



Chairperson, Martha Taylor

*The City of New York
Borough of Queens*

Community Board 8

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District Manager, Marie Adam-Ovide

Cannabis License Committee Meeting

Date: Tuesday, November 14, 2023
Time: 7:30 p.m.
Place: Community Board 8 Office
197-15 Hillside Avenue
Hollis, NY 11423

Michael Hannibal, Cannabis License Committee Chair

Board Members: Edward Chung, Kenneth Cohen II, Solomon Davydov, Maria Delinnocentis, James Gallagher Jr., Mary Maggio, David Mordukhaev, Alan Ong, Douglas Sherman and Martha Taylor.

Also in attendance: Kevin Forrestal, CB8 Member
Mohammed Tohin, CB8 Member
Imrul Kabir, Active Healing Physical Therapy, PLLC
Shahriar Rahman – Retail Dispensary Premise
Shahriar Nobi – Retail Dispensary Premise
P.O. Timothy Gorman, 107th Precinct
Marie Adam-Ovide, District Manager CB8
Nettie V. Norris, Community Board 8 Staff

Cannabis License Committee Chair Michael Hannibal called the meeting to order at 7:35 p.m. This was followed by self-introductions of all Board Members and staff.

Purpose:

This is to introduce the applicants to the Community Board to make them aware of the expectations of the Board for businesses with on-premises Cannabis licenses. This establishment is applying for a new Cannabis License for a Retail Dispensary Premise.

I. Dr. Imrul Kabir, PT
169-02 Highland Avenue, Jamaica, NY 11432

Michael Hannibal

What is your position/role in this establishment?

Answer: [Dr. Imrul Kabir] – Owner.

Michael Hannibal

What is your background and history which led you to open this establishment?

Answer: [Dr. Imrul Kabir] – I am a physical therapist. I've been practicing for 26 years. 10 years ago I opened a practice in Queens. I have three in Queens and one in Brooklyn. I see patients with many different conditions. Most of which are chronic illnesses which require surgery, injections, medications and physical therapy. Some patients cannot have surgery. So I thought I would introduce them to Cannabis as another way to treat them.

Michael Hannibal

What types of Cannabis products will you be selling in our community?

Answer: [Dr. Imrul Kabir] – Medically related prescribed products.

Michael Hannibal

One of the concerns the community has is whether your establishment is in compliance with the 200-500 feet rules from nearby schools or houses of worship.

Answer: [Dr. Imrul Kabir] – Yes, we are in compliance.

Michael Hannibal

Are your hours of operation still mirrored to your current clinic hours and what are those hours?

Answer: [Dr. Imrul Kabir] –The hours are: Monday, Tuesday and Saturday from 11:00 a.m. – 6:00 p. m.

Michael Hannibal

How do you handle the underage that you will be selling to? Pain doesn't have an ageist quality to it. Pain can come to anyone.

Answer: [Dr. Imrul Kabir]- When the patients come to me, they have already been verified by their doctor.

Michael Hannibal

Would you still do the due diligence of double checking that information anyway?

Answer: [Dr. Imrul Kabir] – Yes.

Michael Hannibal

There was a question here whether your staff is trained? I'm going on the assumption that it is you and someone else at your desk. But I don't want to go on my assumption.

Answer: [Dr. Imrul Kabir] – Yes, the office personnel are trained. They have to be by law. We are working with the Office of Cannabis Management. They are guiding us and helping us to get our license so that we can safely and legally practice the dispensing.

Michael Hannibal

Do you have a Cannabis License and will it be properly displayed separately from your wall of degrees?

Answer: [Dr. Imrul Kabir] - Yes, I do and it will be properly displayed.

Michael Hannibal

What will you do to ensure us that there will be no loitering or smoking in front of your establishment so that we won't have to concern ourselves with?

Answer: [Dr. Imrul Kabir] – My practice is for medical purposes. The patients will be given the medication. After it is given to them, they not will be able to open and or use it in the facility.

