

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Valerie De La Rosa, *Secretary*
Amy Brenna, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899
www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

FULL BOARD MINUTES

DATE: October 22, 2020
TIME: 6:30 P.M.
PLACE: Via Video Conference

BOARD MEMBERS PRESENT: Susanna Aaron, William Benesh, Keen Berger, Carter Booth (Chair), Katy Bordonaro, Amy Brenna, Richard Caccappolo, Rituy Chatree, Cloral Dawson, Valerie De La Rosa, John Paul DeVerna, Doris Diether, Robert Ely, Cormac Flynn, Joseph Gallagher, David Gruber, Susan Kent, Jeanine Kiely, Betty Kubovy-Weiss, Patricia Laraia, Michael Levine, Matthew Metzger, Daniel Miller, Brian Pape, Donna Raftery, Lois Rakoff, Bo Riccobono, Robin Rothstein, Sandy Russo, Rocio Sanz, Scott Sartiano, Shirley Secunda, Frederica Sigel, Georgia Silvera Seamans, Chenault Spence, Edgar Yoo, Susan Wittenberg, Antony Wong, Adam Zeldin

BOARD MEMBERS ABSENT WITH NOTIFICATION: Anita Brandt, Edward Ma, Shirley Smith

BOARD MEMBERS ABSENT: None

BOARD MEMBERS PRESENT/ARRIVED LATE: Akeela Azcuy, Mar Fitzgerald, Susan Gammie, Wayne Kawadler, Kristin Shea, Cathy Sullivan

BOARD MEMBERS PRESENT/LEFT EARLY: Janet Liff

BOARD STAFF PRESENT: Bob Gormley, District Manager; and Josh Thompson, Assistant District Manager

GUESTS: Senator Brad Hoylman; Eliana Cohen, Senator Brian Kavanagh's office; Shivani Gonzalez, Assembly Member Yuh-Line Niou's office; Assembly Member Deborah Glick; Luke Wolf, NYC Comptroller Scott Stringer's office; Manhattan Borough President Gale Brewer; Matt Green, Council Speaker Corey Johnson's office; Irak Cehonski, Council Member Carlina Rivera's office; Anthony Drummond, Council Member Margaret Chin's office; Jane Carey, Pete Davies, Pari Dulac, Eric Gilliland, Marna Lawrence, Nancy Pasley, Carlos Suarez, David Rabin, Joe DiMondi

MEETING SUMMARY

Meeting Date – October 22, 2020
Board Members Present – 43
Board Members Absent with Notification – 3
Board Members Absent - 0
Board Members Present/Arrived Late - 6
Board Members Present/Left Early – 1

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	2
ELECTED OFFICIALS' REPORTS	2
ADOPTION OF MINUTES	3
BUSINESS SESSION	3
STANDING COMMITTEE REPORTS	3
EXECUTIVE	3
LANDMARKS AND PUBLIC AESTHETICS	8
QUALITY OF LIFE	10
SLA LICENSING	11
TRAFFIC & TRANSPORTATION	33

II. PUBLIC SESSION

Non-Agenda Items

Whitney Museum of American Art

Jane Carey spoke regarding the museum's upcoming plans for virtual programming.

Soho/Noho Rezoning

Pete Davies, spoke against the rezoning plan and informed everyone regarding the Dept. of City Planning's meeting Monday, October 26th.

Joe DiMondi spoke against the rezoning proposal.

Pari Dulac spoke regarding the rezoning proposal.

Open Restaurant Program

Eric Giliand, Carlos Suarez, and David Rabin all spoke in favor of the City's Restaurant Outdoor Dining Program.

Marna Lawrence and Nancy Pasley spoke regarding resident issues with restaurants participating in the outdoor dining program.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Senator Brad Hoylman

Eliana Cohen, Senator Brian Kavanagh's office;

Shivani Gonzalez, Assembly Member Yuh-Line Niou's office

Assembly Member Deborah Glick

Luke Wolf, NYC Comptroller Scott Stringer's office

Manhattan Borough President Gale Brewer

Matt Green, Council Speaker Corey Johnson's office

Anthony Drummond, Council Member Margaret Chin's office

Irak Cehonski, Council Member Carlina Rivera's office

IV. ADOPTION OF MINUTES

Adoption of September minutes

V. BUSINESS SESSION

1. **Chair's Report** Carter Booth reported.

2. **District Manager's Report** Bob Gormley reported.

STANDING COMMITTEE REPORTS

EXECUTIVE

CB2 Capital Budget Requests (FY 2022)

1. Allocate funds for the permanent preservation of Elizabeth Street Garden, in its entirety, on land owned by NYC Department of Citywide Administrative Services, on a through lot on Elizabeth Street and Mott Streets, between Prince and Spring Streets. (DCAS/DPR)
2. Allocate funds for the 100,000 square foot Bleecker Street School. (SCA)
3. Allocate funds for technology improvements, including smartboards, laptops and computers for PS 3, PS 41, PS 130, MS 297, P721, P751, Broome Street Academy, Chelsea Career and Technical Education High School, City-As-School High School, Harvest Collegiate High School, Harvey Milk High School, NYC iSchool. (DOE)
4. Allocate funds for resiliency efforts to shore up the west side of Community District 2 along the Hudson River Park. (DEP)
5. Allocate funds for full branch renovation of Hudson Park Library. (NYPL)
6. Allocate funds for the complete renovation of Vesuvio Playground. (DPR)
7. Allocate funds for the complete renovation of the Tony Dapolito Recreation Center. (DPR)
8. Allocate funds to P.S. 3 for gymateria dividers to increase flexibility and use, weatherproofing of rooftop playground. (DOE)

9. Allocate funds to Greenwich House to make its Music School (44-46 Barrow Street) ADA compliant and to undertake a general upgrade to allow the building to more efficiently serve the community. (Dept. Cultural Affairs)
10. Allocate funds to install an irrigation system to the planted area in Seravalli Playground. (DPR)
11. Allocate funds to the New York Studio School (NYSS, non-profit -134-6167281)) to replace seven (7) historic windows in the Gertrude Vanderbilt Whitney Studio space. (Dept. Cultural Affairs)
12. Allocate funds for Horatio greenstreet West 4th and 8th Avenue wall (to have the wall removed and have the garden match the design of the one across 8th Avenue). (DPR)
13. Allocate funds to build STEAM and Literacy programs including a Wet Lab, Maker Space, Literacy Lab and Library / Media Center as well as to add water bottle refilling stations at City-as-School High School. (DOE)
14. Allocate funds to the Fire Museum for new carpeting in its second floor gallery. (Dept. Cultural Affairs?)
15. Allocate funds for the update / renovation of Minetta Playground. (DPR)

CONTINUING SUPPORT

TRAFFIC & TRANSPORTATION

- Reconstruct Clarkson St. from West St. to Greenwich St. including repair & replacement of Belgian blocks and installation of a granite bicycle lane.
- Concrete widening of the subway triangle on 7th Ave. S. btw. Grove and Christopher Sts. and on Grove St. bet. W. 4th St and 7th Ave. S.
- Install traffic safety improvements: added crosswalks and striping, bollards, planters, a speed hump and street re-grading, on W. 4th St. approaching 6th Ave. (Ave. of the Americas), including Cornelia St., and change traffic light signal phasing to a split phase cycle.
- Install granite strip bicycle lane on Morton St. btw. West St. and Washington St.
- Repair and replace Belgian blocks on Bond St., btw. Broadway and the Bowery, on Wooster St. btw. Houston and Canal Sts., on Gansevoort and Little West 12th Sts. btw. 9A and 8th Ave., and on 14th St. btw. 9th Ave. and Route 9A.

PARKS & WATERFRONT

- Little Red School plaza redesign and renovation
- DeSalvio Playground renovation
- Mercer playground re-imagining
- Tony Dapolito Center repairs
- Re-development of DEP-owned sites at Lafayette and Grand Streets and on East 4th Street between Lafayette Street and Cooper Square
 - CS - Passannante ball field surface and drainage – was supposed to be done Spring, 2020, but has been delayed to 2021
- Last year we requested “Allocate funds for repair needs at JJ Walker courts and park”. State Senator Hoylman allocated \$62,500 through participatory budgeting to convert one handball court

into a basketball court; repair or replace the netting atop the handball courts; repair or replace the scoreboard; install no smoking signs in the park.

- Last year we requested “Allocate funds for replace the fence at the Time Landscape and re-think the area completely.” And then in our November 2019 committee meeting, we decided to focus on the damaged fence. State Senator Hoylman allocated \$62,500 through participatory budgeting to replace the fence around the Time Landscape to make it more secure.

