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 Valerie De La Rosa, *First Vice Chair*  
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Antony Wong, *Treasurer*  
 Amy Brenna, *Secretary*  
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## Community Board No. 2, Manhattan

3 Washington Square Village

NEW YORK, NY 10012-1899

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

P: 212-979-2272 F: 212-254-5102 E: [info@manhattancb2.org](mailto:info@manhattancb2.org)

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December 21, 2023

Tremaine Wright  
 Chair  
 New York State Cannabis Control Board

Chris Alexander  
 Executive Director  
 New York State Office of Cannabis  
 Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: New Applications for Adult-Use Retail Cannabis Licenses  
 Notices to Municipality forms 11/13-22/2023 • No Response**

**WHEREAS**, Community Board 2 (CB2, Man.) received the six Notice to municipality forms below 11/13-22, 2023; and

**WHEREAS**, all those listed below 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

Of the Earth Canna, LLC	428 Broadway	10013	Keston J. Mayers	<ul style="list-style-type: none"> <li>● w/n 1000ft NC Accidents Report, 481 Bway DASNY/Fund dispensary &amp; 427 Bway USQTA delivery kiosks</li> </ul>
Bleecker Street Cannabis, Inc,	355 Bleecker St.	10014	Jaafar Safa	
Black 202, LLC	202 Mott St.	10012	Chirag Mehta	
Ganja rus 1, LLC	385 Canal St.	10013	Jayendra Patel	
Pramukh 202, LLC	202 Mott St.	10012	Nitin Patel	
High Life Living, Inc.	98 Christopher St.	10014	Andy Lee	

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of all of the new Adult-Use Retail Dispensary License applications listed above for the reasons given.

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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  
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  
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December 20, 2023

Tremaine Wright  
Chair  
New York State Cannabis Control Board

Chris Alexander  
Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: Miguel Bernard, Blazin Up, LLC**  
**178 Bowery, 10012** (bet Kenmare St. & Spring St.)  
New Application for Adult-Use Retail Cannabis License

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**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 signed by Miguel Bernard d/b/a Blazin Up, LLC, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 178 Bowery, New York, NY on November 8, 2023; and

**WHEREAS**, the proposed premises is a storefront (entrance at 178 Bowery Street), within a mixed residential and commercial building; and Blazin Up are Miguel Bernard (51%), Matthew Ward (49%); and

**WHEREAS**, Miguel Bernard, Matthew Ward, Alan Lien, and Yin Lin were in attendance; 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**, concerns were raised about the proposed premises proximity to NC Accidents Reports, a Fund, CAURD dispensary located at 481 Broadway (approximately 761 feet); and

**WHEREAS**, the CLC voted unanimously to deny/unless at the November CLC meeting, with the caveat that the OCM perform a comprehensive proximity check related to nearby licensed dispensaries; and

**WHEREAS**, the application committed to the Dec. CLC as the resolution was not complete; and

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

**WHEREAS**, the Applicant stated that the dispensary hours of operation Monday through Thursday 10:00AM - 10:00PM Friday through Saturday 10:00AM - 12:00AM, Sunday 11:00AM - 7:00PM; and

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

**WHEREAS**, the Applicant stated that there are plans to engage the AAPI community on behalf of the cannabis industry; and

**WHEREAS**, the Applicant stated that they reached out to the building residents and nearby commercial businesses, but no letters of support were received by CB2, Man.; 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, Man. 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 Miguel Bernard, Blazin Up, LLC, 178 Bowery, New York, NY 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 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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  
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  
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December 20, 2023

Tremaine Wright  
Chair  
New York State Cannabis Control Board

Chris Alexander  
Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: Friendly Flower 2, Inc, Jessica Lindsey, Joshua Foulquier, David Foulquier  
22 Spring St., 10013 (btw Elizabeth St. & Mott St)  
New Application for Adult-Use Retail Cannabis License**

**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 signed by Joseph Levey d/b/a Friendly Flower 2 Inc, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 22 Spring Street, New York, NY on November 14, 2023; and

**WHEREAS**, the proposed premises is an 800 sq. ft., storefront (entrance at 22 Spring St), with 500 sq. ft. cellar level, within a predominantly residential multi-family walk-up building; and

**WHEREAS**, the proposed premises is approximately 200 ft. from Di Salvio Playground<sup>1</sup> at 44 Spring Street; and

**WHEREAS**, the proposed premises is currently operating two storefront businesses, Paint Box frame shop on its north, and Ma•dé, a two-story bar operating a significant roadbed dining shed, on the southern side of the building; and

