

Jeannine Kiely, *Chair*  
Susan Kent, *First Vice Chair*  
Valerie De La Rosa, *Second Vice Chair*



Antony Wong, *Treasurer*  
Amy Brenna, *Secretary*  
Ritu Chatree, *Assistant Secretary*

## COMMUNITY BOARD No. 2, MANHATTAN

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[www.cb2manhattan.org](http://www.cb2manhattan.org)

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January 9, 2023

Tremaine Wright  
Chair, NYS Cannabis Control Board

Dasheeda Dawson  
Director, Cannabis NYC

Chris Alexander  
Executive Director, NYS Office of Cannabis Management

Dear Chair Wright, Director Dawson and Executive Director Alexander:

At its Full Board meeting December 20, 2022, Community Board #2 Manhattan adopted the following resolution:

**Community Board 2 Manhattan**  
**Resolution in Favor of Housing Works Cannabis, LLC.**  
**20 December 2022**

Item #1 Housing Works Cannabis, LLC. d/b/a TBD (applicant), 750 Broadway, NY, NY 10013 (New Dispensary License)

1. Whereas, [Housing Works](#) was granted a provisional license under the [Conditional Adult-Use Retail Dispensary \(CAURD\) program](#) to sell retail cannabis, approved by the [New York State Cannabis Control Board](#) (OCM), and issued by the [New York State Office of Cannabis Management](#) (CCB) on November 21, 2022; and
2. Whereas, §119.2 10(b) [Proposed Adult-Use Cannabis Regulations](#) Authorizes for Municipalities to “*have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit application, and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application*”, and that this resolution shall serve as Community Board 2 Manhattan’s expression of that opinion regarding this license; and

3. Whereas, section §119.2 Authorizations for Municipality Rulemaking Of the CCB's 11/21/2022 [Proposed Adult-Use Cannabis Regulations](#) States that, *"To the extent the following is not unreasonably impracticable, the Board authorizes municipalities to pass local laws and regulations governing the time, place, and manner"*, of cannabis retail dispensaries and on-site consumption sites, including: retail hours, traffic, odor and noise; and
4. Whereas, the Applicant and their Attorney appeared before Community Board 2, Manhattan's CLC Committee to present an application to the NYS OCM/CCB for a new Adult-Use Retail Dispensary license to operate a dispensary in a mixed-use commercial and residential building at 750 Broadway; and
5. Whereas, the storefront premise was previously a Gap retail store, but has been vacant since July 1, 2020.
6. Whereas, this application being subject to proximity rules as defined by §119.4 of the [Proposed Adult-Use Cannabis Regulations](#), the subject premises is not within 1000-feet of any licensed cannabis establishments, 500-feet of buildings exclusively used as schools or within 200-feet of buildings used exclusively as houses of worship;
7. Whereas, the applicant's premises is located on the ground floor of 750 Broadway, which is a corner location with a main entry door on the southeast corner of 8th Street and Broadway, and a second delivery door located at 8th Street just east of Broadway, as indicated on diagrams presented to CB2; and
8. Whereas, the 4000 sq. ft. ground floor interior premises and, the 2000 sq. ft. basement level will be utilized for storage, and there is no access to the residential part of the building from the premises; and
9. Whereas, the Applicant has no plans to make changes to the facade, and signage will be in accordance with OCM's [Store Exterior and Outdoor Areas](#) guidelines (p 20, #26); and
10. Whereas, a Dept. of Buildings Certificate of Occupancy was provided; and
11. Whereas, the applicant has no plans to use TVs, monitors or speakers with sound; and
12. Whereas, there was no opposition to this application, those in support writing correspondence and appearing, included CB2 residents, business owners, Middle Collegiate Church, East Village Community Coalitions and the Cooper Square Committee; and
13. Whereas, Housing Works has had a significant and positive presence in our district and the City of NY. Their thrift shops and bookstores fund programs that benefit justice involved individuals, those living with HIV and AIDS and New Yorkers experiencing homelessness and all profits from the dispensary will be used to bolster those programs; and
14. Whereas, Housing Works has a proven and successful history of operating retail establishments; and
15. Whereas, the Applicant means to train and hire Housing Works program participants as staff and provide vocational training and meaningful opportunity for those most affected by the war on drugs; and
1. Whereas, listed below are the details of the establishment's operations as presented to Community Board 2 CLC Committee in the Applicants questionnaire and live testimony with respect to the premises, as follows:
  - a. Premises will operate as a dispensary selling cannabis products per state law.

