



CITY OF NEW YORK  
**MANHATTAN COMMUNITY BOARD FOUR**

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**JESSICA CHAIT**  
Chair

**JESSE R. BODINE**  
District Manager

January 10, 2023

Chris Alexander  
Executive Director  
New York State of Cannabis Management  
Harriman State Office Building Campus 1220  
Washington Ave.  
Albany, NY 12207

Tremaine Wright  
Chairwoman  
Cannabis Control Board  
Harriman State Office Building Campus  
1220 Washington Ave.  
Albany, NY 12207

RE: DTPFF Enterprises LLC (Dispensary Application for 543 W. 42nd Street, New York, NY 10011)

Dear Mr. Alexander and Ms. Wright,

On the recommendation of its Cannabis Task Force, Manhattan Community Board 4 (MCB4) at its regular Board meeting on January 3<sup>rd</sup> 2024, by a vote of 38 in favor, 2 opposed, 1 abstaining and 0 present but not eligible to vote, voted to recommend approval of the application of Social & Economic Equity applicant DTPFF Enterprises LLC (the "Applicant") for an Adult-Use Retail Dispensary at 543 W 42<sup>nd</sup> St, New York, NY. MCB4 is encouraged by the Applicant's engagement of consultants who will ensure the business complies with all relevant regulations, and appreciates the Applicant's proposal of conducting a traffic assessment. Likewise, the Applicant's proposed method of operations regarding security, ID checks, signage, storage, and delivery are responsibly considered and detailed. Accordingly, MCB4 is optimistic that the proposed location is not incompatible with the immediate surrounding neighborhood, and that the granting of this Applicant's full dispensary license would not negatively impact the community.

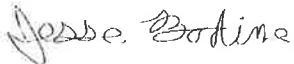
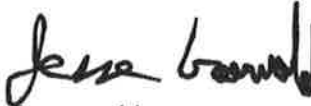
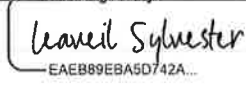
MCB4 recommends approval if and only if the Applicant agrees to the following stipulations:<sup>1</sup>

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<sup>1</sup> Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its dispensary license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

- The Applicant will meet with, and receive approval from, the Condop board of 543 W 42<sup>nd</sup> Street;
- The Applicant will engage a cannabis consultant to assist managing the store for the first twelve months of operation;
- The Applicant will conduct additional outreach to the relevant block associations and neighbors of the proposed location, including nearby shelters like Covenant House;
- The Applicant will operate the dispensary in accordance with the methods outlined in the applicant's MCB4 Cannabis Task Force application (annexed hereto as Exhibit A).

MCB4 anticipates that if State and City agencies significantly improve their enforcement efforts against illegal enterprises, a cannabis dispensary, when operated in a legal, responsible, and neighborly way, can: (a) compete with, and displace, illicit and dangerous dispensaries and smoke-shops; (b) create jobs within our district; (c) contribute to New York's tax revenue.

MCB4 District Office	MCB4 Cannabis Task Force
<p>Signature:                        Print: Jesse Bodine, District Manager                       Date: 1/10/24</p>	<p>Signature:                        Print: Jesse Greenwald</p>
<b>Applicant</b>	
<p>Signature:   <small>DocuSigned by: EAE889E8A5D742A...</small>                       Print: Leaveil Sylvester                       Date: 1/10/2024</p>	

# CB4 Cannabis Licensing Applicant Questionnaire

Email \*

leaveilsylvesterNYC@gmail.com

Corporation Name \*

DTPFF Enterprises LLC

\*Doing Business As \*

Kannavia

Address (or intended address) \*

543 West 42nd Street

Attorney/Representative

Jenn Cabrera

Owner \*

Leaveil Sylvester

Please list all individuals and entities with financial interest in this business and percentage of ownership: \*

Leaveil Sylvester

Phone Number/Email Address \*

leaveilsylvesterNYC@gmail.com

Property Owner Information: Name, Phone Number, Business Address & Email Address \*

Property Owner Name: GC 4nd St LLC, care of Teddy Chattah of Cohen Equities; Phone Number: 347-564-5990, Business Address: 555 Madison Avenue, Floor 23, NY, NY 10022; E-mail: TeddyC@cohenequities.com

Does the Applicant have a fully executed lease? \*

Yes

No

Application Type \*

- Adult-Use Retail Dispensary
- Adult-Use Retail Dispensary & Consumption Facility
- Microbusiness
- Registered organization (ROD)
- Other: .....

