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Susan Kent, 1st Vice Chair  
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Bob Gormley, District Manager



Antony Wong, Treasurer  
Eugene Yoo, Secretary  
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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE  
NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

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### FULL BOARD MEETING AGENDA

**DATE:** Thursday, April 22, 2021  
**TIME:** 6:30 PM  
**PLACE:** Via Video-Conference

#### I. ATTENDANCE

**II. PUBLIC SESSION:** Members of the community may speak for a time to be specified by the Board Chair on any issue of interest to the community. *\*Virtual Public Speaker's cards must have been submitted before 5:00 p.m. to [info@cb2manhattan.org](mailto:info@cb2manhattan.org)* Written correspondence received in lieu of spoken testimony will be summaraized.

#### III. ADOPTION OF AGENDA

#### IV. REPORTS TO THE PUBLIC

- |                               |                |
|-------------------------------|----------------|
| 1. Elected Officials' Reports |                |
| 2. Borough President's Report | Andrew Chang   |
| 3. Chair's Report             | Jeannine Kiely |
| 4. District Manager's Report  | Bob Gormley    |

#### BUSINESS SESSION

#### V. APPROVAL OF THE MARCH MINUTES

#### VI. STANDING COMMITTEE REPORTS AND OTHER BUSINESS

- |  |                                |
|--|--------------------------------|
| 1. Joint: Equity Working Group/Schools & Education | Mar Fitzgerald/Patricia Laraia |
| 2. Schools & Education                             | Patricia Laraia                |
| 3. SLA Licensing                                   | Robert Ely/Donna Raftery       |
| 4. Quality of Life                                 | Joseph Gallagher               |
| 5. Traffic & Transportation                        | Shirley Secunda                |

#### VII. NEW BUSINESS

- Equity Working Group

#### VIII. ADJOURNMENT

# DRAFT

May 2021							
Sun	Mon	Tue	Wed	Thu	Fri	Sat	
						1	
2	3 SCHOOLS & EDUCATION	4 SLA LICENSING 1	5 PARKS/WATERFRONT ?	6 TRAFFIC & TRANSPORATION  SLA LICENSING 2	7	8	
9 Mother's Day	10 QUALITY OF LIFE	11 ECON. DEV. & SMALL BUS.	12 LAND USE	13 LANDMARKS	14	15	
16	17 BYLAWS (5pm) LANDMARKS?	18 EXECUTIVE	19	20 FULL BOARD	21	22	
23	24 ARTS & INSTITUTIONS	25 EQUITY WORKING GROUP	26 REOPENING WORKING GROUP	27 SOCIAL SERVICES	28	29	
30	31 Memorial Day	SoHo/NoHo Working Group?					

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The Equity Working Group and Schools & Education Committee held a joint meeting on Tuesday, March 23, 2021 @ 6:30PM via Video Conference.

**Equity Working Group Members Present:** Mar Fitzgerald (Co-Chair), Patricia Laraia (Co-Chair), Katy Bordonaro, Amy Brenna, Betty Kubovy-Weiss, Matt Metzger, Antony Wong

**Equity Working Group Members Absent with Notice:** Akeela Azcuy and Sandy Russo

**Schools & Education Members Present:** Jeannine Kiely (Chair), Patricia Laraia (Vice Chair), Amy Brenna, Betty Kubovy-Weiss, Rich Caccappolo, Matt Metzger, Keen Berger

**School & Education Committee Members Absent with Notice:** Shino Tanikawa (Public Member)

**Other CB 2 Members Present:** Carter Booth (Chair), Valerie De La Rosa, Brain Pape, Donna Raftery, Frederica Sigel, Eugene Yoo

**Guests:** Renny Fong (Principal at PS 130), Stephanie Barreto-Iastra, Darlene Lutz, Erika Soto Lamb, Cheryl Wu, Emily Greytak, Lianne Chapin, Lincoln Anderson, Heather Campbell, Jeffrey Rowland, Phalguni Bhatt, Martina Andorfer, Rami Sigal, Lillibeth Feliciano, Kelly Robshaw

**Panelists:** Sadye Campoamor, Director of Community Affairs, New York City Department of Education ([NYC DOE](#)), Robin Broshi, [Community Education Council District 2](#), Maria Ramos, [Harvest Collegiate High School](#)

The meeting was called to order at 6:35PM by Mar Fitzgerald.

The meeting began with Mar Fitzgerald doing a mini presentation on School Diversity and its Impact on Educational Outcomes, slide deck below:

## Diverse Teacher Workforce

*A diverse teaching workforce has been shown to benefit students of all races.*

- Studies show more positive perceptions of Latinx and Black Teachers not only by students of their same race, but also by White and Asian students in categories including “feeling cared for” and “being academically challenged.”
- These categories have been directly linked to higher overall student performance.

## Diverse Teacher Workforce

*A diverse teaching workforce has been shown to benefit students of all races.*

- People of color work in proximity to schools and classrooms, but often don’t teach. These mentors, coaches, and personnel who play a mainly disciplinary role could serve communities from *within* the classrooms.
- Studies show more positive perceptions of Latinx and Black Teachers not only by students of their same race, but also by White and Asian students in categories including “feeling cared for” and “being academically challenged.”
- These categories have been directly linked to higher overall student performance.

## Culturally Responsive-Sustaining Education

CR-SE requires schools and districts to see and value the background, views, and needs of all students. This includes experiences related to race, culture, language, or ability.

- With CR-SE, students use their own identity to get education. They learn using aspects of their race, social class, gender, language, sexual orientation, nationality, religion, or ability. *Studies show that students learning with CR-SE are more active in class. They graduate more often, with better grades. Their self-esteem improves, and they become better citizens.*

## Benefits of Diverse Teacher Workforce

- Black Males vs. 1 Black Male Teacher
  - Household Income: \$38,555 vs. \$63,155
  - Home Value: \$102,239 vs. \$147,433
  - Home Ownership: 42.6% vs. 71.9%
  - Unemployment: 8.1% vs 3.8%
- Non Black Teachers are 70% more likely to see Black students as a discipline problem and have lower academic expectations
- Black students who’d had just one Black teacher in grades 3 - 5 were 13% more likely to enroll in college – and those who’d had two were 32% more likely.

## Right to a Sound, Basic Education

- Maintaining a racialized pipeline to the City’s prime educational opportunities, including its Gifted & Talented (G&T) programs and screened middle and high schools, that excludes many students of color, who are instead condemned to neglected schools that deliver inferior and unacceptable outcomes;
- Allowing schools to teach a Eurocentric curriculum that centers white experience, marginalizing the experiences and contributions of people of color;
- Failing to recruit, retain, and support a racially diverse educator workforce to provide challenging and empathic instruction to all students; and
- Failing to provide sufficient training, support, and resources to enable administrators, teachers, and students to identify and dismantle racism, such that students of color regularly experience racialized harms at school, and failing to provide adequate mental health supports to redress those harms.

We then invited our panelist to discuss “Diversity in NYC public school, and what effect a school’s composition has on the educational potential and future prospects of its students.

There was one resolution.

We concluded the meeting by inviting all to submit any other issues not discussed at [info@cb2manhattan.org](mailto:info@cb2manhattan.org), and to check CB2 website for our next meeting date.

