

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



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

January 19, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: **Pramukh, LLC, 202 Mott Street 10012, Nitin Patel**

WHEREAS, CB2, Man. received the two Notices to Municipality for Pramukh, LLC, 202 Mott Street 10012, Nitin Patel on 11/20/2023; and

WHEREAS, the NYS Office of Cannabis Management approved CB2's 12/7/23 30-day extension request on 12/11/23 allowing a total of 60 days from the date stamp on the notification form to issue an advisory opinion; and

WHEREAS, 202 Mott Street 10012, is currently Spring Mart, a "VAPE, TOBACCO, E-CIGARETTE" store that may be operating as an illicit cannabis smoke shop; and

WHEREAS, the Applicant failed to respond to outreach, provide requested information, and failed to appear before the CB2 Cannabis Licensing Committee.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new Adult-Use Retail Dispensary License applications referenced above.

Vote: Passed, with 37 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (Kessler), and 2 recusals (M. Fitzgerald & 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
Hon. Deborah Glick, Assembly Member
Hon. Grace Lee, Assembly Member
Hon. Mark Levine, Manhattan Borough President
Hon. Christopher Marte, Council Member
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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
Kyshia Smith, Manhattan Borough President



ocm.sm.municipalities <municipalities@ocm.ny.gov>
to Florence, me ▾

Mon, Dec 11, 2023, 12:25 PM ☆ ☺ ↶ ⋮

Thank you for submitting your request for a 30-day extension to the New York State Office of Cannabis Management (the Office).

Upon review, the Office has approved your request for a one-time 30-day extension to provide a municipality opinion. With approval of a 30 day extension, this allows a total of 60 days from the date stamp on the notification form to issue an advisory opinion.

Please note, if you would like to express an opinion to the Cannabis Control Board please respond by emailing an attached opinion to municipalities@ocm.ny.gov. This expressed opinion must be on official municipality or community board letterhead.

New York State Office of Cannabis Management

1220 Washington Avenue
Harriman State Office Campus
Albany, NY 12226
<https://cannabis.ny.gov>
1-888-OCM-5151 (1-888-626-5151)

@NYS_Cannabis



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*CORRECTED VOTE

January 22, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: **Dai Ma, d/b/a The Flower Guys LLC, 248 West 14th Street 10014, Timmy Li**
Notices to Municipality forms 12/20/2023 • No Response

WHEREAS, CB2, Man. received the two Notice to municipality for Dai Ma, d/b/a The Flower Guys LLC, 248 West 14th Street 10014, Timmy Li on 12/20/2023; and

WHEREAS, the Applicant failed to respond to outreach in a timely manner, provide requested information, and failed to appear before the CB2 Cannabis Licensing Committee.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new Adult-Use Retail Dispensary License applications referenced above.

Vote: Passed, with 37 Board members in favor, 1 in opposition (R. Sanz), ***1 abstention (R. Kessler)**, and 2 recusals (M. Fitzgerald, 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

Mar Fitzgerald, Chair

Community Board #2, Manhattan

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
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January 23, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: Rachel Katz, Rosebud Cafe
37 Cornelia Street, 10014 (bet Bleecker St. & Cornelia Street)
New Application for Adult-Use Retail Cannabis License

WHEREAS, CB2, Man. received Notification to Municipality form OCM-06009 signed by Rachel Katz d/b/a Rosebud, LLC, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 37 Cornelia Street, New York, NY, on November 16, 2023; and

WHEREAS, on December 12, 2023, Rachel Katz (Applicant) appeared before the CB2, Man. Cannabis Licensing Committee with Jeffrey Schultz (attorney); and

WHEREAS, the CB2, Man. Cannabis Licensing Committee voted unanimously to recommend denial of the application for the reasons below; and

WHEREAS, at the December 21, 2023, CB2, Man. full board meeting the resolution was returned to committee that we might better address proximity compliance regarding the church and school close to the proposed premises; and

WHEREAS, the deadline to comment on that application was missed due to a typo in our database; and

WHEREAS, this updated resolution provides the necessary documentation to confirm that premises is non-compliant.

