

February 5, 2026 CCB Meeting Transcript

My name is Jessica Garcia. I'm chair of the cannabis control board, recognizing that we have all of our board members present here in the meeting room, as well as in Buffalo, joining us virtually. I will call this meeting to order. Thank you all for being here today to join us. As is usual, our meetings are the record of our meetings. The transcripts are all on our website at cannabis.ny.gov. So after this meeting, you're able to access those materials there. Today's agenda is going to include a review and approval of the meeting minutes from our last meeting on December 18th. Consideration of adult use applications for approval. Consideration of adult-use license amendment request. Consideration of adult use applications for renewal, consideration of conditional adult use retail dispensary renewals, consideration of a conditional adult use retail, dispensary applicants for renewal acknowledging the SAPA compliance, consideration of don't use applications with provisional approval for final approval by the board, consideration of registered organization change in ownership, consideration of establishing amendment fees for certain types of amendments. Consideration of certain applications with non-viable locations requesting the board to determine whether granting the license would promote public convenience and advantage. Consideration administrative appeals and finally an update from the office of cannabis management. We will also include a public commenting portion of the meeting before we adjourn. The first order of business is to approve the meeting minutes December 18th. Could I have a motion to approve those minutes please? Second. Great. Her two seconds. Wonderful. Any discussion, changes, amendments? Hearing none, I call for a vote. All in favor of removing the minutes, we say aye. Motion carries. All right, and now we move on to the business. We are going to consider our first resolution, which I believe is resolution 2026-01 relating to the approval of adult use cannabis licenses. I'm gonna kick it over to Stephen Geskey to give us an overview.

Thank you, madam chair. Thank you madam chair, members of the board and public. Thank you so much. Before the board today is a cohort of 36 adult use cannabis applications that have cleared the licensing process. The 36 applicants include four cultivators, 17 retail dispensaries, 13 processors, and two final card licenses. If approved, this will bring the total number of adult use cannabis licensees to 2,110. In. I also want to take a brief moment to provide an update on the licensing review process, right, in terms of the November and December queues, right? Okay, so for the November queue, included 1,603 applications that were queued. 762 of those have been received final license from the board, but not all are yet operational. All right. Next up is we've got 236 have been. Issued provisional licenses which allow them some time to identify viable locations. Of course We have 215 applications that remain pending and that they can remain pending for lots of different reasons And their their applications are actively under review finally We have 390 of the november q applications have been closed Meaning they have been either denied withdrawn. It's avoided or otherwise Moving on next to the december queue includes a number of different queues. Well, the total queue quantity, 4,666 distinct applications. 2,704 of those are the retail dispensaries. 870 are micro, 131 cultivators, 87 processors and 170 distributors. And with respect to the applications before the board, there's only two that had some receipt for which we received some muni opinions, some negative municipal opinions. And those municipal opinions were based on proximity to libraries, which are not. That are protected or otherwise provided for under a statute. And there are no local laws governing that. So we do not see those as a material legal impediment to approving those to licenses for GAIA and HITE class. Any questions from the board?

Any questions from the board? Thank you, Steven. Hearing no questions from the board, can I have a motion to approve this resolution and these licenses? So moved, second.

Thank you. All in favor, please say aye. Carries. Thank you. The next order of business here is resolution number 2026-02, consideration of adult use license and permit amendment requests. And we're going to turn it over again.

To Mr. Geskey. Right, thank you very much. The cannabis law and regulations, of course, allow the board to authorize amendments to cannabis licensees. Via the amendment survey, we received requests for location changes, canopy changes, and processor type changes. A lot of the changes came from micros, and we are recommending approval, of course on all of these amendment changes. In total, there are 41 licensees that are requesting an amendment in one form or another. As a reminder to for all licensees, we can only process a member request via the amendment survey which is located on our website under the licensing tab email submissions of license or permit change request cannot be considered. And thank you very much and happy to answer any questions that the board may have.

Any questions? Hearing no questions, I'll call for a vote. All in favor, say aye, aye, aye the motion carries. Next up is resolution number 2026-03, consideration of adult use applications for renewal.

All right, thank you, Madam Chair. Now this is kind of the good stuff because now we're talking about renewals, right? And it's nice to be in a situation that let's start talking about the renewals. Pursuant to Article 4 of the Cannabis Law, all adult use licenses must renew their licenses every two years. And so this year, this is kinda the beginning of many different renewals for this year. A renewal application requires a licensee to submit a community impact. Uh plan details proof of valid labor peace agreement employee demographic wage and benefit information and proof of a notice to municipality form if applicable and require license renewal fee the 12 applications up for renewal today have completed these requirements um as a reminder for our licensees you must submit your renewal application no fewer than six days and no more in 120 days. Prior to your license expiration. A licensee who has submitted a timely and sufficient renewal application can continue to operate under an expired license through our State Administrative Procedure Act process until a decision is made by the board. And just a note for the chair and members of the public, the licensing team is actively reviewing all the renewals. And in the course of doing so, kind of a reminder for folks to, as they prepare the community impact plans to. I spend a particular attention to ensure that they're complete and sufficient and whatnot. We have seen some plans are a little bit more robust than others, and just kind of a reminder and request for folks to complete them with sufficient detail. Appreciate that.

Any questions from the board?

Just on the community impact plan for those that we are looking at that may be less robust. Are we working with them to help them better meet that requirement?

Yes, and so we've had some conversations and we'll be reaching out to folks whose community impact plans work less than, so to speak, and work with them to amplify some of the details. Great question, thank you. And will we provide a timeframe for which that should be completed? I think that that's a great point. Yeah, we'll clearly state when, you know.

Is that in the res....? absolutely. Is that in the resolution?

60 days.

So they'll have 60 days to update their community impact plans. Thank you. Any other questions from the board? Okay, hearing no questions, I'll call for a vote. All in favor? Aye. Resolution carries. Now onto resolution 2026-04, consideration of conditional adult use retail dispensary renewals.

Right. Thank you, Madam Chair. The conditional period for card licensees is four years. Like all other adult use licenses, the license must be renewed every two years. Part 116 outlines the requirements for the card license, including for renewal. The card included in the resolution today have submitted a renewal application to the office, including the required municipal notice in accordance with the cannabis law. The office is recommending the approval of the renewal for of 30 applications included in the board's packet. Any questions?

Any questions? I have a similar one just regarding the community impact plans. I assume the same process will be.

The community impact piece is kind of a global issue since that is a part of the application renewal process.

Seeing no other questions, I'll call for a vote. All in favor? Aye, Aye, motion carries. Next up is resolution number 2026-05, consideration of conditional adult use retail dispensary applicants for renewal, acknowledging SAFA compliance. Stephen's going to give us an overview first.

I appreciate the zeal. Thank you, Madam Chair. The two renewal matters before the board today are the result of an administrative issue within the office. The renewals were inadvertently routed through the licensing team without a formal vote by the board. They are presented here today for transparency and to ensure full legal approval. The office is recommending approval of these. What happened in this instance is both of these matters were applied timely. And there are some questions about the payment of them. And so we want to ensure that formal ratification of these protocols is complete. Thank you, and I can take any further questions.

And let me let me go ahead and get that motion to consider the second. Thank you so much. All right. Any questions from the board regarding this recommendation? All right, seeing no questions, I'll call for a vote, all in favor of approving the resolution. Aye, motion carries. Now consideration of resolution number 2026-06, consideration of adult use applications with provisional approval for final approval by the board. Can I have the motion to consider this resolution?

If you're the second, thank you.

Um, Mr. Geskey.

All right, thank you, madam chair. Pursuant to the authority delegated to the office by board resolution number 2024-68, the offices issued provisional approval to certain applicants for licensure identified in the resolution for the board. The three licenses, licensees before the board were inadvertently approved for final licensures, while a provisinal license was also issued by the office. They are presented here today to ensure transparency and to ensure full. Approval by the board. The office therefore recommends approval of those three licenses.

Any questions from the board? Hearing no questions, I'll call for a vote. All in favor signify by saying aye. And motion carries. Next up is resolution 2026-07, consideration of registered organization change of ownership. And now we're going to hear from Mr. McKeage.

Thank you, Madam Chair. Before the board today's resolution for a change in ownership for a registered organization license, VRIO Health New York LLC, this is not a transfer in the license, but rather just a change and ownership. So the controlling entity who owns 51% is changing to an entity called East Ventures. VRIO is currently licensed as a RAND or registered organization non-dispensing which allows the entity to participate in the adult use market and medical cannabis market but only at the wholesale level. VRIO currently has four medical dispensaries open and operational throughout the states. If approved uh the the new uh ownership structure this would be uh a considered a social and economic equity applicant uh as a minority owned business um and actually our first registered organization that is operational that would be considered uh as the applicant so a good milestone for that that program uh the office has reviewed materials check the tps and is recommending approval for the change in ownership.

Thank you. Any questions from the board? And I have a motion to consider and vote on this resolution. Thank you. All in favor signify by saying aye. All right, motion carries. Next up is resolution 2026-09, consideration of certain applications with non-viable locations, requesting the board determine whether granting the license would promote public convenience and advantage. Can I have a motion? Oh, did I skip one? All right, let me go back. Sorry, guys. I checked off too quickly on my list. Resolution 2026-08, consideration of establishing amendment fee's for certain amendments, Mr. McKeage. Oh, actually, can I have a motion to consider that resolution? Thank you. Mr. McKeage, to you.

Thank you, Madam Chair. Before the board today's resolution to establish an amendment fee schedule in the cannabis law, the board has the ability to establish amendment fees. This was previously waived or not set up early on in the program, but now we've kind of matured and we're starting to do renewals and proposing a structure for amendment fees for various types of amendments including ownership changes, location changes, adding a location, removing a location and changing authorized activity such as a processor changing from a type 2 processor to a type 1 processor or a cultivator changing their tier type. The fee structure that is in the resolution is not meant to be burdensome. It is really meant to just kind of add some intention to these amendments moving forward. The fees were also designed in a way where the ones that require a little bit more processing and work on the office side have a higher fee associated with them versus the ones that are easier to process and things like keeping your application up to date, contact information, stuff like that is there's no proposed fee for that because we want to encourage all licensees to keep that information as up-to-date as possible as we work with them throughout the licensure process. Lastly, I'll just mention that the application fees for the cannabis law are non-refundable, and the process would be very similar to the way the amendment process works now. We would still use the amendment survey on our website to intake these amendment requests. Upon completing that amendment survey, the office will reach out with the correct calculation of the amendment fee. And then that would all be part of the processing of the amendment before it goes to the board for consideration in the future.

Thank you. Any questions from the board.

Could you just give us some details on the levels of the fees?

Absolutely. So for an individual name change or DBA change, that is the same price that it costs at the Department of State, which is \$25. For ownership change, that is 49% or less. So someone's changing the TPI in the entity, but it's not changing the majority control. That proposed amendment is \$100 for a majority ownership change. Where you are changing the 51%, that amendment would have to come back before the board. That's a \$500 proposed amendment fee. For an authorized activity change. So the processor changing their processor type, that is a \$250. Similarly, a cultivation tier change is \$250 for our relocation and adding a location. Both of those fees are proposed at \$500 and then removing the location is at \$50.

