No. 2026-59
September 3, 2026

RESOLUTION TO ISSUE CERTAIN ADULT-USE CANNABIS LICENSES

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

WHEREAS, pursuant to Article 4 of the Cannabis Law, the Board is charged with the responsibility of overseeing activities related to 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, 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 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;

WHEREAS, certain Municipalities have expressed an Opinion for or against the Board's issuance of an adult-use license to certain applicants;

WHEREAS, the Chairperson of the Board has made a preliminary determination to grant adult-use licenses to certain individuals and entities that have applied for adult-use licenses (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 grant certain adult-use licenses, and no member of the Board requests that the matter be brought before the full Board for consideration;

WHEREAS, the Board desires to issue a license as indicated, to every applicant that has received the Chairperson's aforementioned preliminary determination to grant an adult-use 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 issuance 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 issuance of a license to the applicants identified on Attachment A;

BE IT FURTHER RESOLVED, the Board issues an adult-use license as indicated to every applicant that has received the Chairperson's aforementioned preliminary determination to grant an adult-use license as identified on Attachment A; and

BE IT FURTHER RESOLVED, the Board dictates that an adult-use licensee shall not begin adult-use cannabis operations until the completion of any additional requirements to the satisfaction of the Office including written approval from the Office's compliance team.

Attachment A

Application Number	License Type	Entity Name
OCMCULT-2023-000043	Cultivator	Enzo Farms LLC
OCMCULT-2023-000337	Cultivator	Timothy J Spoonhower
OCMDIST-2023-000039	Distributor	574 INC.
OCMDIST-2023-000081	Distributor	MMSCME L.L.C.
OCMDIST-2023-000112	Distributor	GREEN FLOWER WELLNESS 8 LLC
OCMMICR-2023-000557	Micro	FMH Consulting Inc.
OCMMICR-2023-000753	Micro	Emily Kyle Nutrition, LLC
OCMPROC-2023-000057	Processor	CALIFORNIA HONEY NY CORPORATION
OCMPROC-2023-000164	Processor	North Eastern Alliance LLC
OCMPROC2-2025-000004	Processor	Golden Log, LLC
OCMPT3B-2024-000125	PT3 Branding	S'Lo Down LLC
OCMPT3B-2025-000062	PT3 Branding	Mikey's Pre-Rolls LLC
OCMPT3B-2025-000070	PT3 Branding	Zero86 Brands Inc.
OCMRETL-2023-000765	Retail	Empire THC Distributing, LLC
OCMRETL-2023-001107	Retail	5306 Mart, Inc
OCMRETL-2023-001326	Retail	Empire Park Consulting LLC
OCMRETL-2023-001336	Retail	DEUX FAMILLES LLC
OCMRETL-2023-001961	Retail	Apple Egg, LLC
OCMRETL-2023-001964	Retail	Open Dove, LLC

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Executive Director

Attachment B

September 3, 2026 **SENT VIA EMAIL**

Village of Ossining
16 Croton Avenue
Ossining, New York 10562

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

Dear Village of Ossining:

This letter is in reference to the Cannabis Control Board's decision to approve the license for OCMRETL-2023-001107 (5306 Mart, Inc) located at 109 Croton Avenue Suites 100-110, Ossining, New York 10562.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue licenses for adult-use retail dispensaries throughout New York State. Section 76(4) of the Cannabis Law provides that when a municipality or New York City Community Board submits an opinion regarding a proposed retail cannabis license, the Board must respond in writing explaining how it considered that opinion.

On or about July 30, 2026, the Board received an Opinion from the Village of Ossining outlining concerns on the review and issuance of a license to 5306 Mart, Inc. The Board carefully considered the issues identified in your letter in connection with the approval of the application.

The Board reviewed the concerns raised by community-based organizations in the shopping plaza about compatibility with the proposed dispensary as well as concerns regarding the number of dispensaries within the community and the viability of a fifth dispensary within three square miles. With respect to the location itself, the Board reviewed the proposed premises for compliance with all applicable siting requirements established by Cannabis Law § 72 and Part 119 of Title 9 of the New York Codes, Rules and Regulations. OCM confirmed that the proposed dispensary complies with the required separation distances from schools, houses of worship, existing retail dispensaries, and other protected locations. Specifically, there are no schools located within the required 500-foot separation distance, and no licensed adult-use retail dispensary is located within 1,000 feet of the proposed premises. 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

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.

