Brad Usher asked if the pending application was a SEE applicant and that the PCA applicant was non-SEE.
- Patrick McKeage commented correct.
- Board Member Brad Usher asked if it is only 323 feet away.
- Patrick McKeage stated correct.
- Chair Garcia stated that they don't have a lot to go with here.
- Patrick McKeage stated that there is also a letter of support from the landlord of the PCA request.



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

- Chair Garcia stated that this one, the most compelling is the fact that it is in the downtown area in the heart of the of the city and that being a university town, there is bound to be a lot of thriving businesses there. She stated that she is concerned that the other applicant did not really have a lot of motion in their application for a long, long time. She further stated that she knows that there were issues with the house of worship nearby, but OCM does not take a year to review that so she is curious how serious this applicant has been about pursuing this license and that would be her one concern about if they were to deny this, that would be her concern and she does not know if there really is another active licensee who is really moving to locate and open in that area.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, the motion to approve the request in the matter of OCMRETL-2023-000996, Cannibus NY, 56 Main Street, New Paltz, NY 12561 and grant the license because the proposed location would promote PCA under the factors set forth in Cannabis Law, Section 64 and 9 NYCRR, Section 119.4, failed to pass.
- Chair Garcia stated that the next one up is OCMCAURD Provisional 2025-000011, NDICA Green, looking to locate at 214 Main Street in New Rochelle, New York.
- Patrick McKeage commented that this one is a CAURD applicant. He noted that there is one licensed dispensary within 1,000 feet, it is approximately 800 feet from this dispensary, and it has been open and operational since August 30, 2024. He stated that there is a negative municipal opinion associated with this application, concerns about the general illicit cannabis dispensaries in the area and needing to do more to combat illicit cannabis dispensaries and also concerns related to oversaturation of dispensaries in the New Rochelle area. He stated that there are six active licenses within one mile and that there are two active licenses within a half a mile. He further stated that there is also a letter of opposition from that nearby dispensary that is within 1,000 feet of this proposed PCA consideration.
- Board Member Brad Usher asked if the existing licensee is not a SEE and then stated that one is CAURD, and one is SEE. He then asked what distance the six licenses are within.
- Patrick McKeage commented a mile radius.
- Chair Garcia stated that one CAURD licensee in the New Rochelle area and seven dispensaries. She stated that being from the Westchester area, she knows that New Rochelle is definitely a growing city. She stated that the applicant made a point of indicating ample parking, also being in a high visibility corridor as you are exiting the city going north on Main Street, which is one of the main retail corridors of New Rochelle. She stated that it is interesting that the City of New Rochelle so strongly opposes another license in the city, although their concerns are not usually their rationale around illicit activity. She further stated that usually, they do scribe to more that if there was illicit activity they should have a legal cannabis dispensary to replace the illicit activity rather than limit that, so their logic does not quite align with how they have been considering addressing the illicit market.
- Board Member Brad Usher asked if this community would be subject to the 1,000-foot rule.
- Patrick McKeage commented correct.



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

- Chair Garcia asked if 790 feet.
- Patrick McKeage commented correct.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, the motion to approve the request in the matter of OCMCAURDP-2025-000011, NDICA Green, 214 Main Street, New Rochelle, NY 10801 and grant the license because the proposed location would promote PCA under the factors set forth in Cannabis Law, Section 64 and 9 NYCRR, Section 119.4, failed to pass.
- Patrick McKeage asked for clarity if the application was denied.
- Chair Garcia stated that the application has been denied, and no waiver has been granted.
- Chair Garcia stated that the next one up is OCMRETL-2023-001709, NY Retail 4 Inc., looking to locate at 435 5th Ave in Manhattan.
- Patrick McKeage stated that this is a SEE applicant, minority owned business. He noted that there are two active licenses within 1,000 feet. He stated that one is approximately 800 feet away and has been open since April 8, 2025, and that they are also SEE. He stated that the other active license is approximately 880 feet away, and they have been open since March 14, 2024, and they are a CAURD licensee. He stated that there are two opposition letters from the impacted licensees who are within 1,000 feet of this proposed location. He further stated that a quick summary of the materials provided from the applicant, a lot of the argument cites, 5th Avenue foot traffic as a major justification for this proposed PCA for the Board's consideration.
- Chair Garcia stated that they are back to the 1,000 feet distance and 800 feet distance from one and 860 from the other.
- Board Member Brad Usher asked if they have a municipal opinion on this.
- Patrick McKeage stated that correct, nothing from the municipal community board.
- Board Member Brad Usher stated that the argument that Midtown Manhattan is potentially a high-density area is fairly compelling for this one. He further stated that the fact that there are two within 1,000 feet is a little bit of a concern though, but it is compelling that they certainly have demand in that area of Manhattan.
- Board Member Crystal Rodriguez-Dabney stated that she is going to agree with Brad. She further stated that the foot traffic is compelling but there are some concerns about the being under 1,000 feet, and it is not just population, it is the potential for foot traffic that is compelling for her on 5th Avenue.
- Chair Garcia stated that this location is just south of the New York Public Library, near the Morgan Museum, or just north of the Morgan Museum. She further stated that there is definitely a lot of tourists going up and down 5th Avenue from 34th where the Empire State Building is up to 42nd street and she knows all of the shopping.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, the motion to approve the request in the matter of OCMRETL-2023-001709, NY Retail 4 Inc., 435 5th Ave, New York, NY 10016 and grant the license because the proposed



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

location would promote PCA under the factors set forth in Cannabis Law, Section 64 and 9 NYCRR, Section 119.4, was approved unanimously.

- Chair Garcia stated that next up is OCMRETL-2023-001558, Purple Buds, Inc., looking to locate at 7520 Roosevelt Avenue in Jackson Heights, NY in Queens.
- Patrick McKeage stated that this entity is a retail applicant, and they are a SEE, certified MWBE. He noted that there are two dispensaries within 1,000 feet. He stated that one has its license issued and is 647 feet away approximately and then one is pending, which is approximately 535 feet away from this proposed location. He stated that the pending license referenced a suspected illicit activity nearby as a possible justification for the PCA. He further stated that the muni opinion minutes that were included in this application states that the location was approved by the community board.
- Board Member Brad Usher stated that the Roosevelt Avenue Corridor, this is kind of his neighborhood, is certainly very dense and there have been a number of illicit stores which actually have been addressed pretty well but they continue to pop up in that area so there is definitely demand. He further stated that this many stores close is a little bit of a concern, but it is a dense corridor and the fact that the community board supports it, and it is a SEE applicant makes him sympathetic.
- Chair Garcia stated that she is surprised that there are no operational dispensaries yet for this area. She further stated that despite that there is a conflict with those two locations, the fact that this neighborhood has had to wait this long for a dispensary is quite surprising.
- Board Member Crystal Rodriguez-Dabney asked if there are two licensees nearby, but they are not operational, so they are currently not available to the public right now.
- Patrick McKeage stated that correct, and even further, one license issued, one is a pending license, and neither are operational.
- Chair Garcia asked if they know what is happening with the licensed one that is not operational.
- Patrick McKeage stated that he does not have that information.
- Chair Garcia stated that they were licensed in September of 2024. She stated that what she finds compelling that this area should have an open dispensary. She stated that this licensee has indicated that they would be ready to turn around and get their shop going quickly and she does not know what that means in months to be honest, but that is their claim. She further stated that she does think that this corridor can handle having more legal shops.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, the motion to approve the request in the matter of OCMRETL-202-001558, Purple Buds, Inc., 7520 Roosevelt Avenue, Jackson Heights, NY 11372 and grant the license because the proposed location would promote PCA under the factors set forth in Cannabis Law, Section 64 and 9 NYCRR, Section 119.4, was approved unanimously.
- Chair Garcia stated that the next one up is OCMRETL-2023-001975, Higher Reason LLC, looking to locate at 77 Fowler Street in Port Jervis, New York.