CB2 Expense Budget Requests (FY 2021)

1. Allocate funds to hire additional DOT inspectors to work nights and weekends to conduct enforcement and compliance of Open Restaurant guidelines. (DOT)
2. Extend the protected bicycle lane on 6th Ave. (Ave. of the Americas) from 8th St./Greenwich Ave. to Canal St. (DOT)
3. Allocate funds to allow DCP to coordinate with City and State agencies to commission a comprehensive inventory—by both quantity and type—of all the current affordable housing in the district. (DCP)
4. Allocate funds for more frequent trash removal, and/or for larger-capacity, sanitary, trash bins in Parks. (DPR)
5. Allocate funds to create signage/markers/public art acknowledging and celebrating the rich history and contributions of the African Diaspora within CB2. (Dept of Cultural Affairs)
6. Allocate funds for the DSNY to evaluate the quantity and condition of trash containers, evaluate pick-up schedules and adjust them as necessary, design rat-resistant trash containers, and improve trash removal by providing more frequent litter basket collection, especially on weekends and around spaces that attract a large volume of people. (DSNY)
7. Allocate funds for the [NYC Men Teach](#) to recruit, train and retain talented non-traditional public school educators in order to close the representation gap between our students and those that teach them. (DOE)
8. Allocate funds to enable the Street Activity Permit Office (SAPO) to conduct a study on the effects that full street closures for commercial events have on neighboring businesses and residents. (SAPO)
9. Install a fully continuous shared street on University Pl. all the way from 14th St. to W. 4th St., as soon as feasible, considering provision for deliveries, drop-off/pickups, emergency and other necessary access. Conduct a Phase 2 study on the potential for installing a greenway on University Pl. from 14th St. to W. 4th St. where it would connect with Washington Sq. Park. (DOT)
10. Allocate funds to the Health & Hospitals Corporation for a follow-up Community Health Assessment to examine Lenox Hill Greenwich Village stand-alone emergency department model (HHS)

11. Conduct a study, including test applications and evaluations, of curbside access for package deliveries by commercial vehicles (especially in response to greater Covid 19 pandemic demand), taxi and car service pick-up and drop-off, and loading and unloading of personal vehicles in CB2, with test areas selection based on community input. (DOT)
12. Allocate funds for mandatory diversity, equity, inclusion, and anti-bias training to all incoming and current Community Board Members. (CHR)
13. Allocate funds to increase staff to support the identification of properties that are being or have been modified without proper permits and to monitor and verify that modifications and construction are carried out according to approved applications. (LPC)
14. Allocate funds for a washing machine and dryer to give students access at MS 297 and City-as-School High School. (DOE)
15. Traffic safety improvements at Cooper Sq. Plaza crossing (4th Ave. to Bowery at E. 6th St.) (DOT)
16. Reduce speeding and directional impacts at the pedestrian crossing on the east side of W. 8th St. at 6th Ave. (DOT)
17. Allocate funds for curriculum development and teacher training for Culturally Responsive – Sustaining Education in our district’s public schools. (DOE)
18. Allocate funds to maintain FY 2021 expense funding for all CB2 libraries. (NYPL)
19. Allocate funds to enable the Mayor’s Office of Media and Entertainment (MOME) to conduct enforcement and compliance of film and television permits. (MOME)
20. Allocate funds to hire additional DCA inspectors to work nights and weekends to conduct enforcement and compliance of sidewalk café regulations. (DCA)
21. Allocate funds to Greenwich House to collect data on seniors. (DFTA)
22. Allocate funds for outreach services to homebound older adults and for programs that allow the elderly to age in place. (DFTA)
23. Allocate funds to maintain most recent baseline funding for arts education. (DOE)
24. Allocate funds for effective rat control throughout Community District 2 parks. (DPR)
25. Allocate funds to [BE NYC](#) to support entrepreneurship throughout CB2. (SBS)
26. Install temporary protective barriers to the bike lane on West Houston St. btw. Washington and West Sts. to provide safer access to the Hudson River Park greenway, until more permanent safety improvements can be added. (DOT)
27. Allocate funds to provide outreach and treatment that targets individuals who are using drugs on NYC streets. (DOHMH)

28. Allocate funds to enable the Street Activity Permit Office (SAPO) to conduct enforcement and compliance of street activity permits. (SAPO)
29. Allocate funds to plant new street trees and prune existing trees more frequently throughout Community District 2 as we have had several storm events over the last year that have resulted in great damage and loss as well as risk to people and property. (DPR)
30. Allocate funds for teacher training and reading and writing curricula that use a structured literacy approach. (DOE)
31. Allocate funds to ensure sufficient staff to review and evaluate the increased number of proposals that are reviewed by staff that would have come to the community board for public review under the prior rules. (LPC)
32. Conduct a holistic study of CB2's streets surrounding and including the 14th St. TTP (busway) and how they relate to each other, including observations and analysis of traffic conditions, examination of relevant busway/bus lane) examples in other cities and traffic counts before and after the coronavirus pandemic. (DOT)
33. Allocate funds from DFTA to implement suggested improvements recommended by the NYC Comptroller to address problems related to retroactive contracts. (DFTA)
34. Allocate funds to maintain FY 2021 arts and cultural funding for CB2 community centers, such as Greenwich House, the LGBT Center, Center on the Square Neighborhood Senior Center and Our Lady of Pompeii Senior Center. (Dept. of Cultural Affairs)
35. Allocate funds for staffing of gates and expanded hours at Jefferson Market Garden. (DPR)
36. Allocate and baseline additional funds for arts education, faculty and classrooms in our district's public schools based on CPI. (DOE)
37. Allocate funds to educate residents on compost recycling and drop-off locations and possibly reinstitute residential composting in CB2. (DSNY)
38. Address continuing congestion problems on E. 12th St., focusing on 12th btw. Broadway and 5th Ave. problem area and placard parking abuses on 12th btw. University Pl. and Broadway. (DOT)
39. Allocate additional funds from DFTA to cover overhead reimbursements for Greenwich House. (DFTA)
40. Allocate funds to Ars Nova to support its Ticket Subsidy Program. (Dept. Cultural Affairs)
41. Allocate funds to increase the number of Learn to Swim programs. (DPR)
42. Allocate funds to Tenant Legal Services so it can increase staff and expand its program to Community District 2. (HRA)
43. Allocate funds for a re-imagining of the Playground of the Americas. (DPR)

44. Install traffic safety improvements at the intersection of Waverly Pl., Christopher and Grove Sts. (Stonewall Natl Monument area), including neckdowns, sidewalk extensions, daylighting, stop signs, improved directional signage. (DOT)
45. Allocate funds for computer upgrades for Greenwich House Behavioral Services programs. (DFTA)
46. Allocate funds to add benches at Minetta Triangle Park. (DPR)
47. Reduce pedestrian/vehicular conflicts at the southwest side of Christopher St. and Greenwich Ave. (DOT)
48. Allocate funds to add benches at Golden Swan Park. (DPR)
49. Install split phase signalization, and bulb out plus daylight the n.e. corner of W. 13th St. and Greenwich Ave. (DOT)
50. Allocate funds to repair the drainage problem apparently resulting from the installation of new fences at the LaGuardia Garden. (DPR)
51. Conduct a study of the blocks with and/or impacted by design changes related to dangerous traffic conditions on Jane St. btw. Greenwich and 8th Aves. and at the W. 13th St./Greenwich Ave./Horatio St. intersection, including Jane btw. Greenwich and 8th Aves., Greenwich btw. 8th Ave. & Jane, Horatio btw. W. 4th St. and 8th Ave. and W. 13th approaching Greenwich Ave./Horatio St. (DOT)
52. Install louvers on traffic light at Carmine St. on Bedford St. (DOT)

LANDMARKS AND PUBLIC AESTHETICS

1. ***363 Lafayette St.** - Application is to establish a Master Plan regarding painted wall signs.

(withdrawn by the Landmarks Commission)

2. ***81 Horatio St.** - Application is to replace all windows at the front facade.

Whereas:

- A. The proposed windows have a “tilt and turn” mechanism and are in wood; and
- B. The drawings clearly show that there are marked differences between the design of the window and a conventional, historic design, especially with respect to the appearance of the inward tilt when the windows are in the open position; and
- C. This appearance is unacceptable in an intact historical building in a landmarked district; now

Therefore be it resolved that CB2, Man. recommends:

Denial of this application; and

That conventional double-hung windows in wood are the only acceptable replacement for the existing windows in an intact historical building in a landmarked district.

Vote: Unanimous, with 43 Board members in favor.

3. *109 Bank St. - Application is to construct rooftop and rear yard additions.

- A. The rooftop room, including solar panels, is modest and well set back from the facade and is minimally visible only from a distant point; and
- B. Flues on the adjacent building are extended to provide required clearance for the rooftop room and, though somewhat visible, are not objectionable; and
- C. The existing greenhouse type extension on the basement and first floors is to be demolished and replaced with masonry and large multi-pane windows typical to those approved by the Landmarks Commission for row houses the village; and
- D. The existing second and third floor facades are rebuilt with the original window configurations; and
- E. The second-floor rear facade is to be modified with a two-bay width bay window extending onto the roof terrace of the extension and a door replacing the third window; and
- F. The Committee was evenly divided in favor and in opposition to the resolution on the issue of the second-floor facade modification; now

Therefore be it resolved that CB2, Man. recommends **approval** of this application.

Vote: Passed, with 41 Board members in favor, and 2 in opposition (K. Bordonaro, C. Spence).

4. *130 Prince St. - Application is to replace an existing visible rooftop penthouse with a new less visible penthouse, construct a non-visible pergola and mechanical enclosure on the roof, install railings along the perimeter of the roof, modify windows at the 5th Floor setback terrace; and at the base, enlarging an egress door and modifying a storefront door to a storefront window.

