



Meeting Minutes

Title:	New York State Cannabis Control Board Meeting
Time & Date:	March 5, 2026 at 11:00 AM
Location:	Empire State Plaza Concourse, Meeting Room 6, 100 S Mall Arterial, Albany, NY 12242, Community Outreach & Engagement Center, 907 Michigan Avenue, Buffalo, NY 14203 and Virtual via Webcast

Attendance

Board Chair:	Jessica Garcia
Board Members Present:	Brad Usher
Board Members Present (virtually):	Crystal Rodriguez-Dabney
Board Members Absent:	Hope Knight
Others Present:	Julius Caranda, Thomas Donohue, Stephen Geskey, John Kagia, Patrick McKeage, L. Simone Washington
Others Present (virtually):	Alexandria Lepech

Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from February 5, 2026 Board Meeting
- IV. Consideration of Adult-Use Applications for Approval
- V. Consideration of Adult-Use Licensee Amendment Requests
- VI. Consideration of Adult-Use Applications for Renewal
- VII. Consideration of Conditional Adult-Use Retail Dispensary Renewals
- VIII. Consideration of Certain Applications with Non-Viable Locations Requesting the Board Determine Whether Granting the License Would Promote Public Convenience and Advantage
- IX. Consideration of Laboratory Testing Permit Renewal
- X. Consideration of Adult-Use Application Denials (OCMMICR-2024-000001, OCMMICR-2024-000002, OCMMICR-2024-000005, OCMRETL-2023-000650, OCMRETL-2023-002013, OCMMICR-2023-000615)
- XI. Consideration of Medical Cannabis Regulations
- XII. Discussion of Gotham Buds LLC Request for Cannabis Control Board Declaratory Ruling
- XIII. Consideration of Canopy Expansion Amendments
- XIV. Office of Cannabis Management Report
- XV. Public Comment
- XVI. Adjourn



Action Items

Resolution No. 2026-12:	Resolution to Issue Certain Adult-Use Cannabis Licenses.	Passed, Unanimous Vote
Resolution No. 2026-13:	Resolution to Approve Certain Cannabis License Amendment Requests.	Passed, Unanimous Vote
Resolution No. 2026-14:	Resolution to Renew Certain Adult-Use Retail Dispensary Licenses.	Passed, Unanimous Vote
Resolution No. 2026-15:	Resolution to Renew Certain Conditional Adult-Use Retail Dispensary Licenses.	Passed, Unanimous Vote
Resolution No. 2026-16:	Resolution to Consider Certain Applications with Non-Viable Locations Requesting the Board Determine Whether Granting the License Would Promote Public Convenience and Advantage.	Passed, Unanimous Vote
Resolution No. 2026-17:	Resolution to Renew Certain Cannabis Laboratory Permits.	Passed, Unanimous Vote
Resolution No. 2026-18:	Resolution Directing the Office of Cannabis Management to File for Proposed Rulemaking Certain Medical Cannabis Regulations.	Passed, Unanimous Vote
Resolution No. 2026-19:	Resolution to Direct the Office of Cannabis Management to Consider Licensee Amendment Applications to Expand Adult-Use Cultivator Capacity.	Passed, Unanimous Vote

Notes & Comments

- Chair Garcia welcomed their new Executive Director, John Kagia. She commented that they are very excited for his leadership and wanted to give him a few moments if he would like to give opening remarks.
- Acting Executive Director John Kagia commented that it is an incredible honor to be here sitting as Acting Executive Director of the New York State Office of Cannabis Management (“OCM” or the “Office”). He stated that they are at a really exciting moment for both the Office and for the industry that they are building, and that is part of the reason why he is so excited about assuming this role. He stated that he would like to thank the Governor for giving him this opportunity, the Executive Chamber for the commitment that they have expressed to continuing to support this agency, Sue Filburn and the entire OCM leadership team for their steady, focused leadership as they have gone through a season of change, and to the dedicated, resourceful, incredibly entrepreneurial and mission-focused staff at the OCM, who have made it possible for them to do so much with so little, and you, to him, exemplify the very best of the civil service. He stated that he has been asked about what his priorities will be as Acting Executive Director and that he has tried to make it clear that he is not going to get drunk with power here, nor does he intend to be a chaos agent. He noted that his goal



Office of Cannabis Management

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here is to build upon the incredible work that they have been doing, not swing wildly in new directions. He stated that there are five areas that he intends to be quite focused on that build upon the work that they have done in the season ahead. He stated that first is community outreach and stakeholder engagement. He stated that they have built so much over the last three years that he thinks it is really important for their stakeholders across the state, licensees, applicants, the municipalities, the health care practitioners, folks from the communities that were disproportionately impacted by cannabis prohibition, to rediscover this incredible industry in the market that they are building here and better understand the very deep work that is being done across a large number of work streams. He stated that two is process optimization. He stated that they have grown very quickly and grown very quickly with limited resources. He commented that as they think about the work that lies ahead while they remain resource constrained, this is a timely moment for them to take a look at the work that they are doing to identify ways that they can be more efficient, ways in which they can do more with less. He noted that the work continues, the scale grows, but their teams are not always going to scale as fast as the work that they are mandated to do, and they have got to be as efficient as possible in how they do the work and how they achieve the mission. He stated that third, is regulatory refinement, and they are going to talk a little bit about this a bit later in the meeting. He noted that the regulations that govern this market were written before the market was built. He stated that now, three years post the issuance of their first licenses, \$3 billion in sales later, over 2,000 licenses out in the market, he thinks they have enough data, enough perspective from the market to take a look back at their regulations and ensure that the rules governing the market reflect both where the market currently is and where the market is going. He noted that they are in the process of reviewing all of the regulations that are governing this market. He stated that they are looking for to identify opportunities to provide regulatory clarity, improve their regulatory efficiency in terms of their oversight of this market and increase market efficiency for their licensees in this industry. He stated that fourth is national and regional coordination. He stated that they are in a season of seeing potentially very significant changes in the federal approach to governing cannabis in American society. He stated that there has been the discussion about the potential rescheduling of cannabis. He noted that there is a law that has just passed Congress that could potentially ban cannabinoid hemp and create potentially real instability in that ecosystem. He stated that the very significant federal changes that New York is going to be either impacted by or potentially participate in, and they want to make sure that they understand what these changes are and what impact they are going to have on the work that they are doing and on the industry that they are building in New York. He stated that fifth is benchmarking and analytics. He noted that he comes from a research and data background and they have always said that what doesn't get measured, can't be improved. He stated that he is really excited about the amount of data, intelligence and insight that they have built as an agency and how much more is going to be coming through out that they have activated the Seed-to-Sale ("STS") system, which is going to be turning them into a real big data engine. He stated that there is a lot of data that they now have access to or will have access



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to that can enable them to better understand the evolving dynamics of the market they have built, enable their stakeholders to better understand the market that they are participating, help their businesses plan, measure, compete more effectively. He stated that they have a responsibility as much as possible and be the resources they have to try and make that data available and accessible and learn from it. He further stated that are committed to being a learning organism as they continue to grow and he looks forward to working with not just the extraordinary team that they have at the OCM, the incredible leadership that they had from the Cannabis Control Board (“CCB” or the “Board”), but with all of their stakeholders, to continue to do this deep work to build this very exciting market and to work together to help ensure that New York meets its potential to be the world's most equitable, sustainable, and opportunity-rich market in the world.

- Chair Garcia commented that she would also like to join in thanking Susan Filburn for holding the helm between the gap between Felicia and John. She stated that she has been really impressed with her leadership and is excited that she is going to be partnering with John to lead this organization. She stated that before they jump into this heavy agenda, the Acting General Counsel has requested that the Board go into Executive Session to discuss and provide direction to the Acting General Counsel on several pending lawsuits, as well as receiving a personnel update. She noted that after Executive Session, the Board will take a short recess to conference with counsel on a couple of matters that are before them in today’s agenda. She then asked for a motion to go into Executive Session. Board Member Brad Usher moved the motion to go into Executive Session and Board Member Crystal Rodriguez-Dabney seconded.
- Chair Garcia commented that the Board met for Executive Session to discuss a couple of litigation matters where they needed to make some decisions, as well as some personnel matters, and then they did take a break in conference with counsel regarding a couple items before the agenda today.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, the Minutes of the February 5, 2026 CCB Meeting were approved unanimously.

- Stephen Geskey, Executive Deputy Director of Licensing, Compliance and Laboratories for OCM, provided an overview of Resolution No. 2026-12, a Resolution to Issue Certain Adult-Use Cannabis Licenses. Before the Board today are 20 adult-use cannabis applications which have cleared the OCM’s review process and are being recommended for approval by the Board. The 20 applicants include 2 cultivators, 4 retail dispensaries, 2 microbusinesses, 3 distributors, 5 processors and 4 final Conditional Adult-Use Retail Dispensary (“CAURD”) licenses. If approved, this will bring the total number of adult-use cannabis licenses to 2,161.
- The Office provided the following update on the number of applications that remain pending in the December queue. Of those queued, the following number of applications remain pending: 2,704 retail dispensaries, 873 microbusinesses, 127 cultivators, 84 processors and 170 distributors.



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- Board Member Brad Usher stated that he has a couple of questions about the CAURD license 2024-000123, Elise Pelka. He stated that they received fairly strong opposition from the community board on that based on various submissions to the Board that at the beginning indicated different ownership with Michael Flynn having a larger role in ownership of that and also he understands those ownership have now changed to having Elise Pelka be 100% owner, and understands that Michael Flynn is still a guarantor of the lease for this and he wanted to understand how that fit with OCM regulations and laws.
- Stephen Geskey stated that this application has been around for a little while, for several years and it has gone before CB2 on several occasions. He noted that some of the original concerns that the CB2 expressed are no longer present. He stated that specifically, there were some concerns about whether or not Elise Pelka owned 100% and Mr. Flynn's potential ownership. He stated that whatever concerns existed back at that time are abated and she owns 100% of the entity now. He stated that the board also expressed some concerns over school proximity issues and the lease guarantor type of issues. He stated that on OCM's review, they concluded that it was a passive investor, and it appears to be a passive investor's situation. He noted that there is a valid brand licensing agreement between Mr. Flynn and Elise Pelka that went through the Office's review. He stated that the Office recommended changes and those changes were accepted by the licensee and have been incorporated in this final package. He further stated that as things presently stand, it has gone through many different reviews and at this point, all items are compliant with OCM regulations.
- Chair Garcia stated that the community board continues to be very strongly opposed to this application, and they even heard from them this morning with a couple of new concerns. She further stated that she would like to get some assurances from the agency that should down the line, if they were to approve this license, that the agency will have the procedures in place to be able to address any matters that may be inconsistent with their regulations and the law.
- Stephen Geskey stated that the simple and direct answer is that is true and correct and challenge accepted, but the broader answer is that the Compliance team and OCM, generally have a superintending obligation to ensure compliant operations throughout the state. He further stated that should OCM, through the Compliance team or any of the other units within OCM, become aware of alleged noncompliance, that they will dutifully investigate such allegations so as to identify what the causes are, what the effects are, and the best ways in order to remediate those types of things and that can manifest in many different forms, it could manifest in the form of statements of findings, corrective action plans or potentially, depending on the facts of the circumstances, ultimately up to and including discipline.
- Chair Garcia stated that on the issue of being a passive investor solely by being a backer of a lease, her understanding is the definition is a bit more detailed than that. She then asked if he could confirm that this individual actually meets the full definition of passive investor in their regs.
- Stephen Geskey commented yes and that there's a lot of twists and turns in the regulation as to the aspects of the definition. He further stated that some aspects are not germane to this



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instance, for example, the ownership issues, because there's no ownership issue with FlynnStoned and in this instance, it largely flows from the guarantor aspects of the lease.