**WHEREAS**, the Applicants submitted that the proposed dispensary is owned by Joshua Foulquier - 20.58%; David Foulquier - 20.58%; Jessica Lindsey - 51%; and

**WHEREAS**, the principal owner, Jessica Lindsey was not in attendance; and

**WHEREAS**, Joshua Foulquier (Applicant), and Joseph Levey (attorney) were in attendance; and

<sup>1</sup> <https://www.nycgovparks.org/parks/desalvio-playground>

**WHEREAS**, Applicant provided an Option to Lease Agreement; and

**WHEREAS**, the Applicant stated that the proposed hours of operation are 10:00AM - 10:00pm seven days a week; and

**WHEREAS**, the Applicant stated that they expected to do one event per month; and

**WHEREAS**, the Applicant stated that the dispensary will offer delivery in the future, and endeavor to pace out our deliveries so that they are not constant, but rather happen in stages that can be managed; and

**WHEREAS**, the Applicant provided design ideas and a basic layout of the current space, but did not provide any renderings, product menu, price list, or letters of support; and

**WHEREAS**, the Applicant failed to perform community outreach prior to the hearing; and

**WHEREAS**, concerns were raised as to the close proximity to Di Salvio Playground and the manner in which the dispensary would operate in relation to the bar and outdoor sheds; 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, Man. 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, Man. 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 Jessica Lindsey, Joshua Foulquier, David Foulquier, Friendly Flower 2, Inc., 22 Spring Street, New York, NY and that this recommendation “*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 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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  
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  
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December 21, 2023

Tremaine Wright  
Chair  
New York State Cannabis Control Board

Chris Alexander  
Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: Matthew Kliegman d/b/a Authentic Downtown Retail LLC**  
234 Bowery, 10012 (between Prince St & Bowery)  
New Application for Adult-Use Retail Cannabis License

**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 signed by Matthew Kliegman d/b/a TBD Entity, (later submitting Authentic Downtown Retail LLC), stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 234 Bowery Street, 10012 on November 14, 2023; and

**WHEREAS**, the proposed premises is a three-story a commercial and office building (entrance at 234 Bowery) without residential tenants; and

**WHEREAS**, the ground level will be used for retail, and the top floor for storage; and

**WHEREAS**, principal owner, Matthew Kliegman (Applicant), appeared with Joseph Levey (Attorney); and

**WHEREAS**, Applicant submitted the ownership as follows: Matthew Kliegman 33.34%; Carlos Quirarte 33.33%, Matthew Charles 33.33%; and

**WHEREAS**, the Applicant has a history of operating hospitality businesses in New York City, including within CB2, Man.; and

**WHEREAS**, Applicant provided an Option to Lease Agreement; and

**WHEREAS**, Applicant submitted a projected opening of July 2024; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation will be 12:00PM-10:00PM seven days a week; and

**WHEREAS**, the Applicant stated that the dispensary will offer delivery with set delivery windows to mitigate impact and ensure the sidewalk is kept clear; 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:

- 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 CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Matthew Kliegman, d/b/a TBD Entity, 234 Bowery, New York, New York **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 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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  
Cannabis Licensing Committee  
Community Board #2, Manhattan

SK/fa

cc: Pascale Bernard, Deputy Director of Intergovernmental Affairs, NYS OCM  
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December 21, 2023

Tremaine Wright  
Chair  
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Chris Alexander  
Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: Fares Alzandani, Lusty Flower LLC**  
**647 Broadway, 10012** (bet Bleecker St. & Broadway)  
New Application for Adult-Use Retail Cannabis License

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**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 signed by Fares Alzandani d/b/a Lusty Flower LLC, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 647 Broadway, New York, NY on December 12, 2023; and

**WHEREAS**, Fares Alzandani (Applicant) was in attendance; and

**WHEREAS**, the proposed premises is a storefront (entrance at 647 Broadway), within a mixed residential & commercial building; and

**WHEREAS**, the proposed premises is currently operating as Lusty Smoke Shop, and unlicensed cannabis shop advertising THC products of various strengths via its website<sup>1</sup> and social media<sup>2</sup>; and

**WHEREAS**, the Applicant stated that he currently operates a convenience store in Brooklyn and that the proposed dispensary d/b/a “Lusty Flower” is in no way associated with Lusty Smoke Shop currently operating within the proposed premises; and