- A. A contemporary building and a historic garage are united into one building with a continuous rooftop; and
- B. Fifth floor set-back windows are changed to a size and style more suited to the building; and
- C. The minor alterations to the ground floor infill are modest and acceptable; and
- D. The existing penthouse is on the contemporary building with small intrusion onto the historic building and the remainder of the roof is terrace space; and
- E. There is an existing 74-711 agreement on the building concerning the façade and the modifications to not materially change the provisions of the agreement; and
- F. The existing penthouse is to be demolished; and

G. An oval plan pavilion style conference room with a domed copper/nickel roof and glazed walls is on the east side of the rooftop; an open pergola of similar shape and metal slat concave roof on the west side and mechanical equipment, covered by an oval metal fence, on the south side; and

H. The remainder of the roof is a terrace finished with masonry and plantings; and

I. The south parapet wall remains in the present condition; and

J. The roof of the conference room is slightly visible from a far distance on one street and does not disturb the roofscape of the neighborhood; and

K. There was considerable oral and written email testimony expressing concerns regarding the potential negative impact of noise and security issues of roof access in the adjoining building; and

L. The presenter agreed to take these concerns to the applicant; and

M. The Committee determined that, though the potential noise in surrounding buildings is not a direct landmarks consideration, the design of the structures and open roof is, and though considerably changed in its visual aspect, it is essentially the same as the existing condition with an enclosed penthouse and open terrace space; and

N. The Committee determined, because the south parapet is not being altered, there is no change the security issue from the existing condition; now

Therefore be it resolved that CB2 Man. recommends **approval** of this application.

Vote: Unanimous, with 43 Board members in favor.

QUALITY OF LIFE

1. October 16-18, 2020: MOCA Workshop and Window Exhibits (Museum of Chinese in America): Howard St. between Centre St. and Lafayette St. [full street closure].

Whereas, the applicant was not aware that this application was on our agenda in September 2020 but asked to appear this month to speak on behalf of this application and provide the community with as many details as possible for this event; and

Whereas, the event has already occurred but the committee had no objections based on the description of the event from the applicant and wished MOCA well in its endeavor to reopen and recover the museum from its devastating fire last year; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the application for the **MOCA Workshop and Window Exhibits (Museum of Chinese in America): Howard St. between Centre St. and Lafayette St. [full street closure]** between October 16-18, 2020.

Vote: Unanimous, with 43 Board members in favor.

FYI/Street Activity Renewals:

2. 11/23/20 – 12/24/20 – South Village Farmers Market (David Gruber): 6th Avenue between Carmine St. and West 3rd St.

Whereas, no member of the community called out this renewal application for a public hearing and no member of the public appeared to oppose or support this application.

Therefore Be It Resolved that CB2, Man. recommends **approval** of this renewal application provided that the application conforms with all applicable laws, rules, and regulations and clearance requirements

Vote: Unanimous, with 43 Board members in favor.

SLA LICENSING

1. CATO Wine, LLC d/b/a Temperance Wine Bar, 38-40 Carmine St. 10014 (New Tavern Wine)

i. Whereas, the Applicant and the Applicant's attorney appeared before CB2, Manhattan's SLA Licensing Committee to present an application to the NYS Liquor Authority for a new Tavern Wine Liquor License to operate a high-end modern Wine Bar in the in a ground floor storefront on Carmine Street between Bedford and Bleecker Streets within the West Village Historic District; and

ii. Whereas, the storefront premises to be licensed is to be located in a four-story residential townhouse building in a R-6 residentially-zoned area, the ground floor space would be approximately 1,500 sq. ft. and the basement space (with employee access only) would be approximately 1,500 sq. ft. for a combined interior space of 3,000 sq. ft.; and

iii. Whereas, the premises was previously operated as a Asian restaurant (Baba Garden, LLC) with a restaurant wine license, the Applicant plans to alter that method of operation to the extent that they will be adding a large stand up bar and removing a full-service kitchen, the existing storefront premises has operable French doors running along the front façade of the building, the planned interior premises will include 7 tables with 32 patron seats, one (1) stand up bar with 15 seats and five (5) additional counter seats for a combined internal seating of 52; and,

iv. Whereas, the Applicant also plans to extend its licensed operations to a rear yard and to a sidewalk café, but the letter of no objection (LNO) provided (dated 9/23/2020) only states use of the First (1st) Floor for Eating or Drinking Establishment, Use Group 6, and does not specify no objection use/occupancy in the rear yard is permissible, the Applicant proposing to add 22 exterior patron seats using one (1) counter, and three (3) tables with one (1) table being used in a communal manner, from 10AM to 10PM every day/evening; and

iv. Whereas, the proposed interior hours of operation will be Sunday to Saturday from 10AM to 12AM, all patrons will be cleared and no patrons will remain after stated closing times, music will be quiet background only consisting of music from iPod/CD's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed by 10PM every night, the proposed sidewalk café (if permitted with DCA permit) closing by 10PM during the week and 11PM on Fridays/Saturdays, there will be no DJs, no promoted events, no live music, no scheduled performances or cover fees, there will be no TV's; and,

v. **Whereas**, the Applicant was given an opportunity to withdraw the rear yard extension from its application, there being no permit for such use/occupancy, the premises being in a residential zoned area and building, the legacy claims not being supported by LNO or CO, there being no other significant objections raised with the Application other than the proposed rear yard use/occupancy for the tavern wine license; and,

vi. **Whereas**, should the Applicant withdraw the rear yard from the instant application, CB2, Man. requests the following stipulations/conditions be imposed on the license as follows:

1. Premises will be advertised and operated as a playful, modern wine bar with an extensive by-the-glass wine list.
2. Will operate with less than a full-service kitchen but will serve food during all hours of operation.
3. The hours of operation will be Sunday through Saturday from 10AM to 12AM on the interior and from 10AM to 10PM in the backyard. No patrons will remain after stated closing time.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
5. Will not have televisions.
6. Sidewalk café is not included with this application.
7. Will play quiet ambient recorded background music only from iPod/CD's (i.e. no active manipulation of music – only passive prearranged music). No music will be audible in any adjacent residences at any time. There will be no speakers or music in the backyard at any time.
8. Will close all doors and windows at 10PM every night.
9. Will not install or have French doors, operable windows or open façades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein
15. Will not have: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
16. Will abide by all NYC Open Restaurants regulations.

vii. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Tavern Wine Liquor License for **CATO Wine, LLC d/b/a Pending, 38-40 Carmine St. 10014**; and

BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the SLA.

Vote: Unanimous, with 43 Board members in favor.

2. Guokui Management, Inc. d/b/a Crop Circle, 126 MacDougal St. 10012 (New RW – Previously unlicensed location)

i. Whereas, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the NYS Liquor Authority for a new Restaurant Wine license to operate an Asian fast casual restaurant serving “Guokui” (Asian pizza), dumplings, rice noodle rolls and soups in a six-story, mixed-use building (circa 1890’s), Zoning Designation R7-2, Block and Lot Number 54/12 on MacDougal Street between West 3rd and Bleecker Streets within NYC LPC’s South Village Historic District; and,

ii. Whereas, the storefront premises is approximately 690 sq. ft. on the ground floor and had been previously operated as a fast service sushi restaurant without the service of alcoholic beverages; this particular location having never previously operated with a liquor license; there will be three (3) tables and 12 seats for a total patron occupancy of 12 persons, there is no DCA sidewalk café at this time or other outdoor space for the service of alcohol, all doors and windows will be closed by 9PM every night, the premises has one bathroom for patron use and one entrance door will be used for patron ingress and egress; and

iii. Whereas, the Applicant’s hours of operation are 11AM to 2AM seven (7) days a week, music will be quiet background only consisting of music from iPod/CDs (i.e., no active manipulation of music – only passive prearranged music), there will be no dancing, no DJs, no live music, no scheduled performances, no private parties, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; and

iv. Whereas, the Applicant has executed and has had notarized a Stipulation Agreement with CB2, Man. which will be incorporated into the Method of Operation of the SLA Restaurant Wine license, with those stipulations with respect to the premises, as follows:

1. Premises will be advertised and operated as an Asian fast-food restaurant selling “Guokui,” dumplings, rice noodle rolls and soups with the kitchen open and full menu items available until closing every night.
2. Will operate as a full-service restaurant serving Asian fast food specializing in “Guokui” with the kitchen open and full menu items available until closing every night.
3. The hours of operation will be Sunday through Saturday from 11AM to 2AM. No patrons will remain after stated closing time.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including sidewalk café).
7. Sidewalk café is not included with this application.
8. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows at 9PM every night.
10. Will not install or have French doors, operable windows or open façades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will ensure there is an accessible bathroom for patrons available at all times.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.

15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein
17. Will not have: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
18. Will abide by all NYC Open Restaurants regulations.

v. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine license for **Guokui Management, Inc. d/b/a Crop Circle, 126 MacDougal St. 10012**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA License.

Vote: Unanimous, with 43 Board members in favor.