- Chair Garcia stated that she believes the regs indicate future ownership shares and asked if he could speak to that from that perspective.
- Stephen Geskey stated that to that point, that folds into the last comment about ongoing compliance. He further stated that once again, should OCM become aware of or receive information that points to potential noncompliance in the future time, they would once again do a root cause analysis, do their investigation, and identify what those issues are and set forth a path of course correction.
- Chair Garcia stated that she will note that for this application, should they be approved, she would like to make an ask or have some assurances in some way by this entity that they are going to be good actors within the community. She further stated that they are already facing an uphill battle having had a very vocal community board against their licensure and that she would want them to be able to course correct and mend some fences and show that they are going to be participatory and collaborative and be good actors in that neighborhood.
- Board Member Brad Usher stated that he also thinks that it is going to be important as they look at concerns about market domination that they be very carefully monitoring entities that are at least creating the appearance of that. He further stated that he knows that the Trade Practices Bureau (“TPB”) has been carefully evaluating agreements between investors to ensure that they meet the standards, but that will be increasingly important, and in cases like this where there are so many questions, they will want strict scrutiny of those.
- Stephen Geskey commented heard and understood.
- Chair Garcia stated that she also wanted to issue a similar message, and she is trying to find the license number because this other entity also had a lot of community concerns. She stated that she does not want the community to think that they are dismissing their concerns and they heard them loudly. She stated that this is for OCM CAURD license 2025-000003, Legacy Lifestyle. She stated that they understand, they heard you, and that she would also like to ask that they are going to be mindful of the community partnerships that are fostered. She further stated that they would like to see that entity also have a collaborative relationship with their neighbors and show that they are looking to contribute as they have indicated in their application.
- Stephen Geskey stated that the same answer that he provided a few moments ago on Pelka applies here and once again, should OCM receive any information or “leads as to alleged noncompliance,” they will dutifully investigate and remediate as appropriate.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2026-12, a Resolution to Issue Certain Adult-Use Cannabis Licenses, was approved unanimously.

- Stephen Geskey, Executive Deputy Director of Licensing, Compliance and Laboratories for OCM, provided an overview of Resolution No. 2026-13, a Resolution to Approve Certain Cannabis License Amendment Requests. The Cannabis Law and Regulations allow the



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Board to authorize amendments to cannabis licenses. Through the amendment survey, cannabis licensees can request certain amendments, including location changes in accordance with regulations. The Office has been reviewing these requests on a rolling basis in tandem with the review of applications and renewals. The amendment requests before the Board today include a mix of supply side licensees and retail licenses. In total, there are 38 licensees that are seeking amendments in various forms. The Office will only process amendment requests received via the amendment survey which is located on the OCM website under the “Licensing tab”. E-mail submissions of license or permit change requests will not be considered.

- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2026-13, a Resolution to Approve Certain Cannabis License Amendment Requests, was approved unanimously.

- Stephen Geskey, Executive Deputy Director of Licensing, Compliance and Laboratories for OCM, provided an overview of Resolution No. 2026-14, a Resolution to Renew Certain Adult-Use Retail Dispensary Licenses. Pursuant to Article 4 of the Cannabis Law, all Adult-Use licensees must renew their license every two years. A renewal application requires a licensee to submit Community Impact Plan (“CIP”) details, proof of a valid Labor Peace Agreement, employee demographic, wage, and benefit information, proof of a Notice to Municipality form if applicable, and a required license fee. Before the Board today are 79 applications up for renewal that have completed all of those requirements. Licensees must submit their renewal application no fewer than 60 days and no more than 120 days prior to their license expiration. A licensee who has submitted a timely and sufficient renewal application can continue to operate under an expired license through State Administrative Procedure Act (“SAPA”) until a decision is ultimately made on the renewal application.
- Board Member Brad Usher commented that there are again varying qualities in the community plans, and he understands the agency continues to work with some of these renewal applicants to beef up as necessary those plans.
- Stephen Geskey stated that is absolutely correct. He further stated that they are collaboratively a cross-functional team between Simone's SEE team and the Licensing team, working collaboratively to identify those that fall short of expectations and in an effort to round out those analyses with additional detail.
- Upon a motion from Board Member Crystal Rodriguez-Dabney, and a second from Board Member Brad Usher, Resolution No. 2026-14, a Resolution to Renew Certain Adult-Use Retail Dispensary Licenses, was approved unanimously.

- Stephen Geskey, Executive Deputy Director of Licensing, Compliance and Laboratories for OCM, provided an overview of Resolution No. 2026-15, a Resolution to Renew Certain Conditional Adult-Use Retail Dispensary Licenses. Title 9 of the New York Codes, Rules and Regulations (“9 NYCRR”) Section 116.6(a)(2) states that prior to the expiration of the first renewal date, a licensee shall submit an application to renew the license as prescribed by the Office and include such information and fees, if any, as the Office may require. The



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Chairperson of the Board has made a preliminary determination to renew CAURD licenses to certain individuals and entities that have applied for license renewals as identified in this resolution. Pursuant to Section 76(4) of the Cannabis Law, Municipalities and community boards may issue an opinion as part of this renewal process. For those who have issued an opinion, a response will be sent to that Municipality or Community Board detailing how their opinion was considered in the decision to renew. The conditional period for CAURD licenses is four years. Like all other adult-use licenses, the license must be renewed every two years. Part 116 outlines the requirements for the CAURD license including renewal. The CAURD included in the resolution today have submitted a renewal application to the Office including requiring a municipal notice in accordance with Section 72 of the Cannabis Law. The Office is recommending the approval of the 26 renewal applications before the Board.

- Upon a motion from Board Member Crystal Rodriguez-Dabney, and a second from Board Member Brad Usher, Resolution No. 2026-15, a Resolution to Renew Certain Conditional Adult-Use Retail Dispensary Licenses, was approved unanimously.
- Stephen Geskey, Executive Deputy Director of Licensing, Compliance and Laboratories for OCM, provided an overview of Resolution No. 2026-16, a Resolution to Consider Certain Applications with Non-Viable Locations Requesting the Board Determine Whether Granting the License Would Promote Public Convenience and Advantage (“PCA”). There is one matter before the Board today in which the applicant has proposed a location that does not meet the distance requirements set forth in 9 NYCRR Section 119.4(a). The applicant has requested the Board proceed with the review of the entire application and determine whether granting the license would promote PCA pursuant to 9 NYCRR Section 119.4(b).
- Stephen Geskey stated that there is only one PCA before the Board today and it had a location that was already from which this Board approved an earlier PCA request. He stated that there became an issue with the landlord, so it is a consequence requesting another PCA. He further stated that the Office recommends approval of this PCA request.
- Chair Garcia stated that she wanted confirmation that this application had come before them earlier and they had to table it, and she wanted confirmation that the issues that had been raised right before that meeting have been looked into.
- Stephen Geskey commented that confirmed and absolutely correct. He stated that late before the last scheduled meeting, the Office received what he is going to refer to as just a general allegation. He stated that the Office needed to conduct its due diligence to verify that and it did so, and they are satisfied that whatever allegations there were have been abated. He further stated that there are no concerns at this point.
- Chair Garcia stated that just for the record, she does not recall if he said this already, but this is a PCA request that is just moving a few blocks over, so the conditions that they deliberated on the first time pretty much remain the same.
- Stephen Geskey stated that he did not make that point, but she is absolutely correct.
- Chair Garcia asked if there were new factors for them to consider.
- Stephen Geskey commented no.



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- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, the motion to approve the request in the matter of OCM-RETL-2025-000349, Soho Dispensary, 71-19 Austin Street, Forest Hills, NY 11375 and grant the license because the proposed location would promote PCA under the factors set forth in Cannabis Law, Section 64 and 9 NYCRR, Section 119.4, was approved unanimously.

- Stephen Geskey, Executive Deputy Director of Licensing, Compliance and Laboratories for OCM, provided an overview of Resolution No. 2026-17, a Resolution to Renew Certain Cannabis Laboratory Permits. Pursuant to Section 130.4 of 9 NYCRR, cannabis laboratory permit holders must submit annual permit renewal applications. The Chairperson of the Board has made a preliminary determination to renew cannabis laboratory permits to certain laboratories that have applied for a cannabis laboratory permit. Before the Board today are nine laboratory permits recommended for renewal. The nine laboratories have all satisfied the necessary prerequisites for renewal.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2026-17, a Resolution to Renew Certain Cannabis Laboratory Permits, was approved unanimously.

- Patrick McKeage, Executive Deputy Director for Regulatory Operations for OCM, provided an overview of Resolution No. 2026-18, a Resolution Directing the Office of Cannabis Management to File for Proposed Rulemaking Certain Medical Cannabis Regulations. The regulatory package before the Board today corresponds with legislation that was signed by the Governor last Fall. This was a package of a series of improvements for the Medical Cannabis Program. The package is limited to those regulatory changes needed to effectuate provisions in that legislation. These would be proposed regulations and would go out for a 60-day public comment period, if approved by the Board. Key changes include:
 - Extends the length of patient certifications from one year to two years.
 - Allows reciprocity for medical cannabis patients from other states, territories, and the District of Columbia to obtain medical cannabis from New York registered organizations (“RO”).
 - Lowers the age for personal home cultivation of medical cannabis for certified patients from 21 to 18 years (and likewise for designated caregivers).
 - Allows patients and designated caregivers to possess the Penal Law limits (3 ounces cannabis / 24 grams concentrate) or a 60-day supply of medical cannabis, whichever is greater.
 - Allows 18–20-year-olds to serve as designated caregivers.
 - Removes certain reporting requirements for practitioners (PMP).
- Chair Garcia asked when they anticipate these getting published.
- Patrick McKeage stated that the legwork has been done, and they are hoping to file them with the Department of State shortly after. He further stated that there is usually a two-week lag to get into the register, so hoping to file imminently.



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- Chair Garcia stated that hopefully they can do it quickly and get these regulations in the books.
- Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2026-18, a Resolution Directing the Office of Cannabis Management to File for Proposed Rulemaking Certain Medical Cannabis Regulations, was approved unanimously.

- Stephen Geskey, Executive Deputy Director of Licensing, Compliance and Laboratories for OCM, provided an overview of Adult-Use Application Denials. Before the Board today is a total of six proposed denials in two separate groups. The first group involves three applicants who applied outside the queue window. The second group involves three applicants who applied for the November queue who could not establish proof of control over the real estate. For the first group, the Board issued Resolution No. 2023-38 in October of 2023, which established the application window and sunset that application window as of December 18, 2023. In this instance, there are three separate applicants who applied several months after that into 2024 and all three of them were at least three months late. As a consequence of those applicants applying outside the application window, the Office recommends denial because they simply applied beyond the time frames in which the Board established for permissible applications.
- Chair Garcia asked how these applicants got access to what should have been a closed portal.
- Stephen Geskey stated that it is his understanding that there was a computer link that may have been shared with some folks that passed around in the community that provided true backdoor access. He stated that it is his understanding that a couple of those may have accessed in that way, even though the application period was over. He further stated that more importantly, aside from the IT mistake component of that, it is worth noting that this Board clearly established a deadline for which people may apply for a lawful application and in each of these three instances, that guidance was not met and they applied many months later.
- Chair Garcia asked if they have other applications similarly situated that may come before them.
- Stephen Geskey stated that he believes that this is it. He stated that this challenge of folks applying outside the application window, and they were “able to get through” so to speak, was a fairly small and discrete group. He further stated that if memory serves correctly, he believes they only have the three which are presently before the Board today.
- Board Member Brad Usher stated that when reviewing some of the materials on this, it looks like most of these applicants received a notice that they were up for denial more than a year after their application was submitted. He then asked if there were other communications prior to that between the Office and the applicants indicating the problem.
- Stephen Geskey stated that in fact, he knows several received communication in months following their application. He stated that in fact again, the application window closed



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December 18, 2023, and some of these folks applied in March of 2024 and the Office began notifying folks that they were outside the application window. He further stated that one was in March of 2024, another one was in 2025, and it straddles both timelines.

