

Antony Wong, Treasurer
Amy Brenna, Secretary
Mark Diller, District Manager
Brian Pape, Assistant Secretary

# Community Board No. 2, Manhattan

## 3 Washington Square Village NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@manhattancb2.org

Greenwich Village \* Little Italy \* SoHo \* NoHo \* Hudson Square \* Chinatown \* Gansevoort Market

November 30, 2023

Tremaine Wright Chris Alexander
Chair Executive Director

New York State Cannabis Control Board New York State Office of Cannabis

Management

Dear Chair Wright and Mr. Alexander:

The following 12 applicants have <u>withdrawn from consideration</u> to operate an Adult-Use Retail Dispensary within Community District 2 Manhattan. Proof of withdrawal has been filed with the OCM's municipalities department:

### **WITHDRAWN**

	NTM	ENTITY	PROPOSED PREMISES	ZIP	APPLICANT
1.	10/5	The Brooklyn Bazaar	212 Bowery	10012	Bazaare Royale
2.	10/3	349 WB TH, LLC	349 W. Broadway	10012	Jeanette Cohen
3.	10/3	242 L TH, LLC	242 Lafayette St.	10012	Joel Cohen
4.	10/3	Weedish, LLC	69 Gansevoort St.	10014	Nicole Lucien
5.	10/4	DBMTAT LLC	47 7th Ave. So.	10014	Anthony Taylor
6.	10/4	Str8 Gas LLC	47 7th Ave. So.	10014	Anthony Taylor
7.	10/5	Nickel House Development, Inc.	598 Broadway	10012	Perry Edward Toll Hill
8.	10/10	Green Gold New York, LLC	201 W. 11th St.	10014	Robert Goldman
9.	10/14	Green Gold New York, LLC	201 W. 11th St.	10014	Robert Goldman
10.	10/5	Blazin Up, LLC	99 Spring St.	10012	Miguel Bernard
11.	10/4	Green Gold New York LLC	155 Prince St.	10012	Robert Goldman
12.	10/4	Dispo Holdings Group LLC	499 Canal St.	10013	Dipen Patel

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

Sincerely,

Susan Kent, Chair

Community Board #2, Manhattan

Mar Fitzgerald

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

Dasheeda Dawson, SBS/Cannabis NYC division

Hon. Daniel Goldman, Congressman

Hon. Brad Hoylman-Sigal, NYS Senator

Hon. Brian Kavanaugh, NYS Senator

Hon. Deborah Glick, Assembly Member

Hon. Grace Lee, Assembly Member

Hon. Mark Levine, Manhattan Borough President

Hon. Christopher Marte, Council Member

Hon. Erik Bottcher, Council Member

Hon. Carlina Rivera, Council Member

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November 30, 2023

Tremaine Wright Chris Alexander **Executive Director** Chair

New York State Cannabis Control Board New York State Office of Cannabis

Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on November 16, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: **New Applications for Adult-Use Retail Cannabis Licenses** Notices to Municipality forms 10/2-16/2023 • No Response

### RESOLUTION

WHEREAS, CB2, Man. received the 49 Notice to municipality forms; and

### WHEREAS, all failed to:

- Fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
  Provide any documents or additional information required by the CB2 CLC
  Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

	NTM DATE	CORP.	ADDRESS	ZIP	OPERATOR	REASON FOR DENIAL
1.	10/2/2023	Jack Luber dba Cousin Mary	41 Carmine St.	10014	Jack Luber	<ul> <li>Failure to Appear</li> <li>w/in 300 ft. of         Downing Street Preschool @ 32 Carmine         St. Exclusively used as a school     </li> </ul>
2.	10/3/2023	MASJLS, LLC	69 Gansevoort St.	10014	Ashley Sanford	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>
3.	10/3/2023	JLISHD LLC	150 Bowery	10012	Romeo Tayag	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>