- b. The dispensary's retail operating hours are: 11am to 9pm Monday-Thursday, 11am to 11pm Friday-Saturday, and 11am to 7pm on Sunday (72hrs). No patrons will remain after stated closing times.
- c. Will not have televisions or speakers. No sound will be audible in any adjacent residences at any time.
- d. Will keep doors closed other than entrance and egress. Will not operate any outdoor area, including the sidewalk, for any purpose, or operate as a consumption lounge.
- e. There will be no patron egress via the 8th Street except for emergency egress only and will be equipped with an alarm system.
- f. Patron egress into/out of establishment will be through front doors on Broadway only, and the Applicant will prevent loitering and ensure that only individuals engaging in activity expressly or by necessary implication permitted by the Cannabis Law are allowed to remain on the premises of the licensee.
- g. There will be no services, deliveries or trash transport via the doors on Broadway.
- h. Will have uniformed security personnel checking IDs of patrons upon entry, and again at the purchase point, and will utilize stanchions and ropes as necessary.
- i. Will appear before CB2, Manhattan prior to submitting any changes to the stipulations agreed to herein as they comply with State regulations.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends approval of the new Adult-Use Retail Dispensary License for Housing Works Cannabis, LLC. d/b/a TBD, 750 Broadway, NY, NY 10013, PROVIDED that the above-stated conditions A-I as agreed to by the Applicant "be part of the record upon which the Office makes its recommendation to the Board" per §119.2 10(b) of the [Proposed Adult-Use Cannabis](#)

**Vote: Passed, 38 Board Members in favor**

1 Recusal (M. Metzger)

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jeannine Kiely, Chair  
Community Board #2, Manhattan



Mar Fitzgerald, Chair  
Cannabis Licensing Committee  
Community Board #2, Manhattan

- c: Pascale Bernard, Deputy Director of Intergovernmental Affairs, NYS OCM  
Philip Rumsey, Manager of Intergovernmental Outreach, NYS OCM

Kevin Kim, Commissioner, NYC Small Business Services  
Hon. Daniel Goldman, Congressman  
Hon. Brian Kavanaugh, NYS Senator  
Hon. Deborah Glick, Assembly Member  
Hon. Carlina Rivera, Council Member  
Hon. Mark Levine, Manhattan Borough President  
Hon. Jumaane Williams, NYC Public Advocate

### **Links**

Contact the Community Board 2 Cannabis Licensing Committee: <https://bit.ly/ask-clc>  
Housing Works: <https://www.housingworks.org/>  
The Doe Fund: <https://www.doe.org/>  
NYS Cannabis Control Board: <https://cannabis.ny.gov/cannabis-control-board-meetings>  
NYS Office Cannabis Management: <https://cannabis.ny.gov/>  
Adult-Use Cannabis Information: <https://cannabis.ny.gov/adult-use-information>  
Proposed Adult-Use Cannabis Regulations  
<https://cannabis.ny.gov/system/files/documents/2022/12/adult-use-cannabis-proposed-regulations.pdf>  
Guidance for Adult-Use Retail Dispensaries  
[https://cannabis.ny.gov/system/files/documents/2022/12/guidance-for-adult-use-retail-dispensaries\\_0.pdf](https://cannabis.ny.gov/system/files/documents/2022/12/guidance-for-adult-use-retail-dispensaries_0.pdf)  
NYS CAURD Program: <https://cannabis.ny.gov/caurd-faq>  
Submit a Public Comment on the Proposed Regulations - Deadline Jan. 23, 2023:  
[regulations@ocm.ny.gov](mailto:regulations@ocm.ny.gov)  
Report illicit activity/OCM Enforcement Unit: [enforcement@ocm.ny.gov](mailto:enforcement@ocm.ny.gov)  
12/12/22 CLC Applicants Questionnaires: <https://bit.ly/cb2cannabis>