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

- Patrick McKeage stated that Higher Reason is a SEE certified applicant, minority-owned business. He stated that this is one of those populations that are less than 20,000 so this would be the 2,000-foot buffer distance. He noted that there is one licensee that is not operational yet within 2,000 feet and that is approximately 1,470 feet away from this proposed dispensary location. He stated that then there is a pending licensee that is just over 2,000 and they are not factored into the analysis, but he is just flagging for awareness. He stated that there is no municipal opinion for this proposed location. He further stated that he will flag that one licensee that is within 2,000 feet, similar to the other one they just referenced, they are nonoperational, and they received their license in actually one of the earlier cohorts in early 2024, and they have not opened.
- Board Member Brad Usher stated that this applicant also suggests that there is a problem with the locality had passed some zoning regulations that impact the existing licensee. He further stated that he is not sure whether those are zoning regulations that might come under a challenge at some point. He then asked if at this point, is it accurate to state that the existing active license could not open at that location.
- Patrick McKeage stated that it is very possible, and they would have to look more into it, but yes, that would correlate.
- Chair Garcia stated that their packet included a letter from the applicant's attorney, dated from October of this year, that they were seeking for the board to, they requested abeyance in their consideration of their PCA.
- Patrick McKeage stated that is news to him and he might have missed that.
- Chair Garcia asked if they have received subsequent communications from them to rescind that request.
- Patrick McKeage stated that he is not able to speak to it right now, but out of abundance of caution, they could table it and revisit it.
- Upon a motion from Board Member Crystal Rodriguez-Dabney, and a second from Board Member Brad Usher, to table the matter of OCMRETL-2023-001975, Higher Reason LLC, 77 Fowler Street, Port Jervis, NY 12772, was approved unanimously.
- Chair Garcia stated that last one is OCMRETL-2023-000774, The CLUB ZAZA LLC, looking to locate at 369 7th Avenue in Manhattan.
- Patrick McKeage stated that this is a SEE licensee. He stated that they are a minority owned business, proposing near the Penn Station area. He stated that there is one active license within 1,000 feet that is approximately 925 feet away and that licensee has been open since December 16, 2024. He further stated that there is a positive municipal opinion for the location in question.
- Board Member Brad Usher stated that he noticed that this is another SEE applicant. He stated that the existing applicant is a CAURD, Housing Works, which has multiple locations. He stated that certainly the neighborhood has the density and given that it is fairly far away, and on a completely different street, it does strike him that there is a possibility for serving



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

different markets both because it is a SEE applicant and therefore a different license type as well as because of the density of the neighborhood.

- Chair Garcia stated that she should note that in their adult-use packet today, there was an applicant who was locating at 474 7th Avenue, which is around 36th, 37th Street and Seventh Avenue and this is looking to locate between 30th and 31st, so there is still plenty of congestion and people traffic because Penn Station and Macy's and all of those are smack in the middle but she wanted to make sure folks were aware that they did approve another location really close by.
Board Member Brad Usher asked if that location is not within 1,000 feet or is it within 1,000 feet.
Patrick McKeage commented that just over 1,000 feet.
Chair Garcia commented that 474 and 369.
Patrick McKeage commented that it is like between 1,000 and 1,100 feet, so it is just over.
Chair Garcia stated that this area is high traffic and it is like the epitome of NYC congested, foot traffic from tourism, people going to games at Madison Square Garden and people who there, so it is definitely right for catering to a group of people who probably would want to get something closer than walking up the eight blocks up 7th Avenue and that would be her compelling argument for approving this one.
Upon a motion from Board Member Brad Usher, and a second from Board Member Hope Knight, the motion to approve the request in the matter of OCMRETL-2023-000774, The CLUB ZAZA LLC, 369 7th Avenue, New York, NY 10001 and grant the license because the proposed location would promote PCA under the factors set forth in Cannabis Law, Section 64 and 9 NYCRR, Section 119.4, was approved unanimously.

- Chair Garcia provided an overview of Resolution No. 2025-84, a Resolution to Issue Advisory Opinion. The authority to issue an advisory opinion related to whether a local municipality's cannabis laws are considered unreasonably impracticable is granted to the Board under Section 131 of the Cannabis Law and in Part 119.5 of the cannabis regulations. The Cannabis Law allowed municipalities the opportunity to opt-out of allowing retail dispensaries or on-site consumption licenses by passing a local law by December 31, 2021. If a municipality did not act by then, they are prohibited from passing a law which is unreasonably impracticable as determined by the Board. The applicants who are working to become operational in the Town of Tuxedo has requested the Board review the local municipality laws to determine if they are unreasonably impracticable. The advisory opinion, 2025-03, before the Board within this resolution includes a summary and detailed analysis of the municipality's laws and what is authorized to municipalities under the cannabis law and regulations. The opinion finds that certain provisions of the local laws to be preempted by the Cannabis Law or the regulations. If approved, the applicant can use this opinion issued by the Board to challenge certain aspects of the local laws.



- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2025-84, a Resolution to Issue Advisory Opinion 2025-03, was approved unanimously.

- Celena Ditchev, Cannabis Control Board Counsel, provided an overview of Resolution No. 2025-85, a Resolution to Render a Decision for Administrative Appeal OCM v. Breckenridge Cafe NYC LLC DBA Breckenridge Cannabis Cafe, Inspection No. 103 2024 0718 0034. The CCB is charged with the responsibility of issuing a final determination when an administrative decision is appealed. This appeal was submitted to the Board for review pursuant to 9 NYCRR Section 133.25(k) after a hearing with the Office of Administrative Hearings (“OAH”). The presiding Administrative Law Judge (“ALJ”) issued a decision dismissing the Notice of Violation (“NOV”) and Order to Cease Unlicensed Activity finding that OCM had not presented sufficient evidence to meet a preponderance of the evidence. The Appellant, OCM, took exception with the presiding ALJ’s decision asserting the evidentiary rulings were erroneous. The Appellant, OCM, argues that photograph evidence from the inspection conducted should not have been excluded. The recommendation before the Board is to grant the appeal, vacate the decision, and remand to the OAH for additional de novo proceedings for the following reasons:

- The Appellant, OCM’s, evidence was erroneously excluded. The formal rules of evidence do not apply in administrative proceedings held pursuant to the Cannabis Law and regulations (Cannabis Law Section 17[2]; 9 NYCRR Section 133.18[d][2]; SAPA Section 306 [1]). All evidence, including photographs, and memoranda in the possession of OCM, which it intends to introduce at the hearing, shall be offered and made a part of the record (9 NYCRR Section 133.18 [d][5]; [d][9]; SAPA Section 306[2]).
- The Appellant, OCM’s, adjournment request for the photographing investigator were denied, and the Appellant was also denied the opportunity to have the Appellee’s business owner an opportunity to identify the photographs when he testified.
- The excluded evidence likely would have had a substantial influence upon the proceeding and the ultimate determination considering the ALJ’s decision in this matter hinged on the absence of the excluded evidence and the testimony of the photographing investigator.

- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2025-85, a Resolution to Render a Decision for Administrative Appeal OCM v. Breckenridge Cafe NYC LLC DBA Breckenridge Cannabis Cafe, Inspection No. 103 2024 0718 0034, affirming the decision and order, was approved unanimously.

- Celena Ditchev, Cannabis Control Board Counsel, provided an overview of Resolution No. 2025-86, a Resolution to Render a Decision for Administrative Appeal OCM v. Ignite Outlet’s Inc., Inspection No. 207 2024 0821 0042. The CCB is charged with the responsibility of



issuing a final determination when an administrative decision is appealed. This appeal was submitted to the Board for review pursuant to 9 NYCRR Section 133.25(k) after a hearing with the OAH. The presiding ALJ issued a decision extending the Order to Seal (“OTS”) issued by the Appellant, OCM, and ordering the Appellee, Ignite’s Outlets Inc., to pay a \$6,000 penalty for violating the Cannabis Law by engaging in unlicensed sales activity. The Appellant, OCM, argues that the ALJ erred in failing to order the maximum \$10,000 civil penalty when an OTS is extended. The Appellant, OCM, argues that the OTS is a drastic remedy and should naturally come with the max penalty and asserts it is similar to a per se fine amount. The Appellant, OCM, also argues that a penalty less than the maximum shocks the sense of fairness, is disproportionate to the harm of the unlicensed activity, and impacts the ability of OCM to deter such behavior. The recommendation before the Board is to deny the appeal and confirm the decision for the following reasons:

- There is no authority mandating the maximum civil penalty be assessed when an OTS is upheld and extended.
- An ALJ is in charge of rendering a decision after a hearing, including the findings of facts, legal conclusions, and a penalty, if any (9 NYCRR 133.21[a]; 133.25[i][2]). It is within the ALJ’s authority and discretion to decide a penalty. Disagreement with the penalty ordered is not a basis for vacating a penalty.
- The ALJ did not abuse their discretion and included the reasoning as to why they ordered the Appellee to pay an intermediate range penalty.
- The civil penalty assessed in this matter was in accordance with the law and is not shocking to one’s sense of fairness (Cannabis Law Section 132 [1][a]. Having failed to establish there was an error of law, there is no lawful basis to disturb the civil penalty assessed and the appeal must be dismissed.

- Chair Garcia asked if she has noted a pattern of how ALJs have been determining the penalty amount.
- Celena Ditchev stated that she does not have the information to determine or the data necessary to provide what the average penalty has been when an OTS is extended.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2025-86, a Resolution to Render a Decision for Administrative Appeal OCM v. Ignite Outlet’s Inc., Inspection No. 207 2024 0821 0042, affirming the decision and order, was approved unanimously.