4.	10/3/23	Alkalife, LLC	264 Bowery	10012	Vincent Pezzulo	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈1000 ft. from Gotham 3 East. 3rd St.</li> </ul>
5.	10/3/23	Alkalife, LLC	274 Bowery	10012	Vincent Pezzulo	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈1000 ft. from Gotham 3 East. 3rd St.</li> </ul>
6.	10/3/2023	Downtown Flower, LLC	433 Broadway	10013		Failure to Appear     Failure to provide     requested information     ≈562.87 ft distance     from NC Accidents     Report 481 Broadway
7.	10/4/23	Ambrose Firm LLC	184 W. 4th St.	10014	Ambrose Firm LLC Jennifer Ambrose	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Currently Vape Town</li> <li>Suspected to be selling bongs + other illicit cannabis products</li> </ul>
8.	10/4/23	Cannadreams, Inc.	180 6th Ave.	10012	Jie Lin	Failure to Appear     Failure to provide     requested information     ≈465 ft, from NYC     iSchool, 131 6th     ≈565 ft, from NC     Accidents Report 481     Broadway     ≈600 ft, from Dagmar     412 W. Broadway
9.	10/4/23	NYCL Thompson LLC	218 Thompson St.	10012	Jon Purow, attorney	Failure to Appear     Failure to provide     requested information     ≈350 ft. from Dagmar     412 W. Broadway     ≈330 ft from Smacked     Village! 144 Bleecker     St
10.	10/4/23	Mahant 385 Inc.	385 Canal St.	10013	Mahant 385 Inc. Divyank Patel	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Smoke Gift &amp; Convenience</li> <li>Suspected to be selling Illicit cannabis</li> </ul>
11.	10/5/23	Green Panacea, LLC	378 Broome St.	10013	Carlos Carela	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>
12.	10/5/23	Mocha Joint, LLC	433 Broadway	10013	David Feder	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈500 ft NC Accidents Reports 481 Broadway</li> </ul>
13.	10/5/23	Encore Retailer III LLC	87 Sullivan St.	10012	Encore Retailer III LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈453.28 ft from Dagmar 412 Wbway</li> </ul>
14.	10/5/23	Encore Retailer IV LLC	200 Spring St.	10012	Encore Retailer IV LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈41 1.10 ft from Dagmar 412 W. Broadway</li> </ul>
15.	10/5/23	Encore Retailer IX LLC	151 Spring St.	10012	Encore Retailer IX LLC Kyle Suffolk	Failure to Appear     Failure to provide     requested information     ≈181.09 ft from     Dagmar 412 W.     Broadway
16.	10/5/23	Encore Retailer V LLC	187 Spring St.	10012	Encore Retailer V LLC Kyle Suffolk	Failure to Appear     Failure to provide     requested information     ≈ 294.55 ft from     Dagmar 412 W.     Broadway
17.	10/5/23	Encore Retailer VI LLC	420 W. Broadway	10012	Encore Retailer VI LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈90 ft from Dagmar</li> </ul>

						412 W. Broadway
						,
18.	10/5/23	Encore Retailer VII LLC	419 W. Broadway	10012	Encore Retailer VII LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈132 ft from Dagmar 412 W. Broadway</li> </ul>
19.	10/5/23	Encore Retailer VIII LLC	402 W. Broadway	10012	Encore Retailer VIII LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈180 ft from Dagmar 412 W. Broadway</li> </ul>
20.	10/5/23	Encore Retailer XI LLC	372 W. Broadway	10012	Encore Retailer XI LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈586 ft from Dagmar 412 W. Broadway</li> </ul>
21.	10/5/23	Encore Retailer XII LLC	436 W. Broadway	10012	Encore Retailer XII LLC Kyle Suffolk	Failure to Appear     Failure to provide     requested information     ≈315 ft from Dagmar     412 W. Broadway     ≈700 ft from Smacked     Village! 144 Bleecker     St
22.	10/5/23	Encore Retailer XIII LLC	282 Hudson St.	10013	Encore Retailer XIII LLC Kyle Suffolk	Failure to Appear Failure to provide requested information
23.	10/5/23	Encore Retailer XIV LLC	463 W. Broadway	10012	Encore Retailer XIV LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈674 ft from Dagmar 412 W. Broadway</li> <li>144 Bleecker St</li> </ul>
24.	10/5/23	Encore Retailer XV LLC	201 Mulberry St.	10013	Encore Retailer XV LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Directly across from Disalvio Playground 44 Spring St.</li> </ul>
25.	10/5/23	Encore Retailer XVII LLC	598 Broadway	10012	Encore Retailer XVII LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>
26.	10/5/23	Friendly Flower 2, Inc.	22 Spring St.	10012	Jessica Lindsey	Failure to Appear     Failure to provide     requested information     ≈850 Gotham     Premises is Use Group     9, not zoned for     regular retail
27.	10/5/23	Jordan Forrester	317 Canal St.	10013	Jordan Forrester	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈824 ft from 481 Broadway</li> </ul>
28.	10/6/23	Encore Retailer X LLC	70 Wooster St.	10012	Encore Retailer X LLC Kyle Suffolk	Failure to Appear     Failure to provide     requested information     ≈513.81 ft from     Dagmar 412 W.     Broadway
29.	10/6/23	New York THC Company	32 Spring St.	10012	Harold Baines	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>
30.	10/6/23	Mahant 342 Inc.	342 Canal St.	10013	Mahant 342 Inc. Divyank Patel	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>
31.	10/10/23	Potluck Project, LLC	141 Mulberry St.	10013	Danielle Popov	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Abuts P.S. 130 Hernando De Soto, 143 Baxter St.</li> </ul>
32.	10/10/23	Project License, LLC	141 Mulberry St.	10013	Danielle Popov	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Abuts P.S. 130 Hernando De Soto,</li> </ul>