Michael Hannibal

Will there be any plans or efforts to make sure you communicate with the 107th Precinct?

Answer: [Dr. Imrul Kabir] - I'm in the process of applying for my license. Once I get it, I will be in contact with the 107th Precinct.

Mr. Hannibal opened the meeting for questions from the Board Members.

Alan Ong

Will your facility be open to the public? So if I walked in and say I have Glaucoma and I have a prescription, will I be able to purchase items from your dispensary or will it be closed?

Answer: [Dr. Umrul Kabir] – If you have a prescription and I can verify it with your doctor, yes. I want to create a certain portal for my clients/patients with their personal information and their doctor's.

Alan Ong

As long as you're doing the due diligence. As much as this is for the good with pain and suffering, you have people out there taking advantage of it.

Answer: [Dr. Umrul Kabir] – There are patients who have legal prescriptions and want more than what is prescribed to them. That won't happen in my facility.

Michael Hannibal

I'm going on the assumption that a person who's not there first and foremost for P/T shouldn't be able to just walk in and get medications.

Answer: {Dr. Umrul Kabir] - Yes, there are patients who do not respond to physical therapy or medications any longer and can come from an orthopedic doctor with a prescription and get medical cannabis. The purpose for me to open this facility is so they can have access to medical cannabis. There are patients who are out there who are not my patients and have prescriptions to get cannabis because none of the other options are working for them. They still have pain and are suffering. The prescription for cannabis is different from a prescription for injections or physical therapy. It is a separate prescription that requires verification.

Michael Hannibal

How are payments conducted. If someone walks in with a prescription, how do they pay for it.

Answer: [Dr. Umrul Kabir] - Either credit card or cash would cover it.

Douglas Sherman

Have you treated people with cannabis before you engaged in the enterprise, what's your experience with actually treating people with pain?

Answer: [Dr. Umrul Kabir] - Not in my facility and directly, no. But I know doctors and physical therapists in other states, not in New York because it is not yet legal in New York. They have not given us licenses yet. We are in the process of applying for the license.

Jim Gallagher

How long does the licensing take?

Answer: [Dr. Umrul Kabir] - There are many different steps. They are taking applications and the deadline is December. After that it could take 6 to 12 months. It's a lengthy process.

Jim Gallagher

You said you have 7,000 patients?

Answer: [Dr. Umrul Kabir] – Yes, so far we have 7,000 patients.

Jim Gallagher

The other cannabis I was thinking about was out in Colorado where they had candy cannabis that resulted in kids, HS Seniors taking it.

Answer: [Dr. Umrul Kabir] – There is another form which is called CBD, which is legal, that does not make you high but has some capacity to reduce pain and anxiety and people take that without having a prescription because it is legal. It does not have any PHS which is the chemical that makes a person high.

Kevin Forrestal

I'm gonna go in a different direction. You are the owner of the building? There's no evidence on any of the sites that you have a Certificate of Occupancy (COO).

Answer: ([Dr. Umrul Kabir]- Yes, I am the owner. We are in the process of getting out COO.

Kevin Forrestal

You are operating out of the basement, correct? Which was illegally converted. It's a citation approved application.

Answer: [Dr. Umrul Kabir] – It was not. We are in the process of applying for a permit. I do not want to mix my physical therapy practice with this business. This would be on the first floor.

Kevin Forrestal

You consider this to be medical but you do not have any entry visibility.

Answer: [Dr. Umrul Kabir] – We do have entry visibility. There are 2 options of entry. In the front, there are 4 steps to climb or the basement which is ADA compliant.

Kevin Forrestal

You have a significant amount of outstanding fines - \$3K, \$4K, 6K.....

Answer: [Dr. Umrul Kabir] – Yes, my architect is taking care of those fines.

Kevin Forrestal

You are zoned for all 4 residential. My question is – is it legal for the business? For any house you operate, you need a certificate of occupancy (COO).

