



BOARD MEMBERS

Hope Knight
Crystal Rodriguez-Dabney
Brad Usher

KATHY HOCHUL

Governor

JESSICA GARCIA

Cannabis Control Board
Chair

SUSAN FILBURN

Acting Executive Director

No. 2026-06
February 5, 2026

**RESOLUTION TO ISSUE CERTAIN ADULT-USE CANNABIS LICENSES WITH PRIOR
PROVISIONAL APPROVAL**

WHEREAS, pursuant to Article 2, Section 10(1) and Article 4, Section 66 of the Cannabis Law, the Cannabis Control Board (Board) is given the authority and discretion to issue licenses related to adult-use cannabis;

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

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

WHEREAS, the Board has promulgated and adopted regulations creating the Conditional Adult-Use Retail Dispensary (CAURD) license under Part 116 of Title 9 of the New York Code, Rules and Regulations;

WHEREAS, the Board has issued licenses to CAURD applicants who are eligible for the license in accordance with Part 116 of Title 9 of New York Codes, Rules and Regulations, which authorizes the licensee to open a retail dispensary if granted a CAURD license for a conditional period of four years, with a first renewal required two years from the date the license is granted;

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

WHEREAS, certain Municipalities have expressed an Opinion for or against the Board's issuance of certain CAURD licenses;

WHEREAS, the Office has issued provisional approval to certain applicants for licensure identified in Attachment A pursuant to the authority delegated to the Office by Board Resolution No. 2024-68;

WHEREAS, pursuant to Section 76 of the Cannabis Law and Board Resolution No. 2024-68, the



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Chairperson of the Board recognizes that for applicants who have received a provisional approval from the Office, the applicant must still come before the Board to be approved for final licensure;

WHEREAS, the Office issued notifications of final approval to the provisional licensees identified in Attachment A, but later discovered these provisional licensees were inadvertently omitted from prior recommendations to the Board for final approval;

WHEREAS, the Chairperson of the Board has made a preliminary determination to issue CAURD licenses to certain individuals and entities identified in Attachment A;

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

WHEREAS, no member of the Board objects to the Chairperson's preliminary determination to grant certain CAURD, and no member of the Board requests that the matter be brought before the full Board for consideration;

WHEREAS, the Board desires to grant a CAURD license as indicated, to every applicant that has received the Chairperson's aforementioned preliminary determination to grant a CAURD license as identified on Attachment A hereto;

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

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

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

BE IT FURTHER RESOLVED, the Board grants a CAURD license as indicated to every applicant that has received the Chairperson's aforementioned preliminary determination to grant a CAURD license as identified on Attachment A.



Office of Cannabis Management

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Attachment A

License ID	License Type	Entity Name
OCM-CAURD-25-000227	CAURD	Solo Greenery dba Cotton Mouth Dispensary (fka Daron Driscoll)
OCM-CAURD-25-000253	CAURD	Custom Cannabis Solutions LLC
OCM-CAURD-25-000260	CAURD	Empire Genetics New York Inc.