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Community Board No. 2, Manhattan

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October 2, 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, Ms. Dawson and Mr. Alexander:

At its Full Board meeting on September 21, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

Robin Hood Cannabis, LLC d/b/a Dagmar. (Applicant), 412 West Broadway St., NY, NY 10012 (New Dispensary)

1. Whereas, Robin Hood Cannabis, LLC d/b/a Dagmar. 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 [date]; and
2. Whereas, §119.2 10(b) [Proposed Adult-Use Cannabis Regulations](#) Authorizes 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 NYS 9/12/202 [Adult-Use Cannabis Regulations](#) empowers municipalities to enact “permissible time, place, and manner restrictions” related to the “time, place and manner” of cannabis retail dispensaries and on-site consumption sites operations; and
4. Whereas, the Licencess, appeared before Community Board 2, Manhattan’s CLC Committee to present plans for a new Adult-Use Retail Dispensary in a commercial building at 412 West Broadway; and
5. Whereas, the storefront was previously a jewelry/keepsakes store, but has been vacant since 2016.
6. Whereas, this application, being subject to proximity rules, as defined by §119.4 of the 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 dispensary will utilize the ground and cellar level of the storefront premises, which is a mid-block location, on the south side of West Broadway, with a main entry door between Prince Street to the north and Spring Street to the south; and
 8. Whereas, the ground level storefront has approximately 400 square feet of retail space, a 300 sq. ft. storage cellar with an employee restroom. The mezzanine and 3rd floors will be offices.
 9. Whereas, the Applicant has no plans to structural make changes to the facade, and signage will be per OCM's [Store Exterior and Outdoor Areas](#) guidelines (p 20, #26); and
 10. Whereas, uniformed security will manage customer queues and steward the sidewalk in front of the premises to ensure pedestrian access; and
 11. Whereas, a Certificate of Occupancy was provided by the Department of Buildings; and
 12. Whereas, no music or sound will be audible in any adjacent residences at any time; and
 13. Whereas, the Applicant has conducted significant outreach and positive engagement within the immediate community, which included residents, community groups, neighboring businesses and the local precinct council; and
 14. Whereas, listed below are the details of the establishment's operations as presented to Community Board 2 CLC Committee in the Applicant's questionnaire and live testimony concerning the premises, as follows:
 - A. The premises will operate as a dispensary selling cannabis products per state law.
 - B. The dispensary's retail operating hours are 10:00AM-9:00PM 77hrs/week). No patrons will remain after the stated closing times.
 - C. Decorative exterior planters will be removed from the sidewalk for interior storage outside of operating hours.
 - D. No sound will be audible in any adjacent residences at any time.
 - E. Will keep doors closed other than ingress and egress.
 - F. Patron ingress/egress will be through the front doors at 412 West Broadway only, and the dispensary security 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. Will have uniformed security personnel managing the queue, checking the IDs of patrons, and will utilize stanchions and ropes as necessary.
 - H. Will appear before CB2, Manhattan before 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 **Robin Hood Cannabis LLC d/b/a Dagmar at 412 West Broadway, NY, NY 10012**, provided that the above-stated conditions A-H 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, with 38 Board members in favor, and 1 recusal (M. Metzger).

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

Sincerely,



Susan Kent, Chair
Community Board #2, Manhattan



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

SK/fa

cc: 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. Brad Lander, NYC Comptroller
Hon. Jumaane Williams, NYC Public Advocate
Jennifer Tzar, Robin Hood Cannabis, LLC