The Board further considered the concerns expressed regarding the applicant's rationale for selecting Ossining and their unfamiliarity with the Ossining Community and local residents. The Board recognizes your concerns. The Board reviewed and confirmed 5306 Mart, Inc completion of all application requirements for final licensure. Accordingly, the Board did not conclude that the concerns identified by the Village of Ossining warranted denial of an application that otherwise satisfied the requirements of the Cannabis Law and applicable regulations.

The Board carefully reviewed your concerns regarding the inaccuracies and errors identified in the applicant's presentation regarding the site and ownership structure. OCM confirmed that the applicant provided the documentation required under the Cannabis Law and applicable regulations for municipal notification and licensing review. The record before the Board demonstrated that the applicant satisfied the statutory and regulatory requirements applicable to the licensing process.

Finally, after reviewing the complete application record, the Board confirmed that 5306 Mart, Inc. satisfied all statutory and regulatory requirements for licensure. Having also carefully considered the Village of Ossining opinion, the Cannabis Control Board approved the license for 5306 Mart, Inc. located at 109 Croton Ave Suites 100-110, Ossining, New York 10562.

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

Sincerely,
Cannabis Control Board

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Executive Director

September 3, 2026

SENT VIA EMAIL

Queens Community Board Nine
120-55 Queens Boulevard, Room 310-A
Kew Gardens, New York 11424

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

Dear Queens Community Board Nine:

This letter is in reference to the Cannabis Control Board's decision to approve the license for OCMRETL-2023-001964 (Open Dove, LLC) located at 119-07 Jamaica Avenue, Richmond Hill, New York 11418.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue licenses for adult-use retail dispensaries throughout New York State. Section 76(4) of the Cannabis Law provides that when a municipality or New York City Community Board submits an

opinion regarding a proposed retail cannabis license, the Board must respond in writing explaining how it considered that opinion.

On April 20, 2026, the Board received Community Board 9's opinion recommending denial of Open Dove, LLC application expressing concerns regarding the proposed location, including proximity to local schools and the nearby Queens Public Library. The Board appreciates the time and effort Community Board 9 devoted to reviewing the application and carefully considered the issues raised.

The Board recognizes that Community Boards play an important role in facilitating communication between applicants and the communities they seek to serve. Community participation provides valuable local perspective and helps inform the Board's review of proposed cannabis businesses.

The Board encourages applicants to engage proactively with Community Boards, attend meetings when requested, and participate in discussions regarding their proposed businesses whenever practicable. Such engagement promotes transparency and helps foster constructive relationships with the communities in which licensees will operate.

While the Board considered Community Board 9's concerns regarding the applicant minimizing the Board at the meeting, that fact alone did not provide a basis for denying an application that otherwise satisfied all statutory and regulatory requirements.

The Board recognizes that Community Boards possess valuable knowledge of their neighborhoods and that local perspectives are an important component of the review process. At the same time, the Board's licensing decisions must be made in accordance with the Cannabis Law and the regulations adopted to implement that law. The Board may deny an application only where supported by applicable statutory or regulatory requirements.

With respect to the location itself, the Board reviewed the proposed premises for compliance with all applicable siting requirements established by Cannabis Law § 72 and Part 119 of Title 9 of the New York Codes, Rules and Regulations. OCM confirmed that the proposed dispensary complies with the required separation distances from schools, houses of worship, existing retail dispensaries, and other protected locations. Specifically, there are no schools located within the required 500-foot separation distance, and no licensed adult-use retail dispensary is located within 1,000 feet of the proposed premises.

To Further address the concerns of the location viability of 119-07 Jamaica Ave., Richmond Hill, NY 11418, the office would like to clarify OCMRETL-2023-001964 (Open Dove, LLC) submitted their application on 11/17/2023 with proof of control and proper notification to municipality for the proposed site. The proposed location was reviewed and deemed viable per distance requirements by our Office on 3/25/2026. Based on information provided by the community board

as it relates to a non-operational, planned school. In accordance with the Board's clarification to Cannabis Law Section 72(6) through Resolution No. 2025-21, the proposed site 45 Main Street, Hastings-On-Hudson, NY 10706 has been determined to meet all statutory and regulatory distance requirements.

The Board would also like to address the public safety concerns as they relate to proximity to schools serving students with special needs. Protecting individuals under twenty-one is a central objective of the Cannabis Law and OCM's regulatory framework. In addition to the statutory location restrictions, licensed dispensaries are subject to comprehensive requirements governing security, marketing, packaging, labeling, and product sales that are designed to reduce youth access to cannabis products. The Board determined that the proposed location complies with the applicable statutory location requirements and that the applicant will remain subject to these ongoing regulatory obligations as a condition of licensure.