How do these fees compare to fees other agencies charge?

We actually tried to keep them on the lower side and did some research looking out there comparing to what other states and agencies charge for these types of amendments trying to keep them in line and not burdensome on the licensee.

Any other questions? Seeing no questions, I'll call for a vote. All in favor, say aye. Aye. Motion carries. And now we already have a motion on resolution 2026-09 for the PCAs. I just need a second. Thank you very much and I will consider this PCA request.

Thank you, Madam Chair. Before we get into the details of, we just have one PCA on the agenda for today. A reminder that as of November 5th, the PCA regulations voted on by the board at the June meeting are now in effect. All right. So, but this kind of relates to the one of the old under the old law for this particular matter. Applicants that request to be considered for PCA from November 5th onward will be considered under the new regulations of course. The text of the new regulation are on our website. And now I'll provide a bit of an overview on this on this PCA request. This involves OCM retail 2023-001901, large leaf 618 LLC, Riverhead, Long Island. At 840 Old Country Road. Two couple different, couple of unique factors about this particular matter. One is regarding the market area there. It's good that there's more restrictive zoning, local zoning regulations on parts of Long Island. So that's one issue there. Another market related issue is that the closest dispensary to this proposed one is about two miles away. Okay. And a final note on just a general demographics is that current data suggests that certain that Long Island stores have higher general revenue than many stores throughout the state just given the scarcity perhaps of those particular things. Regarding another immaterial part for this of this one for the board. This one is kind of involved in a little bit of litigation. And so it was mentioned the restrictive zoning provisions. And so the office gave proximity protection to a different licensee some time back, but the town did not approve that location. And then the applicant requested the office to find whether or not the town's denial was unreasonably impracticable as the office is empowered to do under its regulations. The office in this board concluded that it was unreasonable impractical and litigation commenced. At this point, litigation continues on that between this other applicant and the town. It is my understanding that the town actually That the that the applicant may have one in the trial court, but the town is it's unpeeling So it's not a final decision here. So that is kind of part of the landscape here with respect to large leaf They would be too close so to speak and not have too close to the location that's kind of affected by the ongoing litigation, right? And so they're requesting this PCA request. At this point, given the status of the litigation and their pending request and the other market dynamics around Riverhead and the fact that Riverhead has approved this location, the office does not see

any substantive legal basis to- to potentially oppose this PCA. And I can take any and all questions from the board.

I'll open it up for questions, but just a point of clarification. The applicant that currently has the light, the impacted applicant in our review of this DCA request is not actually an applicant, they're a license, correct?

I'm sorry. Thank you for that. I appreciate that. They're already licensed and they're seeking this location. Apologies for the error.

Okay, so we have a license entity that is non-operational because of zoning rule.

The location issue

and they're in court. We have this applicant who wants to, I believe their request is to be located at 840 Old Country Road in Riverhead, which is approximately 405 feet away from that licensed entity that hasn't yet been able to open. So with that, I'll just open it up for questions and comments from the board.

Um, these are very close to each other and seem to be in the same neighborhood. Um, is there any and the town does not oppose the one that the applicant that suffer PCA today? Do we have any indication as to why they oppose the original one and are not opposing this given how close they are to each

Yeah, so that's a very good question. And the best answer to that is that the manner in which they enacted their local zoning rule regulations and laws and how they applied them to that application, right? So they reviewed their local zoning laws and deemed that it was impermissible. And otherwise, it's kind of an embroidered litigation. Can you talk a little bit about the market dynamics? As I mentioned a few moments ago, there are... This case signifies the. Local zoning regulations in that area that restricts. This opening of dispensaries. And in this particular matter, the closest dispensary is approximately two miles away. And we have approval or the town of Riverhead has approved the location of this other one. So there is really no market saturation. If anything, it kind of goes into the other direction in order to kind of a scarcity of the market in that area. Yes, please.

Interested in this, an illustration of the revenue difference that we're seeing in Long Island because of the scarcity issue relative to the rest of the state. The dispensaries in Long island are averaging about a 20 to 25 million dollar a year run rate, compared to the statewide average, which is less than four and a half million. So seeing about a 4x higher revenue rate in Long Island, partly because there's such few dispensary's. There is one seemingly quite successful Shinnecock Nation dispensary in Little Beach Harvest. And so that's been also picking up some of the demand, not regulated by us obviously. But because Big Island, a high spending consumer, the dispensaries that are operational, they have built a significant mode and capitalizing on it.

Thank you. I mean, the question raised by board member Usher is, I guess to me still doesn't, I don't, perhaps we don't have the right people at the table to answer it. Why the locality is approving this location, but not the other and has imposed local laws I have. You know, impeded their ability to open. But it's a question that we have and a concern that we had regarding the municipality in particular, given that they're so close to each other. Like these are, you know they're just down the street from each other, and so what distinguishes the blocks so sufficiently that the same zoning laws can't apply. So it's. That,

to me, is disconcerting on the part of the municipality and how they're behaving towards both applicants. Like I said, I don't think that's a question you can answer unless you have thoughts.

Yeah, it's my understanding is that the the large leaf location is on a on a more major street and it's my understanding of the local law of the zoning issue here, that that is a material difference in terms of their zoning laws and how they applied, interpreted and applied them to the situation. So the large leaf one was not violative, so to speak, of those zoning laws, whereas the one that's of the litigation, obviously the town viewed otherwise than it was.

Yeah, just sort of more of a comment. This one strikes me as having major factors on both sides. I feel like given that we as a board and agency have both determined that the zoning laws in question are unreasonable and impracticable, it's. It's hard to take the town's too much at the same time. Lack of dispensaries in the area is certainly a factor in favor of granting a PCA, because this is an underserved area in terms of actual cannabis availability, and I'll also point out that both the applicant and the one that hasn't been able to open are C applicants, so we do want to support that, but in this case, they're both C applicants. So it's unclear how that weighs in. So those are some of my thoughts about how we're gonna have to figure out how to balance those. Different interests, I think.

In a few minutes. Any other comments or questions from the board? Are we ready to vote on this matter? All right, resolution. 2026-09, reviewing the granting a license and a waiver to large leaf LLC. How do you vote, Board Member Usher?

I vote aye.

Board member Knight, Aye. Board member Crystal Rodriguez-Dabney. I vote I. And I will vote Aye. I so resolution carries the individual has a license and the waiver. Thank you. Resolution 2026-10 consideration to render a decision in the appeal matter, administrative appeal, Stonehenge, Smoke and Grow Inc versus OCM. Can I have a motion to consider the resolution? Second. Thank you. And we are now going to hear from counsel Celena Ditchchev on this appeal.

Good morning, board members. Good morning everyone. There are two administrative appeals before the board this morning. Both were filed pursuant to title nine New York code rules regulations section 133 25 subdivision K. The first one before the Board Stonehead smoke and grow. This was submitted following a hearing with the Office of Administrative hearings of following a regulatory inspection by our enforcement team. It was an unlicensed business. There was also an order to seal that was issued. This is the second time the matter is before the board because this is the 2nd appeal filed. The order to seal had already run 12 months and so the board had determined the appeal on that was moved. The appellant This time is the unlicensed. Business entities don't hold smoke stonehenge smoke and grow the appeal before the board today was submitted following a denial to the appellant's motion to dismiss it happened before there was a subsequent hearing with oah on the nov and the c-sorter as a result of that the alj had or deny the motion to dismiss. The question presented to the board today is whether the CCB has authority to review an administrative appeal that's submitted prior to a fact-finding hearing with OAH and prior to OAH issuing a final decision from that hearing. And a decision including findings of facts and conclusions of law. This is similar to a matter that was before the board in December. The recommendation before the Board, next slide, please. The recommendation before the board would be to deny the appellant's appeal and to

remand the matter back to OAH for further proceedings. The decision appellate appeals from is a non-final decision. There's been no hearing held and no factual findings or conclusions in law. The ALJ stated factual reasons or factual issues were raised in the appellant's motion itself and that necessitated a hearing. The appellant also raised specific factual questions, including whether or not their Fourth Amendment rights were violated and whether or the regulatory inspection conducted was lawful. That is all really dependent on fact finding and decisions that need to flow from a hearing. So based on all of that, the recommendation is for this board to deny this appeal and to remand it to the OAH for further proceedings and to do so without prejudice. So that if the appellant or any party chooses to appeal there after they can i'll take any questions

The recommendation makes a lot of sense to me. Any questions from the board? No questions. I'll just call for a vote on this recommendation to issue this decision all in favor of The recommendation signify by saying aye, aye, so it carries, so that's our decision there. Next up. We're gonna consider, sorry, it's on me. I thought you were already, I had given you the resolution number already. Considering resolution 2026-11, consideration on the, to render a decision in the appeal matter, administrative appeal, freeze ice cream novelties LLC versus OCM. And I have a. So moved, Take it away.

The appeal, this appeal matter was submitted following a regulatory inspection of an individual who actually holds a cannabinoid hemp license. After the hearing, the presiding administrative law judge found that the business had engaged in unlicensed activity due to products that were found during the inspection. Based on that, the ALJ issued or extended the order to seal that had been issued and impose a... A \$5,000 civil penalty. The questions raised on appeal from the appellant's exceptions include whether or not the ALJ erroneously included quote total THC and a percentage of the THCA when determining whether the products observed for sale were lawfully sold, whether there was sufficient evidence to support the findings that the appellant was properly served, and whether they engaged in unlicensed activity that was. More than a de minimis part of their business activity. The recommendation before the board today is to deny the appellant's appeal and to confirm the ALJ's decision. The decision is supported by a preponderance of the evidence and is in accordance with the law. The law and the regulations require that a portion of THCA be included when calculating the total Delta 9 THC. Using a defined conversion factor. And that definition and that conversion factor is in the cannabis law and it's echoed in our regulations as well. For that reason, appellant's arguments on exception misstate the cannabis' law and their arguments are without merit. For that reasons, the inclusion of THC is mandated and must be treated as a contributing factor. When determining Total Delta-9 THC for compliance and enforcement purposes. And that is really important when they are out there and they are looking at these products, particularly with an individual who holds a cannabinoid hemp license. The ALJ took that into consideration and used that to find conversion factor when making these determinations following a hearing, and a palant was arguing that was improper. And it is not improper because it is sourced directly back to our cannabis law. With respect to the appellant's other arguments, this board has time and time again found that you cannot raise an objection to service to a party other than yourself. What was served on the actual appellant was personal service. It was opposing at the premises. The appellants did not dispute that. They are arguing because it wasn't mailed to them in addition, that is not efficient. But in actuality, in administrative context, it was sufficient enough to provide notice, reasonable notice. The ALJ took that into consideration in addition to the fact that they were present, they were represented by council, and they had a meaningful opportunity to be heard. As far as the de minimis part of the business activity, the ALJ took time to consider the evidence, and they included it in their decision, which was that this

was a small shop. And there were hundreds of products and photographs that demonstrated and depicted all of that that was submitted into evidence by the appellee OCM. It should also be noted here that really why this is a recommendation denial as well to the appellence appeal is because this board is limited to determining an appeal based on the record on appeal. What was submitted to this board in no way demonstrated a basis to disturb the findings of the ALJ. I'll take any questions. I know that was a lot.

