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February 27, 2026

To: Cannabis Control Board
New York State Office of Cannabis Management

SMMB, Inc. License OCM-CAURD-24-000119

Dear Members of the Cannabis Control Board,

I am an attorney and for 32 years a resident of the Town of Pound Ridge (“Town”).

Pursuant to New York Cannabis Law § 133 (7) and CCB Regulation § 133.7 (a) (1) and (a) (5),¹ I hereby request that the CCB institute proceedings to revoke License OCM-CAURD-24-000119 granted to SMMB, Inc. d/b/a Purple Plains (“SMMB”) on April 3, 2024 to operate a cannabis dispensary in the Town. I also request that the CCB institute proceedings to deny renewal of that SMMB license.

¹ Cannabis Law § 133 (7) provides:

The board may on its own initiative, or on complaint of any person, institute proceedings to revoke, cancel or suspend any adult-use cannabis retail dispensary license or adult-use cannabis on-site consumption license and may impose a civil penalty against the licensee after a hearing at which the licensee shall be given an opportunity to be heard. Such hearing shall be held in such manner and upon such notice as may be prescribed in regulation by the board.

CCB Regulation § 133.7 (a) provides:

The office may suspend, cancel, or revoke any cannabis ... license ... and deny the renewal of a license ... where: (1) information provided by the licensee was deceptive, misleading, false or fraudulent, or tends to deceive or create a misleading impression, whether directly, or by omission, including lack of disclosure or insufficient disclosure ... [or] (5) a licensee or its true parties of interest did not comply with direct or indirect ownership or interest rules, or regulations....

Based on newly-discovered evidence, it is apparent that SMMB’s license application was based on information that was deceptive, misleading, false or fraudulent, in violation of Regulation § 133.7 (a) (1). Also based on this new evidence, it is apparent that in violation of Regulation § 133.7 (a) (5), SMMB’s license application did not comply with the CCB’s ownership rules set forth in Regulation § 116.4 (discussed below).

1. Background

When cannabis dispensaries became legal in New York on January 1, 2022, countless license applications were filed with the CCB. For New York corporations like SMMB, preference for a license was given under the CCB’s social and economic equity (“SEE”) program, if the corporation met two requirements:

- (1) One of the owners of the corporation was “justice involved,” defined as having a conviction of a marijuana-related offense in New York before March 31, 2021, when the Cannabis Law took effect (Regulation § 116.4 (a) (2) (i) (a), and
- (2) that justice involved individual owned at least 51% of the corporation (Regulation § 116.4 (b) (1) (i).

SMMB took advantage of that preferential treatment. In 2022, it filed application (OCMCAURD-2022-000034). On May 11, 2023, the CCB granted SMMB provisional license OCMCUARD-2022-000034. And on April 3, 2024, the CCB granted SMMB License OCM-CAURD-24-000119, which is the subject of this letter.

2. SMMB’s Corporate History and Ownership

John (Jack) Mortell incorporated SMMB in New York on April 20, 2022 (DOS ID 6462566). It was Mr. Mortell who applied in 2022 for SMMB’s CAURD license.²

² John Mortell Affirmation, ¶ 7, filed with the New York Supreme Court, Westchester County on September 30, 2024 and available at: <https://iapps.courts.state.ny.us/nyscef/ViewDocument?docIndex=00MbcBBeFN/iav6yuuG4gA==>

SMMB does business under the name “Purple Plains.” Its website ³ lists three co-owners of the company: Jack Mortell, Sophia Mortell (Jack Mortell’s daughter) and Mark Buzzetto .

Newspapers have reported that Mark Buzzetto is Sophia Mortell’s boyfriend/partner-in-life. ⁴

SMMB has never publicly disclosed the respective percentages of SMMB owned by Jack Mortell, Sophia Mortell and Mark Buzzetto. Nor until just recently has Purple Plains ever publicly disclosed the identity of SMMB’s justice involved individual that entitled SMMB to preferential treatment under the SMMB’s SEE licensing program.

Both the Town and the undersigned have requested that SMMB produce its license application documents that would disclose SMMB’s ownership percentages and the identity of SMMB’s justice involved individual.⁵ SMMB has never produced the documents.

3. SMMB’s Financing

During SMMB’s CAURD application process, Sophia Mortell spoke at the March 22, 2024 meeting of the CCB. She disclosed that SMMB had invested \$400,000 to date and was incurring \$20,000/month to rent SMMB’s store in the Town.⁶

Sophia Mortell also told the CCB at that meeting that “the money has come from our friends and our family’s retirement funds.” Since Mark Buzzetto was not a member of the Mortell family, it is apparent that Sophia Mortell’s father used his retirement funds to finance the business.