- Acting Executive Director Felicia A. B. Reid, Patrick McKeage, Executive Deputy Director of Regulatory Operations for OCM, L. Simone Washington, Chief Equity Officer for OCM, Matthew Wilson, Director of Community Grants Reinvestment Fund for OCM, Stephen Geskey, Executive Deputy Director of Licensing, Compliance and Laboratories for OCM, and Dr. June Chin, Chief Medical Officer for OCM, provided the following OCM report.
- Acting Executive Director Felicia Reid provided the following Office highlights. She stated that one, the Office held its celebration with the Cannabis Advisory Board (“CAB”) on the Community Grants Reinvestment Fund (“CGRF”) and that the first \$5 million went out to



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

communities across the state. She noted that they held that celebration in the Bronx, it was a lovely time, and seeing some of the grantees and hearing some of the stories that they have around what they have already planned to do with the money and are doing with the money is really reassuring. She stated that second, since the last Board meeting, they have had significant Trade Practice Bureau work and exercising some of their opportunities there in some of those cases as they work through the industry and see what licensees are doing and are not doing. She stated that third, they also had a couple of things from the Health and Scientific Affairs Division, and that she wanted to acknowledge for that whole team is the work that they did with Capital District BOCES on sitting down with schools and communities around what they are hearing in terms of cannabis and the education that they need. She noted that another thing most recently, last week in Long Island, they held their second Medical Cannabis Symposium, even a larger turnout than the first one, in partnership with Northwell. She stated that it was really edifying to sit down with folks who have particular experience from the practitioner side, but also from the patient side, to hear how the work that they are doing here in the development of medical cannabis is really impacting folks and also piquing the curiosity of practitioners who have a lot of questions that they need answers for. She stated that next, is they continue to work with their partners in the Legislature and in Chamber on school proximity legislation and they are hoping to get that going once the session opens next year, so that work is continuing. She stated and then finally, she just wanted to acknowledge, is some of the moves made at the federal level around hemp and that was surprising given a lot of the advocacies. She stated that they are still working through those bills for the implications to New York and for folks who are in that that industry. She stated that one thing she will say that was a little disappointing is in terms of gutting of language around VA doctors being able to prescribe medical cannabis for veterans. She stated that they have heard a lot from veterans in terms of how cannabis has been incredibly important to their healing, to their navigation of life post-service and that is still on their radar, but again, they are working through some of what that bill says and what it means for the market. She further stated that she thinks it is an interesting bill depending on if you have an entrepreneur's perspective, a regulator's perspective, or a public health perspective, but it allows them the opportunity to figure out what is next for that industry.

- Market Update
 - o Retail sales have now reached \$2.44 billion, with \$1.4 billion in reported sales to date.
 - o There are currently 522 adult-use cannabis dispensaries across NYS.
 - o New York’s average price per unit has declined in recent periods but is still higher than most states.
- Social and Economic Equity (SEE) Update
 - o Of the licenses issued today, 62% of adult-use licenses are SEE owned. The breakdown includes, 68% Minority-Owned Businesses (MOB), 44% Women-Owned Businesses (WOB), 22% Communities Disproportionately Impacted (CDI), 7% Service-Disabled Veteran-Owned Businesses (SDV),



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

and 0% Distressed Farmers (DF). Overall, 57% of all adult-use licenses issued are SEE owned, with 50% MOB, 57% WOB, 16% CDI, 7% SDV and 7% DF. Licenses may be counted multiple times if they are approved for multiple types of SEE categories. The breakdown for SEE across the supply chain includes 38% of Adult-Use Cultivators, 45% of Adult-Use Processors, 39% of Adult-Use Distributors, 58% of Adult-Use Microbusinesses, and 85% of Adult-Use Retail Dispensaries.

- NYC has the highest concentration of SEE businesses, while the Southern Tier has the lowest. The vast majority of SEE licensees are in the Bronx and Queens.
- RODs and CAURDs have the highest sales per store, while SEE and all others are lower but growing.
- Most dispensaries are between \$1 million and \$5 million in annualized revenue. There is a less of representation of SEE licensees beyond the \$5 million dollar mark.
- CAURD licensees have opened the fastest and have opened at the highest rate, while SEE licensees have opened the slowest.
- The SEE team engaged a financial advisory firm to create a dynamic financial pro forma template specifically tailored to the needs of microbusiness licensees. With the interactive tool, licensees, applicants and prospective applicants can forecast operating costs and revenues, plan working capital needs, populate a business plan with supportive financial information for investment proposals, and track business performance with clarity and confidence.
- Seed-To-Sale (STS) Update
 - The STS system went live on October 31, 2025, for testing laboratories.
 - The Office did roadshows with Metrc in Buffalo, Albany, Long Island and Manhattan and had close to 100 attendees. Additionally, about 200 people attended training webinars to facilitate the transition into STS.
 - On November 7, 2025, licensees began receiving credentials allowing them to access the Metrc system and begin setting up their businesses.
 - OCM sent a survey to solicit the STS Point of Contact for each license. All licensees, regardless of operational status, should fill out this survey.
 - All licensees must be integrated into the Metrc system by December 17, 2025.
- Community Grants Reinvestment Fund (CGRF) Update
 - At the October 14th CAB meeting, the CAB was able to award the first 50 awards from the CGRF. All 50 successful awardees will pursue projects that serve youth and improve mental health outcomes, workforce development, and housing stability.



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

- Awards were issued across all Empire State Development regions, with a majority of the awards in the downstate area but also concentrated around Syracuse, Rochester, and Buffalo in Western New York.
- The 13 priority counties (Onondaga, Monroe, Nassau, Suffolk, Orange, Rockland, Westchester, Bronx, Kings, New York, Queens, Richmond and Erie) have a higher-than-average burden of children and teens living in poverty. Most CDIs by prior cannabis prohibition are located within these 13 priority counties.
- Awardees identified 215 zip codes across NYS where they intend to provide services.
- An awardee booklet for the CGRF is available on the OCM website.
- Health and Scientific Affairs Update
 - The Office hosted the Cannabis Education Roundtable for School Health Leaders in partnership with the Capital Region Board of Cooperative Educational Services (BOCES). The event brought together representatives from 13 school districts, three state agencies, and 25 total participants to discuss cannabis awareness, youth health, and strategies for effective community education.
 - OCM co-hosted the 2nd Annual NYS Medical Cannabis Symposium: Cannabinoids in Clinical Practice with Northwell Health, convening 150 clinicians and researchers to explore the evolving role of cannabinoids in patient care. The two-day symposium featured 18 oral presentations, 11 poster presentations, and a certifying practitioner course that trained 221 participants.
- Board Member Brad Usher asked if they are seeing changes in terms of getting more SEE applicants in cultivators and is that number rising or falling, similarly across categories.
- Simone Washington stated that it has been pretty steady and most of these numbers have remained steady.
- Chair Garcia asked if they have an understanding yet of what factors are contributing to that longer opening.
- Simone Washington stated that a lot of people are stepping into this industry without a lot of business acumen, without a lot of access to resources, and so they are really scrambling. She further stated that it started not necessarily from ground zero, but even below ground zero and they are starting at a deficit.
- Chair Garcia stated that it is always exciting to see progress and giving back to the communities desperately impacted is certainly meaningful and devoting resources to youth development is definitely very worthwhile. She stated that this may be above all of their pay grades potentially, but \$5 million to her is really small and the potential for raising revenue and really giving back to communities is certainly there with the work that they are doing through this agency. She then asked what the long-term plan is, where do they really want to land, how much do they want to be able to give back and if they have a vision for that.



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

- Acting Executive Director Reid stated that for the next awardee year, it was funded flat at another \$5 million, which of course before that there was a lot of advocacy from both this Office, as well as other stakeholders, on increasing that relative to sales. She stated that she is hopeful that in the future out years, with how fast the industry is growing, with how many dispensaries are getting open, to see an increase in that funding because there is a lot of work that they have to do, but also that is opportunity for community organizations to do in those communities specifically harmed. She further stated that going into the future, they are going to be continuing that advocacy to keep that fund growing, relative to what sales are looking like, so she definitely hears you in terms of really \$5 million, but in the out years, she does expect that to grow.
 - Chair Garcia asked what more are they doing with the findings and what was shared at the symposium to continue educating folks.
 - Dr. June Chin stated that with these findings, they continue to educate clinicians around the state, public health leaders, building out tool kits, working with school health leaders, so they will be giving them resources that they are asking for.
 - Chair Garcia asked if they will be producing materials out of this.
 - Dr. June Chin commented correct.
 - Acting Executive Director Felicia Reid stated that tomorrow, the Office will be in Rochester to celebrate the 500th retail dispensary opening.
-
- Members of the public were provided the opportunity to address the CCB during the Public Comment period. Remarks must be limited to two minutes to allow all participants an equal amount of time to speak. Public Comments are listed in Appendix A.
-
- The CCB adjourned the meeting.