Meeting adjourned at 8:05PM

## Resolution Requesting NYC Public School System Demographic Data Related to Student Outcomes

### Whereas:

1. Studies examining how socio-economic concentration, learning style, race and ethnicity relates to educational attainment and achievement among school-aged children, have shown that schools with high concentrations of low-income and minority students receive fewer instructional resources than others. And, tracking systems exacerbate these inequities by segregating many low-income and minority students. In combination, these policies leave minority students with fewer and lower-quality books, curriculum materials, laboratories, and computers; significantly larger class sizes; less qualified and experienced teachers; and less access to high-quality curriculum<sup>1</sup>;
2. On May 17, 1954, the United States Supreme Court issued its decision in *Brown v. Board of Education*, which declared that segregation in public schools was unconstitutional. Yet, almost 70 years later, public schools across the nation continue to be highly segregated based on race and socioeconomic status;
3. The NYC educational system is one of the most inequitable and segregated in the industrialized world, and students routinely receive dramatically different learning opportunities based on their perceived demographic status. As the City Council acknowledges, New York City's public schools are among "the most segregated in the country": in 2018–19, close to 75 percent of Black and Latinx students attended schools with less than 10 percent of white students, and over 34 percent of white students attended schools with majority white populations, notwithstanding that only 15 percent of City students are white<sup>2,3</sup>;
4. The March 2021 lawsuit, *Integrate NYC v. New York County*, states that the city's school system has replicated and worsened racial inequality by sorting children into different academic tracks as early as kindergarten, and has therefore denied many of its roughly one million students their right to a sound, basic education<sup>4</sup>; and
5. Many studies point to specific predictors, but without a complete picture, that includes all factors, these inequities cannot be properly addressed or corrected.

**Therefore be it resolved that Community Board 2 requests the Department of Education (DOE) and Mayor, New York State Education Department (NYSED) to provide the following:**

Demographic Data 2010-2021

Catchment Area: Community Board 2 Manhattan and NYC Community School District 2.

Data Points: Income Level, Race, Ethnicity & Gender Identity:

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<sup>1</sup> <https://www.brookings.edu/articles/unequal-opportunity-race-and-education/>

<sup>2</sup> <https://council.nyc.gov/data/school-diversity-in-nyc/>

<sup>3</sup> <https://www.nytimes.com/2019/03/26/nyregion/school-segregation-new-york.html>

<sup>4</sup> <https://iapps.courts.state.ny.us/nyscef/ViewDocument?docIndex=jHAVRjM/0VBF2bxhnEz7aA==>

1. Teacher Demographics
2. Student Data (aggregated by Elementary School (ES), Middle School (MS), High School (HS))
  - a. Admissions (ES, MS & HS)
  - b. Attendance/Punctuality
  - c. State Tests Opt-in/out
  - d. Reading Levels (K-5)
  - e. PAF (Preventing Academic Failure) Program Pilot Locations, Participants & Outcomes
  - f. DOE Remote Learning Device distribution & type (iPad or Computer)
  - g. Carter & Connors Cases as % of District & School Enrollment
3. Student Discipline Data:
  - a. Student Discipline & Removals
  - b. Bullying Harassment Discrimination
4. Expulsion

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The Schools and Education Committee of Community Board 2 met on Monday, April 12, 2021 at 6:30PM via Zoom webinar.

**CB 2 Schools & Education Members Present:** Patricia Laraia (Chair), Akeela Azcuy, Amy Brenna, Rich Caccappolo, Mar Fitzgerald, Betty Kubovy-Weiss and Matt Metzger

**CB 2 Board Members Absent with Notice:** Keen Berger, Barbara Glassman

**Public Members Present:** Michael Markowitz and Shino Tanikawa

**Other CB 2 Members Present:** Jeannine Kiely (Chair)

**Elected Officials:** Tevin Williams with State Senator Brad Hoylman's office

**Guests:** Susan Taliaferro, Colleen O'Connor-Grant, Thomas Rosa, Gabriella Synder, Katherine Wheeler, Amy Chang, Emily Hellstrom, Mae Lee

**Speakers:** Yolanda Smith, Executive Director at [New York City Independent Budget Office](#) and Leonie Haimson of [Class Size Matters](#).

The meeting was called to order at 6:35PM by Patricia Laraia.

There were two presentations made. The first by Yolanda Smith on "Carter Cases: Spending for Students with Special Needs," based on her article [here](#), followed by Leonie Haimson on "Funding for Smaller Classes for Fall 2021" who presented a slide presentation that can be viewed [here](#).

Two resolutions were discussed.

The meeting ended with an invitation to the Monday, May 3rd Schools & Education "Dyslexia Forum," and to visit the [CB2 website](#) and register for this meeting.

Meeting adjourned at 8:45PM.

### Transparency and Reform around Carter and Connors Cases

**Whereas:**



1. The Individuals with Disabilities Education Act (IDEA) states that all children must be given a “free appropriate public education”, and that schools, districts, states are required to provide a free appropriate public education (FAPE) to children with disabilities that meet their unique needs;
2. The NYC DOE Committee on Special Education (CSE) maintains a list of private schools that the State has pre-approved for the purpose of meeting those needs;
3. When the state-approved options are not appropriate for a student, or those schools are full, there are two ways the NYC DOE might pay for a private school that is not on the State’s pre-approved list:
4. *Florence County School District Four v. Carter* determined that when a parent or guardian disagrees with the DOE’s [Individualized Educational Plan](#) (IEP), they may elect to place their student in a non-public school and seek reimbursement for their costs or direct payment to the school by commencing legal proceedings against DOE (aka “Carter Cases);
5. IDEA establishes a mechanism for parents to challenge the DOE’s evaluation of their children and plans to address their special education needs by providing them with the opportunity to request an impartial hearing through which they can challenge DOE’s recommended educational plan for their children;
6. The Preliminary Budget for FY 2022 added \$220 million for Carter Cases at the Department of Education (DOE), an increase of 51% from the amount budgeted in the FY 2021 Adopted Budget;
7. Pursuing Carter Cases is cost and time prohibitive for the great majority of NYC families because:
  - a. Requirement of time and funds to navigate the impartial hearing process;
  - b. Exorbitant legal/consultant fees;
  - c. High cost of neuropsychological and other outside evaluations to secure a diagnosis;
  - d. Language access for families with Limited English Proficiency (LEP);
  - e. The necessity for families to have the ability to pay private school tuition before decisions on cases are settled, typically 12 to 18 months, with times being extended even longer during the COVID-19 pandemic;
8. *Nancy Connors v. New York State Board of Regents*, held that when a parent or guardian disagrees with their child’s IEP and is unable to pay up front for a non-public school, they must ask the school to accept their child based upon their promise that they will seek an impartial hearing requiring the NYC DOE to pay the tuition. Information about Connors Cases is difficult to obtain<sup>1</sup>;

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<sup>1</sup> <https://law.justia.com/cases/federal/district-courts/FSupp2/34/795/2462659/>



9. NYC DOE Compliance Assurance Plan of 2019 detailed how New York City was out of compliance with federal law for the 13th straight year on its delivery of services for students with disabilities and mandated services on student IEPs not being provided<sup>2</sup>; Public schools simply do not have enough services to cover the needs of many of the city's 224,000 students with disabilities<sup>3</sup>;
10. In March 2021, the NYC Independent Budget Office published *"Carter Case" Spending for Students With Special Needs Continues to Grow Rapidly*, that shows the city spent \$710 million in FY 2020, up 500% in 10 years, for nearly 14,000 students, but the IBO has not been able to obtain demographic, geographic or any other data on these students;
11. Many Carter Cases involve students with dyslexia and autism spectrum disorders whose needs are not met in their local school even when Orton Gillingham (OG) and other intervention methods are implemented in Integrated Co-Teaching (ICT) Classroom settings<sup>4</sup>;
12. Many Carter Cases involve students with physical disability, hearing impairment, speech/language impairment, visual impairment, whose needs are not met because of physical barriers that potentially limit access at their local school<sup>5</sup>;
13. Currently, the NYC DOE and School Construction Authority (SCA) do not widely fund or build new schools or classroom space based on the IDEA status of students that are leaving the public school system and seeking Carter/Conner status;
14. Private schools that serve Carter and Conner students continue to expand and provide models for the DOE, such as Churchill School<sup>6</sup> & Center, The Aaron School<sup>7</sup> and Winston Preparatory School of NY<sup>8</sup>; and
15. NYC DOE's Hybrid Learning Plan has erected an even higher barrier of access for Students with IEPs to receive their legally mandated services<sup>9</sup>;