³ <https://purpleplains.com/about/>

⁴ E.g., Record Review, October 6, 2023; Mt. Kisco Bedford Times, July 1, 2024.

⁵ Town and Nathan document requests available at:
<https://iapps.courts.state.ny.us/nyscef/ViewDocument?docIndex=cPARdfKenTIyVSytT0YX3w=>
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⁶ Minutes at pp. 12-13, available at:
<https://cannabis.ny.gov/system/files/documents/2024/04/ccb-meeting-minutes-3.22.24-edited.pdf>

4. Newly-Discovered Evidence

In late 2025, SMMB publicly disclosed for the first time the identity of the justice involved individual SMMB relied on to get preferential treatment of its 2022 license application. Specifically, in the November-December 2025 issue of the Bedford & New Cannan Magazine,⁷ Mark Buzzetto, a co-owner of SMMB gave an interview where he stated:

“When New York started accepting license applications, we were applicant number thirty-four out of thousands and didn’t think we stood much of a chance. ... But our hopes were buoyed when the State published guidelines stating that applicants with a prior marijuana conviction who also owned a successful business would receive the first 150 licenses. ... And as luck would have it, I had a conviction for possession of a few joints from when I got caught in the parking lot of Shea Stadium at 18 years old while on my way to see a Mets game. I thought it was bad luck then, but it turned out to be very good luck in terms of securing the license!”

The article also stated that:

“Mark Buzzetto ... owns and operates Purple Plains together with his fiancée Sophia Mortell... We had only been dating for about a year when we decided to start the business together.”

Consistent with SMMB’ past practices, Mark Buzzetto did not disclose in the interview what percentage of SMMB he owned during SMMB’s license proceedings. To this day, neither he nor SMMB has publicly disclosed what percentage of SMMB Mark Buzzetto owns.

5. Conclusion and Action Requested

To qualify for preferential licensing treatment under the CCB’s SEE program, Mark Buzzetto -- SMMB’s justice involved individual -- had to own at least 51% of the company. Given that he was not a member of the Mortell family, it is highly unlikely that Jack Mortell and his daughter Sophia Mortell would give Mark Buzzetto at least 51% of the company formed and financed by Mr. Mortell.

SMMB has been given repeated opportunities to produce the license papers to prove that Mark Buzzetto qualified for the special treatment accorded by the CCB’s SEE

⁷ The article is available at: <https://www.bedfordnewcanaanmag.com/novdec-25>, pp. 130-139.

program. SMMB has never provided the documents. The only conclusion is that Mark Buzzetto did not qualify and that the SMMB's license should never have been granted.

Accordingly, I request that the CCB institute proceedings to revoke License OCM-CAURD-24-000119 granted to SMMB on April 3, 2024 to operate a cannabis dispensary in the Town, and to deny the renewal of that SMMB license.

Sincerely yours,

/s/ John E. Nathan

John E. Nathan

Via email to:

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William P. Harrington, Pound Ridge Town Attorney
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The proposed water supply term sheet you have on tonight's agenda would have raised more questions than it answered even if it was offered up 22 months ago. But to have a virtually meaningless term sheet like this 2 years into a project being launched is baffling to me. It is clearly non-binding on Aquarion. It is further subject to the approval of 3 Connecticut agencies. That seems implausible with the current water shortages in the Stamford area. More to the point, that approval won't even be sought until the New York Comptroller's Office approves the formation of the water district. Unless we're in Alice in Wonderland and down is up, that isn't going to happen because the Comptroller's Office doesn't do things in a backwards way. Signing this document is just Kabuki Theatre that accomplishes little. But in signing it, one thing that it does is admit the cost of the water will be materially above what was represented 22 months ago. Instead of \$34,000 per year, this document indicates a cost of \$89,000 per year or 2.6 times the initial number. I recall that the town's bond counsel at Norton Rose indicated that a material and known factual change related to the project would require that the process start over. Signing this document also potentially makes the town responsible for open-ended lobbying and legal costs. If you move ahead, I recommend that clause be modified to require pre-approval and to include a not to exceed figure. My strongest advice, however, is that you recognize that this ill-conceived and poorly planned drinking water project makes no sense and it should be ended now to avoid any further waste of time or money. Thank you.