3. UP 51 LLC, DBA Upside Pizza, 51 Spring St. 10012 (TW – Restaurant/Pizzeria)

i. **Whereas**, the Applicant and his Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new Tavern Wine license to operate a pizzeria restaurant within a corner storefront premises in a five-story, mixed use building (circa 1900), Zoning Designation C6-2, Block and Lot Number 495/42 at Spring and Mulberry Streets in Nolita; and

ii **Whereas**, the storefront premise has been previously operated for years as Pomodoro Restaurant with a Restaurant Wine license #1029227, the applicant is not planning to make any significant structural changes to the interior or exterior of the premises except for interior decoration and new restaurant signage, the method of operation being consistent with the prior operation of the storefront premises for eating and drinking; and,

iii. **Whereas**, the interior 2-story premises will occupy approximately 1,500 sq. ft with 900 sq. ft. on the ground floor and an additional 600 sq. ft in the basement with no patron access or use of the basement space, and has three (3) tables with 11 seats and one (1) bar with 5 seats for a total of 16 interior seats with the bar and food counter connected; there is a 320 sq. ft. sidewalk café with four (4) exterior tables and 20 seats, and other than the sidewalk café there are no other outdoor areas for patrons; there is one patron bathroom; there is one entrance door that will be used for patron ingress and egress, there are no operable windows or French doors and all doors and windows will be closed by 9PM every night; there are acceptable changes planned to renovate the front exterior facade; and,

iv. **Whereas**, the operator met with neighbors and agreed to operate with hours of operation from 11AM to 12AM Sunday through Wednesday, from 11AM to 2AM Thursday through Saturday, music will be quiet background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music), all existing doors and windows will be closed by 9 PM, the sidewalk café will close by 10PM Sunday through Wednesday and 11PM Thursday through Saturday; there will be no dancing; no DJs; no live music; no scheduled performances, no private parties, no cover fees or promoted events; no televisions; no velvet ropes or moveable barricades; no security personnel/door staff; and,

v. **Whereas**, the Applicant has executed and has had notarized a Stipulation Agreement with CB2, Man. which will be incorporated into the Method of Operation of the SLA Tavern Wine license, with those stipulations with respect to the premises, as follows:

1. The premises will be advertised and operated as a by-the-slice New York Pizzeria Restaurant.
2. Will operate with less than a full-service kitchen but will serve food during all hours of operation.
3. The hours of operation will be from 11AM to 12AM on Sunday to Wednesday and from 11AM to 2AM Thursday through Saturday. No patrons will remain after stated closing time.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in such a manner.
5. The premises will have no televisions or projectors.
6. Will not operate a backyard garden or any outdoor area for commercial purposes.
7. Will operate a sidewalk café no later than 10PM Sunday to Wednesday and 11PM Thursday through Saturday (all tables and chairs will be removed at this hour).
8. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows at 9PM every night.
10. Will not install or have French doors, operable windows or open façades.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein
15. Will not have: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
16. Will abide by all NYC Open Restaurants regulations.

vi. Whereas, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine application to **UP 51 LLC, d/b/a Upside Pizza, 51 Spring St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Restaurant Wine License.

Vote: Unanimous, with 43 Board members in favor.

4. Steam Shanghai Inc., 470 6th Avenue, 10011 (RW – Restaurant Wine)

i. **Whereas**, the Applicant’s attorney appeared before CB2, Manhattan’s SLA Licensing Committee to present an application to the NYS Liquor Authority for a new Restaurant Wine license to operate modern restaurant serving popular and familiar dishes from Shanghai with full menu in a three-story, mixed-use building (circa 1900’s), Zoning Designation C1-6, Block and Lot Number 575/3 on Sixth Avenue between 12th and 11th Streets; and,

ii. Whereas, the storefront premises will occupy approximately 1,645 sq. ft with 1,180 sq. ft. on the ground floor and an additional 465 sq. ft in the basement with no patron access or use of the basement space; and has three 15 tables with 42 seats and one (1) bar with no (0) seats for a total of 42 interior seats;

iii. Whereas, the premises had previously been licensed and operated for eating and drinking with an on-premise liquor license as Horchata, d/b/a BLT Burger NYC, LLC doing business from 2006 to 2019; and

iv. Whereas, the Applicant's hours of operation are 11:30AM to 10:00PM seven (7) days a week; there is no DCA sidewalk café at this time or other outdoor space for the service of alcohol, all doors and windows will be closed by 9PM every night, the premises has two bathrooms for patron use, music will be quiet background only consisting of music from iPod/CD's (i.e. no active manipulation of music – only passive prearranged music); there will be no dancing; no DJ's; no live music; no scheduled performances, no private parties, no cover fees or promoted events; no televisions; no velvet ropes or metal barricades; no security personnel/door staff; and

v. Whereas, the Applicant has executed and has had notarized a Stipulation Agreement with CB2, Man. which will be incorporated into the Method of Operation of the SLA Restaurant Wine license, with those stipulations with respect to the premises, as follows:

1. Premises will be advertised and operated as a modern restaurant serving popular and familiar dishes from Shanghai.
2. Will operate with less than a full-service kitchen but will serve food during all hours of operation.
3. The hours of operation will be Sunday through Saturday from 11:30AM to 10PM Sunday through Saturday. No patrons will remain after stated closing time.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
5. Will have no more than one (1) television no larger than 42" (there will be no projectors).
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including sidewalk café).
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows at 9PM every night.
10. Will not install or have French doors, operable windows or open façades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
14. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein
16. Will not have: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
17. Will abide by all NYC Open Restaurants regulations.

vi. Whereas, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine license for **Steam Shanghai Inc., 470 6th Avenue, 10011**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA License.

Vote: Unanimous, with 43 Board members in favor.

5. Le Poisson Rouge Group NYC LLC, 158 Bleecker Street 10012 (OP – Corporate Change)

i. Whereas, the Applicants appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for NYS Liquor Authority for a for a corporate change of ownership to an existing On-Premises License (SN 1199817, exp. 5/31/22) to reflect a change in ownership resulting from the purchase by the majority interest holder of the outstanding minority interest; the Applicant will continue to operate a live music venue in a R7-2 zoned (with a C1-5 overlay) 11-story, mixed-use building constructed in 1910 on Bleecker St. between Thompson and Sullivan Sts. (Block #525/Lot #7501) which is located in the Greenwich Village Historic District; and

ii. Whereas, while ownership of the Applicant will be vested in a single principal, there will be no change in the operation of the business, which will continue to function as a live music and entertainment venue in a space with 59 tables with 238 seats, two (2) bars with no (0) seats, and a maximum occupancy of 800 persons; the premises has two (2) entrances, two (2) exits, and five (5) bathrooms; and

iii. Whereas, there will be no changes to the existing Method of Operation: all stipulations previously agreed-to by the Applicant will remain in effect, including hours of operation of 12PM to 2AM Sundays through Wednesdays, and 12PM to 4AM Thursdays through Saturdays; and

iv. Whereas, the Applicant is a valued contributor to the Greenwich Village cultural scene and provides an important venue for the performance of live music in genres ranging from classical to popular, while additionally serving as a venue for other forms of live entertainment, and CB2, Man. supports the efforts of the Applicant to maintain this establishment in the face of the economic and social uncertainties caused by the COVID-19 pandemic; and

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the SLA On-Premises license, with those stipulations with respect to the premises, as follows:

1. Premises will be advertised and operated as live art and music venue.
2. Will operate with less than a full-service kitchen, but will serve food during all hours of operation
3. The hours of operation will be Sunday through Wednesday from 12PM to 2AM and Thursday through Saturday from 12PM to 4AM. No patrons will remain after stated closing time.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
5. Will not have any televisions
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including sidewalk café).
7. Sidewalk café is not included with the corporate change application.
8. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows at 10PM every night.
10. Will not install or have French doors, operable windows or open façades.
11. Will not make changes to the existing façade except to change signage or awning.

12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not apply for a cabaret license.
17. Will not have dancing
18. Will abide by all NYC Open Restaurants regulations.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a corporate change to the existing On-Premises License (SN 1199817) in the name of **Le Poisson Rouge Group NYC LLC, 158 Bleecker Street 10012**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA On-Premises License.

Vote: Unanimous, with 43 Board members in favor.