Community Board 9 also expressed concern regarding the proximity of the Queens Public Library. The Board considered that concern during its review. Under the Cannabis Law, a library is subject to the public youth facility restrictions only where the municipality has designated such facilities by local law. New York City has not enacted such a designation. Accordingly, while the Board acknowledges the Community Board's concerns regarding the library's role within the neighborhood, its proximity does not constitute a basis for denying the application under the current statutory and regulatory framework. The Board

The Board would like to address Community Board 9's concerns as they relate to proliferation of illegal smoke shops throughout the community and unlicensed operations who have impacted public safety, quality if life, and regulatory integrity. The OCM and Board greatly appreciated the Community Board raising these concerns to our attention.

The Board would like to first address you concerns regarding illicit cannabis sales within your jurisdiction. Thank you for sharing this complaint as it has been referred to OCM's Enforcement Division for investigation and the Board has and will consider the results of the investigation. Governor Kathy Hochul recently unveiled the strongest set of policies enacted thus far to tackle the illicit cannabis marketplace as part of the FY25 Budget. This initiative provides the Office of Cannabis Management and local counties and cities with enhanced authority to act against illicit cannabis storefronts and those who enable them. The New York State Office of Cannabis Management in collaboration with local governments are building a competitive cannabis market, built on principles of justice and access, to ensure broad economic and social prosperity across the state. These collaborative efforts foster greater levels of entrepreneurial innovation, quality consumer experiences, safer cannabis products, and broader educational outreach to keep our consumers safe and create a thriving market for the future of our communities. The Office of Cannabis enforcement division is working to end illicit and unlicensed cannabis activities within the State. Although your Office's concerns are well received, they do not pose a specific concern as it relates to the issuance of the contemplated license.

The Board would like to address your concerns expressed regarding OCM's adherence to its own community engagement procedures and the allegations concerning the license being approved prior to the receipt of the Community Boards Advisory Opinion. The advisory opinion was received prior to the issuance of a license.

Finally, after reviewing the complete application record, the Board confirmed that Open Dove, LLC. satisfied all statutory and regulatory requirements for licensure, including the applicable location requirements under the Cannabis Law and OCM regulations. Having also carefully considered Community Board 9s opinion, the Cannabis Control Board approved the license for Open Dove, LLC located at 119-07 Jamaica Ave Richmond Hill, NY 11418.

The Board appreciates Community Board 10's participation in the municipal review process and values its continued engagement in the implementation of New York's regulated cannabis market.

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

Sincerely,
Cannabis Control Board

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JOHN KAGIA
Executive Director

September 3, 2026

SENT VIA EMAIL

Staten Island Community Board Two
900 South Avenue, Suite 28
Staten Island, New York 10314

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

Dear Staten Island Community Board Two:

This letter is in reference to the Cannabis Control Board's decision to approve the license for OCMRETL-2023-001326 (Empire Park Consulting LLC) located at 1669 Richmond Road Staten Island, NY 10304.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue licenses for adult-use retail dispensaries throughout New York State. Section 76(4) of the Cannabis Law provides that when a municipality or New York City Community Board submits an opinion regarding a proposed retail cannabis license, the Board must respond in writing explaining how it considered that opinion.

On or about April 22, 2026, the Board received an Opinion from Staten Island Community Board Two recommending denial of Empire Park Consulting LLC's application. You raised concerns with the lack of a reliable method to determine cannabis related impairment while driving. The Board appreciates you raising these concerns to their attention, as traffic safety is an important social determinant to consider as part of the comprehensive regulatory framework for adult-use

cannabis programs. OCM continues to establish measures to promote safer driving practices and increase traffic safety efforts in a manner that protects the public health and safety of all New Yorkers. In 2023, OCM joined the Governor's Traffic Safety Committee (GTSC). Representation on the GTSC solidified ongoing collaboration with the GTSC, the entity primarily responsible for coordinating and managing New York State traffic safety campaigns for the past twenty-five years. Being a top priority of OCM, a memorandum of understanding was established with the NYS Department of Motor Vehicles (DMV) to expand capacity for cannabis-specific support staff to assist with continued coordination efforts to expand the Drug Evaluation and Classification program's Advance Roadside Impaired Driving Enforcement (ARIDE) and Drug Recognition Expert (DRE) trainings across the State. More on the DRE and ARIDE training programs can be found in OCM Annual Reports. Please be aware that under New York State Law it remains illegal to operate a motor vehicle while under the influence of cannabis

After reviewing the complete application record, the Board confirmed that Empire Park Consulting LLC satisfied all statutory and regulatory requirements for licensure. Having also carefully considered Community Board Two's opinion, The Cannabis Control Board approved the license for Empire Park Consulting LLC located at 1669 Richmond Rd Staten Island, NY 10304.