Michael Hannibal

This is not the usual establishment that we always review and approve. And we don't have anyone here from zoning to ask.

DM Marie Adam-Ovide

Every house/business must have a Certificate of Occupancy (COO). If you do not have one, you can also get, from the Department of Buildings (DOB), a letter of no objection which means the DOB has no objection to you using that particular property for whatever purpose you're using it for. That's something you guys can decide on.

Answer: [Dr. Umrul Kabir] – We are about to get the COO for a mixed use building. So we will wait for that.

Chairperson, Martha Taylor

Are you practicing physical therapy in the building now? It is considered a medical facility and you are entitled to in that house. This is not a commercial practice. You can have a professional business anywhere.

Answer: [Dr. Umrul Kabir] – Yes, I am practicing physical therapy in the building.

Kevin Forrestal

If we go ahead and make a motion to approve it should be subject to having all the questions resolved with the DOB and having all outstanding fines paid.

Alan Ong

Separate from the COO, If the zone is all 4 - practices is one thing but when you start doing retail, is that part of the zoning?

Answer: - Kevin Forrestal - He is building in a residential community and it doesn't allow it there so it is up to the DOB.

Dr. Umrul Kabir

We are at the end stage of being approved. They had citations before against the building for electrical and plumbing. I won't have a problem providing the COO.

Mohammad Tohin

How can you make sure no one is going to open the prescription in the facility.

Answer: [Dr. Umril Kabir] - The front desk staff is trained to read the prescriptions and verify. I will be the one dispensing it once the verifications are confirmed.

Chairperson Martha Taylor

Do you have a CFO? When are you getting it?

Answer: [Dr. Umril Kabir] – It's in the process. When I got the building, it had no CFO or Blueprint so we are starting from scratch.

DM Marie Adam-Ovide

Went on the website of the DOB and confirmed there is a permit for general wiring. It seems to be an issue with that.

Answer: [Dr. Umril Kabir] – Yes. As I said, we are working on that and we are going to receive the full CFO.

Alan Ong

Just for clarification: Your P/T business will be downstairs in the basement and the dispensary will be upstairs. With all of the robberies going on and this being a cash business, will you have surveillance cameras? This will help the 107th Precinct in case something happens.

Answer: [Dr. Umril Kabir] – Yes.

Michael Hannibal

If there are no further questions, can I have a motion? Kevin, you wanted to add an addendum?

Kevin Forrestal

All outstanding violations and fines must be resolved.

Michael Hannibal

Can I have a motion on Kevin's addendum?

Motion made by Alan Ong and seconded by DM Adam-Ovide.

Michael Hannibal

Can I have a motion to accept the application for a Retail Dispensary Premise located at 169-02 Highland Avenue, Jamaica, NY 11432.

Motion made by Chairperson Martha Taylor and seconded by Mohammed Tohin.

Votes in favor: Unanimous

Board Members who voted in favor: Chairperson Martha Taylor, Michael Hannibal, Edward Chung, Kenneth Cohen II, Solomon Davydov, Maria DeInnocentiis, James Gallagher, Mary Maggio, David Mordukhaev, Alan Ong, Douglas Sherman, Kevin Forrestal and Mohammed Tohin

Michael Hannibal

We're at the point in this meeting when we approve a license where we ask that you communicate with the 107th Precinct and CB8. It is particularly important and specific to you because of the type of product you will be dispensing in the neighborhood. We never want to hear of an issues happening at your facility and the 107th Precinct nor the CB8 doesn't know about it. You must be in communication.

We look forward to seeing your COO and making sure all of your outstanding citations are handled and addressed. We want you to be successful but we also want to make sure you're following quality of life. As far as we know, you're going to be the only legitimate establishment in that area. Is there anything else you want to share or want to know.

Answer: [Dr. Umril Kabir] - Not for now but again, I am in the process of getting my license, which is a lengthy process. There may be some questions on health? that I may need help with and will want to reach out to CB8.