**Therefore Be it Resolved** Community Board 2 urges the Mayor, City Council, and Elected officials to:

1. Centralize Carter and Connors procedural information and support to create equity and access for all by eliminating the prohibitive factors families face when pursuing these cases, i.e. legal expenses, upfront tuition fees, time requirement, and language access;

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<sup>2</sup> <https://www.documentcloud.org/documents/6025929-NYCDOE-Compliance-Assurance-Plan-May-2019.html>

<sup>3</sup> <https://ny.chalkbeat.org/2019/5/28/21108256/surge-of-complaints-by-parents-of-special-education-students-sparks-crisis>

<sup>4</sup> <https://www.usatoday.com/in-depth/news/education/2020/02/09/disability-special-education-dyslexia-doe-nyc-sped-private-placement/4651419002/>

<sup>5</sup> <https://sites.ed.gov/idea/regs/b/a/300.8>

<sup>6</sup> <https://www.churchillschoolnyc.org/about>

<sup>7</sup> <https://www.privateschoolreview.com/aaron-school-profile>

<sup>8</sup> <https://www.winstonprep.edu>

<sup>9</sup> <https://gothamist.com/news/parents-and-lawmakers-fear-nycs-special-needs-students-are-falling-far-behind>

2. Call on the Comptroller's office and DOE to conduct an audit on the DOE implementation and efficacy of Carter Cases, resulting in a report that includes demographic, geographic, racial, socio-economic concentration, disability classification, and other data for students receiving Carter Case funding;
3. Utilize the data gathered in the aforementioned report to develop curriculum and variety of programs to support and teach children with disabilities *within* current schools and develop and maintain programs as to best serve these students with disabilities within the public-school system;
4. Mandate that the NYC DOE address the fundamental and systemic problems with their delivery of special education services by expanding the [School Age Special Education Data Reports](#) to include:
  - a. Racial/age/geographical/gender demographics of students affected;
  - b. Data on programs to support students with autism spectrum disorders;
  - c. Data on the 2019 [I READ](#) literacy program for early grade ICT classrooms;
5. Urge the NYC DOE and SCA to create and fund programs, like those offered by the planned Essex Crossing and the Bleecker Street schools, in its Five-Year Capital Plan, and explore the possibility of creating a DOE public school program for dyslexic students, based on the population size of identified students; and
6. Urge NYC DOE and School Construction Authority (SCA) to fund and create programming, and build classroom space based on the IDEA status of students that are leaving the public school system and seeking Carter/Conner status and on the population size of identified students.

Vote: Unanimous

### **Funding for Smaller Classes for Fall 2021**

#### **Whereas:**

1. NYC schools continue to have the largest average class sizes in the state, and NY's highest court determined that public school class sizes were too large to provide students with their constitutional right to a sound basic education<sup>10</sup>;
2. Reducing class size has proven to be one of the best ways to improve student learning, lower teacher attrition rates and disciplinary problems, and narrow achievement and opportunity gaps between racial, gender, and economic groups<sup>11</sup>;
3. NYC schools are due to receive approximately \$7 billion in federal funds to be spent over the next two to three years, and more than \$530 million in additional state funds next year, rising to \$1.3 billion annually over the next three years in increased Foundation Aid;

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<sup>10</sup> [https://www.law.cornell.edu/nyctap/103\\_0084.htm](https://www.law.cornell.edu/nyctap/103_0084.htm)

<sup>11</sup> <https://nepc.colorado.edu/files/publications/Mathis%20RBOPM-9%20Class%20Size.pdf>

4. The additional Foundation Aid is the result of the decision in the Campaign for Fiscal Equity (CFE) lawsuit, in which the state's highest court determined NYC students had been denied their constitutional right to a “sound basic education”, in part because their classes were too large<sup>12</sup>;
5. The 2007 Contracts for Excellence (C4E) law, which settled the CFE case, required NYC to reduce class size in all grades; and yet, class sizes have increased since that decision was made over 15 years ago;
6. The City Council has proposed in its [Preliminary Budget Response](#) that \$250 million be allocated towards an initiative to lower class size next year, targeted for struggling schools with particularly vulnerable students;
7. The Mayor and the Council have now agreed to fully fund Fair Student Funding at about \$600 million and the Council has proposed \$110 million in spending to ensure that every public school has at least one full-time school counselor and one full-time social worker, as well as other necessary supports for students;
8. \$250 million could pay the salaries of, roughly, 2,500 new teachers, which could reduce the size of 10,000 classrooms – as adding a new teacher lowers class size for all the other students in a school in the same grade or subject;
9. Smaller classes lead to better grades and test scores, stronger student engagement, fewer disciplinary referrals, and higher graduation rates, especially for students who need help the most;
10. Fewer than half of all NYC students would be able to attend school full-time next year with current class sizes if there was a need for three-feet of social distancing; and
11. Due to the COVID-19 pandemic, and the potential need for social distancing next year, smaller classes will be essential to the health, safety and emotional wellbeing of our students, as well as their academic achievement.

**Therefore Be It Resolved,** Community Board 2 urges the Mayor, the Department of Education Chancellor, Speaker Corey Johnson, and the members of the City Council and Elected officials to:

1. Ensure that in the final, negotiated budget for FY 2022, at least \$250 million is allocated to hire 2,500 additional teachers to lower class size, with a priority on K-5, and in school communities that have suffered a disproportionate impact of the pandemic;
2. That there also be rigorous reporting requirements for DOE and accountability provisions attached to this funding so that smaller classes actually result from this funding;
3. Mandate that the DOE partner with SUNY and CUNY teacher workforce diversity programs including [Teacher Opportunity Corps](#) (TOC II) and [NYC Men Teach](#) to fill a significant number of these new positions;

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<sup>12</sup> [https://www.law.cornell.edu/nyctap/103\\_0084.htm](https://www.law.cornell.edu/nyctap/103_0084.htm)[https://www.law.cornell.edu/nyctap/103\\_0084.htm](https://www.law.cornell.edu/nyctap/103_0084.htm)

4. That the final budget shall also contain \$110 million to ensure that every public school has at least one full-time school counselor and one full-time social worker;
5. Permanently incorporate distance learning into the school system to support teachers, students and families that choose to, or have to, remain remote post-pandemic, including funding for associated technology infrastructure and professional development;
6. Require DOE to secure more school spaces such as Pre-K Centers; Community Based Organizations (CBOs), that are already NYC funded early childhood education providers<sup>13</sup> to create more space in schools by relocating Pre-K classes currently in public schools to stand-alone or CBO sites;
7. That over the next four years, DOE phase in lower class sizes in all schools, which will require the creation of more classroom space and building and leasing more schools with city and state funds, as well as the additional federal funds that will likely result from the Infrastructure bill proposed by President Biden;
8. Require DOE to build out new schools in buildings that private developers have reserved space for public schools, such as Essex Crossing and Bleecker School; and
9. Require the DOE to immediately lease or purchase the buildings where at least 17 Catholic Schools were closing in the wake of the pandemic<sup>14</sup>; and
10. There is no longer any excuse for Mayor de Blasio and future Mayors to deny NYC students their constitutional right to smaller classes.