Very helpful, thank you. Any questions from the board? If there are no questions, I'll call for a vote. All in favor of approving this recommendation to deny the appeal and affirm the ALJ decision, signify by saying aye. Aye, Aye, Resolution carries thank you thank you so that concludes the portion of today's business and now we are going to move over to the office of cannabis management report to our acting director Susan Filburn.

Thank you, Madam Chair. Good morning and happy new year. Thank you for the opportunity to be here today. I wanna share several important updates beginning with some very good news from the governor's state of the state. Governor Hochul proposed two major initiatives that directly advanced New York's cannabis program and OCM's mission. The first is investing in equity across the cannabis supply chain. This initiative recognizes that equity does not end with licensing. It focuses on long-term business success by expanding access to capital, strengthening sustainability, and supporting growth across the entire supply chain. These efforts will further solidify New York as the most equitable cannabis market in the country, and our Chief Equity Officer, Simone Washington, will provide a more thorough update during her report. The second initiative is building a center of excellence for cannabis care and health equity. The first in the nation center will help. Reduce health disparities by training clinicians in cannabis pharmacology, evidence-based care, and patient counseling, topics that are rarely included in traditional medical education. Developed in partnerships with medical schools and residency programs, the center will ensure providers beyond medical dispensaries are equipped to counsel patients and manage ongoing care. Now turning to some program updates. Seed-to-sale implementation continues to progress well. The system is fully available to all active OCM licensees enabling end-to end inventory tracking and traceability. To date, 89% of licensees have been successfully credentialed. The seed-to sale system currently supports 13,214 industry users in New York. OCM continues to outreach to non-credential licensees to provide assistance. Total sales recorded in the Seed to Sales system have reached over \$210 million. The team is actively addressing and responding to all integration related inquiries and concerns. For any support issues, users are directed to submit a ticket to metric and all escalations and inquiries can be directed to seedtosaleatocm.ny.gov. Now I'd like to pass along that OCM is taking a close look at the supply side as we plan for 2026. We have heard your concerns and are taking them very seriously. John Kagia and the policy team are actively reviewing capacity across the state and we appreciate the information many of you have shared. We anticipate having an update to share regarding canopy expansion and cultivation licenses in March. Some good news regarding OCM technology. I'm excited to tell you OCM is working with ITS on acquiring a customer relationship management system to replace the cannabis licensing system. This will greatly improve efficiency and service across the agency from licensing to compliance and enforcement. The procurement process is moving forward and we hope to share some positive news by March. Next, OCM was conducting a concept comprehensive review of the adult use regulations this year. We know that stakeholder input is critical to this process. We are planning round tables in April, two upstate, Buffalo and Hudson Valley, two downstate, Brooklyn and Manhattan, and one virtual session. We encourage you to participate and bring the issues you believe need attention. Please watch your email. Additional details will be shared soon. Regarding the licensing cues, we

continue to make progress through the November applications. The December retail dispensary applications that applied remain paused due to ongoing litigation and a court ordered injunction. We will continue to provide updates as soon as we are able. On the school proximity issue, OCM continues to work closely with the governor's office and the legislature, and we are hopeful for a resolution by mid February. Please be on the lookout for communications from the office. In closing, I encourage you to review the annual reports now available on our website, including reports for the agency, the C program, enforcement, and the CGRF grant program. 2025 was a very busy year, and I'm incredibly proud of the OCM staff and their dedication. I look forward to what OCM can accomplish this year. We remain focused on expanding licensing and market access for equity entrepreneurs, strengthening compliance, enforcement statewide and expanding consumer education to promote safer cannabis used to build a safe, sustainable, and well-regulated market for New York. Thank you. I will now pass it for the market update to Joan Kagia.

Thanks very much, Sue. 2025 really was a very busy year. And that's really reflected in our revenue numbers coming into the end of the year. By the end the year, we had driven \$1.7 billion in sales, 1.69 Specifically, through the adult use market, a couple hundred million more through the medical market. So we're nearly a \$2 billion market in New York and growing fast. So far this year, just through the first three weeks of January, we are already at \$127 million, which, to kind of put that in context, we've sold more cannabis in the first three weeks in 2026, as we sold in all of 2023. A reflection of the real momentum driving this program, and I think it portends really well the year ahead, particularly given that January January is going to be a slow year for sales. A slow month for sales. So this is a very, very positive momentum going into the year ahead. Through 2026, we're seeing about a \$60 million per quarter increase in our sales. And I suspect we're gonna see even higher numbers than that coming into Q1 of 2026. Drilling down a little bit at the regional level. All regions saw some increase in sales, but we saw some real differences in where expansion in this market is happening. And I'll call out a couple of markets where if you compare the total sales in 2024 against the total in 2020, you had regions like the Bronx, which saw a 400% increase in sales. Brooklyn, nearly 250%. Staten Island, 150%. Finger Lakes and Mid-Hudson, both around 140 percent. These were the regions where it was a bit of underservice, there's been strong consumer interest, and as we've been able to get more stores open in those CSD regions, we've seen real positive adoption, very strong consumer response. From a pure kind of dollars standpoint, Mid Hudson led in growth, picked up \$130 million more in 2025 than they did in 2026. Manhattan at \$118 million, Brooklyn roughly the same \$116 million and then the capital district of \$100 million, which I think is important to understand because these are both real dollars going to neighborhood businesses, but it's also tax revenue being generated for communities. We're watching the macroeconomic climate very closely and we understand that for communities, these tax policies are going to be very positively impacted. So, you know, we're going to be tracking this closely, not just to understand how it's impacting the growth of our regulated businesses, but also what it means at the community level for the types of tax dollars the communities where these businesses are based are able generated. I wanted to give a shout out to the licensing team for the pace at which they've been able to support new store openings through 2025 coming into 2026. So, you know, in 2023, we were opening a little less than one store quarter. There were injunctions that the market was just getting started by 2024 that had grown to about four, four and a half stores per quarter. By last year, we went up to five and a half stores per quarter, which meant that we opened 33 stores in 2023, 227 in 2024, 287 last year and we've already opened 18 stores this year. So, 582 stores open in the state. That's deep regional access now that we're starting to build. I think we've kind of broken some key thresholds for consumer access, which is

really exciting. The market's getting more competitive, which we had always anticipated would happen. Certainly still quite a lot more demand to serve as we continue to grow, but a phenomenal pace that we have come out of 2025 going to 2026, and we're going to be looking at the compliance and licensing teams to continue the great momentum that they have built and all of the entrepreneurs who are building, who are working to expand this market too. Also wanted to provide a bit of a snapshot on the next slide on how revenue is growing between stores that have been open for longer. So folks who were open pre 2025 versus those who opened in 2025. So looking at the revenue data for The monthly revenue data port 2025 for full calendar year, we saw that the stores that opened in the beginning of 2025 accounted for less than 10% of the revenue, the total revenue for the year for that for that respective month. By the end, by the time we got to the end of the year, the stores that opened in 2025 accounted for 40% of revenue that we generated that point. Part of what this is telling us is the new stores that are open are picking up quite quickly. You know, I think We've kind of crossed the threshold of the consumer adoption curve. Consumers are more knowledgeable about the legal market. They're more familiar with the products on the market. They may have already started purchasing in the legal markets and are now transitioning to the new stores, so their spending has been transferred already. I think a really positive sign for the consumer adoptive curve and the rate at which, as we open more stores, those stores are going to be attracting more consumers Listen to the mark. Like I said, still a lot of work to be done, there's a lot of parts of the state that still don't have operational retailers. We've talked about Long Island being a good example of where we think there remains some significant untapped demand, but a positive sign of how consumers are responding to the equal market critically, partly because the kind of product mix and the product affordability have also changed significantly. So speaking... Uh thinking specifically around product affordability um i i want to show how product prices have trended um over the last couple of years so at the beginning of 2024 the average price if you looked across our entire product portfolio the average price um of a product in New York's legal market was roughly \$39, \$39.34. By the end of 2025, by the fourth quarter of 2025 that had fallen to \$31.65, \$31 dollars and 65. So about a 20% decrease in the average retail price. That's important because the legal market had, at the beginning of this market, been significantly more expensive than unregulated markets, part of the reason we were having such a significant challenge competing against the unlicensed stores. They were just significantly cheaper. This price compression, which is totally normal and happens in regulated markets, it's happened in every single legal market in the country, is partly a reflection of increased market efficiency. You know, producers are growing and producing cannabis more efficiently, which helps them contain the costs. Partly a reflection of increased competition between brands at the product level, between retailers at the storefront level. And that's leading to improved affordability for our consumers. It is worth noting, even as we have seen this 20% decline in prices over the last couple of years, New York's average price is still significantly higher than the national average. And that is important to understand. We are observing some of our regional neighbors where the average price of an 8th has fallen from \$50 to \$14 in a couple of years. Part of why we're trying to be so deliberate and intentional about our approach to cultivation licensing, how we grow the supply chain, is because one common characteristics of across the markets where you've seen the most significant discussion is over-licensing. Over-licensing of the supply side, which means that cultivators in particular are fire-sailing the product. It crashes prices and then has all of these knock-on effects. You have businesses going up very have failure businesses to pay their tax revenues and we've seen delinquencies in the billions of dollars now across the country. So you know the cascading impacts of over-licensing are real. We do think there is a measured approach by which you can, using the data that we're collecting now, very excited to have the seat-to-sale data to amplify what we know about the market. But we

think there's approach where you can groove the market both aggressively but responsibly to try and mitigate that flash crash that has so acutely impacted other markets. And so we'll be talking a little bit more about this as we get into the market board meeting and look forward to sharing our analysis and recommendations there. But I think New York has done a robust job so far. Having a more measured kind of price compression. It's, yes, a competitive market, products are more affordable, but we have been able to stem so far the risk of that very aggressive price decline that makes it hard for folks to remain in business. And then maybe a quick final snapshot here about products as well. Comparing our product mix. So what the share of the baskets, what the shared products being sold was in 2024 against 2025. A couple of things jumped out at me. So if you look at the two bars on the left and the right, comparing kind of the share of each product category, there's very little movement between the two years. Flour was 34% in 2024, 35% in 2026, in 2025. Bainspens, 27% in 24, 26% in 25. And the rest of the categories, you know, you had one or two percentage point differences. That to me suggests consumers kind of know what they're in. Preferences are kind of locked in. They're buying a lot more product from the legal market, but you're not seeing these dramatic shifts in new categories emerging and consumers shifting there. I will continue to monitor this, and I think there's still room for some movement here. But at least between 2024 and 2025, preferences in terms of what folks were going to buy from our stores remain relatively steady. What is different, though, is the volume of products that we moved across different categories and how much prices changed across these categories. And just a couple of examples here to call out. The number of pre-rolls we sold grew 120% between the two years, but the prices of pre rolls fell about 11%. Um, beverages grew by 167% between the two years, really strong demand. That's nearly a doubling, nearly a tripling in sales. Um, and the prices of beverages fell over 20%. Beverages saw some of the most aggressive price compression as a category. Uh, constant growth also above 120%. So. You know, some of the increase in volume of these products being sold through was offset by the decline in prices of those parts. But made a little bit less money per unit because those prices came down. And these are some of the dynamics that I think are going to be important for both producers and retailers to understand as this market grows and as we continue to serve consumers. With products that they're most interested in meeting their respective needs. So this is just a teaser, a taster of some of the kind of data we're digging into to try and inform the market. We're really looking forward to the depth of insight we'll be able to capture through the seed to sale system. But I'll just close with, you know, this is... Still the early stages, the early innings of this market and we expect that we will continue to see quite a lot of dynamism in the year ahead. Just a final thing for me on the policy side, we are want to remind all of our licensees about the workforce composition survey which is going to be open until February 13th. This is to understand the makeup of your organizations. We're really keen to understand what the cannabis workforce looks like at the beginning of this year. This is really, I think, a valuable insight into the impact that cannabis is having on the New York economy and on the workforce at a time that we're seeing the labor economy struggle in many other sectors of the economy. So please be sure participate and submit your your surveys by February 13th. I have to take any questions or turn it over to Simone.