Appendix A

NYS Cannabis Control Board 11/13/2025 Meeting – Public Comment

Table with 5 columns: First Name, Last Name, Organization (If Applicable), Public Comment. Row 1: Dorsey Levens, MVC League, LLC, My name is Dorsey Levens and I'm one of three partners with MVC League, LLC. We submitted our tier two cultivation application and are currently in the December 2023 queue. Our application number is OCM CULT 2023-00372. We have been waiting for 23 months and still do not have a clear understanding of where we stand in the process. To say we are frustrated and running out of patience is an understatement. At what point will OCM finally get through the application backlog, be transparent and realistic about applicant wait times, or start truly giving preference to see applicants as the social and economic equity program was established and intended to do? It's puzzling to watch other cannabis licensees rapidly expanding throughout New York State while other individual applicants continue to be overlooked. At the same time, these expanded licensees are purchasing naming and ownership rights to other licensed businesses. Regardless of application type, how is OCM allowing this when you have thousands of applicant businesses in a holding pattern, facing financial uncertainty and loss of significant investment dollars? Where is the equity we were promised? We've reiterated several times with OCM that our ownership team meets four of the five SEE categories: minority-owned business, woman-owned business, service-disabled veteran owned business, an individual from a community disproportionately impacted by cannabis prohibition. As a matter of fact, that slide you showed up there showed Onondaga County in Syracuse, New York, where I was born and raised and where we planned our facility. Even so, our application is yet to be reviewed. OCM has not lived up to its commitment to SEE applicants or the promise made to the community. After reviewing all the cultivator licenses



				approved in 2024 and 2025, OCM inexplicably issued cultivator licenses to applicants.
2.	Nicola	Chiaravalle	Prime Arrow	<p>Good afternoon, Board Members and OCM leadership. I am Nicola Chiaravalle, owner of Prime Arrow and Legacy Grower with 30 years experience. As a December queue applicant, we remain fully prepared with completed SOPs, local approvals, and finalized drawings. Today, I want to share how Prime Arrow plans to contribute beyond just cultivation in two keyways. First, I'm offering my future facility as a resource for OCM's educational initiatives. I propose partnering with SEE and CCTM programs to provide a real learning environment and demonstration site for compliant operations. Second, I have developed our Prime Arrow SEE's program for community reinvestment, which includes partnership with local organizations to support low-income families, educational initiatives, including technology donations and scholarships, athletic and arts program funding for local schools, collaboration with treatment centers to develop responsible youth education. This isn't about expediting my application. It's about demonstrating that Prime Arrow sees beyond the business to our community impact. The letter of support with Warren County EDC in the Town of Queensbury speaks to the community's beliefs in my vision. We are eager not just to be a cultivator, but a positive force in Warren County and throughout New York's cannabis ecosystem. I have packages here for every single one of you if of my public comment and I'm also a CCTM member, 821310 and I just wanna say thank you for all your hard work and appreciate everything you're doing for cultivation as well.</p>
3.	Joann	Kudrewicz	Ravens View Genetics	<p>Hi, I'm Joanne Kudrewicz, CEO and founding member of Ravens View Genetics. I am in my fourth year of licensure, started out in 22 as an AUCC, transitioned to a microbusiness license. For those of you whom I've not had the pleasure of working with, I, in the first two years, when we grew over 2,000 pounds of smokable flower with no place to sell our product, and we, like all the other AUCCs, started to experience extreme financial devastation. I got very active in working with the OCM through CANY, the Cannabis Association of New York, as the Chair of the Cultivation Committee. And through the work of my committee, along with a collaboration with members</p>



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

				<p>of the OCM, we were able to accomplish getting cannabis grower showcases up and running. I was the first to get an approval for one at Bethel Woods at the Willie Nelson concert, and also worked with the Governor's office, the OCM, the Department of AGs and Markets, and CANY to get approved for the New York State Fair. The first time we had legal cannabis at the state fair, we were there for 10 days, 10 hours a day. We had to stop the stigma rally. We had a lot of education. And this is a lot of the advocacy work that I want you to understand is the platform from which I speak today. I still have cultivators reaching out to me on a daily basis saying, how do I get rid of my license? How do I get out of this? And how do I recoup my life? And so, it's not just financial devastation, it's emotional, physical, spiritual, and mental that we're still digging out from. So, as it relates to this Metrc, I'm here for that reason. I'm re-invigorated to come here and speak with you. You know, it was the whole transition, it cost me quite a lot of money to prepare for the Biotrack, only to have the bait and switch happen with Metrc. One thing that has me personally concerned is the variety pack. I have made a reputation on having variety packs. This is my 22 pack, four different products in one under one skew, four different products in my second one under one skew. My most recent I have double dabs, I have phenopacks and my most recent, I have thousands of these on my shelf and I am told that I am there's no mechanism for putting these into the system and that the OCM is working on it. So, I implore you to please work on it and let us know what the solution is before the deadline, before the before the deadline, so that we can be prepared, and I don't have to pull this from my shelf.</p>
4.	Chris	Kostyun	Misty Blue Farm	<p>Hi, thank you all. Hope you're having a wonderful day. My name is Chris Kostyun. I'm vice president of Misty Blue Farm. Very much like Raven's Genetics, we were a conditional cultivator that spent a lot of time and effort perpetuating cannabis grower events and I'm here to talk about the proposed event regulations that the public comment is open until November 24th. For everybody listening, November 24th. The proposed regulations based on the office's premise that the micros can sell only their own products is not consistent with current operations. Let's say, for example, there was a microbusiness licensed only for</p>



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

				indoor cultivation and retail. And they chose to have a relationship with another cultivator to have either mixed light or outdoor. And they choose to have a relationship with a processor that creates those products. Somehow, they work out a branding relationship. And in you know, the office's position really ignores the concept that that's a common in the marketplace right now. You go to any microbusiness retail website, and you will see products that look an awful lot like somebody else's brand. And I know that having organized several Cannabis Grower Showcases that the people I choose to work with will show up at my hosted events. And I really think that we really need to reevaluate the possibility of a microbusiness with retail from hosting the events. I have a bunch of comments on Metrc, but today I wanted to make sure that everybody knew that the comment period is open until November 24th. Thank you all.
5.	Michael	Rodriguez	Pure Blossoms LLC	Good afternoon. My name is Michael Rodriguez. I am a CAURD licensee. First, I'd like to thank the Office of Cannabis Management. I'd like to thank Chairwoman Garcia and the Cannabis Control Board, along with Ms. Reid and Ms. Washington. This has been a very long and arduous and expensive journey for me, but I am here but for your grace and I just want to say thank you to all.
6.	Jarred	Spindel	Empire Flower Inc	Hello, hello. Good afternoon. So, for the record this is my CAURD license 2022000186 and my most recent application for approval on Roosevelt Island, 2023000135. I applied 45 days ago. I just got an email response back today this morning at the meeting. I've called over 20 times, emailed easily the same. I am fully compliant. I'm more than a thousand feet away from any other dispensary. Also, within compliance of schools and houses of worship that are in line with the current law. I know that there's new law coming into to play, and so the urgency is real. I've had my license and been through quite a lot, which we won't get into today. So basically, I pass all the parameters. There's no one else in in in competition there. There's zero dispensaries on Roosevelt Island and I had a small group of concerned parents come to the community board which was a Zoom call and they basically railroaded, didn't even look at my application and not to mention that my presentation is very different than many of the other dispensaries, taking into



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

				consideration the community that is there, which is the parents that are of concern. My setup is that the entry point of the dispensary is a florist, a flower shop that serves as the waiting room and the buffer from the general public. And, also, I've passed numerous other concerned community boards with this with this plan. These people a small group of them that had very loud voices seemed to think this was insane. So, what I'm asking is for you guys to seriously take a look at this. I've spent an enormous amount of time on the island talking to the public. I have a digital petition that's out that can be signed. There is a lot of support there. There's also a very diverse community on the island. So anyway, that's it. Thank you.
7.	Bazaar	Royale	Bzar Royale Inc.	Hello. How you guys doing? My name is Bazaar Royale. I've been with y'all since the beginning. I'm still here waiting patiently. Y'all have a great day.
8.	Audrey	Bonanno-Williams	Cannibus NY LLC	Good afternoon. My name is Audrey. I'm a member of Cannabis, a 100% minority and social equity owned dispensary. By way of background, we are three-member family-owned team, each from communities disproportionately impacted by the failed war on drugs, including NYCHA and Soundview section of the Bronx, and my husband has a child that has a marijuana conviction. Thus, as a 100% minority-owned Latina and black group with 66% being woman-owned and 66% having a child with marijuana conviction, we should have been noted as a SEE applicant. Unlike the alleged dispensary with proximity protection, we have had our lease and have been paying rent since applying in November of 2023, and our location is fully built out. Additionally, as noted in our PCA request, but not mentioned during consideration is that our proposed location is near a walking trail that sees more than 6,000 visitors daily during spring and fall. Given these facts, we respectfully request that our PCA be reconsidered. Thank you.
9.	Jorge	Vasquez		Good afternoon. For purposes of today, I'll keep it pretty quick and simple. I just would like to share my experience regarding retail locations and what's happening in the market. Particularly, I'd like to emphasize one client in particular, Emmanuel de Jesus, who's a CAURD licensee, also known as Monarch NYC LLC, based out of the Bronx. Specifically, there, what happened was someone used a lease of a local diner and provided that lease



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

Table with 5 columns and 2 rows. Row 1: Empty cells followed by a long text paragraph. Row 2: 10., Scot, Trifilo, Terrace Corporation of NY branded as Ten-Ten Cannabis, followed by a long text paragraph.