**WHEREAS**, the Applicant submitted that he is the 100% owner of the proposed dispensary on the CB2, Man. Cannabis Applicant Questionnaire; and

**WHEREAS**, the Applicant submitted that he was a CAURD (Conditional Adult-Use Retail Dispensary program) licensee on the CB2, Man. questionnaire, but later said that claim was a mistake; and

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<sup>1</sup> <https://www.lustysmokeshop.com/>

<sup>2</sup> [https://www.instagram.com/luxuryloso\\_/reel/CzT1p49OTIu/](https://www.instagram.com/luxuryloso_/reel/CzT1p49OTIu/)

**WHEREAS**, the Applicant is the brother of Rami Alzandani, who in July 2023, paid \$103,000 in restitution to the state Department of Tax and Finance and forfeit another \$300,000 as part of the non-prosecution agreement he signed with prosecutors in relation to eleven shops accused of illegally selling weed in Manhattan and Queens<sup>3</sup>; and

**WHEREAS**, the shops were allowed to remain in business but are banned from selling weed going forward and will be subject to random inspections for the next three years, under the terms of the agreement<sup>4</sup>; and

**WHEREAS**, Fares Alzandani stated that his brother, Rami, is in no way involved with the proposed dispensary; and

**WHEREAS**, Applicant provided a non-binding Letter of Intent from a realtor; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation Sunday through Saturday, 8:00AM - 12:00am open seven days; and

**WHEREAS**, the Applicant failed to perform community outreach; 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 CB2M strongly recommends **denial** of the new Adult-Use Retail Dispensary License for Fares Alzandani, Lusty Flower LLC, 647 Broadway, New York, NY 10012, and that this recommendation *“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 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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  
Cannabis Licensing Committee  
Community Board #2, Manhattan

SK/fa

<sup>3</sup> <https://nypost.com/2023/07/18/owner-of-11-illegal-pot-shops-to-pay-over-400k-in-agreement-with-da/>

<sup>4</sup> <https://www.amny.com/new-york/new-york-prosecutor-begins-crackdown-on-illegal-cannabis-shops/>

cc: Pascale Bernard, Deputy Director of Intergovernmental Affairs, NYS OCM  
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Kevin Kim, Commissioner, NYC Small Business Services  
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Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: Ketan Shah, d/b/a Yogikrupa**  
171 LLC, 171 West 4th Street, 10014, New York  
(between Avenue of the Americas and Barrow Street)  
New Application for Adult-Use Retail Cannabis License

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**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 signed by Ketan Shah d/b/a Yogikrupa (Applicant) stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 171 West 4th Street on October 20, 2023; and

**WHEREAS**, the Applicant is currently operating the proposed premises as Village Vape & Cigar, a small storefront smoke shop within a mixed-use residential and commercial building, primarily selling hemp products, tobacco and hookah supplies; 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**, Applicants appeared with Nicholas T. Terzulli (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 that would have minimal impact on sidewalk traffic; and

**WHEREAS**, the Applicant advertise on social media and local publications; and

**WHEREAS**, The Applicant will not use the backyard outdoor space, no customers will be permitted in the backyard and staff will not be permitted to loiter in the backyard; and

**WHEREAS**, while the Applicant has operated at this location he had not performed community outreach prior to his appearance before the CLC but later submitted community support documents with over eighty signatures; and

**WHEREAS**, CB2, Man. members visited the store prior to the hearing and found that the shop was not offering unlicensed products; and

**WHEREAS**, the application was committed to the December CLC as the resolution was not complete, due in no part to any failure of the Applicant; 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)
- 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 Ketan Shah, d/b/a Yogikrupa 171 LLC, 171 West 4th Street, New York, New York **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 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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  
Cannabis Licensing Committee  
Community Board #2, Manhattan

SK/fa



cc. 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  
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Hon. Brad Lander, NYC Comptroller  
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Tricia Shimamura, Manhattan Borough President's Office  
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Antony Wong, *Treasurer*  
Amy Brenna, *Secretary*  
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Brian Pape, *Assistant Secretary*

## Community Board No. 2, Manhattan

3 Washington Square Village  
NEW YORK, NY 10012-1899

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December 21, 2023

Tremaine Wright  
Chair  
New York State Cannabis Control Board

Chris Alexander  
Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: 420 on West 4th Street LLC**  
**170 West 4th Street, 10014** (bet Ave of the Americas & Barrow St.)  
New Application for Adult-Use Retail Cannabis License