Vote: Unanimous

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<sup>13</sup> <https://cccnewyork.org/cbo-centers-are-essential-to-educatiNow more than ever they will need that opportunity for health and safety and to recover from the losses they've suffered during the Covid pandemic.ng-nycs-young-children/>

<sup>14</sup> <https://abc7ny.com/what-catholic-schools-are-closing-school-closings-nyc-which-2020/6309217/>

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### SLA LICENSING COMMITTEE

The SLA Licensing Committee of Community Board 2, Manhattan, held a meeting at 6:30 PM on Tuesday April 6, 2021 via Video Conference.

Committee Board Members Present: R. Ely (Co-Chair), D. Raftery (Co-Chair), C. Flynn, P Laraia, L. Rakoff, Dr. S. Smith, S. Wittenberg and A. Wong

Committee Board Members absent with notice:

Other Board Members Present: C. Booth, V. De La Rosa, M. Fitzgerald, Eugene Yoo

### **RESOLUTIONS:**

**1. La Mela Ristorante Italiano, Inc., d/b/a La Mela, 167-169 Mulberry Street 10013**

(Alteration: Downsizing–removal of 171 Mulberry St. Storefront, OP – Restaurant)

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an alteration to remove one of the storefronts from an existing On-Premises Liquor License for a family restaurant serving Italian food in two C6-2G-zoned, five (5) and six (6)-story, mixed-use buildings (c. 1905 / 1914) on Mulberry Street between Grand and Broome Streets (Block #471 / Lots #19 & 18); and
- ii. Whereas**, the restaurant currently spans three storefronts (167, 169, 171 Mulberry); the premises of the instant application (which will remove 171 Mulberry from the premises) is approximately 1,657 sq. ft. (167 Mulberry is approximately 1,220 sq. ft and 169 Mulberry approximately 437. sq. ft) and is connected by a short interior hallway; there will be 74 tables with 150 seats and one bar with seven (7) seats for a total patron seating of 157 persons; there are two (2) patron bathrooms and two (2) doors (one in each storefront) that each serve as patron ingress and egress; there is a sidewalk café with 9 tables and 19 seats; there is no access to other parts of the building(s); a new Public Assembly permit will be applied for to reflect the removal of the seating at 171 Mulberry; and
- iii. Whereas**, the restaurant has been in operation since 1985 and the method of operation will remain unchanged; the agreed to hours of operation are 11:30 AM to 2:00 AM Sundays through Saturdays; there are two televisions; music is quiet ambient recorded background

music only; there will be no French doors or operable windows; no dancing, no DJs, no live music, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and

**iv. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the On-Premises Liquor License, with those stipulations as follows:

1. Will operate a full service Italian restaurant.
2. The hours of operation will be from 11:30 AM to 2:00 AM Sundays through Saturdays. (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
3. Will operate as a full-service restaurant, specifically a family restaurant focusing on Italian food with the kitchen open and full menu items available until closing every night.
4. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will have no more than two (2) televisions not larger than 50" in diameter (there will be no projectors).
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
7. Will operate a sidewalk café no later than 12:00 AM (all tables and chairs will be removed at this hour).
8. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows by 10:00 PM every night, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open façades.
11. Will not make changes to the existing façade.
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 outside of private parties that are utilizing the Family Style Menu priced per person with either Open Bar or Beer & Wine. 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 beer or wine products.
15. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or security personnel / doormen.
18. Any pandemic-related, temporary sidewalk or roadbed seating ends by 11:00 PM (all patrons will be cleared by this hour and area closed); no speakers or music played outdoors and no interior speakers positioned to face outside.

19. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
20. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Liquor License in the name of **La Mela Ristorante Italiano, Inc., d/b/a La Mela, 167-169 Mulberry Street 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 On-Premises License.

**Vote:** Unanimous in favor (8-0)

**2. Isabella 196 Spring LLC d/b/a Piccola Cucina, 196 Spring Street 10012 (New RW – Restaurant)**

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committees #1 to present an application to the NYS Liquor Authority for a Restaurant Wine License proposing to operate a family restaurant serving regional, Sicilian Italian food in an R7-2 zoned, six (6)-story, mixed-use building (c. 1900) on Spring Street between Thompson and Sullivan Streets (Block #489/Lot #18); and
- ii. Whereas**, the storefront location is approximately 345 sq. ft. and will have 10 tables with 20 seats; there is no bar; there are large French doors which permit a large portion of the front façade to open out to the public sidewalk in front, with one (1) bathroom; the application also proposes a sidewalk café area in front of the licensed premises consisting of two (2) tables and four (4) seats; and
- iii. Whereas**, despite the application for a new license at this location, the location was previously operated using the same d/b/a (Piccola Cucina Lic/#1268218) by the Applicant Philip Guardone, who claims to have been the manager of the licensed premises for the last few years but for all intent and purposes has been in control of the operations of the licensed premises at this location: and
- iv. Whereas**, the Applicant is also a principal and licensee of two other licensed premises with a similar name (R&G Soho LLC d/b/a Piccola Cucina Enoteca 184 Prince Street Lic #1233248 and Piccola Cuccina Estiatorio 75 Thompson Street, Lic # 1296149) located within blocks of the instant application; and
- v. Whereas**, all three locations operated by Mr. Guardone, including the instant location proposed to be licensed, have been the subject of significant problems and complaints prior to this application, the Applicant having appeared before CB2, Man. on multiple occasions regarding said complaints and problems, most notably in January/2020, and in September and October/2019; and



- vi. **Whereas**, the issues at the multiple licensed locations managed and operated by Mr. Guardone were the result of his inability to abide by his stipulation agreements defining his method of operation at all three establishments, identical to what he proposed upon his multiple applications to Community Board 2 in the past, and identical to his current application, to operate “a family restaurant serving regional, Sicilian Italian food,” but thereafter, after opening his eating and drinking establishment turned into something entirely different, operating in derogation of his stipulation agreements at all three locations by staying open much later than his stated hours of operation, with a party-like atmosphere being actively promoted with loud music coming through open doors and windows which could be heard on the street and in nearby residences, patrons being allowed to dance on the tables, bang on pots and pans, with the businesses routinely operating and selling alcoholic beverages in the restaurant on the street (pre-pandemic); and
- vii. **Whereas**, when the Licensee did appear before CB2 Manhattan’s SLA Committee to review his licensed locations, many neighbors living in the neighborhood appeared to voice their continued complaints and concerns about the loud music and noise coming from the interior premises, it being clear that the focus and origin of the noise complaints were created by the Licensee operating his restaurant until very late at night with its operable facades being wide open, causing excessive sound to emanate outwards and affect/disturb those living in the surrounding, immediate area; and
- viii. **Whereas**, with regard to the instant application, members of the community appeared in opposition, concerned that the Applicant will continue to operate at this location just as he has done so in the past, citing the Applicant’s Thompson Street location where the Applicant’s roadbed dining has been set up so that its structure was blocking a fire hydrant and where there were continual crowds in the street; no one appearing to speak in favor of the instant application; and
- ix. **Whereas**, the Applicant stated that he was no longer involved in the licensed premises at 184 Prince Street because of the tumultuous issues he created there, yet he acknowledged being the principal and manager while the problematic behavior was taking place; the Applicant was the on-premises manager at the location of the instant application and was aware of the issues raised in the past but said the issues had been resolved; this not being substantiated by anyone from the nearby community; and