				<p>there is no nursery license. I'm ready, willing and able to go along with some others and we need to supply the farmers. So please work on that if you're able. My second thing is the micro with retail regarding the grower showcases. I thought the micro program in New York was cutting edge, was state of the art, was something very special for small farms. And I think we really, really need to look at allowing micro with retail to be able to put their own farm stand up at a farmer's market and sell their product. If it needs legislation, I think it needs to happen. It's just one more source of revenue for us because we struggle as a small farm, we struggle. And I just wanna say thank you for all you're doing. And just please look at those two things.</p>
11.	Cristian	Toledo	Happiness	<p>My name is Cristian Toledo, our CAURD licensee, OCM CAURD 2022000371. Hello, Chair Garcia and board members. I formally request a special resolution today to one, grant micro license number OCM MICR 2023000436. Two, convert my CAURD license to a micro license. I own 26 acres in Warwick, New York, where I was arrested sown vacant land ready for cultivation. I requested this in 2023, 2024. Reply received by OCM states the fix is under development. The board has allowed other licensees to convert the license. I asked you to do the same for me. Over the past three years, I lost four locations due to administration delay and law changes. I'm bleeding. I lost all my funds. Patrick said today it takes two weeks for a proximity map to update. That's a lie. In my cases, in all my cases, it took over nine to ten weeks for the portal to update. I beg Chair Garcia and board members to vote yes today. I lost location in the Bronx due to door-to-door law change. I lost a location in 151 West 28th Street, New York, NY where density is over 94,000 square feet average. Average to Housing Works 900 feet away. Today, you grant it other licensees under a thousand feet, and I wasn't granted. So, I'm guessing it's not being fair and transparent to me. So, I'm asking today. I've been emailing numbers and numbers of time. Simone has all my information. I've been emailing every single week. I don't miss a week, so I don't wanna wait any longer. I would like for you guys to vote today. Thank you.</p>
12.	Janeniz	Toledo		<p>Hello. Good afternoon, Chair Garcia, board members. My name is Janeniz Toledo, and I'm standing here today as the wife of CAURD licensee Cristian Toledo,</p>



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

Table with 5 columns and 2 rows. Row 1: Empty cells followed by a long text block starting with 'CAURD license 2022000371. So, you just heard his story...'. Row 2: 13, Keston, Karter, Of The Earth Canna LLC, Good afternoon, my name is Keston Karter. I am a justice involved licensee and founder of Of The Earth Canna...



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

Table with 4 columns and 2 rows. Row 1: Empty cells followed by a long text paragraph. Row 2: 14., Michael, Kudrewicz, followed by a long text paragraph.



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

Table with 5 columns and 2 rows. Row 1: Empty cells. Row 2: 15, Orlando, Bispo, and a long text block starting with 'Do not plot harm against your neighbors...'.



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

				done? I don't think so. Approdacate yourself to see your doctrines, clauses, and statues, and we shall have our days in court. Thank you. Have a blessed day.
16.	David	Nicponski	Freshly Baked NYC	<p>Hello, good evening, good afternoon. Thank you to members of the control board, the OCM presenting today. David Nicponski, CAURD licensee and Director in the New York Cannabis Retail Association. First and foremost, thank you so much for your approvals of the licensees that were of the applicants who are now licensees as of today. And thank you also for sending for formal adoption. The changes long time coming to the marketing and advertising regulations. This one set of changes will make a huge difference to the current and future operating retailers. The inability to effectively advertise or strangling businesses probably on par with the unenforced illegal competition. Speaking of, this is a drum that I beat every month at every control board meeting. There is still no enforcement against the illegal market around us in the Bronx. We have twice as many blatantly operating illegal retail stores within four blocks as we did when we opened 20 months ago. That's unconscionable. There have been zero these stores shut down by enforcement authorities. Zero. For more than 24 hours at a time. And even those were a few days here and there. Immediately reopened, padlocks broken, no follow up. Recently, however, one store did fold due to the economic conditions of the illegal competition that they are competing in. If our illegal market can't stay open around us because of the sprawling illegal market, how do you expect the legal market with the additional overheads of cannabis excise taxes, like actual real payroll for staff, being union friendly, et cetera, how are we supposed to survive? The answer is we can't. The funding for community projects for grants, et cetera, is supposed to come amongst other things from excise taxes. By my best estimation, hundreds of thousands of dollars of these taxes have been funneled into the pockets of the illegal stores around us. The end result of that is that our store will go out of business without change. We've already had to lay off double digits levels of staff, and I am likely to be personally sued by our investors who are pissed that the store cannot make a profit. And it can't because it's being choked continuously by the lack of</p>



				enforcement. This is a policy decision, it is unconscious and needs to be fixed.
17.	Elijah	Clarke	The Shuttle&Flower	I am a Active and positive figure in my community that has been inquiring and patiently waiting for a handler and approval of my Type 3 Branding processor license, what are the further steps to take and what are you guys doing to make the process smoother for future participants.
18.	Kyle	Brown		Please allow microbusiness to switch to a cultivation license. This would fix the shortage problem and allow micros to convert like promised by John k. The ocm needs to allow the already licensed licensees a chance to thrive.
19.	Devena	Andrews	Practitioner	Attorney, Agent, Lobbyist or Representative If you checked this box, you must fill out a Record of Appearance as required by Executive Law Section 166
20.	Cristian	Toledo	Happiness	Requesting an amendment
21.	Jamil	Hashimi		How can I get assistance on obtaining a license to open A dispensary
22.	Greg	Johnson	Freedom 35 Cannabis Company LLC DBA The Mellow Moose	Hello! I currently hold a provisional retail license and have a signed lease for a building that was deemed viable in Lake Placid. I am ready to begin moving forward with opening the location. We have completed our build-out and are currently paying rent while awaiting our license approval. Hoping that we are on the agenda for new provisional licenses granted. Thank you!
23.	Gary	Steedman		I am a USMC VET looking to get a license, when will this open up for me to apply
24.	James	Krauss		I am highly interested in opening up a store in New York! I would love it if you guys discussed reopening certain applications, or would at least give us a time frame on when they will be opening back up. I also think you guys should take another look at your hemp regulations and consider amending some of these laws - look at senate bill S5809 that hasn't passed yet! Thank you (:
25.	Concerned	Concerned		The Flowery just put up their 4th billboard on Staten Island. Why is nothing being done about it?
26.	Jeanette	Miller		Public Comment Regarding Microbusiness License Conversion to Full Cultivation License To the Members of the Office of Cannabis Management and Cannabis Control Board: I respectfully urge the OCM to adopt a regulatory pathway allowing New York State–licensed Microbusinesses to convert or expand into full



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

				<p>Cultivation Licenses.</p> <p>Microbusiness licensees are among the most compliant, operationally capable, and investment-committed participants in New York’s adult-use cannabis program. Many have demonstrated the infrastructure, workforce, and compliance record necessary to scale cultivation operations responsibly. However, the current framework artificially restricts Microbusinesses to a limited canopy and prevents them from responding to real market needs.</p> <p>The OCM has publicly acknowledged a statewide supply imbalance and shortage of high-quality, consistent cannabis flower. Allowing existing Microbusiness operators—already vetted, inspected, and compliant—to apply for full cultivation licensure would immediately strengthen the regulated supply chain. It would:</p> <p>Stabilize the Market: Expanding cultivation capacity within an already licensed and compliant operator pool helps ensure steady, safe product availability.</p> <p>Advance Equity Goals: Many Microbusinesses were established under social and economic equity principles. Allowing them to scale preserves equity ownership rather than ceding market share to large, out-of-state operators.</p> <p>Reduce Regulatory Burden: Converting existing licensees, rather than onboarding entirely new cultivators, minimizes administrative load and accelerates market stabilization.</p> <p>Promote Consumer Protection: Scaling known compliant operators improves product consistency and safety across the legal market, directly benefiting consumers.</p> <p>A carefully structured conversion framework—subject to OCM approval, compliance audits, and continued adherence to public health standards—would serve the stated legislative intent of the MRTA: fostering an equitable, competitive, and sustainable cannabis market in New York State.</p>
27.	Nelson	Lee		<p>Greetings and Salutations all! My question, as a provisional licensee, and one who is in the november queue; how does OCM handle cases where people in the November Queue were given their licenses earlier than other November Queue, but are found to be non-compliant now, affect other provisional licensee holders who have a compliant location with control of</p>