**Jeannine Kiely, Chair**  
**Susan Kent, First Vice Chair**  
**Valerie De La Rosa, Second Vice Chair**



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January 9, 2023

Tremaine Wright  
Chair, NYS Cannabis Control Board

Dasheeda Dawson  
Director, Cannabis NYC

Chris Alexander  
Executive Director, NYS Office of Cannabis Management

Dear Chair Wright, Director Dawson and Executive Director Alexander:

At its Full Board meeting December 20, 2022, Community Board #2 Manhattan adopted the following resolution:

**Community Board 2 Manhattan**  
**Resolution Regarding The Doe Store, LLC.**  
**20 December 2022**

Item #2 The Doe Store, LLC. d/b/a TBD, 62 East 13th Street, NY, NY 10003 (New Dispensary License)

1. Whereas, The Doe Store (heretofore referred to as Applicant) was granted a provisional license to sell retail cannabis under the [Conditional Adult-Use Retail Dispensary \(CAURD\) program](#), as a Qualifying Nonprofit 51% owned by The Doe Fund and 49% owned by the Harbour Community. It was approved by the [New York State Cannabis Control Board \(OCM\)](#), and issued by the [New York State Office of Cannabis Management \(CCB\)](#) on November 21, 2022; and
2. Whereas, §119.2 10(b) [Proposed Adult-Use Cannabis Regulations](#) Authorizes for Municipalities to “*have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit*”

*application, and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application”, and that this resolution shall serve as Community Board 2 Manhattan’s expression of that opinion regarding this license; and*

3. Whereas, section §119.2 Authorizations for Municipality Rulemaking of the CCB’s 11/21/2022 [Proposed Adult-Use Cannabis Regulations](#) States that, *“To the extent the following is not unreasonably impracticable, the Board authorizes municipalities to pass local laws and regulations governing the time, place, and manner”*, of cannabis retail dispensaries and on-site consumption sites, including: retail hours, traffic, odor and noise; and
4. Whereas, the Applicant appeared before Community Board 2, Manhattan’s CLC Committee to present an application to the NYS OCM/CCB for a new Adult-Use Retail Dispensary license to operate a dispensary in a mixed-use commercial and residential building at 62 East 13th Street; and
5. Whereas, 62 East 13th Street has a 20-foot storefront facade and is in a five-story prewar building with 7 residential condominium units, five of which are occupied by rental tents, and 1 commercial unit; and
1. Whereas, this application being subject to proximity rules as defined by §119.4 of the [Proposed Adult-Use Cannabis Regulations](#), the subject premises is not within 1000-feet of any licensed cannabis establishments, 500-feet of buildings exclusively used as schools or within 200-feet of buildings used exclusively as houses of worship;
6. Whereas, the applicant’s premises is located on the ground floor of 62 East 13th Street, which is a mid-block location with an entry door on 13th Street west of Broadway; and
7. Whereas, the 2,100 sq. ft. ground floor interior premises has one main entrance, and one bathroom 2,160 sq. ft. cellar level will be utilized for storage; and
8. Whereas, the Applicant will make no changes to the facade but the landlord in the process of restoring the building’s original facade as illustrated photographs provided by the Applicant, and signage will be in accordance with OCM guidelines; and
9. Whereas, a Dept. of Buildings Certificate of Occupancy was provided; and
10. Whereas, there will be TVs, monitors without sound; and
11. Whereas, music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, and no sound will be audible in any adjacent residences at any time; and
12. Whereas, outreach was conducted by the Applicant to NYC Council Member Carlina Rivera, Strand Bookstore, Regal Theater, Grace Church School, Cannabis Justice Equity Initiative at NYU. Letters of support were submitted by Happy Munkey cannabis brand, and the Cannabis Justice Equity Initiative; and best wishes were offered by a representative from the Strand Bookstore; and

