

Ready, set, go: Entering the cannabis business market as state resolves hurdles

Entering the growing cannabis market in New York requires a certain amount of tenacity, according to Glenna Colaprete.

And while there are many hurdles and challenges to face when starting out, she believes it's worth the effort.



Colaprete

"Never give up," said Colaprete, owner and CEO of Glenna's CBD & Spa and owner and CEO of Glenna & Co., an adult-use cannabis cultivator. "There's a place for everyone in this space."

Colaprete was a panelist at the recent RBJ and The Daily Record's Business of Cannabis webinar where local experts discussed how the legalization of recreational marijuana is progressing and how it is affecting the overall cannabis industry in New York.

The webinar was sponsored by Glenna's CBD and Phillips Lytle.

Colaprete was joined on the panel by David L. Cook, partner at Phillips Lytle LLP and a leader of the firm's Hemp/Cannabis practice team; Zachary Sarkis, owner and operator of FLWR City Collective and Jacob Zoghlin, partner at The Zoghlin Group and chair of the firm's Cannabis Law practice/group.

Colaprete is a licensed cannabinoid cultivator, processor, distributor and retailer. She is also an adjunct professor in the horticulture program teaching regulations in cannabis cultivation at Finger Lakes Community College.

She spoke about licensing requirements and workforce development in the cannabis space, noting there are job opportunities across the state.

"This will be quite an economic boon for people potentially," she said, adding that a portion of the tax dollars generated will also go back to the community in several ways, such as through grants, drug treatment programs and educational opportunities.



Zoghlin

Colaprete said there are steps one must take to enter the cannabis industry, adding that it

is essential to have a good support system, know the laws and do the preliminary work early on so when the time comes, one is ready to move forward.



"Be totally prepared as it all rolls out," she said.

Zoghlin gave an overview of the Marijuana Regulation and Taxation Act which was signed into law by former Gov. Andrew Cuomo on March 31, 2021, legalizing the recreational use of cannabis in New York.

He spoke of the tax regulations around the new law and the implications for municipalities who opt out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses.

He also gave an overview of the extensive marketing and advertising requirements for cannabis businesses.

Zoghlin noted that the primary purpose of such marketing is to displace the illicit market and to inform consumers of the locations of licensed retail stores.



Cook

In addition, a retail licensee's marketing and advertising cannot jeopardize public health or safety, promote youth use or be attractive to people under 21, he said.

Cook spoke about zoning and agriculture districts, noting the importance of location and determining which sites would be amenable to grow operations.

"It's all about location, location, location," Cook said. "It's absolutely critical to this business."

He added that local municipalities either are, or will be, reviewing their local codes, seeking public input and implementing local code changes that could have a significant

impact on grow operations.

Cook's recommendations for future growers include targeting county-certified agriculture districts, knowing the tax benefits associated with growing in agricultural districts and obtaining a review of local laws in the event a municipality is using zoning to block necessary approvals.



Sarkis

Sarkis spoke about the culture and history of cannabis, noting its benefits go beyond financial and include spiritual and healing, as well as celebration.

"This culture has a long history and is ever evolving," Sarkis said, adding that the adult-use laws could create a cannabis sector in New York that is complementary to the region's craft food, wine and beer markets.

He added that hemp was a founding crop of the British when they came to America. It came under attack last century, with the war on drugs, which had local and global impacts. Those most negatively affected have been people of color and lower income individuals.

The industry, however, has continued to grow, Sarkis said, adding he is hoping large-scale cannabis production doesn't take away from its grass-roots beginnings.

"Despite the challenges, the cannabis industry has survived," he said.

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