						143 Baxter St.
33.	10/10/23	Provisional Health, LLC	141 Mulberry St.	10013	Danielle Popov	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Abuts P.S. 130 Hernando De Soto, 143 Baxter St.</li> </ul>
34.	10/10/23	The Happy Project, LLC	141 Mulberry St.	10013	Danielle Popov	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Abuts P.S. 130 Hernando De Soto, 143 Baxter St.</li> </ul>
35.	10/10/23	Encore Retailer XVI LLC	609 Greenwich St.	10014	Encore Retailer XVI LLC Kyle Suffolk	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈396 ft from 75 Morton School</li> <li>Premises is an apartment building w/o commercial space</li> </ul>
36.	10/10/23	Keller Gutierrez LLC	427 Broadway	10013	Jake Keller	<ul> <li>Fraudulent application</li> <li>Location is THC NYC Museum</li> <li>Applicant not authorized to apply per the museum owner</li> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈500 ft NC Accidents Reports 481 Broadway</li> </ul>
37.	10/10/23	Maria S Pacheco Tinoco	219 Hudson St.	10013	Maria S Pacheco Tinoco	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>
38.	10/10/23	Maria S Pacheco Tinoco	227 Mulberry St.	10012	Maria S Pacheco Tinoco	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Close to DiSalvio Playground 44 Spring St.</li> </ul>
39.	10/10/23	Juniper NY LLC	199 Lafayette St.	10012	Maxim Tsiring	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈740 ft NC Accidents Reports 481 Broadway</li> </ul>
40.	10/10/23	Juniper NY LLC	216 Lafayette St.	10012	Maxim Tsiring	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈725 ft NC Accidents Reports 481 Broadway</li> </ul>
41.	10/10/23	Juniper NY LLC	25 Howard St.	10013	Maxim Tsiring	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈700 ft NC Accidents Reports 481 Broadway.</li> </ul>
42.	10/10/23	Juniper NY LLC	325 Canal St.	10013	Maxim Tsiring	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈880 ft NC Accidents Reports 481 Broadway</li> </ul>
43.	10/10/23	NSEBAT, Inc.	219 Hudson St.	10013	Nilay Sebat	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>
44.	10/10/23	DAPNY Holdings Corp. d/b/a Society House NYC	481 Broadway	10013	Steven Etienne	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈500 ft NC Accidents Reports 481 Broadway</li> <li>Same location as NC Accidents Reports at 481 Broadway</li> <li>Not approved by NYS to use this location</li> </ul>
45.	10/11/23	Flowers for Justus, LLC d/b/a Plantbase	76 Wooster St.	10012	Robert Wilson	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>≈438 ft from Dagmar</li> </ul>

						412 W. Broadway ● ≈900 ft from NC Accidents Reports at 481 Broadway
46.	10/12/23	NSEBAT, Inc.	227 Mulberry St.	10012	Nilay Sebat	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Close to DiSalvio Playground 44 Spring St.</li> </ul>
47.	10/16/23	Sour Jack, LLC	248 W. 14th St.	10011	Ronald S. Earl Johnson	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>
48.	10/16/23	Budega SoHo Club	33 Spring St.	10012	Terrance W. Keeby	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> <li>Currently Vape Town</li> <li>Suspected to be selling bongs + other illicit cannabis products</li> <li>Directly across from DiSalvio Playground 44 Spring St.</li> </ul>
49.	10/10/23 & 10/12/23	GSEBAT, Inc sent 2nd notice with same info	219 Hudson St.	10013	Gurkay Sebat	<ul> <li>Failure to Appear</li> <li>Failure to provide requested information</li> </ul>

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends <u>denial</u> of all of the new Adult-Use Retail Dispensary License applications listed above.

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

Sincerely,

Susan Kent, Chair

Community Board #2, Manhattan

Mar Fitzgerald

Mar Fitzgerald, Chair

Cannabis Licensing Committee Community Board #2, Manhattan

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

Dasheeda Dawson, SBS/Cannabis NYC division

Hon. Daniel Goldman, Congressman

Hon. Brad Hoylman-Sigal, NYS Senator

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December 1, 2023

Tremaine Wright Chris Alexander
Chair Executive Director

New York State Cannabis Control Board New York State Office of Cannabis

Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on November 16, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: Vanessa Yee Chan d/b/a Bloomlee, LLC d/b/a Alta Dispensary, 52A Kenmare St., 10012

Vanessa Yee Chan d/b/a Bloomlee II LLC, 52A Kenmare St., 10012 Vanessa Yee Chan d/b/a Bloomlee III LLC, 52A Kenmare St., 10012 (between Elizabeth and Mott Sts.)

New Application for Adult-Use Retail Cannabis License

### RESOLUTION

WHEREAS, CB2, Man. received Notification to Municipality form OCM-06009 signed by Venessa Yee Chan d/b/a Alta Dispensary Bloomlee II, LLC, Bloomlee III, LLC and Bloomlee, LLC 52 Kenmare St., 10012 on October 2, 2023; and

WHEREAS, the proposed premises is a storefront (entrance at 52 Kenmare St.), within a mixed residential and commercial building; and

WHEREAS, Applicant was placed on the CB2, Man. agenda to appear at the October 10, 2023, public hearing of the Cannabis Licensing Committee (CLC); and

WHEREAS, the CLC voted unanimously to deny/unless at the October CLC meeting; and

WHEREAS, the application was returned to committee as the resolution was not complete, due in no part to any failure of the Applicant: and

WHEREAS, Applicant owns the building and is beloved by the community; and

WHEREAS, Applicants appeared with Cristina Buccola (Attorney); and

WHEREAS, Applicant provided requested documents including a fully executed lease; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation will be 10:00AM-9:00PM seven days a week; and

WHEREAS, the Applicant stated that the dispensary will offer delivery; and

WHEREAS, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

#### Failure to:

o Completely fill out the CB2 CLC questionnaire

• Appear before the Cannabis Licensing Committee (CLC)

o Include false or misleading information in the answers to the questionnaire

Omit information necessary to make the answers to the questionnaire not misleading

Provide any documents or additional information required by the CB2 CLC

O Disclose or accurately represent requested information

Provide answers to any questions posed by the CB2 CLC

• Conduct outreach to the community near the proposed location

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the new Adult-Use Retail Dispensary License for Vanessa Yee Chan, Bloomlee LLC d/b/a Alta Dispensary, 52A Kenmare St., 10012, unless the information the Applicant has presented is accurate and complete and that the above-stated conditions 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 §119.3 10(d) of the Revised Adult-Use Cannabis Regulations.