Applicant Priority

- Social & Economic Equity Applicant
- CAURD Licensee
- CAURD Applicant
- N/A

Has the owner filed with the Cannabis Control Board/OCM? \*

- Yes
- No

If no, when does the owner plan on filing?

Filed on 11/17 .....

Pursuant to § 119.1 of the Adult-Use Cannabis Regulations, has the applicant confirmed that the location is not: (a) on the same road and within 200 feet of a building occupied exclusively as a house of worship? \*

Yes

No

(b) on the same road and within 500 feet of the entrance of a building occupied exclusively as a school? \*

Yes

No

(c) on the same road and within 500 feet of a structure and its grounds occupied exclusively as a public youth facility? \*

Yes

No

N/A (see § 119.1 (3))

Are there any drug treatment facilities, harm reduction facilities, playgrounds or parks within 1000 ft. of the proposed cannabis business location? If yes, please list: \*

None

Background

Does the owner(s) have a connection to Community District 4? \*

- Business Owner
- Resident
- Other
- None

Please provide a brief overview of the applicant's previous business experience. \*

Applicant brings a wealth of business experience, having previously operated in the cannabis industry (as a justice-involved individual) and held a principal position at a fashion retail company in the Lower East Side, currently operating and known for its innovative retail experience that includes three separate floors dedicated to clothing, art and music (LAAMS). Applicant is currently a lead foreman at Turner Construction, supervising construction sites and teams ranging from the Google campus in the District to new redevelopments in the World Trade Center, and a proud Local 79 union member. Additionally, he owns a vacation rental in the Poconos, PA. This diverse background in fashion, cannabis and real estate makes him a valuable asset to bringing a world-class dispensary operation to fruition.

If the applicant has previous experience in the cannabis industry, please explain.

Cannabis has no direct expertise in the legal cannabis business, but will, upon licensure, hire individuals who do.

Is there any other information the applicant would like to provide the Board regarding work or life experience?

Applicant was previously approved by the Board for another location in Chelsea but subsequently notified the Board that he will not be pursuing that site because of its proximity to another licensed operation. He has longstanding ties to the Community District 4, having attended the Chelsea Career & Technical Education High School at 131 Avenue of the Americas. As a Black native New Yorker, former cannabis user, cannabis entrepreneur and convicted cannabis offender, Applicant knows firsthand the positive and negative effects of cannabis use and the wider cannabis industry. As a person in recovery and sober for over seven (7) years, applicant will place a priority on ensuring that all cannabis consumers who may be at risk of cannabis use disorder are aware of the resources for help. He will provide an example to the recovery community and the wider public that you can work as a cannabis entrepreneur while still being sober (as there are numerous recovery alcoholics who own / operate bars or work there as bartenders). As a justice-involved, Black and native resident of the Community District, Applicant remains committed to helping the Black, justice-involved and recovery communities receive opportunities in order to succeed.

Operational Details

State the name and type of business previously located in this space. \*

None

What are the hours of operation M-F? \*

10 AM to 8PM

What are the hours of operation Sat-Sun? \*

10 AM to 8PM



Please provide the applicant's detailed security plan. \*

DTPFF Enterprises LLC has a detailed security plan for its proposed cannabis dispensary at 543 W. 42nd Street, which is crucial to ensure the safety of our employees, customers, and assets, as well as to comply with local and state regulations. Below is a comprehensive security plan that includes surveillance, security guards, and state-of-the-art vaults:

#### Facility Design:

- a. Location floor plan with designated controlled access and security camera placement.
- b. Design layout to create clear customer flow and minimize blind spots.
- c. Design layout to include an expansive lobby area for customers to wait inside of queuing in street.