- Board Member Brad Usher stated that this is something that they should be looking at a little bit to make sure that if somebody has an incurable problem with their application that they are notified in as timely a manner as possible.
- Stephen Geskey commented understood and heard. He stated that the one other point that he will make that may be germane for the Board's consideration is that as a matter of regulatory obligation, OCM issues applicants notices of recommended denial and gives them an advance notice for circumstances when matters like this are presented before the Board like they are today. He further stated that in each of these three instances, the Office issued those notices, and they have not heard back from any of those three entities, and he wanted to fully apprise the Board of that fact as well.
- Chair Garcia asked if the delay in the notification in this instance is because it took a while for the agency to actually open up the application for review to then note that they were.
- Stephen Geskey stated that he cannot say that with absolute certainty. He further stated that he thinks that she is probably likely onto something because they would not discover something like that until there were circumstances or cause for them to do that deeper dive, that investigation, and in the course of doing that, things like this would arise.
- Chair Garcia stated that for this bucket, they are looking at three applicants, OCMMICR-2024-000001, OCMMICR-2024-000002 and OCMMICR-2024-000005, and that these licenses are the licenses they are considering for denial, and she will group them as such.
- The vote by the Board, to follow the recommendation of OCM to deny applications OCMMICR-2024-000001, OCMMICR-2024-000002, and OCMMICR-2024-000005, was approved unanimously.
- Stephen Geskey stated that the next bucket involves three applicants that OCM has recommended denial for failure to establish proof of control over the locations following their applications in the November queue.
- Chair Garcia stated that it would be helpful to go through each of them individually. She further stated that the first one that she has on her list is OCMRETL-2023-000650, entity name is Bellerose Migrants Center, out of Lake Grove, New York.
- Stephen Geskey stated that is a good one to start with. He noted that a few moments ago, he did make reference to the fact that OCM issues notices of recommended denials to any applicant who may be before this Board for recommended denial. He stated that in this instance, they did receive several responses back from that particular applicant and he wanted to fully apprise the Board of that fact. He stated that ultimately, however, those submissions do not alter OCM's recommendation for denial, and the reasons for that are as follows. He stated that while the applicant submitted many forms of contracts and agreements purporting to show proof of control, ultimately none of those involved the owner of the real estate and how it was connected to the retail dispensary that the applicant seeks. He stated that importantly and they received information today that it also looks like that



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particular municipality may have adopted a local law prohibiting cannabis retailers within its jurisdiction. He further stated that he has not fully investigated that local law, but that would explain why OCM has had such a tremendous challenge and ultimately inability to receive a valid lease agreement between the applicant and the owner of the real estate.

- Chair Garcia stated that this applicant applied for the November queue which required proof of control. She stated that she saw a lot of paperwork with leases in here and then asked what about the leases made them invalid at the time of your review.
- Stephen Geskey stated that one document that was first produced was more of a corporate document. He noted that it was like a certificate of incorporation and obviously, that doesn't establish proof of control. He stated that then later, OCM received a lease agreement that was just blank, that without any signatures. He commented that then OCM also received a lease agreement that was executed, but it did not involve this particular cannabis dispensary or the entity involved in the cannabis dispensary. He noted that OCM received something that he is going to refer to as something that purported to be like a sublease agreement and that sublease would ostensibly have been between the entity that he mentioned that actually has the lease and the cannabis dispensary. He stated that however, once again the fatal flaw in there is that the folks who actually own the property are not signatories to that. He stated that it is really not signed by individuals either and once again, it does not establish any type of proof of control. He further stated that there is a lot of paperwork, a lot of things that look legal, but at the end of the day, OCM has not received any type of legal instrument providing the applicant with legal right to control or access the property at issue for a retail dispensary.
- Board Member Crystal Rodriguez-Dabney asked if what he was saying is with each submission, the applicant was given an opportunity to cure the issue, and the Office was in contact with them and they were made aware of how their application was deficient.
- Stephen Geskey stated yes, repeatedly. He further stated that there has been a lot of exchange of information to and from.
- Board Member Brad Usher stated the record definitely shows that there were multiple efforts by OCM to try to solve this. He then asked if he could clarify the reason why they are not considering them for a provisional license.
- Stephen Geskey stated that because it did not establish proof of control.
- Board Member Brad Usher asked if for the November queue, they would have needed to do that, and if they gave them a provisional, they would be in some ways jumping the queue.
- Stephen Geskey commented that was correct.
- Chair Garcia asked if he could elaborate on that because she does believe that they have granted provisional licenses to some entities in the November queue. She then asked what distinguishes this applicant from those who were granted provisional.
- Stephen Geskey stated that once again, this licensee never had established proof of control over the property.
- Chair Garcia stated that everybody else did, but it fell through and because it fell through, they were still eligible for provisional, and this entity never had it to lose.



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- Stephen Geskey commented exactly.
- Chair Garcia asked if the Board accepts the recommendation of the agency to deny the retail license to Bellerose Migrants Center.
- The vote by the Board, to follow the recommendation of OCM to deny application OCMMICR-2023-000650, was approved unanimously.
- Chair Garcia stated that next up on her list is OCMRETL-2023-002013, and the entity name is Jason Stahle.
- Stephen Geskey stated that again, like the preceding application, this is also an application that did respond to OCM's notice of recommending denial. He commented that importantly, however, that while a response was submitted by the applicant through counsel and received by OCM, it is super important in material to note that nowhere in that response did they represent that proof of control was established. He stated that instead, the response once again requested additional time and that was basically the response. He noted that at this point, he still does not have any information that proof of control has been established and at this point it has not been. He stated that there have been numerous communications with this applicant as early as June 24, 2025, about absence of proof of control. He further stated that in this instance, also, the proof of control that was ostensibly submitted was basically some literally a piece of paper written like a placeholder, trying to get in line and worry about it later, and it still has not happened.
- Chair Garcia stated that she sees in the paperwork that he gave them, there is that he indicates the placeholder but there is also a check, proof of a transaction submitted that dates to July of last year.
- Stephen Geskey stated that there is a check in there and he thinks the attorney makes representations that it was done for certain expenses associated with real estate perhaps, but a check stub is hardly a legal instrument, establishing proof of control over real estate.
- The vote by the Board, to follow the recommendation of OCM to deny application OCMRETL-2023-002013, was approved unanimously.
- Chair Garcia stated that next up is OCMMICR-2023-000615, Smoke Green Factory out of East Rochester, New York.
- Stephen Geskey stated that in this instance, the applicant simply provided a letter of intent regarding a piece of property. He stated that notably the letter of intent itself states the following quote: "The letter of intent is not a contract and not meant to be contractual nature. This letter of intent does not, however, create any legal right or obligations between buyer and seller." He stated that it is questionable whether or not that possibly could even serve as proof of control with that disclaimer. He stated that aside from that, that letter of intent was essentially rescinded anyway. He stated that the applicant notified OCM that whatever opportunity it had over that particular location it was lost because if he recalls correctly, the owner of that property actually sold it elsewhere, so obviously, that property is not on the table for a variety of reasons. He further stated that they never received any other locations and as a consequence, they are recommending a denial.



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JOHN KAGIA
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- Chair Garcia asked when that communication was.
- Stephen Geskey commented that May 22, 2024.
- Chair Garcia asked if they had reached out again.
- Stephen Geskey stated that there have been numerous communications in this one. He stated that there are also communications in May of 2024, November of 2024, and then obviously most recently, March 7th of this year, where they provided notice to the applicant of the recommending of denial. He further stated that this is one of those that they did not receive any response back.
- Chair Garcia stated that she noticed that this is actually a SEE applicant and is curious if there has been any additional assistance given to them to understand their very complicated proof of control process.
- Stephen Geskey stated that he does not know the answer to that.
- The vote by the Board, to follow the recommendation of OCM to deny application OCMMICR-2023-000615, was approved unanimously.

- Thomas Donohue, Acting General Counsel for OCM, provided an overview of the request to issue a Declaratory Ruling in the matter of Gotham Buds LLC. He stated that before the Board is a request for a declaratory ruling. He noted that under the SAPA, anyone can ask for a ruling from an agency with respect to how the laws and regulations apply to a certain set of facts. He stated that it could be a hypothetical situation or an actual situation. He stated that in this case, they have a licensee through their counsel asking whether or not certain provisions of an agreement they have with a third party violate any of the provisions of the cannabis law and their regulations. He noted that the Trade Practice Bureau (“TPB”) has dealt with a number of these, working with the parties to try to identify and resolve any provisions in an agreement that may be problematic. He stated that they have before them this request and have a number options. He stated that they can issue a ruling if they are so inclined as to whether or not the agreement has any problematic provisions. He stated that they can decline to issue a ruling at all. He stated that he would toss out to them the possibility of having the TPB become involved in this to try to work with the person making the request. He further stated that he will note that they have a confidential memo from the TPB attorneys with an analysis of the issues raised by the requestor to help them with their analysis of the situation.
- Chair Garcia stated that they do have the memo and then asked aside from reviewing the request and providing that confidential memo to them, if parties have reached out to the TPB to help in addressing.
- Thomas Donohue stated that for this particular agreement, he does not believe there has been a request to the TPB to review the agreement and to provide any guidance. He further stated that there is a number of other situations where the TPB has become involved and they are still involved in a number of items where they are working with both the licensee or the applicant and the third party involved in the agreement to try to come to some mutual



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JOHN KAGIA
Acting Executive Director

resolution of any provisions in the agreement that could be violating the law of the regulations.

- Board Member Brad Usher commented that it seems to him that there are a number of important issues raised in what they have received, but that the TPB deserves a chance to try to see if they can work these out. He stated that there is definitely more expertise in doing this and they have been successful in other cases. He further stated that the idea of asking them to review and see if they can work with the licensee and the other parties to resolve this first and then if that does not work for them to consider some action.
Thomas Donohue stated that if they are inclined to do that, he would suggest they hold this matter in abeyance to let that happen. He further stated that he would suggest they do not hold it over that long because the Board, of course, would not want this lingering for a while so that they could see if there is any progress that could be made with the TPB involvement, and then if not, the Board can then consider whether or not it wants to actually issue a ruling.
Board Member Crystal Rodriguez-Dabney stated that she would be inclined to agree with that and thinks that they need to hold it in abeyance and let the TPB work with the licensee to see if something can happen, and hopefully a status report next month.
Chair Garcia commented that sounds good.
Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, to hold this Declaratory Ruling in abeyance to give the TPB a chance to work with parties and do so within the next month to report back to the Board for the next Board meeting, was approved unanimously.

- Acting Executive Director John Kagia provided an overview of Resolution No. 2026-19, a Resolution to Direct the Office of Cannabis Management to Consider Licensee Amendment Applications to Expand Adult-Use Cultivator Capacity. OCM conducted a supply review based on available market data to better understand both where the market currently is and what their capacity requirements are going to be moving forward. OCM provided the following assessment.
New York must increase its cannabis supply to meet accelerating demand, without triggering oversupply that destabilizes the market.
The market is at an inflection point, the period of rapid retail growth and market maturation, Metrc implementation is complete, and the 2026 outdoor cultivation cycle is rapidly approaching.
If supply lags demand, it creates sustained product shortages, upward price pressure, consumers and producers migrating to illicit channels, and retail instability.
If supply exceeds demand, it creates price compression, grower financial distress, business failures, and long-term structural instability.
Excess authorization contributed to oversupply, induced price destabilization in other mature markets.



