



No. 2026-16
March 5, 2026

RESOLUTION TO CONSIDER CERTAIN APPLICATIONS WITH NON-VIABLE LOCATIONS REQUESTING THE BOARD DETERMINE WHETHER GRANTING THE LICENSE WOULD PROMOTE PUBLIC CONVENIENCE AND ADVANTAGE

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

WHEREAS, pursuant to Section 64(1)(g)(x) of the Cannabis Law, the Board is charged with developing regulations which establish factors for determining if granting an applicant's adult-use cannabis license would promote public convenience and advantage;

WHEREAS, pursuant to Section 119.4(b) of Title 9 of the New York Codes, Rules and Regulations (9 NYCRR), the Board may determine that granting a license would promote public convenience and advantage as described in paragraphs [9 NYCRR 119.4(a)(1) and 119.4(a)(2)] by considering the following factors, which include: (1) the number, classes, and character of other licenses in proximity to the premises and in the particular municipality or subdivision thereof; (2) evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies; (3) whether there is a demonstrated need for such license, (4) effect of the grant of the license on pedestrian or vehicular traffic, and parking, in proximity to the premises; (5) the existing noise level at the premises and any increase in noise level that would be generated by the proposed premises; (6) the history of cannabis violations and reported criminal activity at the proposed premises; and (7) any other factors specified by law or regulation that are relevant to determine granting a license would promote public convenience and advantage of the community;

WHEREAS, applicant(s) identified in Attachment A (applicants) submitted a request to the Office that the proposed adult-use retail dispensary location be approved as it would promote public convenience and advantage under the factors enumerated in 9 NYCRR 119.4(b);

WHEREAS, the Office reviewed the applicant's above-mentioned request by analyzing the factors enumerated in 9 NYCRR 119.4(b);

WHEREAS, in light of the above, the Office has prepared the information related to this public convenience and advantage request for the Board's consideration;

RESOLVED, that the Board has taken action to either approve or deny the public convenience and advantage requests identified in Attachment A based on the voting at the March 5, 2026 Board meeting;



**Office of Cannabis
Management**

BOARD MEMBERS

Hope Knight
Crystal Rodriguez-Dabney
Brad Usher

KATHY HOCHUL

Governor

JESSICA GARCIA

Cannabis Control Board
Chair

SUSAN FILBURN

Acting Executive Director

BE IT FURTHER RESOLVED that the Board directs the issuance of a written decision for each matter consistent with the vote taken that shall be approved by the Chair in accordance with Resolution 2025-73 adopted October 2025.



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Attachment A

Application ID	License Type	Entity Name
OCM-RETL-25-000349	AU Retail	Soho Dispensary