



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

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**JESSICA CHAIT**  
Chair

**JESSE R. BODINE**  
District Manager

March 3rd, 2024

Chris Alexander  
Executive Director  
NYS 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: 525 9th Avenue – Astor Club NYC LLC

At its regularly scheduled monthly meeting on March 6<sup>th</sup>, 2024, Manhattan Community Board 4 (“MCB4”) votes by 19 for, 16 against, 0 abstaining, and 1 present-not-eligible to recommend denial of the application of Astor Club NYC (the “Applicant”) for an Adult-Use Retail Dispensary at 525 9th Avenue New York, NY 10036.

As indicated by the MCB4 vote, the recommendation of denial was not without dissent. MCB4 strongly supports small businesses. MCB4 is also a district that welcomes the opportunity to make right the wrongs of past laws that unfairly punished people for marijuana possession. Additionally, MCB4 members and our very engaged community can recognize potentially good operators that are well intentioned and will work with the community. Astor Club LLC presented themselves to be exactly the type of cannabis dispensary operator that would be a community partner in this transitional period of legal cannabis. Astor Club LLC owners have a long history of legal cannabis advocacy as well as relevant experience in the process of opening a dispensary in New Jersey. MCB4 ultimately determined, albeit not unanimously, that the Applicant’s proposed dispensary would not be compatible with the immediate surrounding neighborhood due to its location, not the operator. The prevailing view was granting of this applicant’s full dispensary license could negatively impact the community for the following reasons:

**-The proximity to a church with daycare services.** Metro Baptist Church is located at 410 West 40<sup>th</sup>, where a variety of services are offered including daycare services. MCB4 recognizes that the exact number of feet that distances the proposed location and the

church is within the specified radius as defined by OCM, however this does not change the fact that the distance is close enough to potentially be a negative influence on minors.

**-The over saturation of illicit cannabis shops in the immediate vicinity of this location.** Until OCM is able to effectively enforce and close these illicit stores MCB4 question whether this business will be able to compete with illegal smoke shops that for the past two years have built a client base that has not been subject to the required regulations, safe products or paying tax on cannabis.

**-The current issue of illegal drug activity in and around the proposed location.** Across from the Port Authority, this location has long been problematic with drug dealing and other illicit activity. The nature of this business, being a predominantly cash business selling a controlled substance, could exacerbate these current issues.

MCB4 does believe this applicant would prove to be a responsible operator of a cannabis dispensary however the proposed location is problematic. The unfortunate unintended consequences of the timing and how OCM rolled out legal cannabis regulation has produced conditions where even a potentially good operator would struggle to garner support from the residential and business community. We should all be focused on setting up legal dispensaries for success. To that end we urge OCM to work harder and swifter along with other agencies and Electeds to remedy enforcement barriers and gross miseducation around illicit cannabis shops that are overrunning our community. Ultimately the recommendation of denial stems from the community issues with OCM and not this specific applicant.

For the reasons stated previously, MCB4 believes that the granting of this applicant's full dispensary license at this location could negatively impact the community and recommends denial.

Sincerely,



Jessica Chair  
Chair  
Manhattan Community Board 4