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- The Board has licensed 560 cultivators to date. Not all of the 9.1 million square feet authorization has been activated.
- By the end of 2025, licensees activated an estimated 46% of maximum capacity or an estimated 588,000 pounds of biomass.
- New York’s adult-use market has grown rapidly since the program began. OCM forecasts suggest continued market growth over the next three years.
- Demand for biomass is projected to grow along with sales, dwarfing current output levels.
- Additional cannabis can be brought into the market via six avenues. Only three are within the Board’s control. Actions that can increase the amount of cannabis in the market include:
 - Market driven actions (Board can observe, not direct), include non-operational licensees begin operations, operational licensees increase efficiency with existing canopy, operational licensees utilize more of existing canopy authorization, and new RO’s qualify for ROD/ROND licenses.
 - Regulatory levers (Board/OCM can act) include licensees change tier/grow type within currently permitted tiers, expand permitted tiers for existing cultivation licensees, and authorize more canopy via new licensure via the December queue.
- Operating timelines require a two-pronged approach to addressing a potential supply shortfall. OCM recommends utilizing tier increases to address immediate supply shortfalls while prioritizing new licensure for supply over the medium to long term.
- Approximately 356,000 pounds of biomass are needed from tier increases to address the immediate supply gap.
- Most adult-use cultivators are at the highest allowable tier. Opening new tiers provides measured runway for growth.
- Opening the expansion process for a subset of growers aims to achieve the 356,000 target while mitigating the oversupply risk.
- Approximately 174,000 pounds of biomass are needed from new licensure for long term supply planning.
- Reviewing the remaining December cultivator queue in 2026 should address the anticipated need.
- Post-recommendation risk profile remains acceptable. The Office will monitor via ongoing supply reviews.
- In summary, OCM conducted a supply review based on available market data. Biomass needed to meet the demand of New York’s growing market is estimated to significantly exceed current production levels. Currently, OCM projects a 356,000-pound supply gap for



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JOHN KAGIA
Acting Executive Director

the 2026 growing season and a 174,000-pound supply gap for the 2027 growing season. To meet market demand, OCM recommends the following:

- Allowing a subset of existing growers to move up one cultivation tier to meet short-term supply gap.
- Commit to the review of the remainder of the December Cultivator Queue applicants to support long-term market growth.
- Chair Garcia asked where he talked about anticipated retail sales, if he could elaborate on what went into that factor of projected demand.
- Acting Executive Director Kagia stated that how they think about and how they have been modeling out to their retail sales has included several components. He stated that one, the retail part of the market is actually one that they have had really good visibility into, even without STS because of the weekly sales reports that retailers are required to submit to them, and they give them two valuable areas of insight. He stated that one is just pure dollar revenues for each individual retailer each week, so they are modeling this on an ongoing basis to track that performance. He stated that two, they are also able to see what products they are selling and how many of those products that are being sold. He stated that the trends in units sold and average prices of units, they are using some of their own data, they are using some externally sourced data to triangulate this, but that combination of understanding what total sales are, as well as understanding how, it is called a consumer preferences are evolving, how much consumers are buying across these different product categories have helped them forecast out where they anticipate the market is going. He stated that two, they have also spent a lot of time looking at the growth of other markets and the growth arc of other states in terms of what happens post-legalization in the first stage of the market where you tend to have like a hockey stick curve, the plateau stage, and then in some cases, they are actually starting to see the decline stage in the most mature markets. He noted that this is a conservative midrange estimate based on the trends and patterns they have been seeing in New York. He stated that they will continue to refine this as the data gets better, but it factors in the rate at which their sales have been growing, the pace at which new stores have been opening, the average revenues that they are seeing across these stores, the trends in price compression that they have seen. He further stated that to date, they have seen a 20% price decline and that they continue to forecast that prices will continue to come down, so that is factored into this as well and that there has been some deep thinking that they have applied here.
- Chair Garcia asked if it makes any assumptions about new licensing.
- Acting Executive Director Kagia stated that it does. He stated that on the retail side, it is assuming they are continuing along their steady state of licensing. He further stated that it does not make any assumptions about what the top end number of licenses is going to be, rather, it is assuming that demand will be distributed across whatever number of licenses are open at the time that at each mile marker of this model.
- Chair Garcia asked if there is a date by which they should be aiming to license these folks to be ready to meet the demand in 2027 and 2028.



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- Acting Executive Director Kagia stated that this is one of the areas in which the approach is going to be dictated in part by the realities of the constraints facing the Office. He stated that they are deeply capacity-constrained, their licensing team is not growing, and it will be the same team that is managing licenses, renewals, amendment requests, et cetera. He further stated that this would be in addition to the portfolio that they are already putting out and comfortably, if they worked through these licenses over the next twelve months, that should put them in good stead for their anticipated need as they are looking out to the beginning of 2028.
- Chair Garcia asked if this is going to be an application window to expand their canopy, at what point will the Office close the ability for a cultivator to request expansion of canopy, and are they stopping at the 356,000 biomass, and at that point it will be closed. She also asked how they are letting folks know when the opportunity to expand is no longer going to be available to them.
- Acting Executive Director Kagia stated that rather than turn it on and off, it will be processing it based on the demand threshold so they can continue to accept the applications for folks who want to level up but using the data coming out to the market to determine how much more capacity to process. He stated that flexibility would be important because they won't know for who is getting licensed, either authorized for the new canopy or being issued the new license, who is going to activate the operations or not. He further stated that in discussing this internally, they end up with more flexibility if they can say that they are going to be accepting applications and processing the applications until they have issued capacity that is reflective of their target number that gets them to the 356, pause consideration of additional authorization requests until they better assess whether more capacity is going to be needed and then issue that on a rolling basis on a first come first serve basis.
- Chair Garcia stated that her concern would be making sure that they are communicating to stakeholders, that these things are what is informing, potentially not reviewing their request for an amendment for expansion.
- Acting Executive Director Kagia stated that there are two pieces. He stated that one, they are moving quickly to operationalize the system and if you are a New York cultivator and you have been producing for more than one year, look out for documentation coming out from the Office on this process. He stated that two, they should be able to process quite a number of these before they hit that 356,000. He further stated that three, they are entirely aligned on keeping real updates on this so that folks are able to anticipate whether or not they are going to be permitted to proceed, as they have learned here, just advising folks to manage their investments in alignment with the process of Office, not making too many investments based on anticipated decisions without confirmation that is the direction the Office is going in.
- Board Member Brad Usher asked if they have a sense of the timeline where they might know whether they are approaching the capacity so that they would be able to tell applicants, hold your horses.
- Acting Executive Director Kagia stated that not yet and they would be able to tell based on the applicant interest they see in the process and the nature of the paperwork as well as how



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Hope Knight
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JOHN KAGIA
Acting Executive Director

long it has taken them to get through the files. He stated that he will be able give him a clearer answer on their anticipated outlook once they know how much interest they have seen from the growers once they open the application portal. He further stated that he is so happy to have this be a standing item that they discuss at future Board meetings.

- Chair Garcia asked if they are approving the expansion of canopy to reach the 356,000 pounds of biomass that they need and if the second part of this resolution is resolving that the Office will be considering additional factors for expansion of canopy and if this is the ability for the agency to be able to do this without having to come back to the Board.
Acting Executive Director Kagia stated that some of the factors that they want to make sure are, for example, that the licensees are fully in compliance with all of their obligations to the state. He stated that if they have got outstanding statements of findings or unpaid taxes, have other issues related to their compliance adherence to state law and state regulations, that would be viewed as a negative factor in consideration of whether they would be able to proceed. He further stated that they are just looking for a bit of flexibility there to ensure that beyond meeting the one-year operational threshold, that there is a bit of flexibility there to make that assessment.
Chair Garcia asked if this resolution is asking the Board to allow for this plan to be in effect up to the point that they reach 356,000 in biomass.
Acting Executive Director Kagia commented yes.
Chair Garcia asked if in however mechanism the agency seemed appropriate.
Acting Executive Director Kagia commented yes.
Upon a motion from Board Member Brad Usher, and a second from Board Member Crystal Rodriguez-Dabney, Resolution No. 2026-19, a Resolution to Direct the Office of Cannabis Management to Consider Licensee Amendment Applications to Expand Adult-Use Cultivator Capacity, was approved unanimously.

- Acting Executive Director John Kagia, L. Simone Washington, Chief Equity Officer for OCM, Alexandria Lepech, Analyst 2 for OCM, and Julius Caranda, Program Specialist 3 for OCM, provided the following OCM report.
Market Update
New York's adult-use market ended 2025 with \$1.7 billion in reported retail sales. Overall retail sales have now reached \$2.97 billion, with \$246.1 million generated this year alone.
The Office received the 2026 SEAL Environmental Initiative Award for its PowerScore sustainability program, marking the agency's second consecutive year receiving this national recognition.
Social and Economic Equity (SEE) Update
Of the licenses issued today, 44% of adult-use licenses are SEE owned. The breakdown includes, 57% Minority-Owned Businesses (MOB), 43% Women-Owned Businesses (WOB), 14% Communities Disproportionately Impacted (CDI), 0% Service-Disabled Veteran-Owned Businesses



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JOHN KAGIA
Acting Executive Director

(SDVOB), and 14% Distressed Farmers (DF). Licenses may be counted multiple times if they are approved for multiple types of SEE categories.

- Overall, 56% of all adult-use licenses issued are SEE owned, with 51% MOB, 57% WOB, 15% CDI, 7% SDVOB and 7% DF. Licenses may be counted multiple times if they are approved for multiple types of SEE categories.
- The breakdown for SEE across the supply chain includes 43% of Adult-Use Cultivators, 49% of Adult-Use Processors, 45% of Adult-Use Distributors, 59% of Adult-Use Microbusinesses, and 76% of Adult-Use Retail Dispensaries.
- The SEE team is developing the Equity Business Development Grant Program (EBDG), building on the 2025 pilot CAURD Grant program. A third-party grant administrator will be procured by the Office to manage applications, review documentation, provide applicant support, and manage disbursement. Eligible recipients tentatively include CAURD licensees, who were denied awards last year due to funding exhaustion and supply-side SEE licensees, including CDI microbusinesses, DFs, and SDVOBs. This program is designed to move forward a sustained grant funding structure that supports equity and capital access across the full supply chain.
- The CUNY Law Pro Bono Initiative provides independent, no cost legal support for cannabis applicants and licensees, with a focus on SEE and CAURD businesses. This program expands equitable access to legal support and improves participation outcomes, including improving application readiness and compliance and supporting responsible business formation. The CUNY Law Foundation will administer the program to include one-on-one legal assistance (does not include litigation matters), application support and technical assistance, and virtual workshops and consultations.

- Chair Garcia asked how much in grant will be given out.
- Simone Washington stated that they are going to keep it at \$30,000. She stated that what they heard from those recipients last year is that \$30,000, though it seems small, actually made a significant impact. She stated that as they work out the kinks and try to make this more sustainable, that number should go up. She further stated that one of the things that they recognize is that they are still missing a large swath of population, not everybody is at that stage of being pre-operational, having all the equipment, there is still a gray area there where they can actually create a bridge fund and they still want to give themselves room to figure out how do they grow this or scale this over a period of time.
- Chair Garcia asked since the legal assistance is through CUNY Law, who would be the legal providers, and if they are looking at students and faculty.