13. Whereas, listed below are the details of the establishment's operations as presented to Community Board 2 CLC Committee in the Applicants questionnaire and live testimony with respect to the premises, as follows:

- a. Premises will operate as a dispensary selling allowable cannabis products cannabis paraphernalia to cannabis consumers in compliance with state laws and regulations; and
- b. Sunday-Thursday 10:00AM-10:00PM and 10:00Am-11:00PM Friday-Saturday, totaling 86 hours per week; and
- c. The premises, or any portion of the premises, will not operate as a consumption lounge.
- d. Will not operate any outdoor area, including the sidewalk, for any purpose, or operate as a consumption lounge per state laws and regulations.
- e. Will keep doors closed other than entrance and egress, stanchions and ropes will be utilized as necessary and no patrons will remain after stated closing times.
- a. Patron egress into/out of establishment will be through front doors on 13th Street only, and the Applicant will prevent loitering and ensure that only individuals engaging in activity expressly or by necessary implication permitted by the Cannabis Law are allowed to remain on the premises of the licensee.
- f. There will be no patron use, services, deliveries or trash transport via doors on Broadway.
- g. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
- h. Music will not be at entertainment levels but background only and no sound will be audible in any adjacent residences at any time.
- i. Will hold no private events, except for a soft launch, before opening to the public.
- j. Applicant will require customers to show a valid federal, state, or local government identification stating the customer's age and a photograph of the individual's face per OCM's Guidance for Adult-Use Retail Dispensaries (p.6, #6).
- k. Will appear before CB2, Manhattan prior to submitting any changes to the method of operation agreed to herein.

#2 - **THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of the new Adult-Use Retail Dispensary License for The Doe Store, LLC. d/b/a TBD, 62 East 13th Street, NY, NY 10003, **unless** the information the Applicant has presented are accurate and complete and that the above-stated conditions A-K are agreed to by the Applicant and *"be part of the record upon which the Office makes its recommendation to the Board"* for the Adult-Use Retail Dispensary License, per §119.2 10(b) of the [Proposed Adult-Use Cannabis Regulations](#).

**Vote: PASSED:** 37 Board Members in favor.

1 Recusal (M. Metzger) 1 Abstain (S. Secuda)



Sincerely,



Jeannine Kiely, Chair  
Community Board #2, Manhattan



Mar Fitzgerald, Chair  
Cannabis Licensing Committee  
Community Board #2, Manhattan

- c: Pascale Bernard, Deputy Director of Intergovernmental Affairs, NYS OCM  
Philip Rumsey, Manager of Intergovernmental Outreach, NYS OCM  
Kevin Kim, Commissioner, NYC Small Business Services  
Hon. Daniel Goldman, Congressman  
Hon. Brian Kavanaugh, NYS Senator  
Hon. Deborah Glick, Assembly Member  
Hon. Carlina Rivera, Council Member  
Hon. Mark Levine, Manhattan Borough President  
Hon. Jumaane Williams, NYC Public Advocate  
Robert Cornegy, The Doe Store, LLC  
Paul Yau, The Doe Store, LLC  
Arana Hankin-Biggers, The Doe Store, LLC

### **Links**

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Guidance for Adult-Use Retail Dispensaries  
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NYS CAURD Program: <https://cannabis.ny.gov/caurd-faq>  
Submit a Public Comment on the Proposed Regulations: [regulations@ocm.ny.gov](mailto:regulations@ocm.ny.gov)  
Report illicit activity/OCM Enforcement Unit: [enforcement@ocm.ny.gov](mailto:enforcement@ocm.ny.gov)  
12/12/22 CLC Applicants Questionnaires: <https://bit.ly/cb2cannabis>