NEW YORK STATE | Office of Cannabis Management

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No. 2026-72
October 1, 2026

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

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

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

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

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

WHEREAS, pursuant to a judicial order entered August 11, 2026 by the Honorable Keri E. Savona of the Albany Supreme Court, prior review and deliberation by OCM and the CCB of this applicant's Public Convenience and Advantage waiver did not meet the appropriate regulatory standard of review;

WHEREAS, pursuant to the Hon. Savona's judicial order, the CCB was ordered to conduct a "comprehensive analysis of the waiver request utilizing the factors set forth in [9 NYCRR 119.4] in effect at the time of the Board's November 21, 2025 determination";

WHEREAS, the Office reviewed the applicant's above-mentioned request pursuant to the aforementioned judicial order from the Hon. Savona;

RESOLVED, that the Board has taken action to either approve or deny the public convenience and advantage requests identified in Attachment A based on the voting at the October 1, 2026 Board meeting;

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

Attachment A

Application ID	License Type	Entity Name
OCMCAURDP-2023-000217	Retail	SONZ OF CANNABIS LLC