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JOHN KAGIA
Acting Executive Director

- Julius Caranda stated that it would be employees of CUNY Law, they are hiring staff, and it would not be students, it would be actual professional licensed attorneys doing the work.
- Simone Washington stated that they were very strategic in making sure that they were hiring actual licensed attorneys because they recognize that there are a lot of complexities that come with lease agreements, setting up particular incorporation documents, and they wanted people who were seasoned so that they did not find themselves giving potentially wonky legal advice.
- Board Member Brad Usher asked if this operates statewide.
- Julius Caranda commented yes.
- Board Member Crystal Rodriguez-Dabney stated that they do not have a CUNY Law School over here in Western New York.
- Julius Caranda stated that it would be offered statewide virtually and that is how folks are able to get the access to it, you can book a session with CUNY Law if anybody is outside of the five boroughs, and they can get consultation through the virtual means.
- Simone Washington stated that there is an appetite to use this as a pilot program and maybe work with additional law schools across the state so they can scale this. She further stated that as they roll out these programs that are designated SEE, they are all pilots, there is room to grow and to hear from the communities and the stakeholders about how they can be better and that this is just a starting point for them.
- Chair Garcia asked if they have a sense of caseload capacity.
- Julius Caranda stated that because the program is still in development, they are still researching to figure out exactly what the demand would be and how CUNY Law will be able to manage all the demand of folks wanting legal services, but they are still developing, and are still finding out, so hopefully they will be able get that answer to her soon.
- Simone Washington stated that she wanted to stress that this is just preliminary and they are iterating, and they are trying things out. She stated that she recognizes that a lot of the SEE programming got stalled in the transition from one Chief Equity Officer to another and she wanted to extend the invitation to the public that as they are talking about this, if they have ideas, please feel free to reach out to herself and the SEE team. She further stated that they want to make sure that what they are creating is resonant and culturally relevant.

- Members of the public were provided the opportunity to address the CCB during the Public Comment period. Remarks must be limited to two minutes to allow all participants an equal amount of time to speak. Public Comments are listed in Appendix A.

- Upon a motion from Board Member Brad Usher, and a second from Chair Garcia, the meeting was adjourned.



Appendix A

NYS Cannabis Control Board 3/5/2026 Meeting – Public Comment

Table with 5 columns: First Name, Last Name, Organization (If Applicable), Public Comment. Row 1: Jeanette Miller, [Empty], [Empty], [Detailed public comment text]



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Acting Executive Director

				<p>and say this is costing money every single day. My license that needs to be reactivated in Metrc are my C1, my P1, and my DX1. The ones that were supposed to be deactivated were my C2, myP2, and DX2. This has been confirmed. I've sent multiple emails to compliance, to licensing. I've called multiple times. I've sent this up to the legislators. I've had Senator Ortt's reach out to the Office of Cannabis Management, but we have no point of contact. I need a point of contact. In addition to that, we need a point of contact for licensees. It has to happen. There's no way you guys can be genuine. I mean, it's very disingenuous. For you guys to tell us that we need to do these things without being able to contact someone to resolve things to keep our markets safe for our consumers.</p>
2.	Thomas	Spanos		<p>Good afternoon, board. Thank you very much for the opportunity to speak. Best of luck to the acting executive director in his new position. I wish you the best of luck as things move forward. I'm actually here to speak today, not, I mean, my name is Thomas Spanos. I'm a cannabis attorney here in Buffalo, New York. I'm actually not here on behalf of any of my clients. Just regarding something that I've seen, I've received posts about, and I've actually had some input on the regulations as they were proposed on this and it's with regards to onsite consumption areas in dispensaries, as well as just on-site consumption in general. Under the MRTA in Section 77, it outlines the requirements and restrictions for onsite consumption businesses, one of which is that no other licensee is allowed to have an interest in onsite consumption. That includes retail dispensaries, which is why I provided a comment when you created these regulations that I couldn't quite understand why you were allowing dispensaries to apply for an onsite area they are not allowed to have. Now, I'm not sure whether any authorizations for these locations are actually happening. All I know is that I see dispensaries posting about it on social media that they have consumption lounges. Those are just simply not legal. The MRTA only allows onsite consumption area licensees to be exempt from the Clean Indoor Air Act in New York. So, any areas that there's consumption going on indoors is obviously opening up these licensees to potential liability with their local health departments, regardless of whether or not OCM takes</p>



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				any action on them. Not to mention the potential for parties who are anti-cannabis to sue them over not following the requirements of their license and the law. So, I wanted to bring this to the board's attention. I think that this is something that we can nip in the bud and right the ship on as this industry moves forward and I think that it's common sense. Thank you very much.
3.	Sadek	Sharian	Herbal Harvest LLC	My name is Sadek Sharian. I'm here for Herbal Harvest LLC. My concern is more general. I watched these board meetings online. I came here today. But it seemed like when there's a vote, it's always all three, four, five, whatever members go vote one way, whether it's a denial or approval. Seems like these are all in one big game, whether it's I need help. She votes for yes, all you guys are going to say yes. She votes no, all of you guys say no and we are always held accountable for our little mishaps or misunderstandings but I got four names here that I've been dealing with since 2022, Nikki, Reginald, Lashon, Annie. All have been lied to me, liars, send me a one-way track of destruction. Feed me false information. Tell me to apply for my application. We can always get you in the future. Bunch of lies. Tell me do this. I paid more fees for every application twice as much. I did four years in prison for marijuana. Two retail dispensaries on my co-defendants have SEE applicant's approval. Why me? Why not? I don't know why I got to go through all this. We've been doing good without OCM, but it is what it is. Thank you.
4.	David	Nicponski	Freshly Baked NYC / NYCRA	Good afternoon, members of the board and Chair Garcia. First, congratulations to Director Kagia, a very well-deserved and exciting appointment, and one that I am personally very much in support of. Next, I am very happy, and it's about time, that you approve Shanduke's application. To some folks, administrative delays might seem just academic or just crossing T's and dotting I's, but when your rent is \$20,000 a month and you can't operate, unnecessary and arbitrary delays really start to cause damage and destroy people's lives. As I mentioned last month, we are up for renewal for a CAURD license. Since then, a grand total of zero illegal stores have been shut down by law enforcement, matching the prior standing record for over twenty-two months now. Right now, in our area, there is zero effective enforcement. Enforcement is



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Table with 5 columns and 2 rows. Row 1: [Empty], [Empty], [Empty], [Empty], [Text: non-existent. One illicit store operates freely with a sealing order untouched in its front window being used as free advertising from New York State about the fact that they sell pot right next to their open 24/7 neon sign. I'll show pictures of it to anyone interested after the meeting. Two others operate with partially torn sealing orders on their door. So, I have to seriously ask, "With no prospect for profit, why should I even bother to renew my license?" Director Kagia in his opening remarks mentioned regulatory and market efficiency as one of his focal points. How ..., considering New York has, despite all rational arguments against, and the market united in opposition plowed ahead with its retail ID plans. This has already disrupted supply chains, distorted economics, market economics, and eliminated products. In our Bronx dispensary in the poorest county by far in New York State, our top two selling products are now being discontinued due to the impact on the unit economics. They're being replaced by larger packages at higher prices, which undermines the very factor that makes them the top sellers in our area. This will not fly. Absolute irrationality inaction has been a hallmark of too many industry decisions marked to date and this approach needs to be changed now before it causes yet more unforced and self-inflicted damage to the market and its participants. Thank you.] Row 2: [5.], [Ruth], [Randall], [Especially Green], [Text: Good afternoon. My name is Ruth Randall and I'm the co-owner of Especially Green, micro license number 00035. But I'm here today representing the New York State Cannabis Farmers Alliance. We would like to extend our sincere congratulations to John Kagia on your appointment to Acting Executive Director. CFA has also submitted a letter of support for your candidacy to the New York State Senate. We look forward to collaborating closely with you and the Office of Cannabis Management to build a robust and equitable cannabis industry in New York. CFA applaud your number one priority of community outreach and stakeholder engagement. We believe it is crucial that we foster collaboration among all industry stakeholders, cultivators, processors, retailers, advocates, and regulators alike. CFA is committed to assisting the office in consultation on regulatory and legislative matters, and we believe by working together, sharing insights and amplifying]



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				diverse voices, we can shape regulations that are fair, effective and supportive of both small businesses and larger corporations. Thank you.
6.	Roger	Thomas	Mellow Times	Good afternoon, I'm Roger Thomas. I'm from Mellow Times in Manhattan. Last time I spoke in front of the board, I told you guys I didn't really have much faith, no confidence, but it's starting to come back, knowing that John is in charge. John, I really hope that since you're at a realm now, you take the stakeholders, you try to please the stakeholders. Just try to look out for us. What happened to my brother, Shanduke. What's happening to me now. Where we're paying rent. We're paying insurance. We're just sitting on a location that's built out and waiting for approval, waiting on months. It's going on our second month now, we're paying the rent. Please, just look out for the stakeholders who just have money wasting, wasting, wasting. Just not knowing what's going to happen in the future. It's okay if we make bad decisions and we messed up, right? But make bad decisions and losing our money. But when we sit down and we losing our money because you guys making, taking long to make a decision, like an approval and we just, that's not good, that's really not good. So, John, congratulations and I really hope you try to please the stakeholders than really try to please the Governor. Please, look out for the stakeholders. Thank you.
7.	Scot	Trifilo	Terrace Corporation of NY	Hello, everybody Scot Trifilo, Micro License Number 4 cultivation processing retail and distribution in Saratoga Springs. I'd like to just talk a little bit about the micro license class. I think it's a great opportunity to build a small craft license type in New York State. But as the market matures, I think the regulations need to be looked at a little bit. I've got a couple suggestions that would help. The micro class become a stronger entity in New York State. I think it's very important that we have this small micro class. I think first, regarding the showcase events, if there's any possible way that we can, as a cultivator and processor and retailer, if we can retail our own product at these events, just our own product, nobody else's. And then also, regarding, the nursery license for micros and for other cultivators, the state, the market in New York, whether it's the recreational side of things where they can cultivate their own or whether the farmers, everything is coming in from out



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Table with 5 columns and 2 rows. Row 1: Empty cells followed by a long text paragraph. Row 2: 8., Kashan, Simmons, Bud Struck LLC, followed by a long text paragraph.



				learn basic information. I believe in this program and what it was meant to do but transparency and accountability are not optional, especially in an equity framework. Thank you and I look forward to a response. Thank you.
9.	Steven	Tappa	Curaleaf	How's everyone doing today? I just want to thank you for the opportunity to come up here and speak to the board. My name's Steven Tappa. I'm here to represent Curaleaf. I'm here to really just discuss how we are extremely excited about the opportunity to work with Metrc. I think it's a great way to move the business and this market forward. I think for us, the biggest thing is getting inversion out of this market and I think the traceability, the trackability, the efficiencies that we get from Metrc, you know, it's going to help us move towards getting us that 365,000 pounds that we need, you know, as the Chair member said. I think for us, that is the biggest kind of path forward for us here in the state. I think Metrc has been a great partner for us. As a big operator, we have had our difficulties with this implementation. I think even, you know, with some as long as well with the smaller operators. But again, Metrc has been a great partner for us. They've helped us throughout any of the issues that we've had. And again, I just want to state our case that this is a great thing for the market. It's a great things for us as a business. It helps us to be more efficient, traceability, trackability. And as a consumer myself, I want to see that we have safe, reliable cannabis here in the great state of New York. So, appreciate your guys' time. Thank you.
10.	Vincent	Ning	Nabis	Good morning, Chair Garcia, members of the board. First of all, thank you for all of your hard work and especially the difficult decisions you have to make each and every day to make this market work smoothly. My name is Vince Ning and I'm the CEO and co-founder of Nabis, the nation's largest cannabis wholesaler. I flew to Albany on short notice because the Metrc retail ID issue this week has rapidly escalated into a supply chain challenge affecting operators across New York. Distributors sit at the center of the regulated supply chain as an infrastructural layer for the industry, servicing suppliers and retailers equally across our platform. We receive finished products from cultivators and processors and deliver them to dispensaries. Because of that position, when a system issue occurs, it can



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				<p>cascade quickly across the entire market. Following the recent retail ID enforcement deadline this past weekend, we've observed an inconsistency in Metrc where products that physically contain retail IDs are not always digitally designated as finished goods in the system. This creates a mismatch between the physical product and the system of record that operators rely on for compliance. For a distributor operating the middle of the supply chain that creates three immediate risks; retail orders that cannot be received, deliveries that must be returned and rescheduled, and inventory that retailers cannot legally accept. Today, we're partnered with over sixty brands and nearly all dispensaries across the state of New York. Our brands represent nearly 15% of the New York market and roughly tens of thousands of units are delivered out of our warehouses each and every day. In our own system, approximately 12% of individual products across orders are currently affected. Based on broader market estimates, roughly 22% of product value moving through the market may be impacted. Because distributors coordinate deliveries across many brands and retailers simultaneously, even a small mismatch at the system level can compound quickly and disrupt the supply chain statewide. The Metrc leadership team and Michael have been incredibly responsive and our request is straightforward. Temporary operational flexibility through 420 on retail ID enforcement and long term we strongly support the goal of a single universal retail ID. We've seen other markets how that's created fragmentation and retailer driven non-governmental enforced retail ID protocols and it creates a diaspora of a mess, namely from markets like California. A consistent statewide standard implemented with operational clarity should ultimately strengthen the market.</p>
11.	David	Feder	Weed Law	<p>Good afternoon, board members and everybody online and everybody around. My name is David Feder. I'm the founder of Weed Law. I've been a cannabis attorney in New York for the past 13 years. First, out of the past 13 years, I want to say a huge positive advancement to the entire industry is the appointment of John Kagia to the Director. We're really excited for you. The whole industry is cheering, seriously, as you've heard it around here. It's a common sentiment. We're hoping to work with you as</p>



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Table with 4 columns and 2 rows. Row 1: Empty cells followed by a long text block starting with 'you ride the ship. I want to thank the board for approving SOHO dispensary's PCA waiver today...' Row 2: 12., Jay, Young, followed by a shorter text block starting with 'Good afternoon, Chair Garcia and members of the board...'.