				<p>their lease; how does OCM view this type of conflict? Would they allow PCA waiver to pass on this conflict?</p>
28.	Coltin	Barody		<p>Dear Office of Cannabis Management, I hope this message finds you well. I am writing to respectfully recommend that the OCM create a pathway allowing existing microbusiness licensees to convert to a full cultivation license.</p> <p>At the most recent OCM Board meeting, the issue of statewide product shortages was discussed. Allowing compliant microbusiness operators to expand into full cultivation would be an effective and immediate way to strengthen the in-state supply chain and stabilize the market.</p> <p>Importantly, the majority of microbusiness licenses in New York are held by SEE licensees—individuals and entities recognized under the state’s social and economic equity framework. By enabling these operators to convert to full cultivation, the OCM would not only address the current supply shortage but also advance the MRTA’s core social equity goals by supporting the same small, equity-owned businesses that helped pioneer the state’s legal market.</p> <p>Microbusiness operators have already demonstrated their commitment to compliance, investment, and community reinvestment. Providing a conversion option would build on that foundation, expand production capacity, create additional jobs, and further solidify New York’s commitment to equitable industry development.</p> <p>Thank you for your time, leadership, and continued dedication to fostering a fair, sustainable, and locally driven cannabis industry.</p> <p>Respectfully</p>
29.	Alexis	Bronson	JII Williamsburg LLC	<p>Subject: Public Comment – Clarification on CCB Resolution No. 2025-56 Implementation</p> <p>Dear Cannabis Control Board,</p> <p>I respectfully request clarification regarding the implementation of Cannabis Control Board Resolution No. 2025-56, adopted on July 25, 2025, which authorized the reinstatement of previously closed Adult-Use Retail Dispensary (CAURD/SEE) applications.</p> <p>As an applicant whose reinstatement request was accepted (Application #OCMRETL-2023-000472 – JII Williamsburg LLC), I and others in similar standing remain unable to access the NYBE Licensing Portal to make post-application edits. Specifically, applicants</p>



				<p>need to update True Party of Interest (TPI) information, amend ownership details, and upload leases for proximity protection review. Given the importance of these actions for maintaining compliance and advancing through review, I respectfully ask that the CCB and OCM issue public guidance on the expected timeline for unlocking reinstated applications.</p> <p>Respectfully, Alexis Bronson Applicant, JII Williamsburg LLC (707) 980-0456 justiceinvolvedny@gmail.com</p>
30.	Demetrius	Dixon	Altitude Ithaca	<p>Why isn't the OCM doing more to shut down the 6 or more "Sticker Shops" in Tompkins county. We have the most licensed dispensary's in Upstate NY and also these illicit shops that have been in operation for more than 4 years. We as the License holders have to keep within the regulations; while these places operate with no actions taken against them we pay taxes they do not, They get fined and never pay NYS. We ask, What are the steps in place to combat this situation. Thank you Altitude Ithaca.</p>
31.	Sharon	Dang	OCMRETL-2023-000243	<p>OCMRETL-2023-000243 has been Hijacked by John Macropoulos claiming full ownership. Business Express is stating that OCM has authorized John Macropoulos to nullify my ownership as the SEE applicant. Please advise</p>
32.	Sid	Patel	Green Flower Wellness 5 LLC	<p>Currently there are multiple dispensaries located within a neighborhood, as the distance requirement is only 1000 feet in NYC.</p> <p>In order for a dispensary to survive in this growing market, with new competition opening up all around, it needs to ensure it remains competitive and relevant. Currently, there are vendors, such as ROVE, who have declined to sell product to us since we weren't selling at the MSRP they wanted us to sell at. We have paid all bills, it's not that issue, they want control over the price in the market.</p> <p>Vendors can only provide a "Suggested" price, they should not be allowed to punish dispensaries for selling at a price different from there MSRP.</p> <p>At the same time, there were other dispensaries selling their product at a price below MSRP, and they continued to provide product to them.</p> <p>This is discrimination, illegal market manipulation, and bullying by vendors. This is especially hurting all the small minority/women owned dispensaries, as it isn't</p>



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

				<p>easy to stay in business, when you have vendors controlling your prices in your store. I've brought up one vendor here in this example, but there are many others and this isn't a struggle any dispensary should have. They can buy at the wholesale price, pay the vendor bills within 30 days, and be allowed to sell at any price they want to sell at. Please take this seriously, and do something about it, as it will determine the overall health of the adult use cannabis retail market.</p>
33.	Hari	Patel	Green Flower Wellness	<p>Good morning, and thank you for the opportunity to provide public comment. Our business is located at 214-24 73rd Ave in Oakland Gardens and holds license number OCM-RETL-24-000064. I am here today to raise a serious, ongoing concern that directly affects public safety, consumer protection, and the viability of the legal cannabis marketplace in my community. Directly across the street from my dispensary — at Oakland Smoke Shop, 215-09 73rd Ave — an illegal operator that was previously padlocked by the Sheriff's Department has reopened and resumed operations. Community members report that this location is again selling unregulated cannabis and potentially harder drugs, with indications that sales may be occurring to minors. This is taking place openly, in broad daylight, just steps away from a fully compliant licensed business. Unfortunately, this is not an isolated situation. For nearly two years, I have been contacting both state and city officials about the illegal operators in our area. Despite repeated reports and follow-ups, meaningful enforcement has not occurred, and these businesses continue to operate without consequence — even those previously subject to padlock actions. Meanwhile, licensed dispensaries like mine shoulder the full weight of regulation, testing requirements, taxation, and compliance audits. It is incredibly discouraging for operators who are following every rule, investing significant resources, and doing things the right way. In addition to the location across from my store, several illegal smoke shops continue to operate throughout our immediate area: Hi Convenience — 168-06 Union Turnpike has also been the subject of serious community concern. St.</p>



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

Table with 4 columns and 1 row. The rightmost cell contains a detailed report on illegal cannabis operations in John's University, listing specific locations like Bayside Smoke & Vape Shop and 18506 Convenience & Smoke Shop, and discussing enforcement challenges.



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

Table with 5 columns and 2 rows. Row 1: Empty cells followed by text: 'information to support an investigation. I appreciate the Board's attention to this matter and hope to see stronger, consistent enforcement efforts moving forward. Thank you for your time.' Row 2: 34, Hari, Patel, Green Flower, followed by a long text block starting with 'Good morning, and thank you for the opportunity to provide public comment. Our business is located at 214-24 73rd Ave in Oakland Gardens and holds license number OCM-RETL-24-000064. I am here today to raise a serious, ongoing concern that directly affects public safety, consumer protection, and the viability of the legal cannabis marketplace in my community. Directly across the street from my dispensary — at Oakland Smoke Shop, 215-09 73rd Ave — an illegal operator that was previously padlocked by the Sheriff's Department has reopened and resumed operations. Community members report that this location is again selling unregulated cannabis and potentially harder drugs, with indications that sales may be occurring to minors. This is taking place openly, in broad daylight, just steps away from a fully compliant licensed business. Unfortunately, this is not an isolated situation. For nearly two years, I have been contacting both state and city officials about the illegal operators in our area. Despite repeated reports and follow-ups, meaningful enforcement has not occurred, and these businesses continue to operate without consequence — even those previously subject to padlock actions. Meanwhile, licensed dispensaries like mine shoulder the full weight of regulation, testing requirements, taxation, and compliance audits. It is incredibly discouraging for operators who are following every rule, investing significant resources, and doing things the right way. In addition to the location across from my store, several illegal smoke shops continue to operate throughout our immediate area: Hi Convenience — 168-06 Union Turnpike has also been the subject of serious community concern. St. John's University students have reportedly purchased illegal cannabis products from this location, and one student was hospitalized last week after consuming unregulated product from this shop. In addition, this business is openly selling flavored vapes, which is a



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

				<p>direct violation of New York State law. It is especially troubling that Hi Convenience has been granted proximity protection, despite the fact that illegal activity is currently occurring at this location. Whether the corporate entity has changed or not, the TPI information remains the same, meaning the individual Bayside Smoke & Vape Shop — 224-25 Union Turnpike 18506 Convenience & Smoke Shop — 185-06 Horace Harding Expressway Cloud Center — 47-03 Francis Lewis Blvd Pure Leaf Cannabis Club — 185-04 Horace Harding Expressway</p> <p>These illegal operators are harming our communities, jeopardizing youth safety, and undermining the legal cannabis program that licensed businesses are working hard to uphold.</p> <p>Additionally, illegal delivery services — including those openly advertising online, such as needgrass.com — continue to operate with no meaningful enforcement. These operations do not attempt to hide. They can be easily verified by placing an order and intercepting the delivery. The fact that they continue to operate so publicly is deeply concerning.</p> <p>The lack of consistent enforcement not only threatens the viability of licensed operators but also erodes public confidence in the regulated market. It is difficult for compliant businesses to succeed — or for the legal market to grow — when unlicensed operators face no real consequences.</p> <p>I respectfully urge the Office of Cannabis Management and partner enforcement agencies to take decisive action against these operators. Targeted enforcement in neighborhoods like mine would protect consumers, uphold the integrity of the regulated market, and help ensure that the legal pathway remains sustainable for operators who have invested their livelihoods into this program.</p> <p>I am more than willing to provide additional documentation, video footage, and firsthand information to support an investigation. I appreciate the Board’s attention to this matter and hope to see stronger, consistent enforcement efforts moving forward.</p> <p>Thank you for your time.</p>
--	--	--	--	--



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

Table with 5 columns: ID, Name, Last Name, Initials, and Comment. Row 35: Mike Smith, GFW, Comment about illegal activity in Oakland Gardens area.