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

Sincerely,

Susan Kent, Chair

Community Board #2, Manhattan

Mar Fitzgerald, Chair

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Cannabis Licensing Committee

Community Board #2, Manhattan

cc: Pascale Bernard, Deputy Director of Intergovernmental Affairs, NYS OCM

Philip Rumsey, Manager of Intergovernmental Outreach, NYS OCM

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December 1, 2023

Tremaine Wright Chris Alexander
Chair Executive Director

New York State Cannabis Control Board New York State Office of Cannabis

Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on November 16, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: NC Accident Reports, LLC, d/b/a Elevate Cannabis Soho, 481 Broadway, 10013, Berkay Sebat, between Broome and Grand Street

New Application for Adult-Use Retail Cannabis License

### RESOLUTION

WHEREAS, CB2, Man. received Notification to Municipality form OCM-06009 signed by Berkay Sebat d/b/a Elevate Cannabis Soho, 481 Broadway, 10013, Berkay Sebat, between Broome and Grand Street; and

WHEREAS, the proposed premises is a storefront (entrance at 481 Broadway), within a mixed residential and commercial building; and

WHEREAS, Applicant was placed on the CB2 agenda to appear at the October 10, 2023 public hearing of the Cannabis Licensing Committee (CLC); and

WHEREAS, the CLC voted unanimously to deny/unless at the October CLC meeting; and

WHEREAS, the application was returned to committee as the resolution was not complete, due in no part to any failure of the Applicant: and

WHEREAS, Applicants, Berkay Sebat and Joseph Merlo appeared as a CUARD (Conditional Adult-Use Cannabis Dispensary) Licensee and DASNY (Dormitory Authority of the State of New York) site which has OCM proximity protections; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation will be Mon through Fri 9:00AM-9:00PM, and Sat and Sun 9:00AM-11:00PM; and

WHEREAS, the Applicant stated that the dispensary will offer delivery; and

WHEREAS, the Applicant said due to ongoing litigation they have not been able to begin community outreach. They will be contacting local schools, parks, and playgrounds in order to make sure there is no illicit consumption on these premises; and

WHEREAS, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

### Failure to:

Completely fill out the CB2 CLC questionnaire

• Appear before the Cannabis Licensing Committee (CLC)

• Include false or misleading information in the answers to the questionnaire

• Omit information necessary to make the answers to the questionnaire not misleading

Provide any documents or additional information required by the CB2 CLC

Disclose or accurately represent requested information
 Provide answers to any questions posed by the CB2 CLC

• Conduct outreach to the community near the proposed location

THEREFORE, BE IT RESOLVED that CB2, Man. recommends <u>denial</u> of the new Adult-Use Retail Dispensary License for NC Accident Reports, LLC, d/b/a Elevate Cannabis Soho, 481 Broadway, 10013, <u>unless</u> the information the Applicant has presented is accurate and complete and that the above-stated conditions 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 §119.3 10(d) of the <u>Revised Adult-Use Cannabis Regulations</u>.

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

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Chair Executive Director

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Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on November 16, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: West Village Grocery Inc. 31 Jane Street, 10014, (between Jane St. & West 13 Street)

New Application for Adult-Use Retail Cannabis License

#### RESOLUTION

WHEREAS, CB2, Man. received Notification to Municipality form OCM-06009 signed by Gurdip Josan d/b/a West Village Grocery Inc. (Applicant) stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 31 Jane Street, 10011 on October 10, 2023; and

WHEREAS, the proposed premises is a small storefront (entrance at 48 Eighth Ave.), within a large residential building with 127 residential units; and

WHEREAS, Applicant was placed on the CB2, Man. agenda to appear at the November 12, 2023, public hearing of the Cannabis Licensing Committee (CLC); and

WHEREAS, Applicant is currently operating the storefront as a newsstand under the name West Village Grocery & Smoke Shop, selling newspapers, magazines, beverages, lottery tickets, tobacco products and other customary newsstand items; and

WHEREAS, Applicants appeared with Nehal Trivedi (Attorney); and

WHEREAS, Applicant provided requested documents including a fully executed lease; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation will be 11:00AM-9:00PM seven days a week; and

WHEREAS, the Applicant stated that the dispensary will offer delivery; and

WHEREAS, while the Applicant is currently operating a newsstand at this location, he did not perform community outreach, but stated that he would do so; and

WHEREAS, CB2, Man. members visited the store prior to the 11/8/23 hearing and found the shop was not offering THC products; and

WHEREAS, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

### Failure to:

o Completely fill out the CB2 CLC questionnaire

• Appear before the Cannabis Licensing Committee (CLC)

o Include false or misleading information in the answers to the questionnaire

o Omit information necessary to make the answers to the questionnaire not misleading

• Provide any documents or additional information required by the CB2 CLC

• Disclose or accurately represent requested information

Provide answers to any questions posed by the CB2 CLC

• Conduct outreach to the community near the proposed location

THEREFORE, BE IT RESOLVED that CB2, Man. recommends <u>denial</u> of the new Adult-Use Retail Dispensary License for Gurdip Josan d/b/a West Village Grocery Inc., 31 Jane St., 10011 <u>unless</u> the information the Applicant has presented is accurate and complete and that the above-stated conditions 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 §119.3 10(d) of the <u>Revised Adult-Use Cannabis Regulations</u>.