Michael Hannibal

Continue to work with the Office of Cannabis Management. We want you to prosper and continue helping people. Thank you.

DM Adam-Ovide reminded Michael to mention about the first application we have on our list.

Michael Hannibal

He thanked the outside participants for being at the meeting. He mentioned that the first applicant on the Square Knot, will not be joining us tonight. They asked us to postpone it but we will have it in December. He asked the outside participants to please come back. He will advise them when he has a date. Call the CB8 office to get it. They asked what the process was for approving a cannabis license and if it is for public vote. He explained.

DM Adam-Ovide – added that as of today, these are the only 3 applications we received for legal smoke shops. The CBD's donot come to the CB for licenses. If you feel a shop is operating illegally, you can file a complaint with 311 or the Sheriff.

Applicant #2

Michael Hannibal

Is Shahriar Rahman here?

Answer: Shahriar Nobi - No, but I am here to represent him.

Michael Hannibal

How are you related or connected with this application?

Answer: Shahriar – He is my boss and we also have a non-profit that he founded and I am on the board.

DM Adam-Ovide – Please state your name for the record. Please spell your last name.

Michael Hannibal

Shahriar Nobi is here on behalf of Shahriar Rahman for Retail Dispensary located at 172-13 Hillside Avenue – Suite 201 – Jamaica, NY. Is that correct Mr. Nobi?

Answer: [Shahriar Nobi] – Yes, that is correct. However, there is a nuance to it. The Suite 201 is a temporary one we used to put on the initial application. The application doesn't require us to put an address on it that we will necessarily use. We don't have a location ready as of yet. The location will be in this vicinity because we do own and run multiple businesses.

Michael Hannibal

I appreciate you sharing all of this information with us. However, you say you don't have a specific location yet. There's a part of me asking if we should move forward because a lot of the information we have is the importance of an establishment, a building, an actual solid structure. And a lot of our questions are:

- How safe is it?
- How will you be dispensing it?
- What are your hours of operation?
- Do you have a Certificate of Occupancy?

I appreciate everything you're telling us here but my experience from sitting on the board, it's the structure where you're going to eventually dispense it at is really key to us. I know you want the application approved but I think it would be better if you came back to us with an establishment of exactly where the establishment is going to be. We're not here to stop you.

Answer: [Shahriar Nobi] – Can I just clarify something? When we started, we had a 10,000 sq. ft. office. We had a very small space. As our business grew, our office is now three addresses. We realized we needed a day care and an IT space. We now realize we need more space for paper work which is on the second floor. I know it is very difficult for me to say I don't have a specific address that I can point to you and this is where we will be dispensing from and this is the area we would all scrutinize. But just a few hundred feet away, we have multiple locations that we are working on. The two suites upstairs are empty but we will not be operating a retail from there but there are multiple spaces that are that are opening up next door and we can utilize any of them. There is a restaurant next door that is closing and we are in talks with them about taking over. We don't want to go out in other communities because this is the community that we have been working in. We are comfortable with the area. We know the local precinct very well. We know Chief Williams and the local council members, Nantashia Williams and Linda Li. They are always in and out of our establishment. We're very invested here.

Michael Hannibal

I understand but I still feel that we need more clarity on your dispensing. You mentioned there is a nursery near by?

Answer: [Shahriar Nobil] – No. It is an Adult Day Care center where older individuals need a social setting to interact with other other people.

Michael Hannibal

Thanks for clarifying that it is not a children’s nursery. I just wanted to open up to the other members-see if I’m the only one out of step here or if there is something else.

DM Adam-Ovide – Before you go any further, please keep in mind that the Office of Cannabis Management allows them to put in applications eventhough they have not secured a space. So we have to say something because that is something they are allowing. As long as they have a location that they get their mail.