THE FOLLOWING ARE RESOLUTIONS FOR ALL APPLICANTS THAT WERE LAID OVER, WITHDRAWN, OR DID NOT APPEAR BEFORE THEIR REQUESTED HEARING:

6. Downtown Restaurant Company, LLC d/b/a Cipriani Downtown, 372-376 W. Broadway 10012 (OP – Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested **to withdraw** this application from further consideration at this time, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Downtown Restaurant Company, LLC d/b/a Cipriani Downtown, 372-376 W. Broadway 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

7. Ruby’s United, LLC d/b/a The Happiest Hour, 121 W. 10th St. aka 18-20 Greenwich Ave. 10011 (OP – Bar/Tavern)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested **to withdraw** this application from further consideration at this time, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **Ruby's United, LLC d/b/a The Happiest Hour, 121 W. 10th St. aka 18-20 Greenwich Ave. 10011** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

8. CGM-GH, LLC and Paige GH Group, LLC d/b/a The Chester, 18 Ninth Ave. 10014 (OP – Restaurant in Hotel)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested to withdraw this application from further consideration at this time, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **CGM-GH, LLC and Paige GH Group, LLC d/b/a The Chester, 18 Ninth Ave. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

8. MA. GA. GE. Food, LLC d/b/a The Coppola Café, 171 W. 4th St. 10014 (TW – Tavern Wine)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested to layover this application to November/2020 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **MA. GA. GE. Food, LLC d/b/a The Coppola Café, 171 W. 4th St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

9. Gigi's of Mulberry, Inc. d/b/a Mulberry, 149 Mulberry St. 10013 (OP – Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested **to layover** this application to November/2020 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **Gigi's of Mulberry, Inc. d/b/a Mulberry, 149 Mulberry St. 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

10. CCFC 62 Spring, LLC, d/b/a Chef's Club Counter, 62 Spring St. 10012- (Restaurant; Class Change – Upgrade from RW)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested **to layover** this application to November/2020 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **CCFC 62 Spring, LLC, d/b/a Chef's Club Counter, 62 Spring St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

11. Entity to be formed by Steven Berkson d/b/a TBD, 316 Bowery 10012-(OP – Restaurant/Lounge)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested **to layover** this application to November/2020 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Entity to be formed by Steven Berkson d/b/a TBD, 316 Bowery 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the

SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

12. St. Tropez SoHo, LLC d/b/a St. Tropez SoHo, 194-196 Spring St. 10012 (Restaurant; Class Change – Upgrade from RW)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested **to layover** this application to November/2020 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **St. Tropez SoHo, LLC d/b/a St. Tropez SoHo, 194-196 Spring St. 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

13. Piacere Enterprises, LLC, 351 Broome St. 10013-(Restaurant; Class Change – Upgrade from RW)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested **to layover** this application to November/2020 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **Piacere Enterprises, LLC, 351 Broome St. 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

14. Third Street Jazz Café, Inc. d/b/a Zinc Espresso & Jazz, 82 W. 3rd St. 10012-(OP – Bar/Tavern)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2020 the Applicant requested **to layover** this application to November/2020 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **Third Street Jazz Café, Inc. d/b/a Zinc Espresso & Jazz, 82 W. 3rd St. 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

15. MM 130 Bowery Restaurant Corp. d/b/a Capitale, 130 Bowery 10013 (Catering OP – Corporate Change)

i. Whereas, the Applicant appeared before CB2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a corporate change of ownership for an existing Catering On-Premises License (SN 1121708, exp. 9/30/22) to reflect a change in ownership resulting from the departure of a minority interest holder and the addition of a new minority interest holder, who has been promoted from the company’s director of operations to chief operating officer; the Applicant will continue to operate a private-event space in a C6-1G/C6-2G zoned (use group 9A) two-story, commercial building constructed in 1895 on the Bowery between Broome and Grand Sts. (Block #470/Lot #61) and which is located in the former Bowery Savings Bank, an individual landmarked building; and

ii. Whereas, while a minority interest in the Applicant will change hands, there will be no change in the operation of the business, which will continue to function as a private-event venue in a space of approximately 15,000 sq. ft. (distributed among a cellar, first floor, and mezzanine) and a maximum occupancy of 810 persons, with the number of chairs, tables and overall seating determined by the specific requirements of the individual events held therein; the premises has two (2) entrances, five (5) exits, and eight (8) bathrooms; and

iii. Whereas, there will be no changes to the existing Method of Operation: all stipulations previously agreed-to by the Applicant will remain in effect, including hours of operation of 9:00 AM to 2:00 AM Sundays through Thursdays, and 9:00 AM to 3:00 AM Fridays and Saturdays; and

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which has been incorporated into the existing “Method of Operation” of the Catering On-Premises License, with those stipulations as follows:

1. The premises will be advertised and will operate as a full-service catering event space.
2. The hours of operation will be from 9:00 AM to 2:00 AM Sundays through Thursdays and 9:00 AM to 3:00 AM Saturdays and Sundays.
3. It will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. It will not have televisions.
5. The Applicant will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café)
6. A sidewalk café is not included in this application.
7. All doors and windows will be kept closed at all times.
8. The Applicant will not install or have French doors, operable windows or open façades.
9. It will not make any changes to the existing façade except to change the signage or awning.

10. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. It will abide by all NYC Open Restaurants regulations.
12. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a corporate change to the existing Catering On-Premises License (SN 1121708) in the name of **MM 130 Bowery Restaurant Corp. d/b/a Capitale, 130 Bowery 10013**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA Catering On-Premises License.

Vote: Unanimous, with 43 Board members in favor.

16. Corp. To be formed by Salima Hadia, 95 7th Ave. So. 10014 (New OP-Restaurant)

i. Whereas, the Applicant appeared before CB2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On-Premise license to operate a Mexican restaurant in a ground floor storefront roughly 1,530 sq. ft. located within a two-story building (circa 1900) on Seventh Avenue South between Barrow and Grove Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the ground floor storefront premises to be licensed was previously operated and licensed as Zucca Trattoria, Inc. d/b/a Taqueria Mez-A (lic.#1223197) by Besim Kukaj, the location and the licensee being the subject of multiple disciplinary proceedings by the NYS Liquor Authority in 2017 and again in 2019, resulting in the license at these premises being very recently revoked for deceptive practices, Mr. Kukaj and Zucca Trattoria, Inc. d/b/a Taqueria Mez-A also being the subject of numerous complaints for installing speakers within the enclosed sidewalk café, illegally selling alcohol on the rooftop of the building without permits or a license to do so, and leaving the windows to the licensed premises in an open position late at night while playing music at entertainment levels, all in derogation of the licensee’s agreed upon method of operation as a full-service restaurant; and

iii. Whereas, since August/2019 and prior to this instant application, CB2, Man. has heard four different applicants for the instant location: the first for a transfer that was laid over and adjourned, the second for a corporate change that was laid over and withdrawn, the third for a new OP that was laid over twice and resulted in a recommendation to deny (<https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2020/08/07-July-2020-SLA-RESOLUTIONS.pdf>) after it was learned that that the applicant (Umar-R.-Malik) was a former manager of one of Besim Kukaj’s businesses in CB4,Man., the subject license having been previously revoked being the subject of disciplinary proceedings at the NYSLA, Mr. Malik having lied about his past affiliation to Mr. Kukaj, this application being similar in all characteristics to the prior applications, the menu presented being identical to the menu presented by Mr. Malik, it being quite an incredible coincidence that all the applications have been similar in their method of operation of a neighborhood restaurant serving Mexican food; and

iv. Whereas, this Applicant demonstrated no past experience in running a restaurant or holding a liquor license and showed little understanding about how to do that, much less show any understanding or appreciation or passion for Mexican food or the preparation thereof, the Applicant providing a questionable menu and undefinable plan for operating the restaurant, the Applicant stating that she is getting her funds to operate the restaurant from her brother, who she identified as Mandira Malik, but who did not appear and was not an identified party to be placed on the license despite funding the entire business that would be operating with the proposed liquor license; and,

v. **Whereas**, the concerns presented by the instant application are no different than the last four applications for this same location, that the parties, including this Applicant, being a “front” to hide from and serve as a vehicle for the continued illegal operations by Mr. Kukaj at the premises, who licenses have been revoked; and,

vi. **Whereas**, the instant application is for a “classical Mexican” restaurant serving lunch, dinner and brunch with live music consisting of Mariachi bands and hours of operation from 11:00 AM to 12:00 AM Sunday to Saturday, including the interior premises and enclosed sidewalk café, with 24 tables with 58 patron seats, 1 stand up bar with 8 additional seats for a total patron occupancy of 64; and,

vii. **Whereas**, significant objections were again raised by the Community members regarding this application, as with the prior applications identified herein, noting the repetitive applications at this same location, the Applicant’s alleged/potential connection to the former operator/license Besim Kukaj and the Applicant’s lack of qualifications and experience to operate the proposed license; and,

viii. **Whereas**, while the Applicant denied any relationship to either Besim Kukaj, or Umar R. Malik even though the menu supplied in the instant application was identical to the one used by Umar R. Malik, who also lied about his affiliations with Mr. Kukaj when he appeared before CB2, Man.’s SLA Licensing Committee, and whom had the same name as this Applicant’s brother who was identified as being the person funding the operations of the proposed restaurant; and,

ix. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that public interest and public convenience is served from the addition of this license in an area already greatly saturated with late night drinking establishments with liquor licenses, there being 77 on premise liquor licenses within 750 feet of the premises, all those appearing to the application being opposed to this application, the Applicant having no prior experience running either a bar or a restaurant as well as the possibility of a questionable relationship to Besim Kukaj, the principal of the current, inactive license (#1223197) at this location, this particular On-Premise application not satisfying the public interest standard, the immediate area already greatly saturated with late night eating and drinking establishments; and

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a On Premise Liquor License for **Corp. To be formed by Salima Hadia, 95 7th Ave. So. 10014**; and

BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the SLA, and

THEREFORE, BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2, Ma. requests that the SLA conduct a 500-foot hearing because the premises and rear yard extension thereat has never been licensed for the service of alcohol at any point in the past.

Vote: Passed, with 42 Board members in favor, and 1 abstention (R. Sanz).

