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Acting Executive Director

No. 2026-21
April 2, 2026

RESOLUTION TO APPROVE CERTAIN CANNABIS LICENSE AMENDMENT REQUESTS

WHEREAS, pursuant to Section 13(1), Section 67(2), Section 126(1), and Section 129 of the Cannabis Law, upon application by a licensee or permittee, the Cannabis Control Board (Board) may authorize the amendment of a cannabis license or permit, in part to allow such licensee or permittee to relocate its licensed premises, cultivation tier or study site within the state, or to allow such licensee to change ownership, structure, control, or the ability to control the majority of voting shares of such licensee, as allowed under the Cannabis Law;

WHEREAS, pursuant to Section 120.18(d)(1)(iii), Section 132.9(g)(ii), and 130.7(f) of Title 9 of the New York Codes, Rules and Regulations, the Board may allow for the amendment of a cannabis license or permit for the purpose of a location change of such licensee or permittee's licensed premises or study site, where the licensee or permittee has submitted an application for such amendment of its cannabis license or permit and has met criteria as required in regulations to change the location of such licensed premises or study site;

WHEREAS, pursuant to Sections 120.18(d)(1)(i) and (ii) of Title 9 of the New York Codes, Rules and Regulations, the Board may allow for the amendment of a cannabis license or permit for the purpose of a transfer of ownership, structure, control, or the ability to control the majority of the voting shares of such licensee;

WHEREAS, the Office of Cannabis Management has reviewed the information which has been submitted by certain cannabis licensees or permittees, for the amendment of such cannabis license or permit for the purpose of a location change of such licensee or permittee's licensed premises or study site, or the transfer of ownership, structure, control, or the ability to control the majority of voting shares of such licensee, and recommends to the Board to approve such change of location amendment of certain licenses and permits as set forth in Attachment A;

WHEREAS, applications submitted by certain cannabis licensees or permittees requesting a location or ownership composition change as identified in [Attachment A], for the amendment of their cannabis license or permit for the purpose of a change of location or cultivation tier/type, of such licensee or permittee's licensed premises or study site, or the transfer of ownership, structure, control, or the ability to control the majority of voting shares of such licensee, are pending before the Board; now therefore, be it

RESOLVED, that the Board approves by majority vote and through the adoption of this resolution, such change of location or cultivation type amendments of certain licenses and permits, or the transfer of ownership, structure, control, or the ability to control the majority of voting shares of such licensee, as set forth in Attachment A; and,



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



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[Attachment A]

Attachment A: AU Licensee Location or Ownership Composition Changes.

Licensee Name	Licensee Number	Date Received	License Type	Relocation or Additional Location
Empire Agricultural Services, LLC	OCM-CULT-24-000053	12/30/2025	Adult-Use Cultivator License	Location removal
Tadt Services LLC	OCM-CULT-24-000061	2/22/2026	Adult-Use Cultivator License	Canopy change
GRASSE RIVER HEMP LLC	OCM-CULT-24-000125	10/24/2025	Adult-Use Cultivator License	Tier change
Flo Extracts, LLC	OCM-CULT-24-000143	2/6/2026	Adult-Use Cultivator License	Tier Change
Lunulata LLC	OCM-CULT-24-000152	8/12/2025	Adult-Use Cultivator License	Location removal
Julie Ann's Vegetable and Honey Farm Limited Liability Company	OCM-CULT-24-000157	2/12/2026	Adult-Use Cultivator License	Tier Change / Location removal
HR BOTANICAL CULTIVATION LLC	OCM-CULT-24-000187	2/1/2026	Adult-Use Cultivator License	Relocation
California Fragrance Company Inc	OCM-DIST-24-000006	12/18/2025	Adult-Use Distributor License	Additional Location



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Hemp at Action Acres LLC	OCM-DIST-24-000059	1/30/2026	Adult-Use Distributor License	Relocation
Roemer Farms LLC	OCM-MICR-24-000124	2/16/2026	Adult-Use Microbusiness License	Adding Processing Activities
Copperhead Grow, LLC	OCM-MICR-24-000199	12/19/2025	Adult-Use Microbusiness License	Adding a location
Ever Upward Labs LLC	OCM-MICR-25-000235	8/27/2025	Adult-Use Microbusiness License	Adding a Location
LK Wellness LLC	OCM-MICR-25-000259	12/2/2025	Adult-Use Microbusiness License	Relocation



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Bhavana Berries LLC	OCM-MICR-25-000292	12/10/2025	Adult-Use Microbusiness License	Cultivation Tier Change
Opulent Oasis LLC	OCM-MICR-25-000295	10/24/2025	Adult-Use Microbusiness License	Relocation
Small Batch Projects, LLC	OCM-MICR-25-000306	2/9/2026	Adult-Use Retail Dispensary License	Relocation
Miss Perry Farms LLC	OCM-PROC-24-000036	2/10/2026	Adult-Use Processor License	Processor Type Change
Homestead Hemp 1787 LLC	OCM-PROC-24-000037	1/13/2026	Adult-Use Processor License	Location removal
Tadt Services LLC	OCM-PROC-24-000045	1/10/2026	Adult-Use Processor License	Processor Type Change
Hemp at Action Acres LLC	OCM-PROC-24-000082	1/30/2026	Adult-Use Processor License	Relocation
HR BOTANICAL PROCESSING LLC	OCM-PROC-24-000214	2/17/2026	Adult-Use Processor License	Additional location
QuantLeaf Labs Incorporated	OCM-PROC-25-000279	2/4/2026	Adult-Use Processor License	Relocation