**THEREFORE, BE IT RESOLVED** that based on the problematic history of the manner in which the Applicant has managed and operated this and other nearby establishments, Community Board 2, Manhattan recommends **denial** of a new Restaurant Wine license for **Isabella 196 Spring LLC d/b/a Piccola Cucina, 196 Spring Street 10012** as presented, and

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

**THEREFORE, BE IT FURTHER RESOLVED**, that if despite CB2, Man.’s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the following stipulations be imposed on any future

Restaurant Wine license for **Isabella 196 Spring LLC d/b/a Piccola Cucina, 196 Spring Street 10012:**

1. Will operate an Italian restaurant.
2. The hours of operation will be from 11:00 AM to 11:00 PM Sundays through Thursdays and 11:00 AM to 12:00 AM Fridays and Saturdays. (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
3. Will operate a full-service restaurant, specifically a family restaurant serving regional Sicilian Italian food and fine wines with the kitchen open and full menu items available until closing every night.
4. The premise 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. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
7. Will operate a sidewalk café no later than 11:00 PM (all tables and chairs will be removed at this hour).
8. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows by 9:00 PM every night without exception, allowing only for patron ingress and egress.
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 beer or wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or security personnel / doormen.
16. Any pandemic-related, temporary sidewalk or roadbed seating ends by 11:00 PM (all patrons will be cleared by this hour and area closed); no speakers or music played outdoors and no interior speakers positioned to face outside.
17. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
18. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**Vote:** Unanimous in favor (8-0)

**3. Charley St., Inc d/b/a Charley St., 41 Kenmare St. 10012 (new RW – Restaurant)**

- i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for a new Restaurant Wine Liquor License; the Applicant will operate a neighborhood Australian café serving healthy, farm fresh food for breakfast, lunch and dinner in the ground floor of a C6-1-zoned, six (6)-story mixed-use building constructed in 1902 on Kenmare Street between Elizabeth and Mott Streets (Block #479/Lot#5); and
- ii. **Whereas**, the previously unlicensed storefront is approximately 2,000 sq. ft., comprised of a ground floor of approximately 1,000 sq. ft. connected by an exterior staircase (for use by employees only) to a cellar of approximately 1,000 sq. ft. which will be used for storage purposes only; the premises will have 17 tables with 38 seats and one food counter with no (0) seats for a total seated occupancy of 38 persons; the premises has two (2) doors which will serve as patron ingress and egress and two (2) bathrooms (one is in the cellar for staff use only); there is a 95 sq. ft. sidewalk café with four (4) tables and eight (8) seats; and
- iii. **Whereas**, the Applicant has been open and operating at this location since July 2018 with no known issues or complaints albeit with earlier closing hours; members of the community appeared stating the Applicant has been a welcome addition to the neighborhood; the sidewalk café has been in existence during this time and they currently have accordion doors which open to the front of the building; and
- iv. **Whereas**, the Applicant's agreed to hours of operation are 8:00 AM to 12:00 AM seven days a week (Sundays through Saturdays); music will be quiet background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music), there are no televisions, there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the Restaurant Wine License, with those stipulations as follows:
  1. Will be advertised and operated as a neighborhood healthy Australian café.
  2. The hours of operation will be from 8:00 AM to 12:00 AM seven days a week (Sundays through Saturdays). (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
  3. Will operate a full service restaurant, specifically a neighborhood healthy Australian café with a focus on farm fresh food with the kitchen open and full menu items available until closing every night.
  4. The premise 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. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
  7. Will operate a sidewalk café no later than 10:00 PM every night (all tables and chairs will be removed at this hour).

8. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows by 10:00 PM every night, allowing only for patron ingress and egress.
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 beer or wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or security personnel / doormen.
18. Any pandemic-related, temporary sidewalk or roadbed seating ends by 11:00 PM (all patrons will be cleared by this hour and area closed); no speakers or music played outdoors and no interior speakers positioned to face outside.
19. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
20. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Liquor License in the name of **Charley St., Inc d/b/a Charley St., 41 Kenmare St. 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 in favor (8-0)

**4. VEM 15, LLC d/b/a Ed’s Lobster Bar, 155 Grand Street a/k/a 161 Lafayette Street 10013 (OP – Restaurant)**

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a full service, casual seafood restaurant that specializes in lobster with a raw bar on the ground floor of a M1-B5-zoned, five (5)-story commercial building (c. 1920–30) on the southeast corner of Grand and Lafayette Streets (Block #234/Lot #09); and
- ii. **Whereas**, the storefront is approximately 1,800 sq. ft. (900 sq. ft on the ground floor and 900 sq. ft. in the basement, with no patron use of the basement), there will be 14 tables with 28 seats and one (1) bar with 10 seats, for a total patron occupancy of 38 persons; there is no

patron seating in the basement, the basement being for storage purposes only; there is one (1) entrance and two (2) exits and one (1) patron bathroom; and

- iii. **Whereas**, the location was previously operated as a French restaurant with closing hours of 1:00 AM Sundays through Saturdays; the Applicant having a history operating a similar premises to the instant application in a smaller space a few blocks away on Lafayette Street; and
- iv. **Whereas**, the Applicant's agreed to hours of operation are 11:00 AM to 12:00 AM Sundays through Thursdays and 11:00 AM to 2:00 AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CD's, no music will audible be in any adjacent residences at any time; all doors and windows will be closed at 10:00 PM every night; there will be no dancing, no DJs, no live music, no scheduled performances, 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 Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the On-Premise Liquor License, with those stipulations as follows:
  1. The premises will be advertised and will operated as a full-service seafood restaurant.
  2. The hours of operation will be from 11:00 AM to 12:00 AM Sundays through Thursdays and 11:00 AM to 2:00 AM Fridays and Saturdays. (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
  3. The Applicant will operate a full-service restaurant, specifically a seafood restaurant that specializes in lobster and a raw bar with the kitchen open and full menu items available until closing every night.
  4. The premises 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 more than two (2) televisions no larger than 42" (ther will be no projectors and TV will operate in "closed caption" mode only without sound).
  6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
  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 by 10:00 PM every night, allowing only for patron ingress and egress.
  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 beer or wine products.

14. The Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not change any principals prior to submission of original application to SLA.
16. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel / doormen.
17. Any pandemic-related, temporary sidewalk and/or roadbed seating ends by 11:00 PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premise Liquor License in the name of **VEM 15, LLC d/b/a Ed's Lobster Bar, 155 Grand Street a/k/a 161 Lafayette Street 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 On-Premise License.