Mohammed Tohin

Without knowing a particular facility, we can’t ask certain questions. We appreciate all the good work you are doing in the community but we have a responsibility to make sure that we also serve the community. So as Michael stated, until you get your location, we cannot ask any questions.

Answer: [Shahriar Nobil] - To secure an investment, it takes a lot of money. So to put a down payment or deposit on a location and find out that we cannot have it for reasons such as coo, zoning or the state not approving it does not make sense and it has to make sense. There are just too many barriers.

Michael Hannibal

We are doing this for the first time and it’s evolving. Those are the type of questions I would ask them. The questions I have is, there should be an establishment. They may come back and say no to your application but you did do your due diligence. I don’t want us to find ourselves in a precedent where we are handing out approvals based on a concept.

Alan Ong

Just like the state liquor license authority, you have to have an establishment. There is one question here that says are you 200-500 ft away from a school or house of worship, no offense, we know you’re honest people but there may be people who will say we are in compliance with that but will find another place that is 100 ft away and we already been approved it. I couldn’t live with myself by doing that. Please understand it is our first time but we are basing it on a fundamental that is pretty solid and that is the liquor license authority and that requires an establishment. My suggestion to the chair is that we follow that and ask that question.

DM Adam-Ovide – There are different state agencies saying we are allowing this. We do have the COO for the previous applicant where we are saying we will approve it on the condition that he does this. It’s your call on what we do. We can also have him sign a legal document/stipulation that says if you approve it, he must do this, this and that and have it notarized. That’s an option. It’s up to you guys.

Chairperson Martha Taylor

We can do that. We can add a layer of what we insist that they have. It is up to us and we are not going to totally follow what the state is doing because we don't feel they are rigorous enough regulations.

Answer: [Shahriar Nobi] – I respect your decision your decision. I came here today to represent a citizen who is not only law abiding but who I would say is someone that we need in many communities. Someone who is not just a business man but who runs non medical but medical related businesses where he is in compliance and dealing with nurses and home health aides. He feels he wants to give back. Again, it's up to the board whether you think we are ready or not.

Chairperson Martha Taylor

We're gonna hold off on that until you come back with what we need to know.

Michael Hannibal

Do we have a motion to table the application for Shahriar Rahman application until he comes back with an establishment or location where he will dispense the cannabis?

Chairperson Martha Talar – Which will be ADA accessible.

Chairperson Martha Taylor made a motion seconded by Alan Ong.

Michael Hannibal

Please come back. This is not closed. This is not a rejected idea you are expousing to us. We have questions that we have. We don't want anyone from the community saying, they don't even have a place but they are selling cannabis. Not that it would happen but we just want to have further discussions before we take that on.

Alan Ong

We appreciate you going through the legal route. You mentioned all the businesses your boss is involved in. This is recreational dispensary, not medical?

Answer: [Shahriar Nobi] – Correct.

Douglas Sherman

So based on what you just answered, how does this fit into all the good work you do in the community. How does getting into cannabis fit in with the non-profit?

Answer: [Shahriar Nobi] – We're seeing a lot of high uses of hard drugs and overdosing in our community. After going to so many funerals, it led us to go to a place of how can we help and that's when we opened the non-profit. When we look at a lot of illegal smoke shops selling illegally, we strongly believe there needs to be some kind of regulation. Our community is a migrant community, they need someone who looks like them to talk to, they need someone who talks like them. So when a 13, 14, or 15 year old walks in to buy cannabis, they need to know that there is a right route to go about it. And they have to wait for a month or so or whatever the compliance is. We don't want that business for the next generation.

Douglas Sherman

It's a for profit endeavor, correct?

Answer: [Shahriar Nobil] – Are we going in for the profit, no. Then we would not have spent millions of dollars of our own money in our non-profit.

Michael Hannibal

Please come back with our questions answered.

Michael Hannibal thanked everyone who came out to our first cannabis meeting.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Nettie V. Norris, Community Board 8 Staff

December 8, 2023