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Tricolla Gardens LLC	OCM-PROC-25-000291	12/9/2025	Adult-Use Processor License	Processor Type Change
Urban Pulse LLC	OCM-RETL-24-000030	11/10/2025	Adult-Use Retail Dispensary License	Relocation
Dune Lilly LLC	OCM-RETL-24-000058	8/12/2026	Adult-Use Retail Dispensary License	Relocation
MEADOW FLOWER LLC	OCM-RETL-24-000218	2/11/2026	Adult-Use Retail Dispensary License	Relocation
Astrid Holdings LLC	OCM-RETL-25-000328	1/13/2026	Adult-Use Retail Dispensary License	Relocation
Mocha Joint Corp	OCM-RETL-25-000387	2/13/2026	Adult-Use Retail Dispensary License	Relocation
On The Move Contracting Services, LLC	OCM-RETL-25-000399	2/6/2026	Adult-Use Retail Dispensary License	Relocation



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Attachment B

April 2, 2026

SENT VIA EMAIL

Town of Henrietta

475 Calkins Road, P.O. Box 999

Henrietta, NY 14467

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Town of Henrietta:

This letter is in reference to the Cannabis Control Board’s decision to approve the license amendment for OCM-RETL-25-000328 (Astrid Holdings LLC) located at 3300 West Henrietta Road, Rochester, NY 14623

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) sets the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about February 5, 2026, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Astrid Holdings LLC and the Board is responding as follows:

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, and public youth facilities, where applicable. Pursuant to governing legislation passed on February 11, 2026, established within §72 (6) of Cannabis Law which sets required distances from houses of worship, and school.

The Municipality Rulemaking regulations (9 NYCRR) and §72 (6) of Cannabis Law require:



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- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000 (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more (unless the Board finds that issuing the license would promote public convenience and advantage).
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship on the same street.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and school on the same street.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility.
 - o Public Youth facility means a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Please note, in order for a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law

Governor Kathy Hochul recently signed into law Senate Bill S9155 (S9155/A10140), which protects cannabis licensees and applicants who were previously impacted by the school proximity error identified in July 2025. The bill amends § 72 of the Cannabis Law, which limits the location of retail adult-use dispensaries in proximity to schools and houses of worship. The amended legislation establishes that measurements are taken from a retail dispensary proposed entrance to the entrance of a door of a school regularly used to give ingress to students of the school. In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant.

In the attached opinion provided to our Office you raised concerns regarding proximity to a proposed school as well as proximity to other licensed establishments. Through communication with your municipality, you alerted our Office of a proposed school in the local approval process that would be located adjacent to the proposed retail dispensary. Pursuant to §72 (6) of Cannabis Law, no premises that allow for the retail sale of adult-use cannabis, shall be located on the same street and within five hundred feet of a building containing a school. Measurements are to be taken in straight lines from the center of the nearest entrance of the premises sought to be licensed to the center of the nearest entrance of such school or house of worship. Section 72(6) of the Cannabis Law does not



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expressly state when the determination of the proximity of a proposed licensed location to school grounds or a place of worship should be made. Resolution No. 2025-21, passed by the Board at the March 20, 2025 board meeting, establishes a date in which such determination should be made. Resolution No. 2025-21 states that the Office of Cannabis Management shall use the date a proposed location is submitted to determine whether the proposed licensed complies with Section 72(6) of the Cannabis Law. As there was no school operational within 500 feet of the proposed location 3300 West Henrietta Road, Rochester, NY 14623 at time of submission, the applicant’s proposed location is not in conflict with distance requirements established in the Cannabis Law.

In regard to proximity concerns with other licensed retail establishments, the Office further reviewed the proposed location due to your concerns and determined that the site exceeds the 1,000ft distance requirement from other licensed retail dispensaries.

The Board appreciates the Town’s concern and shares the commitment to protecting youth from exposure to adult-use cannabis. To that end, New York’s adult-use cannabis program includes multiple safeguards in addition to distance requirements, including:

- Age Verification – 9 NYCRR § 123.10(d) requires retail dispensaries to require identification and verify age for every customer.
- Marketing & Advertising Restrictions – 9 NYCRR Parts 128 and 129 prohibit advertising that is attractive to individuals under twenty-one.
- Packaging & Labeling – 9 NYCRR Part 128 requires child-resistant tamper-evident packaging that cannot be attractive to individuals under twenty-one.
- Incident Reporting & Enforcement – Licensees must promptly submit detailed incident reports to OCM whenever a public-safety concern occurs. Violations of the Cannabis Law or regulations can result in fines, suspension, or license revocation under 9 NYCRR § 120.1(k) and Part 133.

Additionally, 9 NYCRR § 120.1(k) emphasizes that violations of the Regulations or the Cannabis Law by a licensee can result in significant penalties. These penalties may include fines, suspension, revocation of the license, and even debarment, as outlined in Part 133 of the Regulations.

Furthermore, the Board reviewed and confirmed Astrid Holdings LLC completion of all application requirements for final licensure. After careful review and consideration of the opinion received from your Locality, and pursuant to the Cannabis Law and related regulations, license amendment was approved for Astrid Holdings LLC located at 3300 West Henrietta Road, Rochester, NY 14623.

If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at municipalities@ocm.ny.gov

Sincerely,



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