17. Pappas OG, LLC d/b/a Pappas, 103-105 Macdougall St. 10012 (New On-Premise – Restaurant)

i. Whereas, the Applicants appeared before CB2, Manhattan’s SLA licensing committee to present an application for a new On-Premise license to operate a full-service Greek inspired restaurant to be located in a ground floor combination of storefronts in a 7-story residential building built in 1900 on MacDougal Street between Bleecker and West 3rd Streets within NYC LPC’s designated South Village Historic District; and,

ii. Whereas, the storefront premises is roughly 7,000 sq. ft. and is a combination of two storefronts with two separate addresses on MacDougal Street, both having previously been operated for years as Panchito’s Mexican Restaurant albeit with the storefront space at 105 MacDougal Street being expanded in the rear with that expansion of space being new and not previously licensed; and,

iii. Whereas, although the combined storefront premises to be licensed will be operated via its multiple front entrances on MacDougal Street, there will also be two doors at the rear of the licensed premises which will open out onto Minetta Street located on an entirely different block which is zoned for residential use only, the Applicants stating at the outset of their application that these two rear facing doors on Minetta Street will be for emergency egress only, with push bar alarms installed, the emergency egress doors being required by the NYFD and public assembly permit that will be needed to operate the business at the location, it being explained by the Applicants that a second emergency egress doorway will be installed to operate the premises as the prior operator and previous landlord for the building had not previously installed the proper egress needed for proposed occupancy of the premises for eating and drinking; and

iv. Whereas, the combined storefront premises will have 60 tables and 250 patron seats, with two stand up bars with 25 additional patron seats for a total patron seating capacity of 275, there will be 4 TVs at the two bars no greater than 35 inches in diameter, with five bathrooms and a full service kitchen, the Applicant indicating and providing an outdated public assembly permit for 105 MacDougal and Letter of No Objection for 103 MacDougal that permitted the prior operator the overall patron capacity of 275; and,

v. Whereas, in addition to the indoor patron capacity, the premises has existing French doors on MacDougal Street and plans to operate, like Panchito’s with a 400 sq. ft. sidewalk café on MacDougal Street, the Applicant agreeing to close the sidewalk café by 11 PM every night and close the operable doors by 10 PM every night, there being no other outdoor areas to be licensed other than the sidewalk café on MacDougal Street; and,

vi. Whereas, the hours of operation will be Sunday through Saturday from 9 AM to 2 AM, music will be quiet background only, there will only be one (1) “d/b/a” used for the entire premises, there will be no dancing, no promoted events, no live music, no scheduled performances or cover fees, no security personnel, no rope barricades or patron lines on the sidewalk used for entry to the premises, the method of operation will be entirely consistent with a full service restaurant with the kitchen open at all hours of operation; and,

vii. Whereas, there was significant opposition to this Application by Community Members living near and immediately adjacent to the storefront location, most of whom lived on Minetta Street and Minetta Lane, including the Minnetta Block Association, the concerns relating to the application and questionnaire filled out by the Applicants, including a 4 am closing, entertainment levels of music and the proposed use of DJs at the premises to be licensed, as well as the additional concerns of the doorways and potential use of the rear doorways leading out to the purely residential and narrow Minetta street located at the rear of the premises; and,

viii. Whereas, despite the submission of the written questionnaire, the Applicants both appeared (Danielle Marine and Stratis Morforgen) and when they presented their application immediately conceded their intention to operate as a full service restaurant with closing hours of 2 AM, with no plans to operate on Minetta Street other than for emergency egress, agreeing to close their outdoor operations by 11 pm every night, further indicating that the use of DJs would be purely to provide background level music to the interior premises that could and would not be heard in any adjacent residence to the premises to be licensed, and agreed to execute a notarized Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation on its On Premises License, with those stipulations with respect to the premises, as follows:

1. Premises will be advertised and operated as a Greek inspired restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be Sunday through Saturday from 9 AM to 2 AM. No patrons will remain after stated closing time.
3. Will only have four televisions no greater than 35 inches in diameter and will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
5. Will operate sidewalk café on MacDougal Street side only and no later than 11 PM (all tables & chairs will be removed at this hour)
6. Patron egress into/out of establishment will be through front doors on MacDougal Street only. There will no patron egress via rear doors that exist on Minetta Street. Doors located on Minetta Street will be for emergency egress only equipped with an alarm system.
7. There will be no loitering by staff or patrons smoking or otherwise at or near the Minetta Street rear doors.
8. There will be no services, deliveries or trash pick-up via doors on Minetta Street.
9. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
10. Will not install French doors, operable windows or open facades on Minetta Street side.
11. Will close all doors and windows on MacDougal Street by 10 PM every night.
12. Will not make changes to the existing façades to premises except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.”
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will not have: dancing, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
18. Will abide by all NYC Open Restaurants regulations.
19. Dinning pursuant to Open Restaurants will not be on Minetta Lane or Minetta Street.
20. There will be use of only one (1) d/b/a for entire licensed premises.
21. DJs for special events, which will occur only occasionally, will be permitted, but sound levels of music will not be at entertainment levels typically identified with use of DJs and will at all times be at quiet, ambient background levels only.

ix. Whereas, the Applicants have significant experience in operating restaurants and during their presentation heard the numerous and significant concerns voiced by residents living in the area, the Applicants adapting their method of operation and stating affirmative they did not want to create or cause impacts on the residents living on Minetta Street and Minetta Lane, agreeing to stipulations designed to prevent such harms from occurring on the local residents, while agreeing to provide their contact information to such residents to fix any additional, unforeseen impacts that may occur in the future, the Applicants showing good faith in this regard;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the On Premise license for **Pappas OG, LLC d/b/a Pappas, 103-105 MacDougal St. 10012** **unless** the statements the Applicants has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA License.

Vote: Unanimous, with 43 Board members in favor.

18. 178 Bleecker Café, LLC d/b/a Pending, 178 Bleecker St., 1st Fl. 10012 (New OP—Previously unlicensed location)

i. Whereas, the Applicant appeared before CB2, Manhattan’s SLA Licensing Committee to present an application for a new On-Premise liquor license to operate a restaurant and bar in a ground floor space located in a recently built six-story, mixed-use building (2017) on Bleecker Street between MacDougal and Sullivan Streets within NYC LPC’s designated South Village Historic District; and,

ii. Whereas, the Applicant is also the landlord of the building, which was torn down prior to the landmarking designation, the location having never been licensed previously for the service of alcohol, a certificate of occupancy having been presented designating eating and drinking use/occupancy with entertainment but not dancing in two separate spaces, including the instant ground floor space and a second, cellar space, both spaces being separate from the other, both spaces having shared use of a single front door leading to the public sidewalk, a second door existing on the other side of the building for residential use only; and,

iii. Whereas, the interior space to be licensed is approximately 1,324 sq. ft., there will be 9 tables with 36 patron seats, 1 stand up bar with 16 patron seats and 8 additional high top counter seats across from the bar for a total interior seating capacity for 60 patrons; the application included the inclusion of an undefined “VP room” leading to a proposed rear garden space estimated at 100 square feet in size even though the certificate of occupancy did not speak to nor permit outdoor eating and drinking at the premises, but did not include the use of a DCA permitted sidewalk café at this time, the applicant indicating that a sidewalk café would be incorporated into the proposed business in the future but could give no other details regarding the use of the sidewalk during his presentation; and,

iv. Whereas, the Applicant’s proposed hours of operation are 10AM to 2 AM Saturday through Sunday, music will be by jukebox and/or iPod/CDs and at background levels only, there will be no dancing, no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, but there will be four (4) televisions; and,

v. Whereas, the Applicant who appeared had no background or experience in operating an eating and drinking establishment and has never held a licensed for the service of alcohol, the Applicant indicating he planned to have a partner to operate the business, who did not appear, the designated partner being the owner/operator of the Rompus Room, a night club establishment in the East Village; and,

vi. **Whereas**, this application being subject to the 500-foot rule requiring the Applicant to demonstrate that public interest and public convenience is served from the addition of this license in an area already greatly saturated with late night drinking establishments with liquor licenses, there being 81 on premise liquor licenses within 750 feet of the premises, with 8 additional pending on premises licenses, in addition to a significant number of beer and wine licenses, the building in question being newly built in an area already significantly impacted by a significant number of late night eating and drinking establishments, yet was designed to add two additional licensed establishments from a single building into this area, the Applicant appearing having no experience in operating an eating and drinking establishment, there being questions posed regarding the undefined VIP room, proposed use of the rear yard space, the Applicant's partner (who failed to appear) being associated with a night club and not a fine dining establishment as proposed, there also being questions raised as to the level of outreach to the neighborhood and the use of the sidewalk by the two separate spaces via one doorway; and,

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a On Premise License for **178 Bleecker Café, LLC d/b/a Pending, 178 Bleecker St., 1st Fl. 10012**; and **BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the SLA.

THEREFORE, BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan's recommendation to deny this application, CB2 requests that the SLA conduct a 500-foot hearing because the premises and rear yard extension thereat has never been licensed for the service of alcohol at any point in the past.

Vote: Unanimous, with 43 Board members in favor.

