

Russell Squire
Chair

Will Brightbill
District Manager



505 Park Avenue, Suite 620
New York, N.Y. 10022-1106
(212) 758-4340
(212) 758-4616 (Fax)
www.cb8m.com – Website
info@cb8m.com – E-Mail

**The City of New York
Community Board 8 Manhattan**

January 30, 2022

Chris Alexander
Executive Director
New York State Office of Cannabis Management
1220 Washington Avenue
Harriman Campus, Building 9, 4th Floor
Albany, NY 12226

RE: Community Board Role in Cannabis Licensing Approvals

Dear Executive Director Alexander,

At the January 18, 2022, Full Board meeting of Community Board 8 Manhattan, the board unanimously **approved** the following resolution by a vote of **45 in favor, 0 opposed, 0 abstentions and 0 not voting for cause:**

WHEREAS, the purpose of the MRTA is to promote public health, public safety, and social equity through creating a well-regulated marketplace for the cultivation, production, and retail of recreational cannabis for responsible consumption by those who are 21 years of age or older;

WHEREAS, the OCM has released draft regulations regarding the siting of cannabis retailers and on-site consumption lounges for public comment;

WHEREAS, community boards have long played an important role in the siting of licenses pursuant to the SLA;

WHEREAS, community boards have deep knowledge of their districts that the City and the State do not have;

WHEREAS, community boards are responsive to the needs of their community; and

WHEREAS, community boards can play a vital role in the equitable and safe roll-out of cannabis licenses if properly empowered by the state's regulations.

THEREFORE BE IT RESOLVED that:

(1) Community Board 8 Manhattan calls on the OCM and CCB to include the following in the final regulations that will govern the use and sale of cannabis:

- The OCM shall identify a point person who is responsible for communicating with each community board and who is able to attend meetings when requested;
- CAURD licensees must submit to community board review;
- That a community board shall automatically receive a 30 day extension of time to review an applicant that notifies such community board less than 60 days before filing of an application of licensure with OCM;
- Establish that there be a separate distance based on radius rather than distance along the street within which the siting of licensees shall be denied. Such radius distances may be smaller than the straight-line distance along the street. For example:
 - 119.4 (a)(1) ... or within a 100 foot radius of a building occupied exclusively as a house of worship
 - 119.4 (a)(2) ... or within a 250 foot radius of school grounds
 - 119.4 (a)(3) ... or within a 250 foot radius of a community facility

- That the notification of an applicant to a community board or municipality include information regarding ownership and management of the location, information about other cannabis businesses owned by the same owners in the state, architectural drawings and site plans, and any details regarding traffic, noise, and odor;
- Allow community boards to require applicants to advertise their hearings, such as through flyer and online advertising. Such a requirement shall not be considered an impermissible fee;
- Clarify what types of limitations on signage are allowable by municipalities, and specify that municipalities may prohibit excessive use of green paint/lighting, use of a cannabis leaf, use of the words "cannabis" "marijuana" "weed" "hemp" and similar words, and use of the words THC and CBD in the signage of a retail facility;
- Clarify what types of restrictions may be imposed by municipalities and community boards for licenses seeking to site in a historical district;
- Pursuant to OCM's authority under Section 88 of MRTA, require the licensee to collect certain data over time to be reported to the municipality/community board, such as customer traffic and delivery traffic;
- That stipulations agreed to between the licensee and a community board be incorporated as conditions in the license from OCM;
- Amend the definition of "community facilities" to allow community boards, in addition to the City, to define community facilities in their own districts;
- Require applicants to seek community board review of their exterior signage
- Require applicants as a condition of licensure to engage with the community board in an on-going, good faith manner
- Allow community boards to require a plan for a licensee to safely manage delivery traffic, such as requiring off-sidewalk bike delivery parking locations; and

(2) The OCM and the City must improve their enforcement against unlicensed retailers subject to the stipulations above

Please advise this office of any action taken regarding this matter.

Sincerely,

Russell Squire

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Chair

Abraham Salcedo

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Chair, Street Life Committee

Rebecca Dangoor, Wilma Johnson, and Barbara Rudder

Rebecca Dangoor, Wilma Johnson and Barbara Rudder
Co-Chairs, Health, Seniors, & Social Services Committee

cc: Honorable Eric Adams, Mayor of the City of New York
Honorable Mark Levine, Manhattan Borough President
Honorable Jerry Nadler, 12th Congressional District Representative
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Edward Gibbs, NYS Assembly Member 68th Assembly District
Honorable Alex Bores, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Keith Powers, NYC Council Member, 4th Council District
Honorable Julie Menin, NYC Council Member, 5th Council District