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

Sincerely,

Susan Kent, Chair

Community Board #2, Manhattan

Mar Fitzgerald

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

Dasheeda Dawson, SBS/Cannabis NYC division

Hon. Daniel Goldman, Congressman

Hon. Brad Hoylman-Sigal, NYS Senator

Hon. Brian Kavanaugh, NYS Senator

Hon. Deborah Glick, Assembly Member

Hon. Grace Lee, Assembly Member

Hon. Mark Levine, Manhattan Borough President

Hon. Christopher Marte, Council Member

Hon. Erik Bottcher, Council Member

Hon. Carlina Rivera, Council Member

Hon. Brad Lander, NYC Comptroller

Hon. Jumaane Williams, NYC Public Advocate

Tricia Shimamura, Manhattan Borough President's Office

Keisha Sutton James, Manhattan Borough President



Antony Wong, Treasurer
Amy Brenna, Secretary
Mark Diller, District Manager
Brian Pape, Assistant Secretary

## Community Board No. 2, Manhattan

3 Washington Square Village New York, NY 10012-1899

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Greenwich Village \* Little Italy \* SoHo \* NoHo \* Hudson Square \* Chinatown \* Gansevoort Market

December 1, 2023

Tremaine Wright Chris Alexander
Chair Executive Director

New York State Cannabis Control Board New York State Office of Cannabis

Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on November 16, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: Michael Shah d/b/a Griffon Green, LLC 69 Gansevoort Street, 10014

New Application for Adult-Use Retail Cannabis License

### RESOLUTION

WHEREAS, CB2, Man. received Notification to Municipality form OCM-06009 signed by Michael Shah d/b/a Griffon Green LLC (Applicant) stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 69 Gansevoort Street, 10014 on October 3, 2023; and

WHEREAS, individuals having financial interest in Griffon Green, LLC are Michael Shah (80%) and Yehonatan Hadar (20%); and

WHEREAS, Applicant was placed on the CB2, Man. agenda to appear at the November 12, 2023, public hearing of the Cannabis Licensing Committee (CLC); and

WHEREAS, while Mr. Shah did not appear Mr. Hadar was in attendance for some portion of the meeting, but left prior to the hearing, and Griffon Green, LLC's attorney presented on their behalf; and

**WHEREAS**, the principal Applicant, Mr. Shah is a local business owner with a long and adverse history in Community District 2 and is well known to both CB2, Man. and the 6<sup>th</sup> Precinct, in relation to his multiple hospitality establishments; and

WHEREAS, concerns were raised about the Applicant as he has violated multiple stipulations, and operated outside the parameters of licenses in the past; and

WHEREAS, for detailed information on the history of the Applicant, please refer to CB2, Manhattan's September 2012 Resolution sent to the Liquor Authority for "Corp. to be formed by Michael Shah (61 Gans Restaurant, LLC) dba TBD, 53-59 Gansevoort St. 10014 on page 20, and CB2 Manhattan's April 2015 resolution sent to the Liquor Authority regarding the renewal application for 61 Gans Restaurant LLC, d/b/a BFB, Opus, The Raven, 53-59 Gansevoort St. (SN#1268022) on page 30 both which are footnoted here, and will also will be provided under separate cover; and

WHEREAS, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

### Failure to:

Completely fill out the CB2 CLC questionnaire
 Appear before the Cannabis Licensing Committee (CLC)

Include false or misleading information in the answers to the questionnaire

Omit information necessary to make the answers to the questionnaire not misleading Provide any documents or additional information required by the CB2 CLC

Disclose or accurately represent requested information

Provide answers to any questions posed by the CB2 CLC

Conduct outreach to the community near the proposed location

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the new Adult-Use Retail Dispensary License for Michael Shah d/b/a Griffon Green, LLC 69 Gansevoort Street, 10014.