**Vote:** Unanimous in favor (8-0)

**5. Forge One Fifth LLC d/b/a/ TBD, 1 Fifth Avenue 10003 (OP – Restaurant)**

- i. Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a full-service, Italian inspired restaurant on the ground floor of a R10-zoned, 27-story residential building (c. 1927) on Fifth Avenue and the corner of 8<sup>th</sup> Street (Block #550/Lot #22); and
- ii. Whereas**, the storefront is approximately 8,738 sq. ft. (6,058 sq. ft on the ground floor and 2,680 sq. ft. in the basement, with no patron use of the basement), there will be 54 tables with 190 seats and one (1) bar with 19 seats, for a total patron occupancy of 209 persons; there is no patron seating in the basement, the basement being for storage purposes only; there is one (1) entrance that serves as the primary ingress and egress and five (5) additional exits and nine (9) patron bathroom stalls; and
- iii. Whereas**, the location was previously operated as a high-end Italian pizzeria and restaurant since 2004 with closing hours of midnight nightly; members of the committee expressing concerns regarding the Applicant's request for 2:00 AM closing every night in a large residential building and highly residential area; the Applicant stating that their last seating would be at 11:00 PM every night and that the requested later hours were to allow for the 11:00 PM diners to complete their meal; and
- iv. Whereas**, the Applicant being a well-regarded chef, successfully operating two other restaurants in Manhattan; and
- v. Whereas**, the Applicant's agreed to hours of operation are 11:00 AM to 2:00 AM Sundays through Saturdays with no reservations or seatings after 11:00 PM nightly and an advertised

closing time of 12:00 AM nightly; music will be quiet background only consisting of music from iPod/CD's, no music will audible be in any adjacent residences at any time; all doors and windows will be closed at 10:00 PM every night; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; and

**vi. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the On-Premise Liquor License, with those stipulations as follows:

1. The premises will be advertised and will operated as a full-service Italian restaurant.
2. The hours of operation will be from 11:00 AM to 2:00 AM Sundays through Saturdays (7 days a week) with no reservations or seatings after 11:00 PM nightly and an advertised closing time of 12:00 AM nightly. (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
3. The Applicant will operate a full-service restaurant, specifically a high-end Italian restaurant with the kitchen open and full menu items available until closing every night.
4. The premises 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. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
7. A sidewalk café is not included in this application.
8. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows by 10:00 PM every night, allowing only for patron ingress and egress.
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 beer or wine products.
15. The Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel / doormen.
18. Any pandemic-related, temporary sidewalk and/or roadbed seating ends by 11:00 PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.



19. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
20. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premise Liquor License in the name of **Forge One Fifth LLC d/b/a/ TBD, 1 Fifth Avenue 10003**, **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-Premise License.

**Vote:** Unanimous in favor (8–0)

**6. New Zoe 21, Inc. d/b/a Local 92, 244 Mulberry Street, So. Store, 10012 (OP – Restaurant)**

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a full-service, Italian inspired restaurant on the ground floor of a C6-2-zoned, one (1)-story mixed-use building (c. 1900) on Mulberry Street between Spring and Prince Streets (Block #494/Lot #14) in the Special Little Italy Historic District; and
- ii. Whereas**, the previously-licensed, ground floor storefront is approximately 1,520 sq. ft.; there will be 16 tables with 32 seats and one (1) bar with 8 seats, for a total patron occupancy of 40 persons; there is one (1) entrance that serves as ingress and egress and two (2) patron bathrooms; and
- iii. Whereas**, the Applicant currently operates numerous restaurants throughout Manhattan with two (2) other restaurants in our district; and
- iv. Whereas**, the Applicant’s agreed to hours of operation are 12:00 PM to 12:00 AM Sundays through Thursdays and 12:00 PM to 1:00 AM Fridays through Saturdays; music will be quiet background only consisting of music from iPod/CD’s, no music will audible be in any adjacent residences at any time; all doors and windows will be closed at 9:00 PM every night; there will be no dancing, no DJs, no live music, no scheduled performances, 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 Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the On-Premise Liquor License, with those stipulations as follows:
  1. The premises will be advertised and will operated as a full-service Italian restaurant.
  2. The hours of operation will be from 12:00 PM to 12:00 AM Sundays through Thursdays and 12:00 PM to 1:00 AM Fridays through Saturdays. (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)

3. The Applicant will operate a full-service restaurant, specifically a family restaurant serving Italian food with the kitchen open and full menu items available until closing every night.
4. The premises 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. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
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 by 9:00 PM every night, allowing only for patron ingress and egress.
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 beer or wine products.
15. The Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel / doormen.
18. Any pandemic-related, temporary sidewalk and/or roadbed seating ends by 11:00 PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.
19. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
20. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premise Liquor License in the name of **New Zoe 21, Inc. d/b/a Local 92, 244 Mulberry Street, So. Store, 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-Premise License.

**Vote:** Unanimous in favor (8–0)

7. **ZMZ Spring Tavern, Inc., 201 Spring Street a/k/a 203 Spring Street, 10012**  
(OP – Bar/Tavern)

- i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a neighborhood tavern serving a full menu of pub fare in a R7-2-zoned, six (6)-story mixed-use building (c. 1900) on the northwest corner of Spring and Sullivan Streets (Block #504/Lot #39) in the Sullivan-Thompson Historic District; and
- ii. **Whereas**, the premises has been operated as a tavern for approximately 30 years; the ground floor storefront is approximately 2,000 sq. ft. (1,500 sq. ft. ground floor connected by an interior stairway to a 500 sq. ft. basement with no patron occupancy of the basement); there will be 15 tables with 30 seats and one (1) bar with 16 seats, for a total patron occupancy of 46 persons; there are two (2) entrances and two (2) exits that serves as patron ingress and egress, the primary means of ingress and egress being on Spring Street with Sullivan Street serving primarily as an ADA means of ingress and egress; there are two (2) patron bathrooms; and
- iii. **Whereas**, the Applicant currently operates two (2) other taverns in the district and there will be little change in the method of operation from the previous occupant, the main changes being some changes to the menu; and
- iv. **Whereas**, the Applicant's agreed to hours of operation are 11:00 AM to 4:00 AM Sundays through Saturdays (seven days a week), those hours being consistent with the previous method of operation; no music will audible be in any adjacent residences at any time; all doors and windows will be closed at all times; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the On-Premise Liquor License, with those stipulations as follows:
1. The premises will be advertised and will be operated as a neighborhood tavern.
  2. The hours of operation will be from 11:00 AM to 4:00 AM Sundays through Saturdays (seven days a week). (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
  3. The Applicant will operate with less than a full service kitchen but will serve food during all hours of operation.
  4. The premises will not operate as a Lounge or Sports Bar or allow any portion of premises to be operated in that manner.
  5. Will have no more than six (6) televisions no larger than 46" (there will be no projectors).
  6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
  7. Will not have a sidewalk café now or in the future.
  8. No music will be audible in any adjacent residences at any time.

9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not install or have French doors operable windows or open façades.
11. Will use and promote Spring Street as primary means of ingress and egress, using Sullivan Street for ADA ingress and egress.
12. Will not make changes to the existing façade 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.” 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 beer or wine products.
16. The Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will not change any principals prior to submission of original application to SLA.
18. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel / doormen.
19. Any pandemic-related, temporary sidewalk and/or roadbed seating ends by 11:00 PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.
20. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
20. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premise Liquor License in the name of **ZMZ Spring Tavern, Inc., 201 Spring Street a/k/a 203 Spring 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-Premise License.