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Table with 4 columns and 2 rows. The first row contains a long paragraph of text. The second row contains the text: '13. George Horstmann Good afternoon. Thank you for allowing me to address the board today. I am the owner of a company that was licensed in New York to cultivate



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				<p>adult-use cannabis. My license number is OCM-CULT-25000193. I have been licensed since Spring 2022, when I was in AUCC. As an existing cultivation licensee, I'm entitled to a processing license. I applied for a processing license to accompany my cultivation last Fall. My OCM reviewer completed his review and forwarded it to the CCB for their review and to eventually be voted on by the board. I was then informed by my OCM reviewer that the CCB had put a hold on their review of my processing application and no reason was given. My processing application review by the CCB has been on hold for five months with no explanation given despite my weekly inquiries. I cannot process and sell the cannabis that I cultivated in 2025 without the accompanying processing license. The cannabis is degrading and losing its viability. This delay has put my company under extreme financial distress because of a complete lack of cash flow. I'm asking the board to review and issue my processing license so that my operations are no longer disrupted. My processing application number is OCM PROC 2-2025-000007. Thank you for your consideration.</p>
14.	Hamid Michael	Ardebili	iDispense NYC	<p>Good afternoon, Chair and the board members. My name is Hamid Michael, a SEE retail licensee under the MRTA. The MRTA was not ordinary legislation. It was a moral promise that the communities harmed by the prohibition would not simply watch the next industry to be built but would help lead it. Equity does not survive on vision alone. It requires regulatory stability, clarity, and consistency. Many of us relied on the rules as written. We invested lifesavings, signed leases and moved forward in good faith based on published regulations and agency guidance. Yet, too often licensees encounter shifting interpretation in consistent enforcement and it's a determination that appears to move beyond the statute itself. When that happens, the burden does not fall on the agency. It falls on the equity operators and the only remedy becomes litigation. For large, well-capitalized entities, litigation is a strategy. For equity applicants, it's a threat to survival. If equity licensees must repeatedly go to court simply to enforce compliance with the statute designed to protect them, the system begins selecting for capital, not equity. My request is simple. Correction. Create internal mechanism to correct administrative errors without forcing licensees into court. Apply written standards consistently and ensure</p>



				equity operators are not financially exhausted defending rights already granted by law. MRTA was revolutionary. Now, it must be reliable. And, many thanks to the SEE team. Thank you.
15.	Lance	De Ratafia	Green Mountain Organics	<p>Re: Inequities in license renewals of former AUCC licensees, and extended revenues and benefits for late transitioners.</p> <p>Sirs:</p> <p>Kindly accept this writing as a lay opinion, and not as legal demand letter.</p> <p>1. The Cannabis Law demands uniformity and fairness in licensing to avoid arbitrary advantages. In Section 64, there is clear emphasis that all licensees must adhere to consistent timelines and requirements.</p> <p>2. However the staggered transition process from AUCC to full licensure creates unfairness and legal inequities, in as:</p> <p>A. Early transitioners shortly after the 2023-2024 window typically received full licensure by mid-2024 and received two year licenses, (and in most cases included Processor and Distributor licenses.</p> <p>B. These licensees typically entered into a 2 year renewal cycle expiring in or about mid-2026, with demands for renewal process and payment to start in January 2026, (60 to 120 days before expiration)</p> <p>C. In contrast, late transitioners, that applied on or about the final the May 3, 2024 deadline, greatly benefited.</p> <p>D. These late transitioners where able to continue operation under their Conditional Cultivator Licenses, with full conditional authority.</p> <p>E. Furthermore, they did not require the application for, and payment thereof, of Processor and Distributor licenses, to continue with these activities, as defined by their AUCC licenses, which included these rights.</p> <p>F. These late applicants entered into a period of the OCM's long backlog.</p> <p>G. Upon certain information and belief, many AUCC where in no hurry to correct deficiencies and progressive towards a regular license.</p> <p>H. Thus, if a full license is issued on or about January 2026, their operational span and ability to operate and generate income could exceed 3 years, (from June, 2022 to January 2026).</p> <p>I. This would than be followed by a full two-year term, pushing renewals to January 2028.</p>



				<p>This is in clear contravention of the spirit and intent of Section 68, which intends, for Conditional Licenses to be short term-bridges, and not extend privileges. The above has created a de facto, tiered system, where delays reward, some those operators that take advantage of them.</p> <p>Why have made the effort and to write this polemic? I worked very hard to grow, process and sell crops. I am still sitting on the biomass, from the 2025 harvest. I have to include the licensing costs of about \$60,000 plus \$20,000 in credit card interest loan charges, for my renewals in the asking price for this product. I am competing against a very late transitioners that can lower prices below my costs. As stated above, the co not have these renewal fees to include in their costs. The, the OCM has created an unlevel sales field, for UCC's that listened to the OCM's advice to promptly apply and transitioned expeditiously.</p> <p>In my humble opinion, what should OCM consider doing to rectify this inequity? I believe that all transnational licenses, originating from former Hemp farmers, (AUCC) should expire at the same time, like the AUCC licenses did. To rectify this all transitioned licenses should be extended to the date of the expiration of the LAST, transitional license that has been issued.</p> <p>With kindest of regards, Lance de Rarafia</p>
16.	Cheng	L	Micro business	<p>Hello member of the board, can you please have OCM give an update on December Queue micro business. My micro business application cool extracts is 3/4 down the December Q and my application location is Queens NYC. Currently there are over 200 retail licenses in NYC and only less than 10 micro business licenses in NYC. I know there is litigation that stops December Q retail applications. But I hope you will let micro business in NYC to go forward. Micro business can grow and process and sell to other retails without their own retail location. So please let micro business go forward without a retail location. I will be happy to have a micro business even without a retail location. Micro business can bring more supply to the market, instead of increasing more grow canopy to existing cultivators, when there are people like me who wants to grow and sell to retails at a small scale. Please let micro businesses in NYC go forward. NYC is a difficult place to grow,</p>



				<p>process and manufacture. I don't think there are many of micro business applications in NYC like me. Thanks.</p>
17.	Sam	Phelps IV	<p>Walden Riverside Farm / FlowerHouse NY</p>	<p>Thank you for your attention to this important matter, I understand how busy all of you are. My name is Sam Phelps IV, my wife Melissa and I are 4th generation owners of my family's farm in Orange County (Walden River Farm) We are 51% owners, who qualified as distressed farmers and woman owned, of the following licenses under the operating company "FlowerHouse Walden" OCM-CULT-24-000179 OCM-PROC-24-000189 OCM-DIST-24-000110 The other 49% owner is FlowerHouse NY. I have emailed the general OCM inbox, reached out via consulting groups as well as our attorney. We are desperately asking for a way to transfer ownership of the 49%, to Walden Riverside Farm The operating company, is now defunct and will be dissolved. The members have all gone their separate ways, with no plan of continuing business. This mismanagement, and essentially being left high and dry, is putting my family and farm in jeopardy. These licenses can be put to use by us (Walden Riverside Farm) but not until the window for accepting transfers of ownership are open. Im fearful these individuals that operated the license, will go back to their normal lives while leaving the licenses, that we are majority owners of, obsolete and possibly revoked. I'm pleading for some guidance or action based on extenuating circumstances to allow the 49% ownership structure to be transferred Thank you very much, respectfully Sam Phelps IV</p>
18.	Mark	Richardson	<p>THinC Provisions, Inc d.b.a. Northern Lights Whitehall</p>	<p>Public Comment – Enforcement Needed Regarding Out-of-State Hemp Advertising Targeting New York Consumers Dear Office of Cannabis Management and Members of the Cannabis Control Board, I am writing to formally raise concerns regarding paid social media advertisements being served to New York residents by out-of-state hemp operators marketing intoxicating cannabinoid beverages and other THC-derived products. Licensed adult-use cannabis operators in New York operate under strict marketing and advertising</p>



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Table with 5 columns and 1 row. The fifth column contains text regarding advertising restrictions, OCM guidance, and concerns about out-of-state operators.



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				<p>3. Issue guidance to licensed operators regarding digital advertising parity.</p> <p>4. Consider enforcement or rulemaking to prevent regulatory circumvention through interstate digital advertising.</p> <p>Licensed adult-use operators have invested substantial capital, complied with complex regulatory standards, and accepted strict advertising limitations. Allowing unlicensed or out-of-state actors to advertise and sell freely into New York undermines license value and erodes confidence in the regulated market. Thank you for your attention to this matter. I respectfully request investigation and public clarification.</p> <p>Sincerely, Mark Richardson CEO, THinC Provisions, Inc. OCM-CAURD-25-000314</p> <p>Here are several examples of Social Media ads that I have been served recently: https://www.facebook.com/share/v/1AjPkZrsLd/?mibextid=wwXlfr https://www.facebook.com/share/v/1CZV5fWtQr/?mibextid=wwXlfr https://www.facebook.com/share/v/1AyZieQbUT/?mibextid=wwXlfr</p>
19.	Betty	Brown	Eden's Garden 731 LLC	<p>Why has this process dragged on for nearly three years? As a Microbusiness applicant, I'm losing faith in the system. I pour my heart into my craft and have earned numerous certifications, yet the agency remains silent. The lack of communication is infuriating—it's been an ongoing struggle for years. Are we ever going to get a real chance at our dreams? The system feels broken. Why are we forced to beg for what we've worked so hard to achieve? We deserve answers and respect, not endless waiting and uncertainty!</p>
20.	J. D.	Drake	Independent consultant	<p>Saturation of the market by the approval of all submitted licensees allowing equal opportunity for all applicants and the market to stabilize. Why does a board decide who's picked or rejected in becoming successful, have we forgotten what entrepreneur means? What legacy is and how it got us to this point today. Without hesitation or questioning I can confidently state my ability a 1200sqft 24 light room I'm pulling 50lb so long story short lets really see what</p>