Questions from the board?

Just one on the the regional analysis Queens kind of stood out as a place where there wasn't significant growth and Just specifically about Queens, but more generally for regions that might be not experiencing as much growth is there Understanding of why that may be Queen strikes me also is one that should be growing because they're right next to Long Island Where there's a lack of supply, so I'm curious

Sorry, just a very quick announcement from security. If anyone has a gray Nissan, it was left running out front. License plate, LUF7198, New York plate. It's in the garage. And it sounds like it's an urgent matter. It's got a, grey Nissan LUF 7198 New York Place.

The market updates is captivating, but please don't leave everything in the closet. Great question, board member Usher. So why did some regions see perhaps less aggressive growth than others? I think a couple of reasons we're seeing there. One was a couple these were regions where the initial growth was really aggressive. So they had a burst of stores open in 2024 and not that much change in 2025. So progress is a little bit slower. Two, it doesn't appear that there's that much. Drift between Long Island and Queens for the legal dispensaries. I think consumers are staying somewhat local to Long Island to make their purchases, so across the handful of dispensary that are already on the island and doing very well, maybe purchasing from the from the Shinnecock Nation dispensary that's also operational on the Island. We had thought that there'd be more kind of northern bound traffic coming in from Long Island into Queens to buy, we haven't necessarily seen that. And then I think in the Bronx specifically, we've seen, in Queens in the Bronx, we have seen a slower, open rate of the operators that are there. We need to dig into more to why that is, why they've been slower to post licensure, get their doors operational. But I think, you know, the combination of having a strong 2024 and a more incremental 2025 may be part of the reason why that year on year difference wasn't as robust as it was in other jurisdictions like Brooklyn. My neighborhood, I think, being an illustrative example, I We had three dispensaries in 2024. I think we've got seven now. It's been a really strong uptake there.

I have a question around saturation. A lot of there's been a few community boards, particularly in New York City, who have sent us comments indicating concerns around saturation for their community board regions. And I am curious how you're thinking about that. What is that point of saturation, particularly when we're looking at the boundaries of a community board? And if you can help us be able to answer those questions to community boards a little bit more concretely at what point is too many.

That's fair, and I think it is going to vary a little bit based on each community board and each municipality's policy. I will say a couple of things though. Based on the way demand is growing in the state, I think we still have a lot more room for upside growth. The fact that we continue to have kind of robust enforcement activity against unregulated dispensaries, and shout out to Dan and his team for being as aggressive as they've been, but reflects that there's a lot of demand that is not being served by the legal market that remains unaddressed. Two, I'd also say that It's worth our community's understanding that restricting legal cannabis businesses does not restrict cannabis. And I think that's an important thing, both for the opt-out communities to understand and for the community boards that are looking to curtail the number of legal stores, because if there are operational unlicensed dispensaries in operating in those jurisdictions, those are part of their community demand. And so what we're trying to do is replace the unregulated operators with legal operators who are based in their communities. Some of the considerations we're going to be looking at are data around things like price compression and revenue compression. You know, we think there's room for very healthy competition, but we certainly don't want this to get to a point where it is a race to the bottom and in a way that would create a lot of negative externalities, a lot of destabilizing effects for the communities, for the businesses in those communities and for the supply. I don't think we're quite there yet. And I can understand that folks are paying very close attention to that. But this is all part of the milieu of data that we're gonna be kind of working through as we prepare for the March board meeting with our assessment of what saturation looks like

in a market that is maturing. All that said, I think it is also worth our retailers understanding that this is going to be a robustly competitive market. You know, the idea was never to build moats around regulated operators, it was to create a fair and healthy competitive market the way we see in every other aspect of our economy. And so we do have a public interest, we do have a Public Health interest to do this in a kind of thoughtful, well-analyzed way. But this is business and this was always going to be a competitive business.

Thank you. One other question I have for you. I've noticed in past I believe it was trying to remember when your report was there was a report you gave early in 2025 where you indicated some early concerns around market dominant dominance for processors. We haven't gotten an update from you regarding that you know in a bit obviously you were away. But I'm curious how you're tracking that and if we can possibly get a report on what that's looking like to make sure that we, as we're looking at regulatory amendments, we can consider how we can ensure that we're not creating market dominance in that area.

Certainly, kind of the balance of the supply chain is certainly something that we are thinking deeply about. I would like to kind of present a more formal report on that once we have the data. Sea to sail is going to be game changing in our ability to track this in a much more kind of robust and insightful way. You know, we are seeing, I think, the concerns of There being some leading players in the market who are of course securing a lot of shelf space, I think persist But you know, I I think we also still in the relatively early stages of a market that's growing very quickly consumer preferences that the share of Product categories may not be changing much but brand preferences are evolving. So, you know a couple of thoughts at one having the seat to sale data will enable us to track this more robustly. Two, we want to make sure that on the compliance side that folks are coloring within the lines, not using kind of undue incentives to secure shelf space and secure share consumer wallet. But I think we'll present more on that as we go into March and subsequent board meetings.

Anything else?

Um, before I start, I just want to extend a deep debt of gratitude to the C team. We often in this audience don't see the team behind the work. In the seven months that I've been here, this team has really rolled up its sleeves and done the homework, as one person characterized it, to really get a sense of what does this market need to actually be equitable. And so you may not see in these meetings or in real time the fruits of our labor, but I just want to assure you, I have a hell of a team that's really doing the work. And so I just wanna say thank you. Also to the licensees who happen to be classified as equity and also applicants, again, we are working really, really hard across the agency to make sure that equity remains the cornerstone of this market. It is heavy work. It is not easy work. I just want to assure you we are doing the work. And so with that, I'll jump into the regular update around C. For the licenses, the adult use licenses issued today, you will see a common trend in our distressed farmers, service disabled veterans, and CPDs. We are still lacking. Again, the team and I are out on the street talking to licensees, also looking at the data to figure out why does this remain a consistent lack. The majority of the businesses fall within the minority-owned business category and or the women-owned businesses category at 39 and 33% respectively. For overall, next slide, please. We're still doing good in terms of the number of seed licenses in the market. It's roughly 57%, which exceeds our goal of 50%. Again, that trend still remains true overall. Most of the licenses are either classified as minority-owned businesses, women-owned business, with in the CDI Services Able Veteran and Distressed Farmer Area. More broadly, across the supply

chain, in terms of licensing types, it goes without saying that the vast majority of C licensees happen to be adult-use retail dispenser licensees, followed by adult-use micro-businesses at 59%, and then somewhat equally distributed adult-used cultivators, processes, and distributors fall within that mid-range of 40%. I want to be very clear, and I've said this in previous meetings, but I think it bears reiterating. These numbers are just a preface of a larger story, right? If we're tracking equity solely based on outputs, then we're not doing a good job and making sure that people moved into this industry actually have a fair shot to be competitive. And so part of the work that the C team is leading right now is looking at not just the supply chain, but the value chain. We recognize that equity applicants are coming in primarily at a disadvantage, right, you don't have access to investors. Or wealthy friends and family. And so how do we start to help you add value to your businesses in a way that gives you a leg up? And so that's really going to be the crux of the work of the C team moving forward in 2026 and beyond. And so what I want to share with you rather quickly, next slide please, is kind of the first swipe at the culmination of our work. Like I said, we've been out talking to you all, we've looked at the data and what I've tried to do here having worked in philanthropy before. Is get a framework that articulates the theory of change. If we do this, then X will happen. And so looking at the MRTA, looking at previous programs and talking to you all, I tried to condense this in a way that will signal to you where we'll be focusing our work. And so this is the C framework. At the heart of everything we do is really around markets and market and business development. John's job with policy does a wonderful job looking at the market. My team really is looking at business development aspect of things. No two businesses are alike and so there needs to be a suite of services to meet people at all levels of the business development lifecycle and so we're really again trying to peel back the layers of the onion to figure out what do you need to thrive. And then at the bottom of this is at the heart of who we are is in the MRTA is the restorative and social justice piece. The restorative piece it goes without saying Rockefeller drug law, stop and frisk, over policing, divestment from communities. Those communities have been ravaged right and part of the MRTA's purpose was to reinvest in those communities and so we want to make sure that whatever we're doing actually has that restorative justice element to it um and then the social justice piece um this is this is a personal value for me we will never make a decision about what happens in this industry as it pertains to equity without first talking to the people who are most affected and so you will see a whole lot more of me and my team out on the streets talking to you trying to figure out how do we create more resonant and relevant programming so that it actually turns the tide in the market and creates an edible market. Sandwiching between all of this really, again, gets at what the programming will look like. One of the things that I'm hearing loud and clear, not just in this market, I've talked to people in other jurisdictions, is just simple access to capital. If you had an expungement and now you're stepping into this business nine times out of ten, you don't have the capital to sustain yourself. We're also hearing loud, and clear that the gap between licensure and being operational is also creating a financial burden. So how do we start to help meet you at at me. And so we're thinking through ways and programming of what that might look like. We did a grant program last year. We're gonna re-up that. We're thinking about some more broad, robust programming. The second pillar is incubator services. Now, I just wanna iterate. Capital access and incubator service are clearly articulated in the MRTA. And so what the team has tried to do is really be strict instructions around what the MRT calls for in terms of equity. So incubating services, it's really what are those different touch points a business would need to thrive, whether it is legal services, accounting services, even things as simple as mentorship and peer networking. And so how do we start to corral all of the players and all the resources and give a more coordinated approach to providing these services to licensees? The third pill, and this is the one I think is at the hallmark of anything that you do when you're talking about equity

and that's community engagement. We have to talk to you all to understand what the needs are. We have done one-off roundtables. We have had webinars. How do you do that in a more strategic way? And so the team and I will give out a cadre or a suite of ways that you all can interact with us and we can interact you, and we do this in partnership with you. And then the last bucket is, as a result of my role being augmented, it's not just market-facing, but also internal-facing to the agency. And the impetus for that is how we make decisions has a direct impact on how you direct impact remarking how you experience things as business owners. And so part of my job will be to work closely with the leadership team and the board to make sure that we're applying an equity lens to everything that we do. Equity is not just a set of outcomes, it is a practice. And so my job is to help us actually cultivate the muscle to use that practice. Then lastly, internal equity is your more classic diversity equity inclusion from an organizational standpoint. Are employees at OCM really thriving? Are they able to live out the mandate of the MRT in real time. Do we have an office culture that reflects the language or the intent of the MRTA? And so we're really looking at this, not just from a programmatic standpoint, but holistically. And so I will close by one saying thank you to Governor Holt for restricting the importance of the social equity work. This is not just something that we talk about. This has to be something that live in real time, and it shows up in the results of the market. And so, we'll have a real time indicator as to where we need to make pivots and the ranges are leaning, I'll pull out. And so this is serious business. I know for me coming into this role, again, I've only been here for seven months. The first seven months were just kind of a preface, right? How do we start to analyze the data, talk to people, understand what we need to do? 2026 is really putting rubber on the road. And we really wanna make sure that we're delivering programs that, again are effective, resonant, and relevant. And so I'll pause there for questions.