#### Surveillance System:

- a. Install a comprehensive surveillance system that includes high-definition cameras, inside and outside the dispensary, with the following features:
  - day and night vision capability
  - wide-angle coverage
  - motion detection
  - remote access for live monitoring
- b. Ensure that cameras cover all entrances, exits, sales areas, and any vulnerable areas such as storage rooms.
- c. Use cloud-based video storage to provide perpetual backup. Regularly check the functionality of the system to avoid data loss.

#### Access Control and Cash-Pick Up

- a. Implement a robust access control system to restrict entry to authorized personnel only.
- b. Use key cards or biometric access control for employees.
- c. Limit access to sensitive areas, such as the vault, to a select three (3) employees per shift
- d. Daily pick-up of any cash for that previous day's sales at 9AM EST – one hour before store opening.

#### Security Guards:

- a. Employ trained and licensed security guards, both inside the store and stationed outside to limit crowd control.
- b. Security guards should be clearly identifiable to customers and have the ability to communicate effectively with law enforcement if necessary.

#### Vault:

- a. Install state-of-the-art vaults or safes to secure cash, inventory, and sensitive documents.
- b. Choose a vault that exceeds the standards outlined by local and state regulations.
- c. Limit access to the vault to authorized personnel only and maintain a log of all access.

#### Alarm System:

- a. Install a monitored alarm system that includes intrusion detection and panic buttons.
- b. Ensure that alarms are connected to a central monitoring station to notify law enforcement in case of a breach.

**Lighting:**

- a. Adequately illuminate the exterior of the dispensary to deter potential criminals.
- b. Use motion-activated lighting for added security during off-hours.

**Employee Training:**

- a. Provide security training for all employees to recognize and respond to security threats.
- b. Conduct regular drills to ensure everyone knows how to respond in emergency situations.

**Record Keeping:**

- a. Maintain detailed records of all security-related incidents, including video footage, alarm logs, and access control records.
- b. Keep such records in a secure, off-site location.

**Local Law Enforcement Cooperation:**

- a. Establish a good working relationship with local law enforcement agencies and provide them with access to the surveillance footage if needed.

**Regular Audits:**

- a. Periodically review and audit security measures once a quarter to identify areas for improvement and ensure ongoing compliance.
-

What is the anticipated increase in sidewalk traffic? How will you manage the sidewalk, crowd control, vehicular traffic? Will you use utilize stanchions and ropes? \*

The anticipated increase in sidewalk traffic for a cannabis dispensary can vary significantly depending on factors such as location, time of day, and the popularity of the dispensary. The proposed location is on 42nd street, but nowhere near a subway station, so ensuring sidewalk control is easier given that there will be less sidewalk traffic. Despite this, Applicant plans still to develop the lobby area so customers can wait inside than queue in the street, However, to manage any potential sidewalk traffic, crowd control, and vehicular traffic effectively, we will implement the following strategies:

**Traffic Assessment:** Conduct a thorough traffic assessment in the area around the dispensary to understand the peak traffic hours and days through our hours of operations (10AM to 8PM, Monday through Sunday). This will help us anticipate when we might experience high foot traffic and plan accordingly, including adding additional security personnel to mitigate crowding.

**Sidewalk Management:**

- a. Define Entry and Exit Points: Clearly mark entry and exit points to direct customers and maintain a controlled flow of traffic.
- b. Queue Management: Designate a designated waiting area on the sidewalk, marked with stanchions and ropes.
- c. Accessible Walkways: Ensure that a safe and accessible walkway is maintained for pedestrians who are not visiting the dispensary.