---

**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 signed by Myroslav Dyeduk d/b/a 420 on West 4th LLC stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 170 West 4th Street, New York on October 26, 2023; 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 application was committed to December, as the resolution was not complete; and

**WHEREAS**, individuals having a financial interest in 420 on West 4th LLC are Jimmy Sanz (33.34%), Roman Ivanov, (33.33%) and Myroslav Dyeduk, (33.33%); and

**WHEREAS**, the CLC voted unanimously to deny this application at the November CLC meeting; and

**WHEREAS**, the proposed premises is a small storefront (entrance at West 4th Street), within a mixed residential and commercial building; and

**WHEREAS**, the landlord of the proposed premises currently operates multiple roadbed sheds spanning the majority of the block and concerns were raised about the suitability of this premises for a dispensary due to the manner in which the sheds are being operated, and the history of upkeep and maintenance of the sheds; and

**WHEREAS**, concerns were raised about how a dispensary congruent to a restaurant with a considerable outdoor dining shed, also in front of the proposed premises, might impact the already busy and narrow walkway of West 4th Street; and

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

**WHEREAS**, while the principal owner, Mr. Sanz, did not appear, Roman Ivanov and Myroslav Dyeduk were in attendance; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation Sunday - Monday 10:00AM - 8:00PM, Tuesday through Wednesday 10:00AM - 10:00PM, Thursday 10:00AM - 12:00AM, Friday 10:00AM - 1:00AM, and Saturday 10:00AM - 1:00AM; and

**WHEREAS**, the Applicant stated that the dispensary might offer delivery, but did not have a delivery plan; and

**WHEREAS**, the Applicants stated that community outreach efforts were limited to nearby businesses owned by the landlord of the proposed premises, and one of the Applicant's parents; and

**WHEREAS**, the Applicants stated that they would perform community outreach to individuals, and businesses beyond those with pecuniary interest in the proposed dispensary, but (as of 12/12/23), CB2, Man. has yet to receive any letters of support for this 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)
- 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 Jimmy Sanz, 420 on West 4th Street LLC, 170 West 4th Street, New York, and that this recommendation *“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 33 Board members in favor, 1 abstention (R. Kessler), and 2 recusals (M. Metzger, 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  
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  
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Antony Wong, *Treasurer*  
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## Community Board No. 2, Manhattan

3 Washington Square Village  
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December 21, 2023

Tremaine Wright  
Chair  
New York State Cannabis Control Board

Chris Alexander  
Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: Sue Li, City Dispensary, Inc**  
**264 Elizabeth St., 10012** (bet East Houston St. & Prince St.)  
New Application for Adult-Use Retail Cannabis License

---

**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 signed by Susan Li d/b/a City Dispensary Inc, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 264 Elizabeth Street, New York, NY on December 12, 2023; and

**WHEREAS**, the proposed premises is a storefront (entrance at 264 Elizabeth Street), within a multi-family walk-up building; and Sue Li has (100%); and

**WHEREAS**, Sue Li (Applicant) and Chang Li (her son) were in attendance; and

**WHEREAS**, Applicant provided requested documents including a Binding Option to Lease the proposed premises; and

**WHEREAS**, the Applicant submitted a projected opening date of January 2024; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation Monday through Thursday 11:00AM - 11:00PM Friday through Saturday 11:00AM - 12:00AM, Sunday 11:00AM - 10:00PM

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

**WHEREAS**, Sante Scardillo, a neighborhood resident, also representing the Little Italy Neighbors Association (L.I.N.A.), submitted a letter and gave in-person testimony concerning issues neighbors have had with previous tenants of the proposed premises use of the backyard; and

**WHEREAS**, the CLC Committee connected the prospective dispensary operator, Ms. Li with Mr. Scardillo to discuss the matter which appeared to satisfy concerns; and

**WHEREAS**, the Applicant stated that she will reach out to the building residents and nearby commercial businesses to mitigate any noise issue for the backyard; and

**WHEREAS**, the Applicant will not play music that could be audible to building residents or outside the dispensary; 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 Sue Li, City Dispensary Inc, 264 Elizabeth St, New York, NY **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 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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  
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  
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## Community Board No. 2, Manhattan

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December 21, 2023

Tremaine Wright  
Chair  
New York State Cannabis Control Board

Chris Alexander  
Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: Marcia Feder, Mocha Joint Corp.**  
**433 Broadway, 10013** (bet Howard St. & Broadway)  
New Application for Adult-Use Retail Cannabis License