WHEREAS, the proposed premises is a storefront (entrance at 37 Cornelia), within a mixed residential & commercial building; and

WHEREAS, CB2, Man. members visited the store prior to the 12/12/23 hearing and found the proposed premises was, essentially, the back room of an existing unlicensed cannabis smoke shop using the premises entrance at 257 Bleecker St; and

WHEREAS, the proposed premises is currently operating as the Green Room¹, a licensed hemp dispensary, as well as Smoke & CBD Outlet², an unlicensed shop advertising THC products of various strengths via sandwich board positioned on the sidewalk outside the premises at the Bleecker Street entrance; and

WHEREAS, the Applicant submitted that she is the 100% owner of the proposed dispensary on the CB2 Cannabis Applicant Questionnaire; and

WHEREAS, the Applicant stated that she will provide education on cannabis as she was a grief counselor and parent; and

WHEREAS, the Applicant stated that the dispensary hours of operation Monday through Saturday 12:00PM - 12:00AM, Sunday 12:00PM - 8:00PM; and

WHEREAS, the Applicant stated that she performed outreach to Great Oaks Charter School³ across the street, but did not provide proof of communication with the school; and

WHEREAS, the Applicant stated that she hopes to expand into the entirety of the premises, including the congruent room using the entrance at 257 Bleecker St.; and

WHEREAS, Great Oaks Charter School, located at 240 Bleecker St. on the corner of Bleecker St and Leroy St., serves children in grades 6-12, with an entrance approximately 140 feet away from the proposed dispensary; and

WHEREAS, the Great Oaks Charter School occupies the whole building for exclusive use as a school as evidenced in the executed and filed Memorandum of Lease (MOL) recorded on the New York City Department of Finance Automated City Register Information System ([ACRIS](#)); that MOL, dated June 22, 2023⁴ [ACRIS Document ID: 2023062700743001 attached], is between The Church of Our Lady of Pompeii, a New York Religious Institution, as Landlord and Great Oaks Foundation, Inc., a New York not-for-profit corporation as Tenant and clearly states on page 3 of the document that the premises is *"The entire school building (including the former convent floors) located at 240 Bleecker Street, New York, New York (the "Building"), consisting of approximately 39,064 total rentable square feet of space (including 5,959 square feet on the cellar floor and 33,105 square feet of space on the first floor, second floor, third floor, fourth floor, fifth floor, sixth floor, and seventh floor) as shown on Exhibit A attached hereto and made a part hereof (collectively, the "Demised Premises")."*

WHEREAS, the Applicants did not provide petitions or letters of support for the application for licensure and the CLC Committee suggested the applicant connect with nearby residents via the Cornelia Street Block Association.; and

WHEREAS, on January 17, 2024, the Applicant appeared again before the CB2 Cannabis Licensing Committee to present an alternative location which the committee could not review as the required Notification to Municipality Form was not submitted per NYS law; and

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends **denial** of the new Adult-Use Retail Dispensary License for Rachel Katz, Rosebud Cafe, LLC, 37 Cornelia Street, New York, NY and that this recommendation *"be part of the record upon which the Office makes its recommendation to the Board"*, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

THEREFORE, BE IT FURTHER RESOLVED that CB2, Man. requests that the Office of Cannabis Management and Cannabis Control Board review the proximity of the Great Oaks Charter School located on a corner lot at 240 Bleecker St. as a part of reviewing this application to determine if the location of the school, well within 500 ft, would prohibit the issuance of a license at this proposed location which is also a corner location on Cornelia St. and Bleeker St.

Vote: Passed, with 37 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 2 recusals (M. Fitzgerald, M. Metzger).

¹ <https://the-green-room-nj.myshopify.com/>

² <https://traded.co/deals/new-york/other/lease/257-bleecker-street/>

³ <https://greatoaksnyc.org/>

⁴ https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc_id=2023062700743001

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

MEMORANDUM OF LEASE

NAME AND ADDRESS OF LANDLORD:	The Church of Our Lady of Pompeii 25 Carmine Street New York, New York 10014
NAME AND ADDRESS OF TENANT:	Great Oaks Foundation, Inc. 38 Delancey Street New York, New York 10002
DATE OF EXECUTION OF LEASE:	The Lease was executed as of August 16, 2022. The Lease was thereafter amended pursuant to that certain First Amendment to Lease, dated as of May 16, 2023.

DESCRIPTION OF PREMISES:	The entire school building (including the former convent floors) located at 240 Bleecker Street, New York, New York (the "Building"), consisting of approximately 39,064 total rentable square feet of space (including 5,959 square feet on the cellar floor and 33,105 square feet of space on the first floor, second floor, third floor, fourth floor, fifth floor, sixth floor, and seventh floor) as shown on <u>Exhibit A</u> attached hereto and made a part hereof (collectively, the "Demised Premises").
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LEASE COMMENCEMENT DATE	The later of (i) substantial completion of Landlord's Work or (ii) the first day on which Tenant's staff and administration shall have access (estimated to occur on or about July 1, 2023) to the Demised Premises in preparation for the subsequent commencement of classes. If substantial completion of Landlord's Work has not occurred before July 1, 2023, (a) the Lease Commencement Date shall be January 1, 2024 (assuming Landlord's Work has been completed by December 1, 2023).
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EXPIRATION DATE OF INITIAL TERM:	At 11:59 p.m. on the day immediately before the twentieth (20th) anniversary of the Lease Commencement Date.
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RENEWAL TERMS:	The Lease contains one (1) ten (10) year renewal option. Tenant may elect to exercise such renewal option by giving written notice of such election to Landlord (i) not earlier than twenty-four (24) months prior to the initial Expiration Date and (ii) not later than twelve (12) months prior to the initial Expiration Date. The renewal option is
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January 23, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: High Profile Holdings, LLC, d/b/a The Flowery
388 West St, New York, NY 10014 (Corner of Christopher, Weehawken & West Streets)
New Application for Adult-Use Retail Cannabis License