Just a deep thank you, gratitude for all this work that you've been doing to understand our New York State market and our applicants, our C applicants and the programs that you and your team are putting together. Really excited for what's coming. Any other comments or questions? Thank you. Is that is that it? Any final comments from. All right. Thank you so much. That was a rich report. So that does conclude the portion of the meeting or the business part of the meaning. Now we're gonna open it up for public comment. So thank you to all the members of the OCM team. As a reminder, we're not going to be answering any questions during this portion of the meeting. We welcome any member of the public to take this opportunity to share your thoughts. You will each have two minutes to speak on the agenda items. And note that if you submitted comments electronically, they will also be captured in our meeting minutes. I believe we have a clock and I'm just curious the orientation, where's the public commenting might going to be. It's going to be to my left. And the clock, will they be able to see it? Thank you. We have one in front of you, so you can see the time slot. Great. So there was a time clock behind me that you should be mindful of. And we are going to start with Buffalo, actually. So never mind the instructions on the clock. But hopefully, you have your own there. We have three speakers from Buffalo. We will start with Elijah Thornton, then followed by Jackie Pacari, and concluding with Thomas Spanos. Go Mr Thornton whenever you're ready.

Thank you very much.

Elijah's getting ready to start. Just testing, just making sure everyone can hear me.

We have a hard time hearing you right now. If you could speak a little bit closer to the mic.

Thank you very much. Can you hear me better from here? You need to speak up too. Sorry, can you hear better? Sorry for my voice. I'll try to speak out. My name is Elijah. I'm from here from Buffalo, New York and work in the medical cannabis space.

I hate to interrupt you, but it's really hard to hear you.

Um, so yeah, so I work in the medical cannabis space, um, and I just wanted to try and bring a little bit awareness to, um as we talk about the businesses and the companies and social equity in that sense, but I also wanted to kind of bring a bit of awareness for the backbone of these companies and these businesses.

Mr. Thornton, I'm sorry, we still can't hear you. Can we resolve the mic issue and maybe we'll take a speaker from New York City while we.

Let's move it. Jessica, are you able to hear me from here? Yes.

I think it's a loudness issue and just being it's I can hear you at the beginning, Mr. Thornton, but then you fade out as you go on. So really project.

Yeah, so speak as loud as I'm speaking.

Feel free to yell, we won't be offended.

How's this? Can you hear me? Is that okay? Yeah, keep it up. Is that better? Keep it up! Okay, all right, I'm trying my best, sorry. So again, my name is Elijah. I work in the medical cannabis space. As we talk about like businesses and companies and equity in that sense, I just wanted to kind of bring awareness to the people who make up the backbone of that. You know, I've experienced a lot of stories and a lot of situations of the... Employees and the individuals who are supposed to be the backbone of this business experiencing a lot of the different social inequity or just different experiences showing up to work to find that they don't have a job anymore, you know, different racial remarks and things that are happening at a ground level. And so I guess I just kind of wanted to bring awareness to that, to making sure that there are still opportunities for those people. As all this income and business and revenue comes in and we notice that the wages for the jobs are going down, but we're also bringing in all this revenue, we want to make sure that it's fair for the employees and that people who work in this industry have a fair chance and kind of a fair opportunity. So I just wanted to bring awareness to that, to the fact that these things are still going on at a ground level. You know, gatekeeping for people of color is still going at a grand level. And that's still happening and that we just need to make sure that we're still keeping in mind the backbone without the employees, without the people, without their morale, without their mental health. We don't have anything. So I just want to make that that's brought to someone's attention. And that is all I want to say. Thank you.

Thank you so much. Next up is Jackie Pacari.

Okay. All right. Can you guys hear me? All right. My name is Jck Prakari. I just wanted to give my two cents on everything going in the market. I love the overview today and our discussion kind of just echoing Elijah. I want to see cannabis industry that also gives opportunities for patients too. So I love to see the The medical cannabis center I want to see more ways that we can get patients, people who are personally touched by this plant into the market, into the industry, becoming thought leaders and getting so many New Yorkers that are already a part of this in one way or another really to contribute

meaningfully to the industry. On top of that, I think... Yeah, like, I also worked in a dispensary on the adult use side. And I definitely can attest to a lot of the things that Elijah was saying, you know, kind of just having my hours go down each week. You know, we all have families to support and so that it's important that we are honest with the workers of these dispensaries that we're involving our community and we're making it the most meaningful cannabis industry this can be because New York is poised to really claim this opportunity in a way unlike any other state. So I just want to see more medical patients involved whether that's in the medical industry or in the adult use side. I just can't wait to more about you know, the research centers and what we're going to be doing there. Great work on everything else, everyone. Thank you for your presence today.

Thank you for your comments. Next is Thomas Spanos.

Thank you, can you hear me? Great, thank you. Good afternoon board members. Thank you for the opportunity to speak. My name is Thomas Spanos. I'm a cannabis attorney. I'm also a part owner and a licensed processor and I'm the CDI. I'm from Jamestown. In your cannabis regulations, section 124.1 G, it says a nursery cultivator, processor, micro business, cooperative distributor or rod or rod may provide free samples of cannabis products to negotiate a sale. To a retail dispensary or on-site consumption licensee premises that does not currently carry the cannabis product being sampled. The regulations even lay out the process for this. The samples are physically marked, the samples are electronically marked, a manifest is created, the retailer receives the samples, the retailer puts them into their system, and then they're free to try them to decide if they want to buy. This is exactly what we've been doing for the last year, and that's been the I know it since we started the market. Unfortunately, last week, the office decided that as we implement metric, those words don't mean what they say and only distributors are actually allowed to take part in this process. I'm not here to ask you to change this because we can't compete with bigger companies that just shower dispensaries and samples, regardless, but this highlights the larger problem that we, the regulated people here in New York, face. We have no way to predict how decisions by OCM are going to be made. We can't count on the language of the MRTA. We can count on the language in the regulations. We cannot count on prior practice. We can not count on The State Administrative Procedure Act for us to all have a discussion about these things. I can substantiate all of those, but not in two minutes. The uncertainty that this creates only makes it harder, more costly, and more time consuming for your licensed operators to be a part of this market. The only people this helps are the companies big enough to already ignore enforcement risk and the companies that are not even getting licensed in the first place, the illegal operators that we still haven't gotten rid of in this state. I'm thrilled to hear that we're going to be having roundtables and that there's going to be a regulatory overhaul of this stuff. We need consistency if we want this market to thrive. And right now... We just want, I would recommend, it's not going to help me, it is too little too late for us, but I recommend the office pause metric implementation so other businesses don't get crushed in these tiny wrinkles in the regulations and implementation of this system. Thank you very much for your time.

Thank you. We are now going to move to comments here in New York City. We have the first two speakers, Jeffrey Hoffman, followed by Emil Hahn.

Good afternoon, my name is Jeffrey Hoffman. I'm an attorney here in New York City. First, I wanna thank the board on behalf of my clients, some of whom are in the room today that you issued licenses to, much appreciated for that. There is one of my client who did not get a license today and I get that there's some difficulty about that, the great Shanduke

McFadder, who is a card nonprofit. There's been variety of issues that we've been dealing with him over the past four years. My understanding is that the board had to have his application held back until the March meeting because you didn't get it within two weeks of when you needed to review it. Please, please, please between now and the March meeting, review Mr. McFadder's application. We would greatly, greatly appreciate it. I want to make a comment about the Community Reinvestment Fund. We very much believe that the organizations that have received funds under that. Deserved them. That is not my issue. My issue is that I do think if you look at the list of things in the law, and there is the wonderful including but not limited to language there, which means you can basically fund whatever you want to fund. But really those funds need to go to help folks that were impacted by anti cannabis enforcement. That was the purpose of the law. That's the purpose of regulations. And I understand there's some complexities related to all this, but I would encourage us in the future to really look at. Are these funds going to help folks that were impacted by anti-cannabis enforcement? Last, those of you that have been following at home for a little while know that we wrote a bill with Assemblymember Kellis called the Indo-Cannabinoid System Awareness Program. I am heartened that that has been taken up by the governor. I saw Ms. Davis in the room somewhere earlier. I don't know if she's still here. She's right there. We would love to work with the governor's office. I know Dr. Chin and some other to OCM. We're going to have a big discussion with some assembly members. We would love to work with the governor's office to make sure that this center really brings the excellence in medical cannabis to New York. Thank you very much.

Thank you, Emile Hahn, followed by Osbert Arduña. We don't have a meal, then Mr. Orduña.

Good afternoon, my name is Osbert Urduña. I'm the CEO of the Cannabis Place Dispensary in Queens. I'm a service disabled veteran, a U.S. Marine Corps combat veteran and a 9-11 first responder. I'm standing here before you today because despite my team submitting a timely renewal and receiving explicit confirmation from your staff that our packet was complete, license OCM card 24-00080 has been scrub from today's agenda without any prior communication. Our license expires on February 12th. That is in exactly seven days. Without a timely resolution, my bank will freeze my account. My employees risk their employment, not to mention that my landlord has the right to padlock my store on February 13th, since SAPA does not apply to my landlord or to the bank. In the Marine Corps, leadership is a burden that we accept without complaint. Today, I carry the survival of 30 employees, 30 families who rely on their jobs to put food on their tables and to keep a roof over their heads. I have done my duty, I have paid my taxes, I had followed every one of your single rules, but it is impossible for me to lead my troops when this agency commits such a gross dereliction of duty. This is not a clerical error, this is a systemic failure of your leadership. I want to be very clear about what this feels like to a combat veteran. When you threaten to destroy a veteran's life work through administrative incompetence, you are not just hurting a business, you are dismantling the stability we fought to after returning home from war. I ask you to look at me right now. Does the OCM want to become the next Department of Veterans Affairs? We all know the tragic story of the VA. We know the stories of veterans pushed so far past the breaking point by a broken and indifferent bureaucracy that they felt their only option was a final desperate act in a parking lot just to be heard. Do you want to see and smell brain matter splatter before you actually take responsibility for your actions? Is that what needs to happen for you to do your damn jobs correctly? My failure, my failing to execute your basic administrative functions, you are recreating that exact environment of hopelessness. For me as a combat veteran with PTSD, this is a triggering event, and you are betraying the very people this law was promised to elevate.

Thank you, sir.