---

**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 in the name of by Marcia Feder d/b/a Mocha Joint Corp. stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 433 Broadway, New York, NY on November 16, 2023; and

**WHEREAS**, the proposed premises is a storefront (entrance at 433 Broadway), within a commercial and office building; Mocha Joint Corp is owned 100% by Marcia Feder; and

**WHEREAS**, David Feder (attorney and husband of the applicant) was in attendance and concurrently represented this, and another application for this location on behalf of his mother; and

**WHEREAS**, the Applicant stated that they will use the ground floor space as a retail dispensary, and the 7th floor wraparound rooftop as a consumption operation; and

**WHEREAS**, the applicant stated their intention to utilize another “sizable” floor of the building for “very fancy consumption”; and

**WHEREAS**, the Applicant stated their intention to operate a cannabis restaurant experience with outdoor dining, once regulations allow it; and

**WHEREAS**, the proposed premises has a Use-Group of 16B which is for Automotive Service Establishments<sup>1</sup>, specifically: Automobile, truck, motorcycle or trailer repairs, automobile laundries, automotive service stations...; and

---

<sup>1</sup> <https://zr.planning.nyc.gov/article-iii/chapter-2/32-25>



**WHEREAS**, Applicant provided requested documents including a conditional lease for retail space that does not specify which retail space at 433 Broadway; and

**WHEREAS**, the proposed premises is approx. 500 ft. from Berkay Sebat d/b/a NC Accidents Report LLC, 481 Bway, a DASNY/Fund dispensary site that enjoys proximity protection from the NYS Office of Cannabis Management (OCM), and has recently notified CB2, Man. that they will soon begin construction; and

**WHEREAS**, the proposed premises is even closer to The House of Cannabis museum (THC NYC) at 427 Broadway 10013, which currently houses delivery kiosks owned by the Union Square Travel Agency dispensary; and

**WHEREAS**, the Applicant failed to submit hours of operation in the CB2 questionnaire, but stated at the hearing that the dispensary would be open Sunday through Thursday 11:00AM - 8:00PM, with limited weekend hours; and

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

**WHEREAS**, the Applicant did not provide any renderings, photos, product menu, price list, or letters of support; and

**WHEREAS**, the premises is not ADA compliant; and

**WHEREAS**, the Applicant failed to perform community outreach; 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 Mocha Joint Corp, 433 Broadway, 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 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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  
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  
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Antony Wong, *Treasurer*  
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## Community Board No. 2, Manhattan

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December 21, 2023

Tremaine Wright  
Chair  
New York State Cannabis Control Board

Chris Alexander  
Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: Limor Feder, SOHO Dispensary Corp.**  
**433 Broadway, 10013** (bet Howard St. & Broadway)  
New Application for Adult-Use Retail Cannabis License

---

**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 in the name of by Limor Feder d/b/a SOHO Dispensary Corp. stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 433 Broadway, New York, NY on November 16, 2023; and

**WHEREAS**, the proposed premises is a storefront (entrance at 433 Broadway), within a commercial and office building; SOHO Dispensary Corp is owned 100% by Limor Feder; and

**WHEREAS**, David Feder (attorney and husband of the applicant) was in attendance and concurrently represented this, and another application for this location on behalf of his wife; and

**WHEREAS**, the Applicant stated that they will use the ground floor space as a retail dispensary, and the 7th floor wraparound rooftop as a consumption operation; and

**WHEREAS**, the applicant stated their intention to utilize another “sizable” floor of the building for “very fancy consumption”; and

**WHEREAS**, the Applicant stated their intention to operate a cannabis restaurant experience with outdoor dining, once regulations allow it; and

**WHEREAS**, the proposed premises has a Use-Group of 16B which is for Automotive Service Establishments<sup>1</sup>, specifically: Automobile, truck, motorcycle or trailer repairs, automobile laundries, automotive service stations...; and

---

<sup>1</sup> <https://zr.planning.nyc.gov/article-iii/chapter-2/32-25>

**WHEREAS**, Applicant provided requested documents including a conditional lease for retail space that does not specify which retail space at 433 Broadway; and

**WHEREAS**, the proposed premises is approx. 500 ft. from Berkay Sebat d/b/a NC Accidents Report LLC, 481 Bway, a DASNY/Fund dispensary site that enjoys proximity protection from the NYS Office of Cannabis Management (OCM), and has recently notified CB2 that they will soon begin construction; and