**Vote:** Unanimous in favor (8–0)

**8. Café Habana NYC, LLC d/b/a Café Habana, 17 Prince Street 10012**  
(Transfer, New OP – Restaurant)

- i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a casual restaurant serving Cuban/Mexican food and cocktails in the ground floor of a C6-2-zoned, six (6)-story mixed-use building (c. 1914) on the northwest corner of Prince and Elizabeth Streets (Block #508/Lot #46); and
- ii. **Whereas**, the storefront is approximately 1,200 sq. ft. (600 sq. ft. ground floor and 600 sq. ft. basement with no patron occupancy of the basement); there will be 15 tables with 34 seats and one (1) bar with seven (7) seats, for a total patron occupancy of 41 persons; there is no

patron seating in the basement, the basement being used for storage and prep purposes only; there is one (1) entrance that serves as patron ingress and egress and two (2) bathrooms; there is no sidewalk café and no backyard use; and

- iii. **Whereas**, the licensed premises is the flagship location of Café Habana which has been in operation since 1998; the Applicants being involved in the management and running of the current establishment; there will be no change to the method of operation; and
- iv **Whereas**, the Applicant's agreed to hours of operation are 11:00 AM to 12:00 AM Sundays through Saturdays (seven 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) and no music will audible be in any adjacent residences at any time; all doors and windows will be closed at 10:00 PM every night; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the On-Premise Liquor License, with those stipulations as follows:
  - 1. The premises will be advertised and will be operated as a Cuban/Mexican restaurant.
  - 2. The hours of operation will be from 11:00 AM to 12:00 AM Sundays through Saturdays (seven days a week). (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
  - 3. The Applicant will operate a full-service restaurant, specifically a casual, Cuban/ Mexican restaurant with the kitchen open and full menu items available until closing every night.
  - 4. The premises 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. Will not operate a backyard garden or any outdoor area for commercial purposes (not including pandemic-related, temporary sidewalk or roadbed seating).
  - 7. Sidewalk café is not included in 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 10:00 PM every night, allowing only for patron ingress and egress.
  - 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 beer or wine products.
  - 15. The Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

- 16. Will not change any principals prior to submission of original application to SLA.
- 18. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel / doormen.
- 19. Any pandemic-related, temporary sidewalk and/or roadbed seating ends by 11:00 PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.
- 20. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
- 20. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premise Liquor License in the name of **Café Habana NYC, LLC d/b/a Café Habana, 17 Prince 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-Premise License.

**Vote:** Unanimous in favor (7–0)

- 9. CP Prince St., LLC d/b/a Cocco Pazzo, 307 Spring St. 10013** (Removal and relocation of New OP – Restaurant)
  - i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a removal and relocation of a new On-Premises license to operate as an Italian pizzeria and pasta restaurant focused on Florentine style pizza and Tuscan fare within a ground floor storefront located in a M1-6 zoned, five (5)-story, mixed use building (c. 1900) on Spring Street between Hudson and Greenwich Streets (Block #597/Lot #33) in Hudson Square; and
  - ii. Whereas**, the Applicant appeared before CB2, Man. in December/2020 to present an application for an On-Premises Liquor License at this location; the Applicant currently operating a restaurant under the same d/b/a name as the instant application (Cocco Pazzo) at 160-166 Prince Street; the instant application being the removal of the licensed premises located at 160-166 Prince Street 10012 and relocation to 307 Spring Street 10013; and
  - iii. Whereas**, aside from a change in name, there is no change in the instant application for the On-Premises Liquor License from what was presented to, and unanimously approved by, CB2, Man. in December/2020; and
  - iv. Whereas**, the licensed premise has been operated for years as a restaurant known as Giorgione with a similar method of operation as proposed in the instant application as a full service restaurant, the ground-floor storefront being approximately 3500 sq. ft. (2500 sq. ft. on the ground floor and 1000 sq. ft. in the basement), there will be 25 tables with 55 seats and 1 stand up bar with 10 additional seats on the ground floor, for a total interior seating capacity of 65; there is no patron seating in the basement, the basement being for storage

purposes only; and

- iii. **Whereas**, there is no licensed sidewalk café permitted at this location and no other areas for the service of alcohol to any exterior areas in connection with the license, the existing premises does have a set of French doors running along the front façade facing the sidewalk in front, the Applicant agreeing to close those the operable doors by 10:00 PM every night; and,
- iv. **Whereas**, the Applicant's hours of operation will be 11:00 AM to 12:00 AM, Sunday through Wednesday and 11:00 AM to 1:00 AM Thursday through Saturday, music will be quiet background only, not audible in surrounding residences, there will be no DJ's, no dancing, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be only one TV located behind the bar; and
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan 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 full service pasta and pizzeria restaurant.
  - 2. The hours of operation will be 11:00 AM to 12:00 AM, Sunday through Wednesday and 11:00 AM to 1:00 AM Thursday through Saturday.
  - 3. Will operate as a full service restaurant serving Italian Pizza Florentine style and Tuscan fare pasta dishes with the kitchen open and full menu items available untile 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 have no more than one (1) television no larger than 46" in diamaeter (there will be no projectors and TV will operate only in "closed caption" mode without sound unless all doors and windows to establishment are closed).
  - 6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seatiang).
  - 7. Sidewalk café is not included in this appalication.
  - 8. Will play quiet, ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
  - 9. All doors and windows will be closed by 10:00 PM every night, allowing only for patron inress and egress.
  - 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 & 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 and beer products.
  - 14. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
  - 15. Will not change any principals prior to submission of original application to SLA.



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. Any pandemic-related, temporary sidewalk and/or roadbed seating ends by 11:00 PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.
18. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
19. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for the removal and relocation of a new On-Premises Liquor License in the name of **CP Prince St., LLC d/b/a/ Cocco Pazzo, 307 Spring St. 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 On-Premise License.

Vote: Unanimous in favor (8–0)

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

**10. APQ Bleecker NY, LLC d/b/a Le Pain Quotidien, 65-69 Bleecker St., West Store 10012 (RW-Restaurant) (Previously Unlicensed)**

**Whereas**, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on April 6, 2021 the Applicant requested **to layover** this application to May/2021 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **APQ Bleecker NY, LLC d/b/a Le Pain Quotidien, 65-69 Bleecker St., West Store 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 in favor

**11. Pro Action NY, LLC d/b/a TBD, 195 Spring St. 10012 (OP-Restaurant) (Sidewalk Café)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2021 the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **Pro Action NY, LLC d/b/a TBD, 195 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

**Vote:** Unanimous in favor

**12. Sum Yung Gai, LLC d/b/a TBD, 17 E. 12<sup>th</sup> St. 10003 (OP-Restaurant) (Failed to Appear)**

**Whereas**, at this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on April 6, 2021 the Applicant **failed to appear** for this application and provided no notice or reason for such failure, the indication being that the Applicant abandoned its application; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **Sum Yung Gai, LLC d/b/a TBD, 17 E. 12<sup>th</sup> St. 10003 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 in favor

**13. An Entity to be Formed by Justin Grant d/b/a TBD, 356 Bowery 10012 (OP-Bar/Tavern) (DJ)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2021 the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **An Entity to be Formed by Justin Grant d/b/a TBD, 356 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 in favor

**14. St. Tropez SoHo, LLC d/b/a St. Tropez SoHo, 194-196 Spring Street 10012** (OP – Restaurant, upgrade)

**Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committees #1 on April 6, 2021 to present an application to the NYS Liquor Authority for an Upgrade from a Restaurant Wine license to an On-Premises Liquor license; and

**Whereas**, numerous members of the community appeared to speak against the instant application citing non-compliance of pandemic guidelines including overcrowding of patrons on sidewalk and streets, lack of social distancing, residents unable to access building entryway among other complaints; and

**Whereas**, this application being subject to the 500 foot rule requiring the Applicant to satisfy the public interest standard for adding another licensed establishment in this area, the area already being saturated with licensed establishments, and

**Whereas**, following this month's CB2, Manhattan's SLA Licensing #1 Committee Meeting on April 6, 2021 the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 Street 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 in favor

**15. Herm, LLC, 203 Spring Street 10012** (OP–Bar/Tavern) (Sidewalk Café)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2021 the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **Herm, LLC, 203 Spring Street 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 in favor

Respectfully submitted,

Robert Ely and Donna Raftery, Co-Chairs, SLA Licensing Committee  
Community Board 2, Manhattan

Jeannine Kiely, *Chair*  
Susan Kent, *First Vice Chair*  
Valerie De La Rosa, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Eugene Yoo, *Secretary*  
Ritu Chatree, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

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### SLA LICENSING COMMITTEE 2

The SLA Licensing Committee #2 of Community Board 2, Manhattan, held a meeting at 6:30 PM on Thursday April 8, 2021 via Video Conference.