Let the record show if my business shuts down on February 12th because of this agency's negligence. I will hold each and every one of you liable for the loss of revenue and the impact that it has on our business and our employees.

Sir. Times up.

Do not end this meeting agenda without doing your job.

Please submit your comments electronically. Thank you, Jesse O'Neill, followed by Skyla Shredder.

Thank you for your time, everyone. My name is Jesse O'Neill of Buddies LLC, and that's OCM card P 000030. I last appeared before your board in May to tell you that my proximity approval to my beautiful storefront in Williamsburg had been revoked without explanation, and this was four months after I was approved and I committed to an 11-year, five million dollar lease. During that meeting, my plea for justice fell on deaf ears, and I filed an Article 78 lawsuit against OCM, alleging that it acted arbitrarily and capriciously in rescinding the approval. That case has now been adjourned three times by the attorney general. So we're talking about nine months, and the state hasn't come to me with a solution. The only solution is to put me back on the map and let me operate. Meanwhile, a competitor... That was taken off the map before I was approved, was indeed put back on the map and opened about 500 feet away, a little less. There they opened last month; they're currently you know, eating or lunch to the tune of hundreds of thousands of dollars a month and lost revenue. I know I'm not the only cardholder whose location was approved and then revoked improperly after they made a huge investment, so I'm here today. To implore the leadership, Chairwoman Garcia and Director Filburn, you know, to take another look at this and restore Buddy's location at 589 Metropolitan Avenue in Brooklyn. I've been grateful for the opportunity to be a cardholder, but I've been working on this for three years now, and it seems like at every juncture, thwarted in, you know, trying to open up. I'm striving to be as compliant as possible and a shining example of community in my neighborhood. So I just urge you to please take a closer look at this and right this wrong. It's been tied up in the courts now for almost a year. Thanks again.

Skylight Shredder, followed by David Fetter.

Good afternoon. My name is Skyla Schroeder. I'm one of the owners and founders of Lotus Works Wellness, a licensed micro-business. As a first cohort CCTM graduate and social equity licensee, Lotus Works was the very first micro-business dispensary to open in the entire state of New York in July, 2024, in Beacon, New York, up in the Hudson Valley. I'm here today because there is an urgent need for a focused policy conversation around the micro-business license. Simply put, this license type was designed differently, yet in practice, micro-businesses are largely held to regulatory processes built for non-vertically integrated operators or large-scale vertically integrated ROs. While the micro-business license is defined as unique and distinct, the policy framework governing it does not reflect how micro-businesses are actually designed to operate under the regulations. From the beginning, we've been navigating how to make our business viable and sustainable while operating in good faith and remaining fully compliant within the existing regulations. But the lack of regulations tailored to the realities of micro-business operations is making this license type increasingly unviable. Because we opened so early in the licensing rollout,

we've encountered these challenges ahead of many others. But the issues we're facing are not unique to us. They're systemic and policy derived. And at this point, many micro businesses are encountering the same barriers we run into, and many of them have already exited the market entirely, some before even getting a foothold. Without regulatory adjustments that reflect how micro businesses actually operate, it will be nearly impossible for this license type to meaningfully contribute to the diverse and equitable marketplace envisioned by the MRTA. Without meaningful reform, New York risks following other state markets where consolidation and product homogeneity have weakened both economic stability and social equity outcomes. I'm currently waiting on a response from an email we sent to the policy department and OCM leadership about this important issue. I want to emphasize that we're prepared with specific, actionable, and feasible solutions to some of the direct issues that are at the root of this policy misalignment for micro-businesses. And we're also willing Thank you. We're also willing to offer our unique perspective and insight as a small producer engaging with all sides of the marketplace from supply all the way to retail.

You can submit your comments online.

Thanks so much for your time and I hope to receive an email response very soon to open up this essential dialog.

Thank you. David Fetter, followed by Rich Raynone.

Good morning, good afternoon, campus board. Nice to see everybody again. Congratulations to all the winners of licenses today and hopefully we'll have more good news for all. I've been an attorney in this industry since 2014, since the beginning of the medical program, helped draft the law and have and still represent many, many licensees throughout the state. What I'm about to describe today is not something that's just happening to one client I'm representing, speaking of Soho Dispense Report. It's something that is happening across the industry, and I'll try to be brief to keep it on time. There are two tracks, it seems like, in your Canvas program. One for applicants who get processed in weeks, and one who get frozen in silence for months or years with no explanation, no recourse, and no communication. I want to be clear. I know that there's very good people at OCM, I know specific ones, who really try to do their best and try to help everyone out. But this is not about them This is about a system that lets unverified allegations freeze a licensed business indefinitely, while everyone else who could fix it stay silent. At the December meeting, this board tabled SOA dispensary's fully vetted application based on an undisclosed discrepancy. I was sitting right there. No one asked me a single question. You directed it to be heard at the next meeting. That meeting is today. Yesterday, one day after we were forced to file a lawsuit, OCM pulled us from today's agenda. We were supposed to be on the PCA waiver today. Seven weeks, not one document was given to us. No response, no allegation, no opportunity to respond. It's still under review. Six months for SOHO dispensary for a change of location. Nine days for Oak, Queens, Brooklyn High, that was tabled the same day. The same issue appears to be advancing. The one that was provided that was advanced today, the PCA waiver that was approved today was also tabled at the last meeting, but for some reason, ours was pulled from today's agenda. When one applicant waits six months and another one waits four weeks for a change of location, that's not regulation. That's picking winners and losers. And if filing a lawsuit gets you pulled from the agenda, that's retaliation. Every licensee in this state should be alarmed by this. Every board member here can fix this today. Directly we'd be told what the issue is. Put us on the next agenda. Ask the application a question. We have the answers. You have a chance to fix this right now.

Please take time. Sorry. I don't apologize. You're good. Thank you. And God bless America and God bless all of you.

Richly known, followed by Bruce Sterbin.

Good afternoon Chair Garcia and members of the Cannabis Control Board. My name is Rich Raynone, I am a member of JoJo Show LLC, a licensed adult use cannabis retailer at 1584 Flatbush Ave in Brooklyn. Thank you for the opportunity to speak today. Despite being fully licensed, built out, and operationally ready, our business remains unable to open due to a compliance delay rooted and acknowledged by administrative errors and conflicting proximity information from the OCM. Early in our licensing process, the OCM mistakenly opened up two simultaneous applications for our license. As a result, our original proximity submission was never properly logged and our location was reviewed twice. During that time, another dispensary submitted for proximity protection and our proximity was initially denied. Once we raise this issue, the OCM acknowledged the error. And asked us to demonstrate our entrance was located on the side of the building. We complied by submitting architectural drawings, after which we were informed that proximity protection had been granted. Throughout this process, however, the OCM's official proximity maps and reports never showed us being within 1,000 feet of another dispensary. The distance consistently appeared to be over 1,050 feet. To be thorough... We also hired a New York license, a New York state duly licensed professional surveyor who independently confirmed that the distance was also over well over a thousand feet. Based on both the OCM data and an independent professional survey, we had every reasonable basis to believe that relocating our entrance was not required. Today, the only remaining step preventing us from opening in the final is the final virtual inspection. Which we have been requesting since November 4th. We have completed our build-out, hired and fully trained over 15 employees and are ready to open immediately. We are not asking for special treatment. We're only asking for a timely resolution and recognition that licenses must be able to rely in good faith and on state issued guidance and licensed professional determinations. We respectfully request the board to submit. To direct OCM compliance to resolve this matter properly.

Thank you.

Analyzing the light.

Please submit your comments electronically, thank you. Bruce Sturman followed by Jose, or Jorge Vazquez.

Good afternoon. I'm here with some good news. There's a study published today by the University of Colorado. Use the mic. By the University Of Colorado, a study was published today. Sorry about that. 26,000 adults. Study finds cannabis usage in middle-aged and older adults associated with larger brain volume, better cognitive function. I'll be posting it on LinkedIn.

Thank you, Jorge Vasquez followed by Rob Griffiths.

Hello, good afternoon board chair and members of the cannabis control board and the office of cannabis. Hello, Good afternoon. I'm just going to give up the mic. I don't think it's working that well.

I think we need it for the Buffalo folks to hear you.

Good afternoon. I'd like to bring up what's already been said, and thank you to counsel to bring up SAPA 402, but SAPA 401 subsection 2 generally does not apply to federal banking laws due to federal preemption as the National Bank Act and Office of Controllers of the Currency regulates overrides state level administrative process for national banks. SAPA basically doesn't provide the segue for licensees who are banking to continue banking. So selling someone who should be have their license renewed that don't worry about your license because SAPA is going to save your license is inaccurate and is inaccurate because federal law preempts state law as we all know from law school 101 and the banking laws require something called green check verify. And green check verified requires that licensees at dispensaries comply with all banking laws. And unfortunately, as one would imagine, a simple letter saying, no, their license is good, we're just in the review process, generally isn't good enough for the federal government. As you can also imagine, landlords have been on high alert that if they're giving a license to a unlicensed shop, that they need a padlock or take action. A letter to a landlord is likely not going to work. And I'm saying that because as we think of a resolution, we should think together as a village and work together to figure out, is it a temporary license that we need to give? How do we ensure that the portal doesn't show inactive or that there's an expiration date? Because something saying it's active but has a past date is going to raise questions. Thank you.

Rob Griffiths followed by Leslie Rodriguez.

Hello, New York. Hello, in New York County community. I'm here to share an update regarding Gotham dispensaries while Joanne Wilson and Gotham sue the state and federal court to remove the labor peace agreement requirement. The company is actively disregarding its own LPA and engaging in union busting. The National Labor Relations Board has found merit in the allegations filed by my colleagues and myself. A hearing in front of an administrative law judge is scheduled for March 17th, marking one year since my unlawful termination. I just ask that you guys protect the LPA at all costs. Thank you.

Leslie Rodriguez followed by Alicia Vasquez.

Good afternoon. My name is Leslie Rodriguez. I'm a 100% justice involved social equity and economically impacted minority woman owned applicant OCM retail 23 001466 I've been fully compliant on April 1 2024 I received guidance from the OCM instructing me to submit my application that a provisional would be issued. I did just that, I then seek a new location, which I've been trying to, I was issued proximity protection. I received at least a new located, tried to relocate my proximity protection and have been falling on deaf ears. It's been over a year and a half. My application went from the top of the pile to the bottom of the file. I recently received guidance stating that the only way I could relocate application as if I was. Issued this provisional license, which I was told was going to be issued back in 2024. They also said that the board is the only one that can give me this providional license. And this is an application for Long Island, which the location that I secured is a fully viable location. They won't even submit, they won't even accept your application if it's out of zone. And so I urge the board please to accept my application. It's been in process for the longest time. Please, you know, completed issuing my provisional. I spoke with councilman, I took out site plans, architectural plans, I've opened up bank accounts, I invested my entire savings into this. I have the only viable location within the county and can't move forward without this providional. So I please urge you to review my application and approve it, thank you.

Thank you. Alicia Vasquez followed by.

Yes, it's a live show.

Elijah, I'm so sorry.

That's okay, it happens all the time.

Followed by Sharon Dang.