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

Sincerely,

Susan Kent, Chair

Community Board #2, Manhattan

Mar Fitzgerald

Mar Fitzgerald, Chair

Cannabis Licensing Committee Community Board #2, Manhattan

### SK/fa

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

Dasheeda Dawson, SBS/Cannabis NYC division

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Hon. Carlina Rivera, Council Member

Hon. Brad Lander, NYC Comptroller

Hon. Jumaane Williams, NYC Public Advocate

Tricia Shimamura, Manhattan Borough President's Office

Keisha Sutton James, Manhattan Borough President

https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/downloads/pdf/fullboard 2012/fullboard 0912.pdf

https://www.nyc.gov/html/mancb2/downloads/pdf/full%20board%202015/04%20April%202015\_fullboard.pdf



Antony Wong, Treasurer
Amy Brenna, Secretary
Mark Diller, District Manager
Brian Pape, Assistant Secretary

## Community Board No. 2, Manhattan

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December 1, 2023

Tremaine Wright Chris Alexander
Chair Executive Director

New York State Cannabis Control Board New York State Office of Cannabis

Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on November 16, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: Ronnie Almani d/b/a Endoman LLC, 55 Spring Street, 10012

New Application for Adult-Use Retail Cannabis License

WHEREAS, CB2, Man. received Notification to Municipality form OCM-06009 signed by Ronnie Almani d/b/a Endoman LLC (Applicant) stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 55 Spring St., 10012 on October 4, 2023; and

WHEREAS, Applicant currently operates the proposed premises has operated as a licensed CBD store; and

WHEREAS, individuals having financial interest in Endoman, LLC are listed in the submitted questionnaire as Rotem Moyal (50%) Ronnie Almani (50%); and

WHEREAS, Applicant was placed on the CB2, Man. agenda to appear at the November 8th, 2023, public hearing of the Cannabis Licensing Committee (CLC); and

WHEREAS, the Applicant appeared with Simon Malinowski, Malinowski, LLP (attorney): and

**WHEREAS**, the Applicant stated that he currently owns and operates the proposed premises as a licensed CBD store under the name Endoman<sup>1</sup>; and

WHEREAS, proposed hours of operation are 10 am-12am Sun-Wed, 10am-1am Thu-Sat "Depending on what is most compatible with our community"; and

WHEREAS, delivery will be offered for 12 hours per day by personnel on pedal bikes stored; and

WHEREAS, the Applicant provided an unsigned lease; and

\_

<sup>&</sup>lt;sup>1</sup> https://www.endomen.com/pages/about-us-endomen

WHEREAS, the Applicant provided a letter of support from the business next door; and

WHEREAS, the Applicant stated "N/A" when asked what playgrounds were within drug treatment facilities, harm reduction facilities, playgrounds or parks within 1000 ft. of the proposed cannabis business location; and

WHEREAS, the proposed premises appears to be within 1000 ft. of NC Accident Reports d/b/a 481 Broadway; a CAURD dispensary site approved by the OCM with proximity protection; and

WHEREAS, the proposed premises is approximately 175 feet from DiSalvio playground at 44 Spring Street; and

WHEREAS, the Office of Cannabis Management (OCM) has operators participating in illicit sales of THC products will permanently bar them from receiving any cannabis licenses in New York State; and

WHEREAS, by the Applicant's own admission while not licensed to sell THC cannabis products, has been doing so, "for the last couple of months" in order to "continue doing business"; and

WHEREAS, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

### Failure to:

• Completely fill out the CB2 CLC questionnaire

Appear before the Cannabis Licensing Committee (CLC)
 Include false or misleading information in the answers to the questionnaire

Omit information necessary to make the answers to the questionnaire not misleading

Provide any documents or additional information required by the CB2 CLC

Disclose or accurately represent requested information

• Provide answers to any questions posed by the CB2 CLC

Conduct outreach to the community near the proposed location

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the new Adult-Use Retail Dispensary License for Ronnie Almani d/b/a Endoman LLC, 55 Spring Street, 10012 due to the proposed premises proximity to DiSalvio Playground, 44 Spring Street, and NC Accident Reports LLC, 481 Broadway.

THEREFORE, BE FURTHER RESOLVED, that in the event the NYS OCM and Cannabis Control Board consider any application for a cannabis business at 55 Spring Street CB2, Man. requests that a proximity survey is performed to determine proximity compliance in relation to the nearby dispensaries.

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

Sincerely,

Susan Kent, Chair

Community Board #2, Manhattan

Mar Fitzgerald

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

Dasheeda Dawson, SBS/Cannabis NYC division

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December 1, 2023

Tremaine Wright Chris Alexander
Chair Executive Director

New York State Cannabis Control Board New York State Office of Cannabis

Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on November 16, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: 244 L TH LLC, 244 Lafayette St., 10012 (between Cleveland Place & Prince Street) New Application for Adult-Use Retail Cannabis License

**WHEREAS**, CB2, Man. received Notification to Municipality form OCM-06009 signed by Jamie Cohen d/b/a 244 L TH LLC (Applicant) stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 244 Lafayette St., 10012 on October 3, 2023; and

WHEREAS, the proposed premises is a five-story building built in 1910 that is owned by the Applicant's family, with 8 residential units above the storefront and cellar level in question; and

WHEREAS, Applicant was placed on the CB2, Man. agenda to appear at the November 8, 2023, public hearing of the Cannabis Licensing Committee (CLC); and

WHEREAS, designated Michael Cohen (father) appeared as the Applicant representative designated on the submitted questionnaire; David Cohen (brother) also appeared: and

**WHEREAS**, the Applicant stated that they have an interest in the Cookie's dispensary at 958 6th Ave., 10001; and

WHEREAS, Applicant provided requested documents including a binding Letter of Intent signed by both parties in attendance; and

WHEREAS, the Applicant stated that the dispensary hours of operation will be 10:00AM-10:00PM seven days a week; and