**Crowd Control:**

- a. Security Personnel: Deploy security guards both inside the store and stationed outside to manage crowd control and prevent any double-parking from cars outside that may cause vehicular traffic.
- b. Capacity Limits: Implement capacity limits based on local regulations to prevent overcrowding.
- c. Monitoring: Continuously monitor the sidewalk and customer flow, and adjust crowd control measures as needed.

**Vehicular Traffic:**

- a. Loading Zones: Work with local authorities to establish designated loading and unloading zones for suppliers and customers, to take place long before the dispensary opens for customers (6AM to 8AM) This can help prevent traffic congestion.
- b. Traffic Management Plan: Develop a traffic management plan that includes the use of traffic cones, signs, and traffic personnel during peak hours, in accordance and with approval of local authorities.
- c. Delivery Schedule: Coordinate delivery schedules to minimize disruption to sidewalk traffic by only allowing early drop-offs before any rush-hour traffic.

**Stanchions and Ropes:**

- a. Queue Management: Use minimally obstructive stanchions and ropes to create organized queues for customers waiting outside the dispensary.

**Communication:**

- a. Signage: Place clear and informative signage to guide customers and inform them of rules and procedures.
- b. Online Ordering: Promote online ordering and appointment-based services to reduce the number of

customers waiting on the sidewalk.

Customer Education:

a. Inform Customers: Educate customers about expected wait times and encourage them to be patient and respectful of others waiting.

Continuous Evaluation: Regularly review crowd control and traffic management strategies, and make any necessary adjustments based on the actual traffic patterns and feedback from customers, staff, CB 4 and other local and state stakeholders and authorities.

By implementing these measures, we can effectively manage sidewalk traffic, crowd control, and vehicular traffic, creating a safe and organized environment for both customers and the surrounding community.

How many employees does the applicant expect to employ? How many full-time/part-time? \*

10-12 Full Time employees and 4 Part-Time

Please provide the applicant's hiring plan; please explain if the applicant will take steps to hire from CB4. \*

Applicant has created a hiring plan for that prioritizes local individuals who reside in CB4 and who were justice-involved to ensure a socially responsible and community-oriented approach. Here is the plan to achieve this:

Community Outreach and Partnerships:

- a. Establish partnerships with local community organizations, reentry programs, recovery organizations, and workforce development agencies that focus on justice-involved individuals, those from low-income backgrounds and those in the recovery community.
- b. Host job fairs, workshops, or information sessions in collaboration with these organizations, in addition to local and state elected officials which represent the District, to reach potential candidates.

Job Postings and Openings:

- a. Create clear and accessible job postings that emphasize the dispensary's commitment to hiring locally and supporting justice-involved individuals.
- b. Post job openings on local community bulletin boards, job search websites, and social media platforms.

Diversity and Inclusion Policy:

- a. Develop a comprehensive diversity and inclusion policy that highlights our commitment to hiring local individuals from CB 4 from diverse backgrounds.
- b. Ensure that the policy exceeds any local employment laws and regulations.

Resume and Interview Workshops:

- a. Offer resume-building and interview preparation workshops for potential candidates to help them present themselves effectively during the hiring process
- b. Consider partnering with local cannabis training organizations for support, including budtender academies.

Pre-Hiring Support:

- a. Collaborate with local organizations and support programs to provide assistance to justice-involved and recovery candidates in the pre-hiring process. This could include help with resume writing, interview practice, and skills development.

Fair Hiring Practices:

- a. Implement fair and inclusive hiring practices, including blind application processes that remove personal information irrelevant to job qualifications.
- b. Train hiring managers on fair and unbiased interviewing techniques.

Community Outreach Managers:

- a. Employ community outreach managers who can actively engage with local community members, organizations, and workforce development agencies.
- b. These managers will build relationships and networks to connect with potential candidates.

Mentorship and Training Programs:

- a. Create mentorship and training programs within the dispensary to support the professional growth and

development of justice-involved, low-income and people in recovery employees.

b. Provide ongoing training and opportunities for career advancement, including assisting and investing in employees start their own cannabis retail or other licensed businesses in the cannabis industry.