Okay, hi, my name is Elijah David Vasquez. I'm here, I'm a sea applicant, spent eight years incarcerated during the cannabis prohibition. I'm here to address the elephant in the room, which is the OCM's continuous disregard of the Fifth Amendment to formally raise an issue of trademark confusion that is material prejudicing our pending application and undermining clarity in the licensing process while allowing MSOs to run a monopoly within the New York state cannabis industry. Straight Gas is a brand that established recognition since 2022, prior to licensure through consistent name of use, visual identity, trade dress, promotional materials, participation in New York State sponsored cannabis adjacent programs and events. Through these events, Straight Gas became visible within a relevant industry community before the approval of a type 3 license issued under the name. Straight gas s t r a i g h t which is not us the recognition included participation in uh new york state i'm sorry new york states sponsored In addition, independent third-party analytical documentation issued by ACK Labs in New York State reflects samples submitted on the straight gas, STR8 gas. These materials are submitted solely to demonstrate third-part recognition, and associates are not offered as evidence of commercial activity. They were meant for benchmarking purposes only. Because STR8 and STRIGHT gas are phonetically identical, and commercially indistinguishable. The approval of a processor license under the latter name creates a clear likelihood of consumer confusion. The coexistence of these names within the same regulated market environment confers brand legitimacy and market positioning to a later arriving indistinguishable name and unfair disadvantage to straight gas NYC LLC.

Thank you, sir time. If you could please submit your comments electronically. Sorry, you'll just be followed by David Zellinger. Thank you, go ahead.

Hi, my name is Sharon and you probably know me from three years ago. Same issue. Same story. I'm Sharon Dang, the social equity applicant and the 51% owner of OCM RETL 2023-243 application. I submit this affidavit based on the personal knowledge in support of my protecting my legal ownership and applicant rights. The applicant, my co-applicant, John Makrokopoulos has hold 49% non-controlling interests has knowingly, willingly, and without authorizations submitted false and fraudulent TPI documents to OCM and falsely representing that he is the sole 100% owner of this application. These submissions were made without my knowledge, consent, and authorization, and directly contradict the actual ownership structure of the application materials represent misrepresentations of OCM. In addition, this applicant has actively solicited prospective purchasers and third parties falsely complaining that he is exclusive owner of the application and despite knowing that such statements are false these actions appear calculated divert transfer the monetize the license interest unlawfully and the violation of and new york cannabis regulations and despite the status of a seat application and majority majority holder of this has denied access to application. Portal and preventing me from reviewing and contesting and correcting fraudulent filings submitted under my name and behalf of my application. OCM's refusal to grant me portal access has enabled

ongoing fraud and deprived me of procedural due process. I hereby formally demand that OCM immediately grant me full access to the application portal and permit me to review and challenge and authenticate all TPI documentations and further demand on all Further future correspondence, notices, and communications residing to the application directly be included to me. And I place OCM and this applicant and formal notice in absence of immediate response and corrective action. I will pursue all available legal remedies. Thank you so much.

Thank you. David Zellinger followed by Paul Kim.

Hi, David Zellinger, I'll try and keep it quick. I noticed that there were quite a few applications on the list today. I didn't see that any of them were the Type 3 brand applications. For out-of-state brands that are looking to enter the market transparently and do it right, we've seen applications pending as long as three, four, and five months. I was wondering if there might be any focus given to that so that out- of-state brand that want to come and work in the market, support manufacturers here in the markets, and ensure that there conflict of interest. Are given their due time and the ability to operate effectively. The delays have absolutely caused lost revenue, overspending on packaging, all the things that need to be in place before a brand can launch have to be there when the license is issued. And this level of uncertainty is making it very hard to draw capital into the market. I'm hoping that we can remedy this and speed up this process for a non-plant touching application.

Thank you all. Kim, followed by David.

Hi everyone, my name is Paul Kim from Peace King Farms. I was awarded a micro license in Hollis, Queens. The property I applied with was a retail storefront, but once I found out I could only sell what I cultivate, I had to move my license upstate because I could not afford to cultivate in Queens. OCM approved of my new location and I successfully transferred my license to the township of Livingston. We have been attending meetings and public hearings since the summertime for our greenhouse project. And every meeting is about odor mitigation. We finally bring in legal representation because we felt we were being bullied and ultimately they denied our project last night. I've been bleeding cash month after month since I have been awarded this license. I have complied with all of OCM rules, all legal boundaries, and even to all their unfair conditions the township was asking for. They demanded best available technology. We offer using both carbon filters and vapor phase air scrubbing, which is best available technology, and they claim it doesn't work. So we submitted research papers from universities and government agencies, which proved that these methods are the most effective. And we even agreed to hygienist odor testing three times annually paid for by us. All conditions were met. Every technical detail asked for was provided. And yet they still denied me. There are farms down the street from town hall that don't have to do any of this. I asked my father to take out his pension for this and I'm exactly where I started. I still can't even start. I've bled out too much cash and it seems this is what the township wanted all along. It seems like they made up their mind on making me go bankrupt and my father lose his home and I don't wanna cry racism. I'm running out of excuses for these guys. If I could talk to someone from OCM to explore my options, I would appreciate that very much. Thank you all for your time.

Thank you. David Neponsky followed by Emanuella Venus Esatia. Sorry about that mangling.

Good afternoon board members and OCM staff. I'm here again today beating the same drum because it's been nearly two years since our dispensary opened and there is still no effective enforcement to conceal the operators surrounding our store. In fact, there are three times as many of them as when we began. Our license is now up for renewal. At this point, it's not even clear we should renew our license. Why bother? We've been functionally abandoned by the state in an environment where it is not possible to operate sustainably. Further, we're being asked as part of renewal to submit a community impact plan with a budget as part of the renewal process. That's frankly insulting given our abandonment. I guess our budget will be all of our profits today. Zero, which is commiserate with the state's level of effort to ensure that cannabis legal in the Bronx is sustainable. The situation is obscene. It should not be my responsibility as a private citizen to constantly lobby and strong arm the state and city to enforce their own laws. Ask a simple question. Do you want a legal cannabis industry or not? Second, the industry is united in opposition to the proposed unfunded mandate for item-level compliance tracking, so-called retail ID. While cannabis law does not prohibit this approach, it absolutely does not require it. The same compliance goals and statutory requirements can be achieved through batch and quantity tracking as in other states and other industries. This approach allows compliance costs to scale by batch size rather than unit count, which is something licensees can actually manage and control and optimize. Rather than the most expensive option possible linear linearly item count. There's no need for this high cost of doing so an extremely questionable value in doing so. We want the industry. We won't see the sale tracking. We just want done smartly and cost effectively third. I was stunned to read recently a legislator's recent claim that no one could have foreseen the recent court losses. The repeated court losses and delays facing the industry really no one. Many of us have been here for month after month for two years begging the board to please follow the law every time we see it failing to do so. When unlawful actions are taken, whether they're after the fact rule changes, Sapa violations, or ignoring unambiguous statutory text, the costs and risks are not borne by the state, they're borne the industry. The damage to people in the industry is entirely foreseeable, was foreseen, and warned about multiple times publicly. This ruins lives and needs to stop. Finally, license Shandu, that's ridiculous.

Thank you, Tana. Well, Emanuella Venus Asaicha, followed by Walter Iwachi.

All right, good afternoon, everyone, and thank you for the time to speak today. For those of you who don't know who I am, my name is Emanuella Vino-Saciche. For the past six years, I've worked in cannabis workforce development as an educator, HR professional, and workforce advocate in New York City. I started my cannabis career in the legacy market and now work in the cannabis workforce and business development program at CUNY BMCC. We are now in our last final six months of the three-year grant funded state initiative. We've served thousands of New Yorkers statewide through no-cost training and job placement. I want to thank the Office of Cannabis Management and other state agencies for their commitment to reinvestment and restorative justice, including the Community Reinvestment Fund and the larger state cannabis tax revenue fund that, from my understaAding, cycles back through agencies such as the Department of Education and OASAS. It matters to me to raise this while standing in the CUNY system, because at our sister CUNY, CUN public health, as I am a product of the CUNY system, a CDI resident, and this system changed my life. As someone who, with firsthand experience, I am asking how our workforce dollars are being focused and moved. To be clear, I am not here to assign blame. I'm here to share what I've been seeing on the ground. We constantly hear support about our great work in CUNY and SUNY, but sustainable paths for some continuation and scale are often not discussed. Most of our programs have sunset rather than expanded. Cannabis in New York has generated nearly \$2 billion in

revenue, which demands permanent workforce education systems. As a career coach and instructor, I educate about wage theft, delayed payroll, framed the startup culture, lack of pay transparency, contractors treated as employees, and ignorance on basic labor law. As Metro continues to roll out with challenges, my concern is that the next wave of compliance will center work for private practices fines that many are not prepared for. My hope is that education comes before penalties. Thank you for your time and happy Black History Month, and cannabis history is Black history.

Walter Iwanshi followed by Hamid Michael Ardiveli.

Good afternoon, board. I want to reintroduce myself to new board members. I'd like to thank the board for all the work they do. And it sounds like the staff is still on the staff. I'm trying to renew our review of a denial. And I'll be talking to people to try to get that accomplished. And on the question of Queens having lower utilization of the cannabis market, I suggest you look at the effects of congestion pricing, driving people from their cars to the railroad. It's probably an increase in New York City. Thank you very much.

Well, thank you. After Hemi, we'll have Jacob Solig.

Good afternoon, Madam Chair and the members of the board. My name is Hamid Mike Bordebili. I want to address a process failure that is undermining trust in the licensing system. The Office of Cannabis Management hold applicants to a strict regulatory and procedural compliance standards, but does not apply a comparable standards to itself when correcting its own mistakes. When incorrect agency determinations occur, there is no timely administrative correction pathways. Instead, licensees face months of delays, ongoing costs, and are often pushed toward litigation simply to fix internal agency errors. When inaccurate determinations arise, such as misclassifications of separate applicants as duplicates, those issues should be corrected promptly through internal administrative reviews without forcing compliant operators into court. When lawful businesses are stalled... While illicit operators continue operating freely, the system penalizes those who follow the rules. I respectfully urge the board to implement clear internal response timeline, escalation procedures, and administrative corrections mechanism so errors can be resolved quickly and fairly because equity only works when decisions are timely, accurate, and accountable.

Thank you. Jacob Solik, followed by Judith Solik.

Good afternoon, cannabis board and board members. My name is Jacob Solik. I'm a resident of 805 Greenwich Street in the West Village of Manhattan. My comments are about an application that was not on today's agenda, but will come up at a future meeting. I want to express my support for the CB2 Manhattan Cannabis Board and CB2 Full Board resolution to deny the application for a retail dispensary located at 66 Jane Street in the west village, New York City. This application is under the name Upstate State Collective. This location is wholly inappropriate for a cannabis dispensary based on its full inclusion in an R6 zone, which prohibits retail stores or a cannabis, dispensaries additionally is located within a 500 foot proximity from a school. This location offers no public convenience or advantage as there are five licensed dispensers within walking distance of this location. Thank you for your time.

Thank you. Jude Solik, followed by, my goodness. Can you help me? Elia. Nazarella, thank you.

Hi. Should I start?