WHEREAS, the Applicant stated that the dispensary will not offer delivery; and

**WHEREAS**, concerns were raised regarding proximity to the CB1 dispensary Gotham at 3 E. 3rd St. and that; and

WHEREAS, the proposed location is approximately 75 feet from Paul's Place, a drug and alcohol-free homeless drop-in center and Safe Haven transitional shelter at 114 W. 14th St. 1 that serves 40-50 clients per day using a harm-reduction model; and

WHEREAS, the proposed location is across from the Salvation Army (approx. 250 ft.) at 120-130 W 14th St. that provides youth services, senior services, and a food pantry/soup kitchen Monday-Thursday;

WHEREAS, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

#### Failure to:

Completely fill out the CB2 CLC questionnaire Appear before the Cannabis Licensing Committee (CLC)

Include false or misleading information in the answers to the questionnaire

Omit information necessary to make the answers to the questionnaire not misleading

Provide any documents or additional information required by the CB2 CLC

Disclose or accurately represent requested information

• Provide answers to any questions posed by the CB2 CLC

Conduct outreach to the community near the proposed location

WHEREAS, while the Applicant owns the proposed premises and congruent buildings, they did not perform community outreach, but that they would do so, contact the tenants of 244 Lafayette and provide letters of support from neighbors; and

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends <u>denial</u> of the new Adult-Use Retail Dispensary License for Jamie Cohen, 244 L TH LLC, 244 Lafayette St., 10012 <u>unless</u> the information the Applicant has presented is accurate and complete and that the above-stated conditions 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 §119.3 10(d) of the Revised Adult-Use Cannabis Regulations.

THEREFORE, BE IT FURTHER RESOLVED, that CB2, Man. requests that the OCM perform a proximity survey to determine proximity compliance in relation to the nearby dispensaries; and

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

Sincerely,

Susan Kent, Chair

Community Board #2, Manhattan

Mar Fitzgerald

Mar Fitzgerald, Chair Cannabis Licensing Committee

Community Board #2, Manhattan

https://thevillagesun.com/a-visit-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-drop-in-center-safestay-under-radar-but-there-have-been-some-blips

C: Pascale Bernard, Deputy Director of Intergovernmental Affairs, NYS OCM

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**Antony Wong, Treasurer** Amy Brenna, Secretary Mark Diller, District Manager **Brian Pape,** Assistant Secretary

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December 1, 2023

Tremaine Wright Chris Alexander Chair **Executive Director** 

New York State Cannabis Control Board New York State Office of Cannabis

Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on November 16, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE:

Rachel Workman d/b/a Balagan Cannabis NY LLC New Application for Adult-Use Retail Cannabis License. for a dispensary to be located at 108 West 14 Street, 10011 (between Avenue of the Americas and 7th Avenue St.)

### RESOLUTION

**WHEREAS**, CB2, Man. received Notification to Municipality form OCM-06009 signed by Rachel Workman d/b/a Balagan Cannabis NY LLC (Applicant) stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 108 West 14 Street, 10011 on October 2, 2023; and

WHEREAS, the proposed premises is a three-story building built in 1910 with 5 residential units above the storefront in question; and

WHEREAS, individuals having financial interest in Balagan Cannabis NY, LLC was stated in the submitted questionnaire as Rachael Workman (51%), Itamar Alpert (20.25%), and Sasson Investments LLC (Gil Sasson, 23.75%): and

WHEREAS, Applicant was placed on the CB2 agenda to appear at the November 8, 2023 public hearing of the Cannabis Licensing Committee (CLC); and

WHEREAS, the Applicant appeared with Raz Gal (husband), and Simon Malinowski, Malinowski LLP; and

WHEREAS, the Applicant stated that they own and operate a dispensary<sup>1</sup> in Northampton, MA and congruent business, Cafe Balagan<sup>2</sup>, that holds a liquor license for beer and wine and also operates as the late-night Lyla Lounge<sup>3</sup>; and

<sup>3</sup> https://lylalounge.com/

<sup>1</sup> https://balagancannabis.com/

<sup>&</sup>lt;sup>2</sup> https://balagan.cafe/

WHEREAS, Applicant provided the requested documents including a signed lease agreement; and

**WHEREAS**, the proposed location is approximately 75 feet from Paul's Place, a drug and alcohol-free homeless drop-in center and Safe Haven transitional shelter at 114 W. 14th St.<sup>4</sup> that serves 40-50 clients per day using a harm-reduction model; and

WHEREAS, the proposed location is approximately 150 feet from the McBurney Y, which provides childrens' programming that includes, swim classes, dance lessons, youth sports, K-5 after school, holiday camps, and summer camps; and

**WHEREAS**, the proposed location is across from the Salvation Army (approx. 250 ft.) at 120-130 W 14th St. that provides youth services, senior services, and a food pantry/soup kitchen Monday-Thursday; and

WHEREAS, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

### Failure to:

o Completely fill out the CB2 CLC questionnaire

• Appear before the Cannabis Licensing Committee (CLC)

o Include false or misleading information in the answers to the questionnaire

Omit information necessary to make the answers to the questionnaire not misleading

o Provide any documents or additional information required by the CB2 CLC

• Disclose or accurately represent requested information

Provide answers to any questions posed by the CB2 CLC

• Conduct outreach to the community near the proposed location

WHEREAS, Applicant did not contact the residents of 108 W. 14th St., perform community outreach, or provide any letters of support from neighbors; and