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

				<p>This ongoing lack of enforcement threatens licensed businesses, public health, and the credibility of the regulated market.</p> <p>I strongly urge the Office of Cannabis Management and enforcement partners to take action. Targeted enforcement in communities like mine will protect consumers, support compliant operators, and uphold the goals of the legal cannabis program.</p> <p>I am fully prepared to provide additional documentation, video evidence, or firsthand accounts.</p> <p>Thank you for your time and attention.</p>
36.	James	Krauss		<p>Can you address the recent law that passed to reopen the government as it relates to cannabis and can you discuss its possible impact on the hemp industry in New York?</p>
37.	Joann	Kudrewicz	Ravens View Genetics	<p>I had worked with the OCM and the Lab in 2022 as an AUCC Cultivator, to create an opportunity to provide 'variety packs' into the market. These packs contain a number of different products in a single package, with one sku. I am now told that there is no mechanism to track this product type in Metrc and that Metrc is 'working on it' with the OCM. I have thousands of these skus on the shelf to be sold. BY WHAT DATE PRIOR TO 12/17/25, WILL THIS BE 'WORKED OUT'???</p> <p>Every license type appears to be receiving complimentary 'tags' with THE LEAST QUANTITY being provided to the Microbusiness licensees. Most of the Microbusiness licensees are former AUCC Cultivators who were financially impacted severely by the rollout of this Industry in the first two years. It feels incredibly disproportionate and discriminatory for this license type to receive only 750 tags. PLEASE ADJUST THE TAG QUANTITY ALLOTMENT FOR THE MICROBUSINESS LICENSSEE to be equitable for this community that was meant to be compensated as distressed hemp farmers through a social equity program that created more harm and distress rather than less.</p>
38.	Jennifer	Palulis		<p>Please allow micros licenses to convert to full cultivation licenses. This will fix the under supply issue.</p>
39.	Timothy	Rolland		<p>The ocm should allow people with microbusiness licenses the option to change to a cultivation license. This will solve the issues mentioned at the last ocm meeting and give the current operators a chance to survive.</p>



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

40.	Ibro	Badji	Good vibes uni	<p>I am writing to respectfully inquire about the recent denial of my application, Application ID: OCMMICR-2024-000001.</p> <p>I confirm that the application was submitted by the stated deadline and that all required documentation, including the MWBE certification paperwork, was included for the seed application.</p> <p>Given that our organization's mission and vision are in strong alignment with the agency's goal I believe there may have been a misunderstanding during the review process.</p> <p>I would be extremely grateful if you would allow me to provide further clarification or if you could arrange a review of my application by a senior member of the licensing team. I am confident that an opportunity to discuss the application details would resolve any potential issues.</p> <p>Thank you for your time and consideration of this request. I look forward to your guidance on the next steps for appeal or review.</p> <p>Sincerely, Ibrahima Badji</p>
41.	Jackie	Soto		<p>Hello, i am confused why the operator stiiizy is still operating with the ocm knowing they violated the tpi regulations which legally makes them in eligible from operating in the new york market. They violated tpi rules and should not be allowed to operate under the current license. Please enforce the rules and stop them before me and others take action! I am urging the ocm to enforce there own rules!!!</p>
42.	Chris	George	Outcast Acres Farm LLC	<p>My name is Chris George, representing Outcast Acres Farm LLC, a licensed cultivator, processor, and distributor in New York State.</p> <p>We fully support compliance and transparency, but we cannot ignore the significant financial burden the METRC tag mandate imposes on small farms and producers. I have already reached out directly to OCM via email seeking clarification and legal citations for this policy and have not received any acknowledgment or response.</p> <p>This silence is troubling. It suggests a lack of transparency and an unwillingness to engage with the very licensees these policies affect. If OCM intends to enforce a vendor-specific tag purchase requirement without a clear statutory or regulatory foundation, it is overstepping its authority and creating a compliance cost that is both unnecessary and potentially unlawful.</p>



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

				<p>OCM previously attempted to impose a similar tag-purchase model under BioTrack, which was abandoned after industry pushback. Reintroducing the same policy under METRC without proper rulemaking or public comment not only undermines confidence in the regulatory process...it also risks opening the Board and the Office to potential litigation from affected licensees.</p> <p>I respectfully request that this comment be entered into the public record and that the Board address the legal basis of this policy on the record during a future meeting.</p>
43.	Beck	Hickey		<p>I have been working for a licensed microbusiness who offers a few variety packs. These packs contain 2-5 prerolls of different strains. They are wildly popular because consumers can try something new, or discover what they like. For an emerging market they make so much sense. We recently attended the Metrc info session and it became clear that there is no way to label variety packs in their system. This is something we feel strongly must be rectified. These are our best selling SKUs, and removing them from our offering would cause us a huge financial hit. It affects not only their current inventory that they've spent thousands of dollars on, but future financial projections as well.</p> <p>I feel strongly that there is a technical/logistical solution to this issue and the OCM MUST insist that Metrc put a process in place the 12/17 deadline!</p> <p>Secondly, every license type appears to be receiving complimentary 'tags' with THE LEAST QUANTITY being provided to the Microbusiness licensees. Most of the Microbusiness licensees are former AUCC Cultivators who were financially impacted severely by the rollout of this Industry in the first two years. It feels incredibly disproportionate and discriminatory for this license type to receive only 750 tags. PLEASE ADJUST THE TAG QUANTITY ALLOTMENT FOR THE MICROBUSINESS LICENSSEE to be equitable for this community that was meant to be compensated as distressed hemp farmers through a social equity program that created more harm and distress rather than less.</p> <p>Finally, I am appalled by the amount of plastic waste Metrc produces. Their single-use plastic coated tags along with the zip ties required to attach them to the plants (also single-use) is outrageous. The MRTA</p>



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

				requires brands and operators use sustainable materials in packaging. Why is Metrc not answering to this same law? Again. Having plastic tag holders that can be reused with print-at-home paper tags that can be slipped inside the holder (almost like a luggage tag) seems to be an obvious answer.
44.	Law Abiding Tax Payer	Concerned Citizen		SEE Lice No:OCM-RETL-25-000306. I believe that this establishment is engaged in the unauthorized sale of psilocybin-containing mushrooms, which are classified as controlled substances under New York State and federal law. These products are being sold openly The sale of such substances is a serious public safety concern, particularly given the lack of regulation, health warnings, and potential access by minors. I request that your office investigate this matter promptly and take appropriate enforcement action to halt any unlawful activity. The below location has been granted an Adult Use Cannabis Dispensary License over 3 months now and till date it has no intent in opening the dispensary and still continues to sell CBD and illegal substances.The License holder of the below location has also been arrested previously in Nassau County for possession and intent to sale of Cannabis through her other location in Nassau County under the same name I hope that OCM will wake up and look into this.
45.	Jill	White		The company's that illegally operated under omniums license should be barred from the market. Stiizy, gron, dime industries and turn need to be barred from the new york market for violating tpi rules. For them to continue to profit off of New yorks cannabis industry when they so blantly violated the rules is unfair to everyone that has been following them. I am calling on the ocm to do what is right and just. Ban them from operating in New york
46.	Shaun	Renna		Will OCM be issuing anymore micro business license that are on the list from the 2023 Lottery. IF so, when will they be reviewed or issued?
47.	Ravinder	Singh	J d smoke shop Application #: OCMRETL- 2023-000250 Business Name: J D	I apply for adul use dispensery licence in Nov 2023 , and we r waiting from long . When we can expect to get approval ? This location is good for public convenience, and our all Coustmer r waiting form long time