Feedback Mechanisms:

a. Establish feedback mechanisms for employees to voice their concerns or suggestions regarding the hiring process or workplace environment.

b. Actively listen and make improvements based on this feedback, and share that feedback with local partners, including CB 4.

Local Hiring Quotas:

a. Set internal quotas or targets for the number of local, justice-involved, and low-income individuals to be hired, which is aimed at 100%.

Sustainability and Long-term Commitment:

a. Make a long-term commitment to the community by maintaining a focus on hiring locally, supporting career development, and fostering an inclusive workplace culture.

By following this hiring plan, the dispensary will make a positive impact on the community, providing opportunities for individuals who may face barriers to traditional employment while contributing to the overall success and diversity of the dispensary's workforce.

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What products does the applicant expect to carry? \*

Applicant will carry a full suite of cannabis products, including flower, pre-rolls, edibles, disposables and beverages, as well as non-cannabis products. All available products for sale will be licensed, tested and taxed items.

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Will the applicant accept online or telephone orders? If yes, how will the applicant verify the purchaser is over the age of 21? (See § 123.10 (d)(4)) \*

Yes, the applicant will accept both online and telephone orders that will, in part, help ease any potential crowding in and outside the dispensary, in addition to helping customers order cannabis conveniently. For such pick-up orders, customers must showcase state ID that matches the identity of the payor of the order. To ensure that deliveries to consumers are made only to individuals over the age of 21 when they place an online or telephone order for cannabis products, we will implement a robust age verification process as follows:

#### Age Verification Methods:

- a. Government-Issued ID: Require customers to upload a clear photo of their government-issued ID, such as a driver's license or passport, when placing an online order. Make sure the uploaded ID clearly shows the customer's date of birth.
- b. Third-Party Verification Services: Partner with reputable age verification services that can instantly verify the customer's age using their personal information and ID data.

#### Registration and Account Verification:

- a. Require customers to create an account on the website or provide their information over the phone before placing an order.
- b. Use this registration process to collect necessary customer information, including their date of birth.

#### Two-Step Verification:

- a. Implement a two-step verification process, where customers must verify their age again at the time of delivery.
- b. The delivery driver should request to see the customer's government-issued ID and compare it to the information provided during the order, and then scan that ID to ensure verification.

#### Delivery Confirmation:

- a. The delivery driver should have access to a mobile device or application for confirming deliveries.
- b. The scan will enter delivery details of the consumer, including age verification, into the system and may not complete the delivery without proper verification.

#### Training for Delivery Personnel:

- a. Provide training to delivery personnel on the importance of age verification and the procedures for checking identification.
- b. Make it clear that failing to verify age appropriately will result in suspension and termination.

#### Geofencing and Location Services:

- b. Restrict deliveries to areas where it will not be permissible or appropriate to deliver cannabis (schools; government buildings, houses of worship; community facilities)

#### Customer Education:

- a. Clearly communicate the age verification process to customers during the ordering process and on the website.
- b. Encourage customers to have their government-issued ID ready at the time of delivery.

**Data Protection and Privacy:**

- a. Ensure that customer data and personal information are handled securely and in compliance with privacy regulations.
- b. Clearly communicate the data protection policies to customers, which all data will be encrypted and housed securely and not available for transfer to any third parties.

**Regular Audits and Compliance Checks:**

- a. Periodically audit and review the age verification processes to ensure they are functioning as intended, and implement an audit within 24 hours of one or more breaches of the verification process, in addition to immediately informing state regulators.
- b. Stay up to date with best practices for age verification, and adjust procedures as needed with technology improvements.

By following these steps, we will establish a reliable age verification process for online and telephone orders, ensuring that deliveries are made only to individuals over the age of 21, in compliance with legal requirements.