THEREFORE, BE IT RESOLVED that CB2, Man. recommends <u>denial</u> of the new Adult-Use Retail Dispensary License for Rachel Workman d/b/a Balagan Cannabis NY LLC, 108 West 14 Street, 10011 <u>due to the proposed premises proximity to multiple social service and children services sites</u>

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

Sincerely,

Susan Kent, Chair

Community Board #2, Manhattan

Mar Fitzgerald, Chair

Mar Fitzgerald

Cannabis Licensing Committee

Community Board #2, Manhattan

<sup>&</sup>lt;sup>4</sup>https://thevillagesun.com/a-visit-to-pauls-place-new-w-14th-st-homeless-drop-in-center-safe-haven-tries-to-stayunder-radar-but-there-have-been-some-blips

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

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December 1, 2023

Tremaine Wright Chris Alexander
Chair Executive Director

New York State Cannabis Control Board New York State Office of Cannabis

Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on November 16, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: Juan Torres d/b/a Grand Peconic Ventures LLC, 598 Broadway, 10012 (between Houston St. and Prince St.)

New Application for Adult-Use Retail Cannabis License

### RESOLUTION

WHEREAS, CB2, Man. received Notification to Municipality form OCM-06009 signed by Juan Torres d/b/a Grand Peconic Ventures (Applicant) stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 598 Broadway, 10012 on October 5, 2023; and

WHEREAS, Juan Torres, alone was listed as "majority owner and manager" of the Applicant entity, Grand Peconic Ventures LLC, and no other names were submitted as having a financial interest in the company on the submitted questionnaire<sup>1</sup>; and

WHEREAS, Applicant was placed on the CB2, Man. agenda to appear at the November 8, 2023 public hearing of the Cannabis Licensing Committee (CLC); and

WHEREAS, the Applicant did not appear before the CLC on November 8, 2023; and

WHEREAS, Mitch Kulick, listed as "consultant" on the submitted questionnaire, appeared before the CLC on behalf of the Applicant along with Paul Yau; and

**WHEREAS**, Paul Yau is known to CB2, Man. as the CEO of Union Square Travel Agency: A Cannabis Store, having appeared before the CLC on November 21, 2022 for the aforementioned entity regarding a dispensary license; and

<sup>&</sup>lt;sup>1</sup> https://docs.google.com/document/d/1QknDwPuvlvj81V1E4efT2rjMmXirmr4VRhtflvJf8VI/edit?usp=sharing

WHEREAS, Applicant's submitted a questionnaire that includes a Certificate of Occupancy document showing the proposed premises being within a mixed-use building with the occupancy group designation of RES (residential), and a Multiple Dwelling Law Classification of JAR (Joint Artist In Residence), yet the Applicant states on the same questionnaire that the proposed premises is an "Office w/ Commercial" building having "7 - 19 stories"; and

WHEREAS, Applicant submitted a floor plan showing the intention to utilize 3 floors and 9,200 square feet of the proposed premises; and

**WHEREAS**, the Applicant provided a lease document so heavily redacted and marked-up and blurry it is illegible; and impossible to ascertain proof of control of the premises as required in the NYS Adult-Use Retail Dispensary application; and

WHEREAS, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

### Failure to:

• Completely fill out the CB2 CLC questionnaire

• Appear before the Cannabis Licensing Committee (CLC)

- o Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- o Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

WHEREAS, the Applicant states in the submitted questionnaire, "Once the OCM gives us the authority to operate in this location we will begin the process of soliciting letters of support.", and that outreach to those living in the building, nearby residents and businesses would not happen until "we secure a license from OCM"; and

THEREFORE, BE IT RESOLVED that CB2, Man. recommends <u>denial</u> of the new Adult-Use Retail Dispensary License for Juan Torres d/b/a Grand Peconic Ventures LLC, 598 Broadway, 10012; and

**THEREFORE, BE IT FURTHER RESOLVED**, that while the CLC committee voted to deny this application due to Mr. Torres' failure to appear, we would like to hear directly from Mr. Torres, and have invited him to appear before the committee at its December meeting as a path to reconsideration of that decision.

Vote: Passed, with 32 Board members in favor, and 4 abstentions (A. Brenna, R. Kessler, Z. Roberts, R. Sanz).

Thank you for your consideration. Please advise us of any decision or action taken in response to these comments.

Sincerely,

Susan Kent, Chair

Community Board #2, Manhattan

Mar 7itzgerald

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

Dasheeda Dawson, SBS/Cannabis NYC division

Hon. Daniel Goldman, Congressman

Hon. Brad Hoylman-Sigal, NYS Senator

Hon. Brian Kavanaugh, NYS Senator

Hon. Deborah Glick, Assembly Member

Hon. Grace Lee, Assembly Member

Hon. Mark Levine, Manhattan Borough President

Hon. Christopher Marte, Council Member

Hon. Erik Bottcher, Council Member

Hon. Carlina Rivera, Council Member

Hon. Brad Lander, NYC Comptroller

Hon. Jumaane Williams, NYC Public Advocate

Tricia Shimamura, Manhattan Borough President's Office

Keisha Sutton James, Manhattan Borough President