			SMOKE SHOP INC.	
48.	Dorsey	Levens	MVC, League LLC	<p>My name is Dorsey Levens and I'm one of three partners with MCV League, LLC. We submitted our Tier 2 Cultivation Application and are currently in the December 2023 queue. Our application number is OCMCULT -2023-00372.</p> <p>We have been waiting for 23 months and still do not have a clear understanding of where we stand in the process. To say we are frustrated and running out of patience is an understatement.</p> <p>At what point will OCM finally get through the application backlog, be transparent and realistic about applicant wait times, or start truly giving preference to SEE applicants, as the Social and Economic Equity program was established and intended to do?</p> <p>It's puzzling to watch other cannabis licensees rapidly expanding throughout New York State while other individual applicants continue to be overlooked. At the same time, these expanding licensees are purchasing naming and ownership rights to other licensed businesses. Regardless of application type, how is OCM allowing this when you have thousands of applicant businesses in a holding pattern, facing financial uncertainty and loss of significant investment dollars? Where is the equity we were promised?</p> <p>We've reiterated several times to OCM that our ownership team meets four of the five SEE categories: (1) minority owned business, (2) women-owned business, (3) serviced-disabled veteran owned business, (4) distressed farmers, (5) individual from a community disproportionately impacted by cannabis prohibition.</p> <p>Even so, our application has yet to be reviewed. OCM has not lived up to its commitment to SEE applicants or the promises made to the community.</p> <p>After reviewing all the cultivator licenses approved in 2024 and 2025, OCM inexplicably issued cultivator licenses to:</p> <ul style="list-style-type: none"> applications dated 2023 but who are not listed on the December 2023 queue applications dated 2024 (and when did applications open in 2024?) <p>OCM failed to adhere to its own parameters:</p> <ul style="list-style-type: none"> First, by accepting applications after the closing of the application deadline of December 18, 2023. Second, by not reviewing applications in lottery order



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

				<p>as OCM stated it would do. Finally, OCM has apparently been playing loose with the rules of engagement and the general integrity of the process. It should go without saying that such a pattern significantly compromises the integrity of an already dysfunctional application process. The notion that the process is a “pay for play” process certainly calls into question the validity and integrity of the overall process and the SEE Program. We hope that this is not the reason why our application has not yet been reviewed or approved.</p> <p>2024 Summary 199 Total Applicants Approved for Licenses 21.6% (43) issued to 2024 Applicants 58.8% (117) issued to 2023 Applicants not in the Dec '23 queue 80.4% (43+117=160) total licenses issued to applicants not in the Dec '23 queue *Of the 39 remaining licenses approved in 2024 from the Dec '23 queue, 9 were not SEE applicants (23%)</p> <p>2025 Summary (through 11/13/25) 39 Total Applicants Approved for Licenses 15.4% (6) issued to 2024 2.5% (1) total licenses issued to applicants not in the Dec '23 queue *Of the 32 remaining licenses approved in 2025 from the Dec '23 queue, 10 were not SEE applicants (31.25%)</p>
49.	Navjot	Kaur	Retail Applicant (Pine smoke shop)	<p>Waiting from last 2 years for license approval . Paying rent, bill from last 23 months. Very difficult to survive now. Plz approve my application asap before my landlord kick me out.</p>
50.	Orlando	Bispo	Independent Contractor	<p>Thursday, November 13, 2025 Notice Of Claim For decrees of special performance, negligence Punitive damages, Personal injury on Privet Property, Privet Property damages, Breech of contract Abuse of sovran Powers intentional trot. O.C.M. from Orlando Bispo Petitioner : Orlando Bispo Title : Beneficiary with power of the attorneys to the respective trust as well as the sermon of the corporation of the estate, where the offense occurred. With respect to the limitations of the statute set forth before me by the court of claims and the appellate court respectively we have exactly 90 days from October 10, 2025 to a predicate ourselves properly to</p>



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

Table with 4 columns and 1 row. The rightmost cell contains a detailed legal text regarding judicial review, executive orders, and public policy.



				<p>FTC's act five the APA article 82 as well as already affirmed article 316 through 25 of our states constitution. Acting under the color of law 18 § 242 conspiracy is 18 § 241 respectively. And the dormant commerce clause of 1887.</p> <p>The nature of the notice of the claim is simply to extend the allotted time necessary for the claimant to file pursuant to 50 – E. We have given verbal warnings to their offices, respectively. We are posting this to the public as a matter of record. All respective parties have been placed on notice upon submission to the Attorney General's office and the court of claims respectively in their necessities orders once receivables have been in our acquisition. Our offices will be in communication.</p> <p>Orlando Bispo.</p>
51.	Philip	Percesepe		<p>Dear members of the board, I'm submitting this comment after watching the board meeting yesterday go over the yearly market report. I'm disappointed to see that out of 300+ microbusiness licenses issued, our estimates show only about 20-25 that are on shelves today. With the prohibitive nature & ever-tightening regulations around micro's, it's hard to sell this dream to potential investors or open a gainful bootstrapped business. A microbusiness could be a viable business model, allowing many others to become operational with a few amendments to the regulations that I would urge you to consider, or at least open the discussion.</p> <ol style="list-style-type: none"> 1. Allow microbusinesses to directly process & package for other microbusinesses. Very few AU processors are able to process in small batches, and micro-processors are forced to exist within the loopholes to collaborate with other microbusinesses. 2. Allow microbusinesses to sell other microbusiness products at retail. Very simply, help us help ourselves. Similarly, the regulations are forcing microbusiness operators to exist within the loopholes to shelve other products. 3. Allow microbusinesses to host growers showcase events, as the board previously promised during the application period. Microbusiness-retail already has to jump through the exact same hoops, fight for the same proximity protection, endure the same costs & approval process as CAURD & AU Retail to become open, with only a fraction of the revenue potential. 4. Allow microbusinesses to interchange or blend



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

				<p>canopy seasonally, allowing us to participate in indoor, outdoor & mixed light cultivation up to a certain size. Too many benefits to list here, but it would create a new way to crawl, walk, run while opening this business.</p> <p>A great example of the negative impact some of these rules have on us:</p> <p>Imagine you just got permitted and have set up a 10,000SqFt outdoor microbusiness plot, as allowed. Then picture spending tens & possibly hundreds of thousands of dollars on construction approvals, a drying room, processing room, equipment, CGMP inspections etc., just as an AU Processor goes through. Then picture your facility (which is designed to process small batch) sitting dormant for months and months after your harvest, instead of being used to help other microbusinesses package and prep their products.</p> <p>These systematic prohibitions are severely limiting the investability of our businesses and making these small changes would free the chokehold that the regulations have put on us.</p> <p>I will continue to stress this lack of financing & funding available for microbusinesses is not just due to the underrepresentation we endure as social-equity centric small business owners, but due to the unreasonable roadblocks set around this business model & I encourage you to peel these layers back and help us create a thriving craft market.</p> <p>Dopest Regards, Phil Percesepe Founder, LeadFarmer Inc. Member, New York Craft Association Co-Founder, New York MicroBusiness Alliance theleadfarmer312@gmail.com</p>
52.	Kenneth	Seligson	Seligson Law	<p>OCM issued the PCA waiver for NY Retail 4 Inc. after November 5, 2025, but evaluated it under the old PCA statutory framework, which had already been superseded by the amendments that became effective on that date.</p> <p>Under CPLR § 7803, an agency determination must be annulled if it is affected by an error of law, fails to consider a mandatory factor, or is arbitrary and capricious. Agencies must apply the law as it exists on the date of the decision, and may not rely on repealed or outdated statutory language.</p> <p>OCM applied the pre-amendment PCA criteria to NY</p>



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

				<p>Retail 4 Inc’s waiver request, even though those provisions were no longer legally operative. The Legislature’s PCA reforms became controlling law on November 5, 2025, and OCM was legally required to evaluate all PCA waivers under the new standards. By relying on a superseded statute, the agency committed:</p> <p>An error of law by applying criteria that no longer existed,</p> <p>A failure to consider a mandatory statutory factor—the newly effective PCA amendments, and</p> <p>An arbitrary and capricious action, because the determination rests on factual and legal premises that were no longer operative at the time of the decision. A decision cannot have a rational basis if it is grounded in a legal framework the Legislature has already replaced.</p> <p>If the correct, current PCA standards had been applied, the waiver should have been denied. Under the amended PCA rules:</p> <p>There are two existing retail dispensaries within 1,000 feet of the proposed NY Retail 4 Inc. location, which independently requires denial; and</p> <p>Neither dispensary within the 1,000 feet radius has not been open and operational for nine months, which is another dispositive basis for denial under the new law.</p> <p>For these reasons, the PCA waiver issued to NY Retail 4 Inc. should be annulled or revisited using the current, valid statutory framework, consistent with New York law and basic administrative-law principles.</p>
53.	Elisha	Vasquez	STR8 GAS NYC LLC	<p>Good morning members of the Cannabis Control Board and the Office of Cannabis Management. My name is Elisha Vazquez, owner of STR8 GAS NYC LLC and a Social and Economic Equity applicant.</p> <p>I want to speak today not just as a business owner, but as someone who has lived through the direct impact of cannabis criminalization.</p> <p>I came home in December 2019, and like many people returning to their communities after incarceration, I faced the difficult reality of rebuilding my life from scratch.</p> <p>There was no safety net. No investors. No capital. No roadmap.</p> <p>But I made a choice:</p> <p>Instead of returning to the streets, I committed to</p>



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

Table with 4 columns and 1 row. The rightmost cell contains a long text block starting with 'building something legitimate' and ending with 'Thank you for listening, and for recognizing that equity requires action, not just intention.'