**WHEREAS**, the proposed premises is even closer to The House of Cannabis museum (THC NYC) at 427 Broadway 10013, which currently houses delivery kiosks owned by the Union Square Travel Agency dispensary; and

**WHEREAS**, the Applicant failed to submit hours of operation in the CB2, Man. questionnaire, but stated at the hearing that the dispensary would be open Sunday through Thursday 11:00AM - 8:00PM, with limited weekend hours; and

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

**WHEREAS**, the Applicant did not provide any renderings, photos, product menu, price list, or letters of support; and

**WHEREAS**, the premises is not ADA compliant; and

**WHEREAS**, the Applicant failed to perform community outreach; 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 SOHO Dispensary Corp, 433 Broadway, 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 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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  
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  
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Antony Wong, *Treasurer*  
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## COMMUNITY BOARD NO. 2, MANHATTAN

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December 21, 2023

Tremaine Wright  
Chair  
New York State Cannabis Control Board

Chris Alexander  
Executive Director  
New York State Office of Cannabis  
Management

Dear Chair Wright and Mr. Alexander:

At its Full Board meeting on December 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**RE: Sameer Merchant, NY Retail 5, Inc.**  
**47 7th Ave South, 10014** (btwn 7th Ave. & West 13th St)  
New Application for Adult-Use Retail Cannabis License

---

**WHEREAS**, Community Board 2 (CB2, Man.) received Notification to Municipality form OCM-06009 signed by Sameer Merchant d/b/a NY Retail 5 Inc. stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 47 7th Ave. S, 10014, on November 20, 2023; and

**WHEREAS**, Sameer Merchant submitted that he is the sole owner (100%) of NY Retail 5 Inc.; and

**WHEREAS**, the proposed premises is a storefront at 47-49 7th Ave S., 10014, with an additional entrance at 13-15 Morton Street, 10014, within a multi-family condominium building; and

**WHEREAS**, the application was represented by Sameer Merchant (Applicant), Andrew Cooper (attorney), and Sirah Shalani (sp.) who self-identified as a Massachusetts dispensary owner and cannabis business advisor; and

**WHEREAS**, Applicant provided requested documents including a conditional lease; and

**WHEREAS**, the proposed premises currently operates as Mad Morton bar; and

**WHEREAS**, Mad Morton submitted notice to Community Board 2 Manhattan in October 23<sup>1</sup> of renewal of its On-Premises Liquor License to continue operating at the proposed location, calling to question the Applicant's control over the premises; and

**WHEREAS**, that the Applicant stated his intention to utilize the enclosed sidewalk cafe, authorized for food and drink only, and currently being operated by Mad Morton; and

---

<sup>1</sup> <https://cbmanhattan.cityofnewyork.us/cb2/event/sla-1-donna-raftery-chair-in-person-only/>

**WHEREAS**, the Applicant declined to agree to stipulate that he would not utilize the enclosed sidewalk cafe, even though it is not allowable under NYS cannabis regulations; and

**WHEREAS**, the Applicant proposed hours of operation Sunday through Saturday, 10:00AM - 10:00pm 7 days

**WHEREAS**, the Applicant failed to provide renderings, photos, product menu, price list, or letters of support via the questionnaire before the hearing, but did submit a meeting notice the day of the hearing; and

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

**WHEREAS**, concerns were raised about the proposed dispensary's close proximity to City-AS High School<sup>2</sup> at 10-20 Clarkson Street and 150-160 Houston Street with its campus bordering 7<sup>th</sup> Avenue South; and

**WHEREAS**, concerns were raised about the proposed dispensary's close proximity to J.J. Walker Park<sup>3</sup> which borders Hudson St., St. Luke's Pl., Clarkson St., and 7 Ave S. and is used by numerous schools, after school programs and little leagues for physical recreation for children; and

**WHEREAS**, the Applicant failed to perform community outreach, but said there were plans for the landlord to arrange a meeting with building residents; 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 Sameer Merchant, NY Retail 5, Inc, 47 7<sup>th</sup> Ave New York, NY and that this recommendation *"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 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

---

<sup>2</sup> <https://www.cityas.org/>

<sup>3</sup> <https://www.nycgovparks.org/parks/james-j-walker-park>

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  
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  
Hon. Brad Lander, NYC Comptroller  
Hon. Jumaane Williams, NYC Public Advocate  
Tricia Shimamura, Manhattan Borough President's Office  
Keisha Sutton James, Manhattan Borough President  
Kyshia Smith, Manhattan Borough President