WHEREAS, CB2, Man. received Notification to Municipality form OCM-06009 dated December 11, 2023, and signed by Dorian Harrington under the corporate entity High Profile Holdings, LLC, d/b/a The Flowery, stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 388 West St, 10014; and

WHEREAS, the submitted questionnaire states that Dorian Harrington is 100% owner of High Profile Holdings, LLC, hereinafter referred to “Applicant”; and

WHEREAS, the Applicant appeared with “advisor” Fred Polsinelli¹; and

WHEREAS, Dorian Harrington is party to a CAURD (Conditional Adult-Use Retail Dispensary) license which has given notice in Community Board 5 Manhattan; L.O.R.D.S d/b/a NoMad Cannabis, license number: OCMCAURD-2022-000512, but is applying in Community District 2 for individual licensure under a separate entity outside the CAURD Program; High Profile Holdings, LLC., d/b/a The Flowery, and

WHEREAS, the Applicant is number 817 in the NYS Office of Cannabis Managements queue to review Adult-Use Retail Dispensary licenses²; and

WHEREAS, NYS Office of Cannabis Management will issue 250 non-provisional Adult-Use Retail Dispensary licenses to those who applied in December³; and

¹ <https://ethics.ny.gov/polsinelli-public-affairs-llc-frederico-polsinelli-jr>

² <https://cannabis.ny.gov/system/files/documents/2024/01/retail-and-microbusiness-non-provisional-queue-oct-nov-2023.pdf>

³ <https://www.youtube.com/watch?v=otbO2ktJvHY>

WHEREAS, [The Flowery](https://theflowery.co/)⁴ is a chain of cannabis dispensaries based in Florida, now operating in multiple states with [a New York City Dispensary that opened on January 17th, 2024 in Staten Island](https://theflowery.co/article/the-flowery-staten-island-ny-opening)⁵; and

WHEREAS, the Applicant stated that Florida-based medical dispensary and cultivation company, The Flowery, will provide branding; and

WHEREAS, Applicant stated that Anthony Capone, who is the CEO of cannabis brands [Packwoods](https://www.packwoods.com/)⁶, Los Angeles cannabis distribution/manufacturing company [TrendHaus](https://www.linkedin.com/company/trendhaus-distribution/about/)⁷, and Los Angeles snacks brand [Cali Sweets](https://www.instagram.com/calisweetsllc/?hl=en)⁸, would be involved with the dispensary as an “advisor” providing operational support and, possibly, financing; and

WHEREAS, the proposed premises is a one-story retail storefront building; with alternate Department of Buildings addresses at 10-14 Weehawken Street, 187 Christopher Street, and 390 West Street; and

WHEREAS, Applicant’s proposed premises has a ground floor of 2,650 square feet and a 2000 square feet basement; and

WHEREAS, Applicant provided a binding letter of intent for the proposed premises and an unsigned lease; and

WHEREAS, the projected opening date is May 2024; and

WHEREAS, the Applicant plans to utilize two points of ingress/egress, 388-390 West Street, and 187 Christopher Street; and

WHEREAS, the proposed premises is located in a primarily residential area across from Hudson River Park & Greenway and Pier 45 lawn; and

WHEREAS, the premises is within the [Weehawken Street Historic District](#)⁹; and

WHEREAS, external security guards and an online queuing system will be implemented to mitigate potential crowding on the sidewalk; and

WHEREAS, security procedures will include prepping staff and security with talking points, and place signs reminding customers of the rules/laws; and

WHEREAS, staff will consist of 20 employees: budtenders, general manager, assistant managers, cashier, delivery manager, and security; and

WHEREAS, the Applicant stated that the premises is compliant with ADA guidelines; and

WHEREAS, the Applicant did not submit a security plan but stated he plans to hire Kent Security and develop a plan when it's time; and