19. David Sewell and Michael Ryan, New Entity to be formed, 131 7th Ave. So. 10014 (New OP-Fast Casual Restaurant)

i. **Whereas**, the Applicants appeared before CB2, Manhattan's SLA Licensing Committee to present an application for a new On Premise license to operate a fast casual taqueria restaurant specializing in Filipino tacos, burritos and burgers in a ground floor corner storefront within a one-story building built in the 1929 located within the Greenwich Village Historic District at the corner of 7th Avenue South and West 10th Street; and,

ii. **Whereas**, the interior 1-story premises is approximately 650 sq. ft. (with 650 sq. ft. for storage use only; no patrons) and was previously operated as Otto's Tacos, a fast casual taqueria with a tavern wine license, and prior to 2014 the premises operated for years as a bookstore, this particular location having never previously operated with an on premise liquor license; and,

iii. **Whereas**, the interior premise has 4 tables with 10 patron seats and one counter with 5 additional seats for a total of 15 patron seats, with a food counter for ordering food and drink, there has been a DCA sidewalk café at the location on 7th Avenue with 8 tables and 15 outdoor patron seats, there are no operable doors or windows to the location, the premises has one patron bathroom, one patron entrance and there are no proposed exterior changes planned; and,

iv. **Whereas**, the proposed hours of operation are 11:00AM to 11:00PM Monday through Wednesday, and from 11:00AM to 12:00AM, Thursday through Sunday, music will be quiet background only, there will be no dancing, no DJ's, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be no televisions;

v. **Whereas**, there was significant opposition to this application by community members living in the area near the location proposed to be licensed and those living in the area where the Applicants currently operate their existing Taqueria (2nd City West Village, LLC d/b/a Flip Sigi SN# 1294537) at 525 Hudson Street, those in opposition outlining a host of ongoing complaints arising from the Hudson Street location over the Spring and Summer months of 2020, there also being 29 complaints confirmed via NYC 311 system stemming from the business since March/2020 for loud music, noise, failures to social distance and operating with a club-like atmosphere, the business being observed by residents and by Community Board members serving patrons drinks without food for consumption in standing areas in front of the premises on the public sidewalk and roadway bike path with no social distancing between groups, seating areas having been constructed with tables immediately next to each other, the business selling alcohol without food and creating a situation where their standing patrons consistently blocked the sidewalk and bike lane, drinking in close proximity, creating an imminent public health hazard to both patrons and to the general public trying to pass on the sidewalk, in addition to playing loud music via speakers either outdoors or pointed outside from the doorway in violation of their existing stipulations which state no music is to be audible in any residential units, that prior to phase 2 for NYC restaurants in late June/2020 was observed operating with a stand-up bar located on the public side walk selling drinks to patrons without food for consumption and immediately in front of adjacent residences, that the numerous complaints further triggered repeat visits over the months from the NYPD and members of Sixth Precinct, as well as the NYSLA, which issued violations and fines on June 29, 2020 to the operators for failing to follow the Governor's Executive Orders regarding the reopening of the State, City of New York for all residents and business operators; and,

vi. **Whereas**, when confronted with the ongoing complaints, visits by the NYPD and violations issued from the NYSLA, the Applicants did not deny that they operated in derogation to the Governor's Executive Orders relating to the Covid-19 pandemic, or in violation of their existing stipulations, stating that for them it was a matter of survival as a business despite the clear public safety concerns posed by their actions to the public and those living above and immediately adjacent to their bar-like atmosphere they created in the public domain during the on-going recovery from the Pandemic, while the vast majority of similarly situation and like-businesses in the area follow the rules during the reopening process; and,

vi. **Whereas**, this application being subject to the 500-foot rule requiring the Applicant to demonstrate that public interest and public convenience is served from the addition of this license in an area already greatly saturated with late night drinking establishments with liquor licenses, there being 65 on premise liquor licenses within 750 feet of the premises, with 6 additional pending on premises licenses, in addition to a significant number of beer and wine licenses, the location having never previously held an on premises license at any point in the past, the fast-casual method of operation as a Taqueria being inconsistent with an on premise license, resulting in a bar type atmosphere in a small storefront setting with an outdoor café, the past history of the Applicants within CB2, Man. demonstrating a reckless disregard for the safety and well-being of those living in the surrounding community, the past transgressions not supporting the pursuit of operating with a similar method of operation at the proposed location, there also being significant opposition to the application while no one appearing on behalf of the Applicants; and,

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a On Premise License for **David Sewell and Michael Ryan, New Entity to be formed, 131 7th Ave. So. 10014**; and

BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the SLA.

THEREFORE, BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2 requests that the SLA conduct a 500-foot hearing because the premises and rear yard extension thereat has never been licensed for the service of alcohol at any point in the past.

Vote: Unanimous, with 43 Board members in favor.

20. Gotham Restaurants, LLC d/b/a TBD, 12 E. 12th St. 10003 (New OP-Restaurant)

i. Whereas. the Applicant appeared before CB2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for an on-premise license to operate as a modern American fine dining restaurant location in a C6-4 zoned 12-story, 1907 mixed-use building on East 12th Street between Fifth Avenue and University Place (Block #570/Lot #7501); and

ii. Whereas, the premise was previously operated as a restaurant (Gotham) for many years with an OP Restaurant license, a Certificate of Occupancy being presented for eating and drinking, use group 6 on the ground floor with a maximum person capacity of 225 persons; and,

iii. Whereas, the ground-floor premises to be licensed is approximately 9,000 sq. ft. (5,000 sq. ft. on the first floor and 4,000 sq. ft. in the basement).; there will be 47 tables with 156 seats, and one (1) bar with 18 seats, for a total of 174 interior seats; and there will be no sidewalk café; there will be 2 entrances, 4 exits, and 3 bathrooms; and

iv. Whereas, the Applicant’s hours of operation are Sunday 12 PM to 12 AM and Monday to Saturday 12:00 PM to 1:00 AM; music will be quiet background only, not audible in surrounding residences, there will be no DJs, no dancing, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and no TVs; and

v. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the On-premise License, with those stipulations as follows:

1. Premise will be advertised and operated as a modern American fine dining restaurant.
2. The hours of operation will be Sunday 12 PM to 12 AM and Monday to Saturday 12:00 PM to 1:00 AM. Premises will open no later than stated opening time and NO patrons will remain after stated closing times.
3. Will operate a full-service restaurant with the kitchen open and the full menu available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Sidewalk Café is not included in this application
7. Will not operate a backyard garden or any outdoor area for commercial purposes
8. Will not install or have French doors, operable windows, or open facades.
9. Will play quiet, ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will close all doors & windows at 10:00 PM every night.

12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
17. Will abide by all NYC Open Restaurant regulations.
18. Live jazz music is permitted during holidays and brunches on weekends.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new restaurant on-premise license for **Gotham Restaurants, LLC d/b/a Gotham, 12 East 12th Street St. 10003** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the On-Premise License.

Vote: Unanimous, with 43 Board members in favor.

THE FOLLOWING ARE RESOLUTIONS FOR ALL APPLICANTS THAT WERE LAID OVER, WITHDRAWN, OR DID NOT APPEAR BEFORE THEIR REQUESTED HEARING:

21. **Pier 45, LLC, 389 West St., Pier 45, Hudson River Park 10014 (OP-Restaurant) (Banquettes & Planters) (Outdoors on Pier) (withdrawn) (will resubmit for Nov.)**

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 8, 2020 the Applicant requested **to withdraw** this application from further consideration at this time, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future.

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Pier 45, LLC, 389 West St., Pier 45, Hudson River Park 10014 (RW-Restaurant) (Banquettes & Planters) (Outdoors on Pier) (withdrawn) (will resubmit for OP for Nov.)** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

22. Harlem Roasting Company, LLC d/b/a Prodigy Coffee, 33 Carmine St., 10014 (TW-Bar/Tavern) (BW-Tavern) (Sidewalk café) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 8, 2020 the Applicant requested **to layover** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **Harlem Roasting Company, LLC d/b/a Prodigy Coffee, 33 Carmine St., 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

23. The Village Square Pizza II, Inc. d/b/a Village Square Pizza, 118 Christopher St. 10014 (RW – Restaurant) (laid over at meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 8, 2020 the Applicant requested **to layover** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **The Village Square Pizza II, Inc. d/b/a Village Square Pizza, 118 Christopher St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

24. Grupo Gitano, LLC & Gitano NYC, LLC d/b/a Gitano, 76 Varick St. 10003 (OP-Restaurant/Bar) (Seasonal Establishment) (Live Music-Acoustic Trios) (Patio or Deck, Garden/Grounds) (Freestanding Covered Structure) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 8, 2020 the Applicant presented its application for a seasonal on-premise license but refused to adjourn its application scheduled to be heard on October 14, 2020 until CB2, Man. had an opportunity to provide its recommendations to the NYSLA: and

Whereas, on October 14, 2020 the NYSLA requested to adjourn its hearing of the instant application until November 24, 2020.

THEREFORE, BE IT RESOLVED that due to the adjournment at the NYSLA CB2, Man. will lay this matter over until its regularly scheduled November/2020 meeting at which time it will provide its recommendation to the NYSLA.

Vote: Unanimous, with 43 Board members in favor.