The Board appreciates Community Board Two's participation in the municipal review process and values its continued engagement in the implementation of New York's regulated cannabis market.

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

Sincerely,
Cannabis Control Board

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Cannabis Control Board Chair

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Executive Director

September 3, 2026 **SENT VIA EMAIL**

Bronx Community Board Eight
5676 Riverdale Avenue # 100
Bronx, New York 10471

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

Dear Bronx Community Board Eight:

This letter is in reference to the Cannabis Control Board's decision to approve the license for OCMCAURDP-2025-000059 (The Premium Bud LLC) located at 4685 Manhattan College Parkway, Bronx, New York, 10471.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue licenses for adult-use retail dispensaries throughout New York State. Section 76(4) of the Cannabis Law provides that when a municipality or New York City Community Board submits an opinion regarding a proposed retail cannabis license, the Board must respond in writing explaining how it considered that opinion.

On or about June 26, 2025, the Board received Community Board 8's opinion expressing concerns regarding the proposed location, including proximity to residences and community institutions, and the number of existing licensed dispensaries within ZIP Code 10471. The Board appreciates the time and effort Community Board 8 devoted to reviewing the application and carefully considered the issues raised.

The Board recognizes that Community Boards possess valuable knowledge of their neighborhoods and that local perspectives are an important component of the review process. At the same time, the Board's licensing decisions must be made in accordance with the Cannabis Law and the regulations adopted to implement that law. The Board may deny an application only where supported by applicable statutory or regulatory requirements.

With respect to the location itself, the Board reviewed the proposed premises for compliance with all applicable siting requirements established by Cannabis Law § 72 and Part 119 of Title 9 of the New York Codes, Rules and Regulations. OCM confirmed that the proposed dispensary complies with the required separation distances from schools, houses of worship, existing retail dispensaries, and other protected locations. Specifically, there are no schools located within the required 500-foot separation distance, and no licensed adult-use retail dispensary is located within 1,000 feet of the proposed premises.

The Board also considered the Community Board's concern regarding the number of existing licensed dispensaries in the surrounding area. Although the Community Board identified several licensed dispensaries within the same ZIP code, the information before the Board did not support a determination that issuance of this license would result in an undue concentration of retail dispensaries or otherwise justify denying an application that meets all statutory and regulatory requirements.

The Board reviewed the concerns regarding quality- of-life and public safety concerns associated with the location, including proximity to another business that has multiple complaints to police regarding excessive noise, drug use and disorderly- after hours parties along with erosion of family- oriented community standards As a condition of licensure, every licensee is required to comply with the Cannabis Law, OCM's regulations, and all applicable state and local requirements governing the operation of an adult-use retail dispensary. Licensees remain subject to OCM's ongoing regulatory oversight and enforcement authority throughout the duration of their licensure. Accordingly, the Board did not conclude that the concerns identified by the Community Board warranted denial of an application that otherwise satisfied the requirements of the Cannabis Law and applicable regulations.

The Board considered your concerns related to Horace Mann and Manhattan University as they relate to youth exposure and normalization concerns. Protecting individuals under twenty-one is a central objective of the Cannabis Law and OCM's regulatory framework. In addition to the statutory location restrictions, licensed dispensaries are subject to comprehensive requirements governing security, marketing, packaging, labeling, and product sales that are designed to reduce youth access to cannabis products. The Board determined that the proposed location complies with the applicable statutory location requirements and that the applicant will remain subject to these ongoing regulatory obligations as a condition of licensure.

The Board also reviewed Concerns raised by Council Member Dinowitz and the representative of Assembly Member Dinowitz as it relates to oversaturation of cannabis retail stores in the area. 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

Furthermore, the Board would like to address the community concerns and opposition statements received opposing the cannabis retail business. After careful review, After careful review, the Board noted community members opinions that they do not support the application. However, the submission does not include articulated grounds for this position.

Finally, after reviewing the complete application record, the Board confirmed that The Premium Bud LLC satisfied all statutory and regulatory requirements for licensure, including the applicable location requirements under the Cannabis Law and OCM regulations. Having also carefully considered Community Board 8's opinion, the Cannabis Control Board approved the license for The Premium Bud LLC located at 4685 Manhattan College Pkwy, Bronx, NY, 10471.

The Board appreciates Community Board 8's participation in the municipal review process and values its continued engagement in the implementation of New York's regulated cannabis market.

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

Sincerely,
Cannabis Control Board