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				everyone can do. PUT A LICENSE ON IT!!! HALF FAIL THE FIRST YEAR !!!!!!!
21.	Thomas	Olofson		Does the OCM envision speeding up the review process for adult cultivator licenses and then releasing them in significantly larger batches than they currently are, upon approval by the OCM?
22.	Marco	Rodriguez		Why are you making it so hard for individuals like myself to obtain weed dispensary knowing that most of us who were affected by the old laws don't meet the 2 year of a successful business criteria and most of us don't meet the 2,000 dollar non refundable application fee
23.	Dan	Kogan		Good afternoon john kagia and board members my name is dany kogan im on the November queue 1855 OCMRETL2023-000650 after waiting 28 months in this difficult roller coster ride from ocm once again i got a deny letters January 22 saying that I have 10 days to replay to this deny notic which i replay then I got a new certified notic/letter January 26 saying I wont get deny on the February CCB meeting and to wait by my computer. on February 20 I got a new certified notic/letter saying next CCB MEETING march 5 2026 i wjll get deny again and I have 10 days to replay again after wating from ocm for my provisional license for 29 months.MAY 8 2024 Jeanette m Moy Commissioner ny state office of general services conducdt 30 day review on ocm the first 600 applicants in the November queue and ocm moved on to the December queue it has not communicated this decision to this application, who may still be paying rent or mortgages on the sites issued 450 retail dispensary on the December queue with out a lease and 110 microbusiness license from the December queue skipping the November queue.at the time me filling out my application October 15 2023 ocm website had information for retail dispensary information on blue box orange flyer indicates you dont need a lease and can aplay and get a provisional license.All the caurds aplication (over 1000) did not have a lease and got provisional licenses and 560 from December queue did not need a lease and got provisional licenses why im i been treated any different is it because im a refugee?. Board members please issue bellerose Migrant CENTER OCM-RETL-2023-000650 provisional license so that we can move forward with the new location thats over 1000 feet from any dispensary 500 feet from any school



				and 200 feet from house of worship i all ready completed the task force meeting for the replacement location. Close to a year ago i went and partnered up with a caurd lincance and im still wating from ocm to add me to the caurd TPI.I DANY KOGAN spend over 1 million dollers on expenses rent ,lawyers fees the past 29 months wating for providing licenses on the application OCM-RETL-2023-000650 please issue me provisional license this is been very difficult for my mental health thank you
24.	Ellexcion	Ojo	Legacy unites community	<p>This message acknowledges receipt of your request. Your request was received in this office on 2/24/2026 and given the reference number R001224-022426 for tracking purposes.</p> <p>Records Requested: I request the following records:</p> <ol style="list-style-type: none"> Licensing Application Data (Spreadsheet Format Requested) An anonymized Excel (.xlsx) or CSV spreadsheet reflecting all cannabis license applications received during the above date range, including: <ul style="list-style-type: none"> - Application ID number - License type - Equity designation category - Date of submission - Date deemed complete - Date of determination - Approval / denial / pending status - Provisional vs. final license status - Operational status (open, not open, inactive) - Region or municipality Personally identifying information may be redacted pursuant to §87(2)(b). Site Control & Real Estate Determinations <ul style="list-style-type: none"> - Number of applications rejected, delayed, or deemed incomplete due to site control - Any written guidance, internal memoranda, advisory interpretations, or rule clarifications concerning site control requirements Equity Financing & Capital Deployment <ul style="list-style-type: none"> - Records concerning state-backed or state-facilitated equity financing mechanisms - Number of equity applicants funded - Dates and amounts of capital disbursed - Internal analyses regarding capital access barriers Board-Level Materials Provided to OCM Any reports, dashboards, or memoranda prepared for or shared with the Cannabis Control Board



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				<p>concerning equity implementation, licensing delays, or capital access challenges.</p> <p>I request that all responsive records be provided electronically. If anticipated fees exceed \$50.00, please notify me prior to processing.</p> <p>If any portion of this request is denied, please provide all reasonably segregable non-exempt portions and cite the specific statutory basis for any redactions or withholding as required under §89(3).</p> <p>Please confirm receipt of this request and advise of the statutory timeframe for response.</p> <p>We will provide you with a status update on or before 3/24/2026.</p> <p>You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.</p> <p>New York State Office of Cannabis Management Records Access Office</p> <p>To monitor the progress or update this</p>
25.	Jacob	Fox	Fox ranch LLC	<p>I am OCM-CULT-25-000229. I am reaching out today because I am at the mercy of the OCM board. I am a young farmer in Geneva NY. In the past few years I have built a home, a barn, fencing, raised pigs, hosted agricultural studies with Cornell, dug water lines, built ponds, and many more things. While I was doing all this, I was waiting for a response from my license I had submitted over 1.5 years ago. I thought I would hear back sooner but I did not. In the chaos of all this I accidentally got an indoor license instead of an outdoor one. I am not in a position right now to grow indoor, I do not have the time or the capital to invest in an indoor grow. I am very well setup for a small craft outdoor grow and I am begging the OCM to allow me to change my license from indoor to outdoor. I am a good steward of the environment and care about the products that I put out into the world. I am also developing a diverse farm model which will likely allow me to stay in business for a long time and not go under. I have heard through many people that you can sell licenses and I really don't want to do that but I am almost at the end of my rope right now since I cannot grow indoors this year and likely not in the foreseeable future. I am just begging to grow a small outdoor plot.</p>
26.	Dany	Kogan		<p>Good afternoon john kagia and board members my name is dany kogan im on the November queue 1855 wating to get my provisional license for 29 months</p>



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Table with 5 columns and 1 row. The text in the fifth column describes a licensing process, mentioning a 30-day organizational review of the Office of Cannabis Management (OCM) and the issuance of 463 provisional CAURD licenses.



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				<p>rent or mortgages on the sites they were required to acquire, with no indication if or when their application may be reviewed. OCM is targeting issuing 450 provisional retail without a lease and 110 Microbusiness licenses without a lease from the December queue. This all Micro applicants. Moreover, it seems unfair that the CAURD program over 1000 issued licenses (provisional license) as well as 560 (450 Retail applicants and 110 Micro applicants) from the December queue ahead of the November queue applicants all got provisional licenses as well as all 450 December applicants got provisional licenses, yet Bellerose Migrants Center OCMRETL2023-000650 November queue is being penalized and not issued a provisional license. While all December queue without lease got provisional licenses cohorts support leniency. OCMMICR-2023-000843 Jane's Garden LLC (got provisional license 2024) OCMmicr-2023-000923 Healium Collective II (got provisional licenses November 12-2024, OCMmicr-2023-000934 Karkes Hess and Davis (got provisional licenses 2024) OCMmicr-2023-000843 (got provisional licenses April 24-2025) and the rest of the 560 from the OGS from the December queue got them before Bellerose Migrants Center which never had a lease and microbusinesses are same as retail they both show up on the proximity map that has to be away 1000 feet from a dispensary and follow the same guidance thank you</p>
27.	Henry	Hudson		<p>Can you please review the approval process for "Gentlemen's Hemp" in the town of Claverack, 14 Route 9H? The permit is associated with Joseph Morreale. It is clear from the Town Planning Board meeting that Morreale received a provisional state license before it notified the town of the proposed dispensary, it did not follow the application process correctly. Please review this action to ensure the applicant complied with the law.</p>
28.	Nicole	Ricci	NY Small Farma Ltd.	<p>March 5, 2026 To: New York State Cannabis Control Board Re: Resolution No. 2026-19 – Canopy Expansion Processing Dear Chair Garcia and Members of the Cannabis Control Board, NY Small Farma (NYSF) is a 501(c)(3) and New York State not-for-profit organization dedicated to assisting legacy operators transition to the licensed market,</p>



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			<p>supporting social and economic equity licensees across New York State’s cannabis industry, and advocating for small farmers, economic inclusivity in this industry, and regenerative systems that improve the land and natural ecosystems. NYSF is a Technical Assistance Partner (TAP) of the Office of Cannabis Management (OCM) and receives grant funding to support our work, which includes training, education, and technical guidance for licensees.</p> <p>We submit this letter in response to Resolution No. 2026-19, directing the Office of Cannabis Management to process Adult-Use Cultivator canopy expansion requests. While we understand and respect the Board’s responsibility to ensure sufficient supply in the adult-use market, we have serious concerns regarding the timing and manner of this action, the exclusion of microbusiness licensees, the lack of transparency, procedural consistency, and the absence of structured stakeholder engagement in this decision.</p> <p>If canopy expansion is necessary to address projected supply gaps, microbusiness licensees should be afforded the same opportunity. Micro licensees remain structurally capped and unable to scale to meet market demand. Micro operators face operational and financial constraints that larger cultivators do not, yet they could meaningfully contribute to addressing New York State’s projected biomass shortfall if afforded comparable expansion rights. We are asking that microbusiness licensees be afforded the same opportunity, at minimum for outdoor canopy expansion, so they can contribute to supply and achieve a viable return on their operations. Further, we are perplexed by the policy decision to expand existing canopy while the December list remains closed. While we recognize that new operators cannot meet market demand as quickly as existing operators could if expanded, the very acknowledgment of a biomass shortfall should necessitate the immediate opening of microbusinesses on the December queue. Licensees on that list are waiting to enter the market. Expansion is being operationalized for one class of licensees while microbusinesses remain delayed. This sequencing undermines New York State’s stated commitments to fairness and parity, and creates confusion and frustration across the industry. We</p>
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				<p>request that the December queue for microbusinesses be opened immediately and that Special Priority Equity applicants be prioritized in the review order.</p> <p>We are also concerned by the absence of meaningful stakeholder input. This resolution moves forward without a new public comment period or targeted consultation. The timing is particularly consequential, as the decision occurs during the planting season when cultivators have already committed significant resources, including capital, labor, and genetics. Market-altering decisions of this magnitude should not advance without clear opportunity for community engagement.</p> <p>NYSF has worked diligently to build coalition across license types, advocacy organizations, and regional stakeholders. We have hosted open forums, facilitated cross-license dialogue, provided technical assistance to Social and Economic Equity applicants, and advocated for market stability and regulatory transparency. These efforts reflect the repeated calls from lawmakers and regulators that industry participants must act in coalition. Yet decisions of this scope are advancing without visible coordination or structured engagement, eroding trust and undermining coalition-building initiatives.</p> <p>We respectfully urge the Board to consider the following:</p> <p>Microbusiness inclusion: Ensure microbusiness licensees have the opportunity to expand, at minimum through</p>
29.	Nicole	Ricci	NY Small Farma Ltd.	<p>March 5, 2026</p> <p>To: New York State Cannabis Control Board Re: Concerns Regarding Licensing Renewal Process and Community Impact Plan (CIP) Compliance Dear Chair Garcia and Members of the Cannabis Control Board,</p> <p>NY Small Farma (NYSF) is a 501(c)(3) and New York State not-for-profit organization dedicated to assisting legacy operators transition to the licensed market, supporting social and economic equity licensees across New York State's cannabis industry, and advocating for small farmers, economic inclusivity, and regenerative cultivation practices. NYSF is a Technical Assistance Partner of the Office of Cannabis Management and receives grant funding to support our work, which includes training, education,</p>