WHEREAS, the Applicant did not provide a menu or price list of products to be sold in the store; and

WHEREAS, the dispensary will be within 100’ of [the Bailey-Holt House](#)¹⁰ located on Christopher Street which has provided congregate housing for the homeless and people living with HIV/AIDS since 1986; and

WHEREAS, the Applicant stated in his questionnaire that no outdoor space, including the roof, will be used by the business; and

⁴ <https://theflowery.co/>

⁵ <https://theflowery.co/article/the-flowery-staten-island-ny-opening>

⁶ <https://www.packwoods.com/>

⁷ <https://www.linkedin.com/company/trendhaus-distribution/about/>

⁸ <https://www.instagram.com/calisweetsllc/?hl=en>

⁹ https://vparchive.gvshp.org/_gvshp/pdf/PDFs/weehawkenstreet-report.pdf

¹⁰ <https://shnny.org/blog/entry/bailey-holt-house-the-first-supportive-housing-for-those-living-with-hiv-ai/>

WHEREAS, the proposed hours of operation for the ground-floor retail dispensary are Sunday through Thursday 9:00AM - 900PM, Friday and Saturday 9:00AM - 12:00AM; and

WHEREAS, any amplified sounds from computers, monitors, televisions, or speakers will be at "background" volume, and inaudible to neighboring residents and businesses at all times, and premises currently is soundproofed; and

WHEREAS, the Applicant stated in his questionnaire that he plans to perform community outreach only if he is licensed; and

WHEREAS, concerns were raised about customers using Hudson River Park as a location to smoke the cannabis products purchased at the dispensary; and

WHEREAS, the proposed premises has not submitted a Certificate of Occupancy or Letter of No Objection for the NYC Department of Buildings; and

WHEREAS, the [most recent Certificate of Occupancy](#)¹¹ for the premises allows only 10 people to occupy the space at one time; and

WHEREAS, the Applicant submitted a floor plan for only the ground floor of the premises but not the cellar level and there was concern expressed about the safety and condition of the cellar level; and

WHEREAS, Applicant agrees to these stipulations listed below as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the Community Board 2 Manhattan recommendation regarding its Adult-Use Retail Dispensary License. These stipulations constitute the entire agreement between Community Board 2 Manhattan and Dorian Harrington and/or High Profile Holdings, LLC, and may only be altered in writing by both parties. These stipulations supersede any oral statements or representations related to the application for Dorian Harrington and/or High Profile, LLC to CB2, Man.:

The premises will operate as a dispensary selling cannabis products per state law.

1. The dispensary's retail operating hours are: Sunday-Thursday 9:00am-9:00pm, Friday and Saturday 9:00am-12:00am.
2. Uniformed security personnel managing the queue, checking the IDs of patrons upon entry, and again at the purchase point, and will utilize stanchions and ropes as necessary, and only when necessary.
3. Will not hold any events, public or private.
4. Any amplified sounds will be at background volume and inaudible to nearby businesses and adjacent residences, and outside the dispensary premises.
5. The dispensary will have unique branding and signage, and will not bear the name or likeness, in design or branding, of any other business, including "The Flowery".
6. A Letter of No Objection, and Certificate of Occupancy allowing more than 10 people to occupy the premises, will be obtained before allowing public access to the premises and those documents will be shared with Community Board 2 Manhattan as soon as each is issued.
7. Doors and windows will remain closed other than ingress and egress.
8. Patron ingress/egress will be through the front doors at 388 West Street only.
9. No patrons will remain after the stated closing times.
10. Dispensary security will prevent loitering and smoking near the premises.
11. Only individuals engaging in activity, expressly or by necessary implication, permitted by the Cannabis Law, MRTA, and Adult-Use Retail Cannabis Regulations are allowed to remain on the premises of the licensee.
12. No part of the premises or congruent premises will be utilized for cannabis consumption at any time now or in the future.
13. Will appear before CB2, Manhattan before submitting any changes to the stipulations agreed to herein as they comply with State regulations.