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**Does the applicant intend to operate a delivery service? \***

As of 5/28/2023, the revised Adult-Use Regulations do now allow a business licensed to sell adult-use cannabis to simultaneously hold a delivery license/make deliveries. (See § 123.20 (c)(1))

Yes

No

If this dispensary includes or plans to include on-site consumption at any point, please describe \* how it will be managed. What is the capacity? What environmental monitoring and ventilation measures will be taken to protect shoppers and staff from second hand smoke and other potential hazards? If not, please write n/a.

No plans for on-site consumption, but to prevent and encourage individuals to smoke not on the public sidewalks or parks, Applicant will work with the City and OCM to eventually create and develop an on-site consumption lounge to ensure that all consumers are ingesting responsibly and indoors.

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Do you use/plan to use any outdoor space? If so, please explain how you intend to use the space. \*


No outdoor space available for use.

Is the entrance of the store ADA compliant?


Yes

No

Please upload an Executed Lease or Landlord Letter of Intent (LOI) for your intended location.

 DTPFF - 42nd Str...

Please upload the site/floor plan for your business.

 543 W. 42nd Pro...

Community Notification/Relations

List all: block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted. \*

We have reached out to the following associations and have copied the board manager (Jesse Bodine):

Council Chelsea Block Association

100/200 West 15 Street Block Association

100/200 West 15 Street Block Association

100 West 16th Street Block Association

100 West 16th Street Block Association

100 West 17th/18th Street Block Association

100 West 17th/18th Street Block Association

100 West 17th/18th Street Block Association

100 West 17th/18th Street Block Association

100 West 19th/20th Street Block Association

100 West 19th/20th Street Block Association

100 West 19th/20th Street Block Association

100 West 22nd Street Block Association

100 West 19th/20th/21st/22nd Street Block Association

100 West 19th/20th/21st/22nd Street Block Association

100 West 19th/20th/21st/22nd Street Block Association

100 West 25th Street Block Association

100 West 26th Street Block Association

Naked Eye Productions

200 West 21/22/23/24 Block Association

200 West 19/20/21/22 (South) Streets Block Association

200 West 19/20/21/22 (South) Streets Block Association

200 West 19/20/21/22 (South) Streets Block Association

200 West 2nd Street Block Association

200 West 23(North)/24 Streets Block Association

200 West 23(North)/24 Streets Block Association

200 West 23(North)/24 Streets Block Association

2324 Chelsea Tenants Association

300 West 18/19 Streets Block Association

300 West 18/19 Streets Block Association

300 West 18/19 Streets Block Association

300 West 20th Street Block Association

300 West 20th Street Block Association

300 West 21/22/23(South) Streets Block Association

300 West 21/22/23(South) Streets Block Association

300 West 21/22/23(South) Streets Block Association

400 West 16/17/18/19 Streets - Fulton Houses Tenant Association

400 West 20 Street Block Association

400 West 21/22/23(South) Streets Block Association

400 West 21/22/23(South) Streets Block Association

400 West 23(North)/24 Streets - London Terrace Towers

400 West 23(North)/24 Streets - London Terrace Gardens Tenant Association

400 West 23(North)/24 Streets - London Terrace Gardens Tenant Association

400 West 25/26/27 Streets - Elliott-Chelsea Tenant Association

400 West 25/26/27 Streets - Elliott-Chelsea Tenant Association

500 West 19 Street Block Association

500 West 21/22/23/24 Streets Block Association

500 West 21/22/23/24 Streets Block Association

500 West 21/22/23/24 Streets Block Association

500 West 28/29 Streets Block Association

Penn South (W 23rd to W 29th Street from 8th/9th Avenue

Penn South (W 23rd to W 29th Street from 8th/9th Avenue

Hotel Americano

Highline537

Donna Langman Costumes

537 W 27th Street Building

Midtown South Community Council

Village Preservation/The Greenwich Village Society for Historic Preservation

Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? \*

Yes

No

Will applicant inform the Community Board of its job openings and/or provide a hyperlink to applicants jobs webpage? \*

Yes

No

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