Should I start? Yes, please.

Okay, hi, my name is Judy solik and I also live in 805 granite street and I just want to say that I also agree with the community board to Manhattan strong denial of the application for OCM retl, 2023 dash 00115 upstate state collective. Although it seems to have a few different names, the location is 60. Sorry. Oh, no, I didn't use my microphone. Sorry about that. The location at 66 Jane Street 10014 is wholly unviable for the reasons that community board to Manhattan outlined in their strong denial. And I obviously agree with everything that Jacob says that the building is in an artistic zone. It's a totally residential building and the school is there as well, which has been there since 1962. Everyone in the community knows the school's there. And I just urged the board to follow the law and strongly deny this location for the application.

Thank you. Thank you, Ilya Nazarella, followed by Antonio Fernandez.

Good afternoon, Chair, Commissioner, and members of the board. I'm sorry, I read slow. My name is Ilya Nazverla, sole member of Uberweeds Inc. License number OCMRETL2023000131. Thank you for the community for listening to me. I am here as a New York small business owner who invested significant capital, acted in a good faith and complied. With every requirement set by OCM. Yet, our license has been stalled for over two years due to the circumstances entirely outside of our control. We first applied in October 2023, our original location at 7 North Broadway in Yonkers, New York, have collapsed in the act of God and was condemned in 2024. Despite this, we continued forward towards forward exactly as directed by OCM. We completed every required step, including biometrics, disclosures, municipal notice, labor and peace agreement, capitalization, continuity plans, and proof of site control, all in time and in full compliance. In June 16, we formally requested approval to relocate to 10 Palisade Avenue. In August 2025, we granted provisional approval in that location. Following that approval, we built out the store to standards upon what OCM requested. Today, the sole owner of overweeds remain blocked and alleged proximity protection to a forward and identified as operating dispensary prevented us from proceeding, even with a PCA due to the laws passing in November, despite our application and license retaining that law. However, there is another dispenser trying to open called Love Buds that is preventing us from opening. Please review that and have an answer for us, please. Thank you. Thank you. Thank you very much. Please submit your comments via email too.

Antonio Fernandez, followed by Kate Bustoff.

Good afternoon, Chair, CCB. My name is Antonio Fernandez, operations manager at Uber Weeds, Inc. In Yonkers, New York, license number 2023-000131. I'm here regarding our adult use retail dispensary application, first submitted in October of 2023, now more than two years ago. From the beginning, Uber Weed has acted in good faith and in full compliance with New York State requirements. We submitted our application on time, paid all required fees. Completed fingerprinting and TPI disclosures and responded to every request from OCM, often multiple times, despite acknowledged technical failures and submission issues within Business Express. In June of 2024, our original location at 7 North Broadway suffered a structural collapse and was condemned. We immediately worked with OCM submitted multiple replacement sites and ultimately secured a long-term lease at 10 Palisade Avenue. Throughout 2025, we complied with every deficiency notice issued, cap tables, municipal notices, certificate of occupancy, frequently resubmitting the

same materials due to system errors, not lack of compliance. Despite this, our application stalled almost entirely due to proximity concerns tied to 8 Warburton Avenue, operated by Lovebuds. This is the core issue before you. At the time UberWeed was deemed non-viable, 8 Warburton Avenue was not municipally approved, nor built out, therefore not legally viable. The City of Yonkers has since confirmed that Lovebud's municipal application was denied with no permits, no certificate of occupancy, and no lawful path to operation at that location. Yet that address was treated as an active, protected dispensary, blocking both of our approved locations, while Uber leaves the only applicant with municipal approval and keep it built up. And compliance systems in place remain delayed. This has caused substantial financial and operational harm. Today we are ready to open. Our store is built, compliant and supported by municipal and elected officials. We are ready for an OCM walkthrough. We respectfully ask the board to ensure proximity protection.

Thank you for your comments, please submit them online. Kate Busnock followed by Orlando Bisbo.

Good afternoon. My name is Kate Bostock, and I'm speaking on behalf of the Jane Street Block Association, a registered 501C4 organization formed in 1980 with an active base of residents and long-standing stewardship in our community, including a community garden. I'm here today to express our unequivocal opposition to the proposed cannabis dispensary located at 807 Greenwich Street, aka 66 Jane Street, OCM retail. 202-300-1155. This location is wholly inappropriate for a retail cannabis operation and would cause lasting harm to a quiet residential community. This corner is not a commercial corridor. There are no storefronts next door, across the street or nearby. Residents are deeply concerned about the late and extended operating hours proposed as well as the increased foot traffic they entail. These are not minor inconveniences. They are fundamental disruptions that would alter the character of this block and diminish quality of life for those who have called this home for many years. There is also the issue of school proximity. This proposed site is approximately 350 feet from the West Village Nursery School, well within the 500-foot buffer that the legislature enacted specifically to protect schools from proximity to cannabis retail. While enforcement of the 500 foot rule has been complicated by litigation and temporary court orders, these measures were not intended to protect already licensed operators from being forced to relocate, not to justify placing new dispensaries near schools. Approving a new license at this location would directly undermine the law's intent. Let me be clear. This is not about opposing legal cannabis dispensaries. Our community does not oppose cannabis businesses in appropriate commercial locations. What we oppose is placing a high impact retail operation on a quiet residential corner steps from a nursery school. If this application is approved, it will signal that residential blocks are fair game for commercial cannabis activity, regardless of school proximity, zoning, neighborhood character, or community input. Thank you.

Thank you. Orlando BISPO followed by Fernando Lindolf.

Oh, okay, sure. Are we good to go? We are good to- Hi, good to see everybody again since November. John, I'm so sorry, but I did tell you to your face to add the codes for interstate commerce. 2024, March of 2023, so pursuant to the statutes of 371, neither applicable or amicable under any reasonable degree of certainty under penalty of perjury, understand? Right? So this is not how this goes. Again, I had six days to file all of my appropriate paperwork to the Court of Claims, and I was legally disinjected from my real property. Um, excuses make fun for a thief who steals because they're starving. However, should they be called, they must pay back seven times what they have stolen even if they

have to sell everything in their house. By what authority do you think yourself superfluous to the Constitution? Article 45610 and 14. You are given the authority to create a licenser program to equalize not to abrogate and that was established in the 60s by Martin Luther King happy black history month everybody hello right so uh that's not how this goes you're not allowed you're not allowed to apply your colorable public policy apply to private property and private man you're not allowed I forbay it all right and excuse me but it is your responsibility as a citizen pursuant to the 10th amendment to check the government when they are out of line Okay, or you can hire an attorney. That's fair. You have to be fair. Operate within the clauses, doctrines, and statutes. This is in district now, okay? I gave everybody fair opportunity. I did, I really did, but you're not allowed to hurt. These are tax-paying American citizens too. You're not allow to create a fake enemy that you can then create the golden goose. It's just disgusting at this point. At this point, I'm disgusted by all of you. And where is the flag?

Thank you, sir.

Article 19, article 19, right? Section 19, 401 to 407 is the international admiralty law flag as well, okay? And there is no American flag here, that's a real problem. That makes you a piracy by classification, not an agency. Unacceptable by any means of the statutes. Shame on all of you, especially, especially. Okay, you're not allowed to violate stair decese. Amen. Have a blessed day. Thank you.

Fernando Lenda followed by Bizarro Royale. Neil Fernando, Bazaar Royale.

Follow

And he will be followed by Tafari John King.

Here we go, here we go. Here we, go.

A lot of things are happening here today. I don't know if I even want to be privy to it. I just want to say my name is Bazaar Royale. I thought I was coming up on the calendar today. I see that I wasn't. I got a notification yesterday saying I wasn't I actually appreciate that, that like, you know, wake up and not get what I thought I was going to get. Frustrated. Ward of the State, since nine years old, this program is really supposed to bridge the gap, and just taking in a lot of the stuff that I heard, but I ain't trying to be the focus point here. I just, eagerly anticipating my arrival. Thank you very much.

Thank you, sir. To Fari John King.

Good afternoon, everyone. My name is Safaree John King. I stand before you today as a concerned community member, as well as a concern business owner. I'm a hemp licensee. Happy Black History Month, everyone, and when we talk about Black History, we have to remember the communities that were disproportionately impacted by the war on drugs. This board, and in the OCM, and the MRTA, we have written into the law that 40% of tax revenue is going to be going back into the neighborhoods that were disproportionately impacted by the war on drugs. And we have yet to really see those funds flow while the cannabis sales are booming in New York State. We had two \$1 billion years, and of that we've seen \$5 million come to our communities through the Community Reinvestment Fund. We need that to increase so that it's actually reaching people who's needed. And not only. For nonprofits, but we also need the justice-impacted individuals who were actually harmed by these laws and who are still with us today. We need them to

be able to benefit from this cannabis revenue that was promised to them in the laws. So that's the first point that I want to say. Secondly, I'd like to talk about the hemp laws and federally what we have going on is that in the last spending bill. Um it's been put in this provision that beverages cannot be more than 0.4 milligrams. I applaud the board for putting into place some regulations around hemp uh and cannabinoids which you can have one milligram THC 15 milligram CBD um and and my understanding is that you all did that to prevent the market from being flooded by out-of-state um brands. However the reality is that on the ground these brands have already flooded our state. I can find them in my I found them in my delis and Me, as a hemp licensee and business owner, I'm left with two options. Do I not comply with the OCM's rules or do I comply and there's this burden of having to put 15 milligrams, 16 milligrams of cannabinoids when I maybe want to just put less CBD? So I ask you all to take a Swift and decisive action when you're considering these regulations as potentially this will roll into the adult use market and we want there to be more access for adults to go to access some hemp beverages throughout New York State. Thank you.

Thank you very much. Oh, I'm so sorry. Jared's spindle, spindle spin. I'm so sorry, it's hard to

Hello, hello, hello. All right, so thank you for giving me the opportunity to speak today. Allow me to reintroduce myself, Jared Spindel, the florist, Empire Flower. I collaborated with my friend Teddy Roosevelt to read this passage to you today. It is through struggle that we stand tall. Theodore Roosevelt said, it is hard to fail, but it's worse never to have tried to succeed because real defeat isn't in the setback. It's choosing safety over purpose. Freedom and progress are never handed to those on the sidelines. They are earned by those willing to step forward, take the weight, and endure the cost. Today we did that. Thank you to the board for correcting and updating some of the things that we've been going through. We dared when it would have been easier to retreat. And as Roosevelt said, it's far better to dare the mighty things to win glorious trials, even though they are checkered by failure times. This victory is not just the outcome, it is the process of refused abandon. And I wanna say clearly, we did not get here alone. To everyone who stood with me and against me, who showed up, who held the line, this victory is yours and our flowers. Because we only triumphed together. Now we look forward with that same courage. We will dare again, we will struggle again. And in doing that, the future will be our future triumphs. Stand with me, I stand with you because this is only the beginning. Thank you.

Thank you very much. Thank you to all of the public commenters today. Excuse me. This concludes the meeting for today. Note that the meeting time and location for our next meeting, which is currently tentatively scheduled for March 5 will be posted on the website. And with that, can I have a motion to adjourn? Thank you very much everyone. Have a good day.