



No. 2026-29

May 7, 2026

**RESOLUTION TO RENEW CERTAIN CONDITIONAL ADULT-USE RETAIL DISPENSARY LICENSES**

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

**WHEREAS**, pursuant to Sections 10(4), 10(16), 13, 85(12) and 89 of the Cannabis Law, the Board has the authority to establish standards and requirements, and to promulgate rules and regulations, governing the cultivation, processing, packaging, marketing and sale of adult-use cannabis;

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

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

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

**WHEREAS**, 9 NYCRR §116.6(a)(2) states that “prior to the expiration of the first renewal date, 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.”;

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

**WHEREAS**, certain Municipalities have expressed an Opinion for or against the Board’s renewal of certain CAURD licenses;



**Office of Cannabis  
Management**

**BOARD MEMBERS**

Hope Knight  
Crystal Rodriguez-Dabney  
Brad Usher

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Governor

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Cannabis Control Board  
Chair

**JOHN KAGIA**

Acting Executive Director

**WHEREAS**, the 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 by the applications in Attachment A);

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

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

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

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

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

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

**BE IT FURTHER RESOLVED**, the Board renews a CAURD license as indicated to every applicant that has received the Chairperson’s aforementioned preliminary determination to renew a CAURD license as identified on Attachment A

**BE IT FURTHER RESOLVED**, the licensees identified in Attachment A must provide the Office with additional information related to their Community Impact Plan within 60 days of the request made by the Office as applicable.



# Office of Cannabis Management

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### Attachment A

License Number	License Type	Entity Name
OCM-CAURD-24-000099	Conditional Adult-Use Retail Dispensary	M&J Genesis Inc
OCM-CAURD-24-000119	Conditional Adult-Use Retail Dispensary	SMMB, Inc
OCM-CAURD-24-000126	Conditional Adult-Use Retail Dispensary	The Weed Shoppe INC.
OCM-CAURD-24-000127	Conditional Adult-Use Retail Dispensary	QUBE USA LLC
OCM-CAURD-24-000129	Conditional Adult-Use Retail Dispensary	Savo Group Inc
OCM-CAURD-24-000132	Conditional Adult-Use Retail Dispensary	NC Accident Reports LLC
OCM-CAURD-24-000133	Conditional Adult-Use Retail Dispensary	4081 Industries, LLC
OCM-CAURD-24-000137	Conditional Adult-Use Retail Dispensary	DNP-Y Inc
OCM-CAURD-24-000138	Conditional Adult-Use Retail Dispensary	Valley Greens Ltd.
OCM-CAURD-24-000139	Conditional Adult-Use Retail Dispensary	Leafy Wonders LLC
OCM-CAURD-24-000142	Conditional Adult-Use Retail Dispensary	Bud & Honey Dispensary Inc.
OCM-CAURD-24-000143	Conditional Adult-Use Retail Dispensary	Legendary Bliss, LLC
OCM-CAURD-24-000144	Conditional Adult-Use Retail Dispensary	Half Island Flavors LLC
OCM-CAURD-24-000145	Conditional Adult-Use Retail Dispensary	Xander Legacy LLC
OCM-CAURD-24-000147	Conditional Adult-Use Retail Dispensary	Upstate Exotics LLC
OCM-CAURD-24-000150	Conditional Adult-Use Retail Dispensary	DDRJ Holdings LLC
OCM-CAURD-24-000152	Conditional Adult-Use Retail Dispensary	Air City Cannabis LLC
OCM-CAURD-24-000157	Conditional Adult-Use Retail Dispensary	Brown Budda New York LLC
OCM-CAURD-24-000159	Conditional Adult-Use Retail Dispensary	ERIETREEHOUSE CORPORATION



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OCM-CAURD-24-000170	Conditional Adult-Use Retail Dispensary	Brian Stark Enterprises LLC
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Attachment B

May 7, 2026

**SENT VIA EMAIL**

Matt Charters  
Senior Planner  
Town of Riverhead  
4 W. 2<sup>nd</sup> Street  
Riverhead, New York 11901

Re: License Renewal of OCM-CAURD-24-000170 (Brian Stark Enterprises LLC)

Dear Mr. Charters:

This letter is in reference to the Cannabis Control Board's (Board) decision to approve the license renewal for OCM-CAURD-24-000170, Brian Stark Enterprises LLC (Stark), located at 1086 Old Country Rd., Riverhead, NY, 11901. Pursuant to Cannabis Law § 76(4), the Board is responding to your letter, dated April 16, 2026.

In that letter, you asked that the Board deny Stark's renewal or hold it in abeyance for the following reasons: (1) that Stark's dispensary location is not permitted by the Riverhead Town Code; and (2) that Stark and Riverhead are parties to a pending appeal to the Appellate Division, Second Department after a Supreme Court Justice found that the zoning provisions Riverhead was trying to enforce against a dispensary applicant violated the New York Town Law and were pre-empted by the Cannabis Law.

Neither reason permits the Board to deny or delay the renewal of Stark's license. Nothing in the Appellate Division's order limits the Board from considering or granting Stark's renewal application. Further, the Board separately issued an advisory opinion pursuant to Cannabis Law § 131 and 9 NYCRR 119.5 that declared the provisions of Riverhead Town Law cited in your letter to be pre-empted. The Board cannot delay a renewal application based on a law that it has determined to be pre-empted pursuant to the ordinary regulatory procedures it has established to make such a determination.

Ultimately, the Board concluded that Stark had met the requirements for renewal for licensure under the Cannabis Law and its implementing regulations. After consideration of the application and your letter, the Board voted to renew Stark's license.

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



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Sincerely,  
Cannabis Control Board