¹¹ https://drive.google.com/file/d/12_YXAgYmszALQrnuEJz2bLSZIEYV9r-l/view?usp=sharing

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new Adult-Use Retail Dispensary License for Dorian Harrington, High Profile Holdings LLC., d/b/a The Flowery, 388 West St, New York, New York **unless** the information the Applicant has presented is accurate and complete and that the above-stated stipulations (#1-13), agreed to by the Applicant, are signed and notarized by the applicant “be part of the record upon which the Office makes its recommendation to the Board”, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

Vote: Passed, with 37 Board members in favor, 1 in opposition (R. Sanz), ***1 abstention (R. Kessler)**, and 2 recusals (M. Fitzgerald, 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

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cc: Pascale Bernard, Deputy Director of Intergovernmental Affairs, NYS OCM
Philip Rumsey, Manager of Intergovernmental Outreach, NYS OCM
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January 23, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

RE: Jack Luber, Appleseed Farms Corp d/b/a Cousin Mary's
22 Little West 12th Street, New York, NY 10014 (bet Washington & West Streets)
New Application for Adult-Use Retail Cannabis License

WHEREAS, CB2, Man. received Notification to Municipality form OCM-06009 signed by Jack Luber under the corporate entity Appleseed Farms d/b/a Rosebud, LLC, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary and Consumption Facility to be operated at 22 Little West 12th Street, on December 19, 2023; and

WHEREAS, the proposed business is owned by Jack Luber 51%, and Eric Olsen 49% hereinafter referred to "Applicant"; and

WHEREAS, Applicant Jack Luber appeared with attorney Andrew Cooper; and

WHEREAS, the proposed premises is a storefront (entrance at 22 Little West 12th), within wholly commercial building and block; and

WHEREAS, Applicant's proposed premises has ground floor of 3,700 square feet; and

WHEREAS, Applicant provided a binding letter of intent for the proposed premises; and

WHEREAS, Jack Luber was granted a CAURD (Conditional Adult-Use Retail Dispensary) license by the State of New York under the same entity for which notice was given to CB2, Man.; Appleseed Farms Corp DBA Cousin Marys, OCMCAURD-2022-000476; and

WHEREAS, the proposed premises has two points of ingress/egress at 22 Little West 12th St., and 63 Gansevoort St; and

WHEREAS, the premises is located on a fully commercial block consisting primarily of hospitality and retail establishment, with no residential buildings; and

WHEREAS, Little West 12th Street between Washington Street and 9th Avenue (Greenwich Street) is part of the [NYC Open Streets Program](https://www.nyc.gov/html/dot/html/pedestrians/openstreets.shtml)¹, with full closure Wednesday-Friday 2:00PM-10:00PM, and Saturday and Sunday 12:00PM-10:00PM; and

WHEREAS, due to the Open Street, no significant or disruptive increase in sidewalk or vehicular traffic is anticipated; and

WHEREAS, external security guards and an online queuing system will mitigate potential crowding on the sidewalk; and

WHEREAS, security procedures include the management of keeping the sidewalk free and clear of smokers or loitering individuals; and

WHEREAS, staff will consist of 15 employees: Manager, assistant manager, 3 product fulfillment, 7 cashiers, 3 security guards; and

WHEREAS, the premises is fully compliant with ADA guidelines, elevators and public bathrooms are accessible to all; and

WHEREAS, the interior and exterior will be covered by 24-hour camera surveillance monitored by a 24/7 security company, and onsite security will include 3 guards at all entrance points and on the floor to keep customers and staff safe at all times; and

WHEREAS, the Applicant expressed, on his questionnaire, an intention to operate a “Temporary Consumption Facility” in the congruent cellar level of the building, but has since reconsidered and will be renting the ground floor space for retail only; and

WHEREAS, the Applicant hopes to open the business within the first 6 months of 2024; and

WHEREAS, the dispensary will offer delivery and employ a full-time logistics dispatcher to route delivery personnel and make sure that they are scheduled to return at subsequent and non-conflicting times of the day; and

WHEREAS, the building does not offer the use of any outdoor space and the Applicant will not utilize any outdoor space; and

WHEREAS, any amplified sounds from computers, monitors, televisions or speakers will be at "background" volume, and inaudible to neighboring residents and businesses at all times and any volume that exceeds the decibels defined as "background" by CB2 will be mitigated by installed soundproofing; and

WHEREAS, Applicant has made introductions to several neighboring businesses and are currently attempting to connect with nearby residential buildings and submitted a petition of support from nearby businesses; and

WHEREAS, the proposed hours of operation for the ground-floor retail dispensary are: Sunday through Wednesday 12:00PM - 8:00PM, Thursday through Saturday 12:30PM - 12:00AM

WHEREAS, Applicant has retained an external marketing agency with the purpose of ensuring compliance with online campaigns, website management, social media coverage, and outreach programs; and

¹ <https://www.nyc.gov/html/dot/html/pedestrians/openstreets.shtml>

THEREFORE, BE IT RESOLVED that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Jack Luber, Appleseed Farms Corp d/b/a Cousin Mary's, 22 Little West 12th Street, 10014 unless the information the Applicant has presented is accurate and complete and that the above-stated conditions submitted and agreed to by the Applicant *"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 37 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 2 recusals (M. Fitzgerald, 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
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]