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				<p>and technical guidance for licensees.</p> <p>We are writing to express serious concern regarding the current licensing renewal process and handling of Community Impact Plans. The recent release of a limited number of renewals by the Cannabis Control Board is caveated with language stating that those approved have not adequately completed their Community Impact Plan and have an additional sixty days to do so. Meanwhile, other applicants have waited months, repeatedly going back and forth with the Office of Cannabis Management to address deficiencies in their renewal applications, yet are not permitted to move forward.</p> <p>Applicants have reported receiving inconsistent and conflicting guidance from the Office of Cannabis Management. In some communications, they are told that cashier's checks are required; in others, that checks are not accepted at all. Some are asked to submit one check, while others are asked to submit two. Fee waivers or reductions have been granted inconsistently, with some applicants receiving exceptions while others are denied. In one instance, an applicant was directed to follow a payment link from an email received two years ago when the original application was approved.</p> <p>After five years of program implementation and licensing oversight, these inconsistencies reflect a process that is neither clear, consistent, nor equitable. Treating applicants differently, providing conflicting guidance, and allowing some applicants to advance while others are held up raises serious procedural concerns, including the potential for arbitrary or capricious decision-making, lack of due process, inconsistent application of regulations, and disparate treatment of similarly situated licensees. Such operational disorganization undermines confidence in the regulatory system, creates unnecessary burden and uncertainty for licensees, and damages the credibility of the Office and the Board. Operators deserve a licensing and renewal process that is transparent, predictable, and applied uniformly across all applicants.</p> <p>We respectfully urge the Board and the Office of Cannabis Management to address these procedural deficiencies immediately, including providing clear and consistent guidance on Community Impact Plan</p>
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				<p>completion, uniform instructions for fee submission, equitable treatment of all applicants, and a transparent timeline for renewals. The industry and public rely on the Office of Cannabis Management to execute licensing in a manner that is professional, fair, and operationally competent, and the current gaps are unacceptable for a program now five years in operation.</p> <p>We submit this letter in the interest of supporting a licensing process that is accountable, fair, and reliable, and that allows operators to plan and operate with confidence. NYSF remains committed to providing guidance and support to licensees and advancing transparency and professionalism in New York's cannabis regulatory framework.</p> <p>Respectfully, Nicole Ricci President, Board of Directors NY Small Farma Cc: Governor Hochul</p>
30.	Chase schuyler	Mr	Alpine agronomy	<p>In regards to the increase in canopy, if this does go through, micros should be included as we are cultivators.</p> <p>The reasoning to do this because of a shortage of 356 pounds seems odd. One grower could make up for that with 500 square feet of canopy. I would consider licensing more cultivators from the cultivator list or more micros from the December queue.</p> <p>Secondly, micros should not have the same distribution tax rate as ROs when selling out of our own stores. All retailers are marking their product up 100% which means 50% of the retail cost has a 9% distribution tax on it. When a micro sells their product at retail, a micro has to pay 9% on 75% of the retail cost which is 25% more than the standard distributor to retail rate and the same as RO's which I don't believe micros and RO's should be at the same tax rate.</p> <p>If you are going to increase canopy, please include micros.</p> <p>Thank you.</p>
31.	Kyle	Brown		<p>Dear Ocm, I see that you are expanding cultivation canopy size for cultivators but are leaving micros out. ALLOW MICROS TO CONVERT TO A CULTIVATION LICENSE LIKE DESCRIBED BY JOHN K AT THE ROAD MAP MEETINGS WHEN PEOPLE APPLIED!</p>



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32.	Tom	Williams		ALLOW MICROS TO CONVERT TO CULTIVATION IF THEY AND REKOVE THE RETAIL ASPECT!
33.	Gina	Thomas		ALLOW MICROW TO CONVERT TO A CULTIVATION LICENSE!!!
34.	Phillip	Greene		I see the Ocm is allowing cultivators to expand there canopy but not allowing micros to be able to convert to cultivation like John Kagia promised to licensees at the road map meeting. Allow micros the option to convert
35.	Timothy	Smith		ALLOW MICORA TO CONVERT TO CULTIVATION
36.	Ronald	Kershner		Allow micro businesses to convert to cultivation if they do not have retail.
37.	Susan	Burns		Please open the option for micro licensees to convert to cultivation if they do not conduct retail.
38.	Mike	Moses		Allow micros the option to convert to cultivation
39.	Jesse	Black		OPEN A OPTION FOR MICROS TO CONVERT TO CULTIVATION
40.	Greg	Holt		Allow micros the option to convert to a cultivation license
41.	Holly	Harris	Windy Hill Wellness	<p>Good Afternoon,</p> <p>I truly dislike having to follow up again, but I remain very concerned that no resolution or formal explanation has been provided regarding the shutdown of "Affiliated" transfers in Metrc.</p> <p>We did not receive any prior notification that this functionality would be discontinued, nor were we given guidance on the reason for the change. When we contacted Metrc directly, we were advised that this action was taken at the request of the Office of Cannabis Management.</p> <p>As this has created operational challenges for us, I am respectfully asking once again for written clarification on:</p> <ul style="list-style-type: none"> The specific reason for the suspension of Affiliated Transfers The effective date of the change Whether this is a temporary or permanent measure Any guidance on compliant alternatives moving forward <p>We have relied on this transfer functionality since the beginning without issue, so the abrupt nature of this change has left us with product in limbo and significant business disruption.</p> <p>I would sincerely appreciate a prompt response so we can ensure we remain fully compliant while continuing operations without further interruption.</p> <p>Thank you in advance for your time and attention to</p>



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				this matter. Respectfully, Holly Harris Windy Hill Wellness
42.	Beth	Reynolds		Allow micros the option to convert to a cultivation license!!!!!!
43.	Nick	Facia		Please allow micros the option to convert to cultivation
44.	Chris	Clark		The Ocm needs to allow micros to convert if they do not hold retail. Expanding cultivation canopy for cultivators but not allowing micros to convert is unfair to micros.
45.	Amy	Kawell		Allow the option for micros who do not hold a retail license to convert to a cultivation license
46.	Armando	Crescenzi	Put Veterans First, Ltd	First, at the February 2026 meeting, a data slide showed that there were no Service-Disabled Veterans Owned Businesses (SDVOB)Dispensary License Applicants considered last month. This is an outrage. That should never ever be the case. Considering that SDVOB's are drastically under-represented in all license categories, what is this Board doing to expedite SDVOB's getting Licensed?
47.	Armando	Crescenzi	Put Veterans First, Ltd	What is the rationale for pausing the issuance of December '23 Queue dispensary licenses. It is deeply detrimental to the Dispensary applicants. NYS CPLR 6303 requires that the plaintiff, Organic Bloom, prove irreparable harm and a probability prevailing. It is the SEE Dispensary applicants who are being irreparably and permanently harmed. Does the Court have any reason for not lifting the injunction?
48.	Chad	Watson		I am highly concerned about the fact the ocm is allowing cultivation licenses to increase tiers and not allow micros to. The ocm understands this will surely wipe out the micros businesses in NY. Micros will have to compete with these cultivators that have massive tiers and can sell the products for a much cheaper price when micros are limited to small canopy's and will have to reduce price to compete but that will put the majority of micros out of business because they are so limited This is completely unfair to micros and another way the ocm is letting the micros fail.
49.	Antonio	Fernandez	Uber Weeds Inc	We have a provisional license. We keep getting disapproved because the City Clerk approved LuvBuds in a non viable location. We will be seeking legal advice on this matter.
50.	Jeanette	Miller	OCM-MICR-24-000115	OCM-MICR-24-000115, Jeanette M. Miller, The Eclectic Farmstead Urgent Administrative Correction



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Table with 5 columns and 1 row. The fifth column contains a detailed letter regarding METRC deactivation of license locations, including subject lines, salutation, and multiple paragraphs of text.



				<p>At this point, the circumstances raise serious regulatory and legal concerns, as the actions taken have effectively disabled an active licensed facility and removed access to required compliance infrastructure through no fault of the licensee. The prolonged uncertainty and disruption have also created substantial personal stress and health impacts associated with the instability of my business operations, which is deeply concerning given that I am attempting to remain fully compliant while navigating an error caused by the administrative implementation of my license amendment.</p> <p>If a larger corporate operator experienced a comparable disruption to their legally authorized operations, the issue would likely already be the subject of formal legal action. As a small, female-owned farm microbusiness, I do not have the resources to immediately pursue that path, but the harm being caused is no less real and no less severe. The amendment approved by the Office of Cannabis Management was intended to remove the location at 47 Ensign St, Buffalo, NY from my license. However, when OCM implemented the change in METRC, the wrong location was deactivated.</p>
51.	Jeanette	Miller	OCM-MICR-24-000115	<p>OCM-MICR-24-000115, Jeanette M. Miller, The Eclectic Farmstead Urgent Administrative Correction Required – Incorrect METRC Deactivation of License Locations 6 messages Jeanette Miller Public comment continued...</p> <p>Instead of OCM deactivating the licenses associated with 47 Ensign St, the system shows that licenses associated with 5770 McKee Rd, Newfane, NY — my active operational facility — were deactivated. This has resulted in the unintended deactivation of the following licenses assigned to 5770 McKee Rd:</p> <ul style="list-style-type: none"> • OCM-MICR-24-000115-C1 • OCM-MICR-24-000115-P1 • OCM-MICR-24-000115-DX1 <p>These are active operational licenses and were not the licenses intended for removal. The licenses associated with 47 Ensign St, Buffalo, NY that were intended to be removed are:</p> <ul style="list-style-type: none"> • OCM-MICR-24-000115-C2 • OCM-MICR-24-000115-P2 • OCM-MICR-24-000115-DX2 <p>Attempts to Resolve Before sending my original email dated February 28,</p>



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Table with 5 columns and 1 row. The fifth column contains a detailed text report regarding a license deactivation issue, including contact attempts, email correspondence, and a list of license IDs.



				<p>The Error Licenses P1, C1, and DX1 (5770 McKee Rd — Newfane) were deactivated in METRC. These are active operational licenses and should not have been deactivated. If any licenses were intended for deactivation, it would have been: P2, C2, and DX2 (47 Ensign St — Buffalo) Photos and screenshots serve as documented proof that the licenses at 5770 McKee Rd were properly assigned and active prior to the deactivation. These were submitted in Person at OCM CCB Buffalo location 3/5/2026. Business Impact As a result of this error:</p> <ul style="list-style-type: none"> • I have lost access to METRC for active licenses • Paid inventory tags have been removed from my account • Compliance tracking has been interrupted • Business operations data is missing and business operations have been delayed • I am experiencing financial loss and disruption <p>The tags and associated data were purchased and properly assigned and need to be restored. Requested Resolution Please proceed with the following corrections as soon as possible: Reactivate P1, C1, and DX1 in METRC (5770 McKee Rd location) Deactivate P2, C2, and DX2 if that was the intended action Jeanette Miller 716-444-2096</p>
52.	Iliya	Nasseralla	Uber Weeds Inc.	<p>Hello OCM Board members, My name is Iliya Nasseralla, owner and president of Uber Weeds Inc in Yonkers NY. License number OCMRETL-2023-000131. I am writing again today regarding our adult-use retail dispensary location. We are being denied a license at our new location on 10 Palisade Ave due to Luv Buds LLC, located on 8 Warburton Avenue having a license even though their location is not available nor viable. There is already an operating African Market in that location for years and they still have 7 more years in their legal lease. Somehow the clerks office did not thoroughly inspect and investigate the Luv Buds location. Luv Buds LLC on 8 warburton is not built out</p>



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Table with 4 columns and 2 rows. Row 1: Empty cells, text about Luv Buds approvals. Row 2: 53, Dennis, Van Wagenen, text about Dennis D Van Wagenen comments and cannabis farming experience.



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54.	Dany	Kogan	<p>Good afternoon john kagia and jesica garcia and susan.filburn and board members</p> <p>My name is dany kogan OCMRETL2023-000650 on October 15 2023 i submitted my application using my phone for retail dispensary with proof of control and lease for location 324 smith haven mall lake grove ny 11755. Main lease: landlord is simon property, tenant is cohen fashion optical,states in lease, premisshall shall be used for the following: N.Y STATE LICENSED CANNABIS ADULTS-USE RETAIL DISPENSARY.</p> <p>Proof of control. and lease between cohen optical and Bellerose Migrant Center location 324 smith haven mall lake grove ny 11755.premisshall be used for the following: a N.Y STATE LICENSED CANNABIS ADULTS-USE RETAIL DISPENSARY LICENSE. Bellerose Migrant Center have the lease and proof of control for 324 smith haven mall ny ny 11755 and it was submitted October 15 2023 and it was submitted several times to ocm.sm.AULicensing ocm the past 29 months please issue a provisional license so Bellerose Migrant Center OCMRETL2023-000650 223 can get a provisional license thank you</p>
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