



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

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JESSICA CHAIT
Chair

JESSE R. BODINE
District Manager

May 15th, 2025

Felicia A. B. Reid
Acting 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: Proposed additional amendments to regulations addressing Public Convenience and Advantage (Changes to Proximity Regulations)

Dear Director Reid and Chairwoman Wright:

Manhattan Community Board 4 ("MCB4") votes by 35 for, 2 against, 1 abstaining, and 0 present-not-eligible to provide comment on the proposed changes by the Office of Cannabis Management (OCM), particularly the proposal in Subdivision (a) of section 119.4 to reduce proximity restrictions for retail dispensaries to 500 feet from 1000 feet.

MCB4 strongly opposes the proposed amendment to reduce the regulatory distance between dispensaries from 1,000 feet to 500 feet. Given persistent community concerns and the negative impact of illicit shops, proximity provisions should not be decreased.

Since the initial legalization of cannabis in New York State, there have been multiple rule and regulation changes which has resulted in inconsistencies around the granting of licenses. This has contributed to the broad public's lack of confidence in the process. License seekers, consumers, advocates and opponents alike have been confused by the decision-making process around the issuing of licenses. The proposed OCM rule changes risk oversaturating our district with cannabis-related businesses, further undermining trust in OCM's regard for local community concerns.

Background:

On October 23, 2024, the Office of Cannabis Management proposed changes to ease proximity restrictions for retail dispensaries under Public Convenience and Advantage (PCA) standards. Following public opposition provided during the comment period, OCM worked to make revisions. At the February 14, 2025, Cannabis Control Board (CCB) meeting, OCM presented revised PCA amendments with stricter regulations, including:

- Minimum distance requirements
- Restrictions in areas with multiple licensees
- Mandatory notifications
- A nine-month operational requirement for impacted dispensaries
- Enhanced municipal notices
- Detailed submission procedures

Community Response:

MCB4 is encouraged that community board notification is still part of the regulated process. However, our experience with licenses and sites being approved that the community provided record of opposition, the community would like to see stronger regulation that ensures our input carries weight. Notably, the proposed removal of the below considerations, reduce the impact of the community voice when these may be reasons for opposition to the granting of a license. Subdivision (b) of section 119.4 removes these considerations when considering approval:

- the number, classes, and character of other licenses in proximity to the premises and in the particular municipality or subdivision thereof;
- evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies;
- whether there is a demonstrated need for such license;
- effect of the grant of the license on pedestrian or vehicular traffic, and parking, in proximity to the premises;
- the existing noise level at the premises and any increase in noise level that would be generated by the proposed premises;
- the history of cannabis violations and reported criminal activity at the proposed premises;
- any other factors specified by law or regulation that are relevant to determine that granting a license would promote public convenience and advantage of the community

MCB4 has deep concern that proposed within the stricter proximity provisions is an amendment to reduce the regulatory distance between dispensaries from 1,000 feet to 500 feet. MCB4's public review of applicants for dispensaries within our community consistently has opposition to more cannabis retail. Unfortunately, the continued negative experience of illicit shops across our neighborhoods has been a primary influence on this point of view. Concerns that have been raised include

siting of cannabis retail dispensaries that are technically within regulation, but still too close to schools, daycare, parks and places of worship.

To reiterate, MCB4 strongly opposes the proposed amendment to reduce the regulatory distance between dispensaries from 1,000 feet to 500 feet. Given persistent community concerns and the negative impact of illicit shops, proximity provisions should not be decreased. The current regulations already allow dispensaries uncomfortably close to schools, daycare centers, parks, and places of worship, further fueling opposition to expanded cannabis retail. MCB4 urges OCM to prioritize community welfare by strengthening, not weakening existing safeguards.

MCB4 urges OCM to reconsider any changes to the existing process that potentially increases the number of cannabis retail within our district.

Sincerely,



Jessica Chait
Chair
Manhattan Community Board 4



Delores Rubin
Chair
Cannabis Task Force