25. Corp. to be formed by Steven Bensusan, 117 7th Ave. So. 10014 (OP – Restaurant) (Live Music-Jazz, Blues) (sidewalk café) (laid over)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 8, 2020 the Applicant requested **to layover** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **Corp. to be formed by Steven Bensusan, 117 7th Ave. So. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in response to request to remove the temporary bus stop in front of 250 Hudson St.

Whereas the M20 bus stop at 304 Hudson St. btw. Spring and Van Dam Sts. was removed on July 14, 2020, because the sidewalk there was being closed for construction of the Disney Building on the adjacent site, estimated to take approximately 3 years. The bus stop has been relocated temporarily in front of 250 Hudson St. just north of Broome St., although, according to MTA NYC Transit (NYCT) and the NYC Dept. of Transportation (DOT), there never has been a bus stop there before; and

Whereas Jack Resnick & Sons, the owner of 250 Hudson St., has requested that the temporary bus stop be removed, and both NYCT and DOT agree that this just north of Broome St. location is rarely used and difficult for the bus to access because of Holland Tunnel traffic there blocking its way; and

Whereas Resnick engaged Sam Schwartz Engineering to study the use and impacts of this temporary bus stop and possible alternative, more suitable locations; and

Whereas the Sam Schwartz Company made the following findings:

- The eastern lanes of Hudson St. on the stretch from Spring to Broome and Watts Sts. passing 250 Hudson St. (as well as on the streets south of Canal St.) are taken up by Holland Tunnel traffic, while buses travel on Hudson 2 lanes over to the west, making it difficult for the M20 bus to cut in and across to the curbside lane and bus stop to the east (at 250 Hudson) and then double back to a western lane, a time-consuming and potentially hazardous action.

- Observations show that a maximum of 8 people daily board the new temporary stop, and only one in 7 buses typically picks up customers.
- Recognizing this lack of rider demand, bus drivers often expect to bypass the temporary stop by 250 Hudson and pick up people at the Charlton St. stop, just a few blocks further north, but sometimes find a customer waiting at the temporary stop last minute and are unable to pull over to the curb to pick the customer up in a timely manner. Instead the bus stops in the middle of the street, where the customer has to board, a dangerous situation for both the customer and the bus.; and

Whereas a Traffic and Transportation Committee member travels this route daily and notes that vehicles are merged into the center right lane northbound past Canal with usually very light traffic which does not appear to hinder a bus's efforts to stop at the temporary bus stop in front of 250 Hudson. Nevertheless, the reasons to suspend the bus stop because of inactivity outweigh the reasons for maintaining it; and

Whereas an M20 bus stop already exists on Hudson just south of Charlton St., which is closer to the temporarily discontinued Spring St. stop than is the temporary north of Broome St. stop at 250 Hudson St. Thus, the walk to just south of Charlton for some former Spring St. stop customers is shorter than to the temporary stop; the south of Charlton stop is also a shorter walk than north of Broome to transfer to the crosstown M21 bus; and

Whereas the south of Charlton stop on Hudson is well within the required 1/4 mile distance for customer access to local buses and in many cases is even a much shorter distance for access, thus as both NYCT and DOT recognize, the south of Charlton location would be a sufficient alternative for users of the temporarily closed Spring St. stop; and

Whereas it was revealed that most tenants of 250 Hudson St., which is a commercial building, use taxis, Ubers and black cars to commute and travel around the city, while the subway stops at Spring St. and 6th Ave. and Canal and Varick Sts. serve those coming to work by subway. The No Parking 8am-6pm regulations allow the taxis and FHV's to access the curb for users most of the time, however, double parking is frequent, which is hazardous and causes congestion.

Therefore be it resolved that CB2, Man. has no objection to removing the temporary bus stop for the M20 in front of 250 Hudson St. just north of Broome St. and using the already existing M20 bus stop on Hudson St. just south of Charlton St. as a temporary alternative for the stop at 304 Hudson St. btw. Spring and Van Dam Sts. while construction of the Disney campus goes on at that site; and

Be it further resolved that CB2, Man. urges DOT and NYCT to restore the permanent M20 bus stop at 304 Hudson St. btw. Spring and Van Dam Sts. immediately following completion of the Disney construction; and

Be it finally resolved that CB2, Mam. also urges DOT to consider establishing a loading zone for dropoffs and pickups in front of 250 Hudson St. btw. Dominick and Broome Sts. to accommodate the heavy curbside taxi and FHV activity.

Vote: Unanimous, with 43 Board Members in favor.

2. Resolution in response to presentation by Revel Scooters of Revel's new safety plan and to NYC Dept. of Transportation (DOT)'s Revel scooter policy to date.

Whereas Revel, the electric moped-sharing company that temporarily ceased service on July 28, 2020 to evaluate and improve its operations, resumed service again on August 27, 2020, based on an agreement

with the NYC Dept. of Transportation (DOT) that entails stricter safety and rider accountability protocols than previously and close monitoring of its operations; and

Whereas the new Revel safety protocols include:

- *Mandatory In-App Safety Training for All Users* - This includes a short instructional video and over 21 questions covering such topics as helmet requirements, areas prohibited from riding, like certain bridges, highways, parks, sidewalks, bike lanes and wrong way down one-way streets, prohibitions against account sharing, riding with minor passengers, DUI, and distracted driving, consequences of violating Revel rules (either permanent or temporary suspension) or NYS and NYC traffic laws, and general information on operating the vehicle. This In-App training takes about 15-20 minutes. Free, approximately 25-minute supplemental in-person lessons are also offered but *they are not mandatory*.
- *Helmet Selfie Requirement* - At the start of every ride, users (and their passengers) must take and submit a selfie to show they're wearing the helmet (its case is unlocked when "start ride" is hit) before the power to enable the ride can be activated. Currently, there is no mechanism to monitor whether the helmet is kept on during the ride.
- *Helmet Cleaning and Replacement* - Helmets are frequently inspected and cleaned using anti-COVID-19 disinfectants and replaced if necessary. Free, one-time-use disposable helmet liners are provided.
- *Automatic Bad Rider Behavior Detection System and Accompanying Suspensions* - A GPS monitoring system spots when riders are engaging in prohibited activity, such as riding in no-ride zones like parks, tunnels and on sidewalks or going the wrong way on one-way streets, and sends an automatic alert to Revel which notifies riders and issues suspensions, permanently for reckless users, temporarily for less serious violators who with a second offense are suspended permanently, and an initial warning for more minor offenses.
- *Community Reporting Tool* - An in-app and online tool is being made available that allows anyone, with or without a Revel account, to report Revel user infractions to Revel, in addition to the already existing e-mailing and phone-in access.
- *Hindrance of Account Sharing* - Extra steps are being employed to obstruct account sharing and the irresponsible safety risks it entails, including two-factor authentication, credit card validation, ID verification, and unique user requirements.
- *Limiting Overnight Hours on a Pilot Basis* - Revel service between midnight and 5 am is being suspended for at least 60 days.; and

Whereas although Revel requires that all of its users have drivers' licenses, motorcycle licenses are not required. Many users are unfamiliar with how to operate a moped-scooter type vehicle and need to better understand Revel requirements and details of the rules of the road; and

Whereas during the relaunch many Revel riders still are not wearing helmets (evidently removing them once their selfies are approved). Revel at this time lacks the capacity to track helmet use throughout the entire ride, although the company is investigating technology, which appears to be quickly developing and improved, to carry this out; and

Whereas Revel is working closely with DOT in monitoring its safety program by sharing trip data on a weekly basis and notifying DOT of significant incidents and is continuing to explore additional improvements to implement for strengthening the program; and

Whereas DOT is planning to develop and issue rules governing the operation of shared moped services such as Revel, working with all interested stakeholders, such as elected officials, community and business leaders and the public, and will be issuing further information in the next few months.

Therefore be it resolved that CB2, Man. is encouraged to learn that Revel has developed a multi-faceted program designed to promote the safety of both Revel users and the public, as well as protocols to further Revel user understanding and compliance, and that Revel is working with DOT in monitoring the program and exploring further enhancements; and

Be it further resolved that CB2, Man. strongly recommends that Revel extend its training program to include as mandatory the 25-minute supplemental in-person lessons that are currently elective, except in cases where a user has a motorcycle license; and

Be it further resolved that CB2, Man. urges Revel to incorporate state-of-the-art computer vision AI technology to track riders' use of helmets throughout the entire ride as quickly as possible; and

Be it further resolved that CB2, Man. also urges Revel and DOT to be fully transparent and make the safety infraction information of Revel's ride-sharing customers, including traffic violations, traffic accidents, approximate location information, temporary suspensions, permanent suspension, and source of suspension (e.g. GPS data, community report) available to the public on the Revel website and app. Revel should also make the link for third party complaints much more visible and easily accessible; and

Be it further resolved that CB2, Man. looks forward to receiving an update on Revel operations and results of the new safety protocols from both Revel and DOT within the next few months; and

Be it finally resolved that CB2, Man. implores DOT to work quickly to develop and issue rules governing the operation of shared moped services such as Revel and looks forward to reviewing these much needed rules in the very near future.

Vote: THIS RESOLUTION WAS SENT BACK TO THE COMMITTEE.

Respectfully submitted,

Valerie De La Rosa
Secretary
Community Board #2, Manhattan