Committee Board Members Present: R. Ely (Co-Chair), D. Raftery (Co-Chair), K. Bordonaro C. Flynn, R. Rothstein, K. Shea, S. Kent and S. Smith.

Committee Board Members absent with notice: M. Fitzgerald.

Other Board Members Present: C. Booth, Valerie De La Rosa, E. Yoo and P. Larai.

#### RESOLUTIONS:

**1. C7 Ave. South, LLC d/b/a GST Tavern, 1 7<sup>th</sup> Ave. So. 10014 (Existing OP- Change in Ownership of Corporation)**

**i. Whereas,** the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application for a change in ownership by removing two Officers/shareholders of the underlying Corporation that holds the on premise liquor license for C7 Ave. South, LLC d/b/a GST Tavern, with the establishment being located within a 1,150 sq. ft. ground floor storefront in a 6 story building on the corner of 7th Avenue South and Carmine St. in Greenwich Village; and,

**ii. Whereas,** generally these types of applications do not raise significant concerns, but in this case the current Licensee and Applicant has been found to be improperly operating its establishment as a sports bar in derogation of its stipulations agreement, stipulations incorporated into its existing liquor license at the NYSLA and representing its agreed upon method of operation stemming from its original application dating back to September/2019 with this Community Board and the NYSLA, at which time the Applicant and Licensee affirmed under oath that his eating and drinking establishment would operate as a "family friendly neighborhood restaurant"; and,

**iii. Whereas,** the Applicant's (Robert Sayegh) current business is advertised and operated as a sports bar with 4 interior TVs and 3 additional exterior TVs placed on the public sidewalk, the "GST" standing for "Greenwich Sports Tavern"—the naming not being originally presented to CB2 Manhattan and being absent from the application—and advertised on its website as a

“modern day sports tavern” with special nights for certain sports teams, specials including “buckets of beer” pricing six beers at the price of five, with the additur of “6 shots of Jack, Honey, Fire or Jameson”, serving pitchers of beer, “bottomless brunches” all day on the weekends and live music performance, all of which the Applicant and Licensee specifically agreed and affirmed would not be part of its method of operation as a family friendly restaurant, most specifically agreeing that his business would operate with “no more than 2 TVs” and that the licensed “premises, or any portion of the premises will not operate as a lounge, tavern, or sports bar”; a video being posted on its website demonstrating large groups of patrons drinking on the sidewalk, with speakers and TVs installed on the sidewalk playing music and sports programming on the exterior, large groups of unseated patrons drinking on the public sidewalk, smoking from a hookah and a lack of social distancing during the Covid-19 pandemic; and,

**iii. Whereas,** noise complaints have been reported and received pertaining to this establishment and the Community Liaison Officer from local police precinct #6 appearing pre-pandemic at the premises to address said complaints, requesting from CB2 Man. the stipulations in response to the Licensee statements informing those officers who appeared that the stipulations relating to the licensed premises permitted him to operate as a Sports Bar; and,

**iv. Whereas,** when the Applicant and Licensee appeared for this application he acted surprised to hear that he could not operate as a sports bar, the Applicant being shown the stipulations agreement affirmed, and signed by him under oath that he would not operate in the manner in which he has been operating, the Applicant making no assurances that he would change his method of operation to conform with his prior agreement; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan recommends **denial** of the application for a change of ownership/corporate change application for an existing On Premise license for **C7 Ave. South, LLC d/b/a GST Tavern, 1 7<sup>th</sup> Ave. So. 10014**; and

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

**THEREFOR BE IT FURTHER RESOLVED** that Community Board #2 Manhattan refers this matter to the New York State Liquor Authority for further investigation and actions, as deemed appropriate, to have this Licensee conform with its agreed upon method of operation as a family friendly restaurant.

**Vote:** Unanimous in favor (7-0)

**2. Soho Village Hotel, LLC & San Marino at Soho Inc., d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton St. 10014** (Existing OP – Hotel Restaurant – adding service from bar at exterior area in front of ground floor restaurant)

**i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for an alteration/change in method of operation to an existing on-premise liquor license (#1203960) to add service of alcohol to an exterior bar

located in an outdoor café in front of the Hotel's ground floor restaurant focusing on Northern Italian cuisine, the Hotel being in 20 story (circa 2006) building on Charlton Street between Hudson Street and Varick Street in Hudson Square; and,

**ii. Whereas,** the Hotel's interior ground floor space is 5000 sq. ft. with a 5000 sq. ft. basement and the existing interior ground floor restaurant is 2400 sq. ft., where there are 28 tables and 82 patron seats and one (1) existing interior bar with six (6) additional seats, for a total interior seating for 88 patrons; and,

**iii. Whereas,** the interior premises also operates in conjunction with a 540 sq. ft. exterior café directly in front of the ground floor premise, all of which is within the property line, the Applicant having previously added the exterior bar to licensed premise pursuant to alteration application in March/2018 to operate the bar in conjunction with the exterior café albeit for the service of beer and wine only, the exterior bar having 10 patron seats, the exterior café also having 4 additional tables with 14 additional patron seats for a total patron seating on the exterior of 24 seats; and,

**v. Whereas,** the applicant reached out to the surrounding residential community, there being a residential building located adjacent to the exterior café, within no one appearing to voice concerns regarding the exterior bar, the Applicant having previously installed a barrier behind the bar in the direction of the residential building and a canopy above the café to limit noise and privacy concerns previously voiced in March/2018 when the bar was originally proposed in 2018, the Applicant having adjusted his plans to address the concerns presented in March/2018, there being no complaints or problems raised since March/2018 and there being support for the existing change to serve spirits at the exterior bar based on that positive history since 2018, the Applicant agreeing to maintain the current hours of operation for the exterior café until 10:00 PM every evening (all patrons will be cleared from the premises and no patrons will remain after stated closing time), where there would continue to be no TVs, no music and no speakers used or installed at the exterior café; and,

**vi. Whereas,** the interior hours of operation will be unchanged at 6AM to 2AM Sunday to Saturday, all doors will be closed by 10PM daily, music on the interior only will be quiet background consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**vii. Whereas,** the Applicant executed a stipulation agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on its on premise license stating that:

1. Premise will be advertised and operated as a Hotel and Ground Floor Restaurant
2. The interior hours of operation will be Sunday to Saturday 6AM to 2AM.
3. The exterior café hours will be Sunday to Saturday 11AM to 10PM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
4. Will operate full service restaurant, specifically an Italian restaurant focusing on Northern Italian cuisine, with the kitchen open and full menu items available until closing every night.

5. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
6. Will have no more than 3 televisions – all in the interior.
7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
9. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
10. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
11. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
12. 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/ door staff.
13. The exterior café area will not have TV’s, music, or speakers.
14. The entire exterior café area will have a roof enclosure.
15. A full height soundproof wall will be maintained behind the exterior bar.
16. There will be no sidewalk café.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **denial** of an alteration/change in method of operation application for the existing on-premises license for **Soho Village Hotel, LLC & San Marino at Soho Inc., d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton St. 10014** **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 for the Hotel’s License.

**Vote:** Seven in favor, One against (7-1) (C. Flynn)

**3. 340 Bleecker, LLC d/b/a AMOS, 340 Bleecker St. 10014 (New OP – Restaurant)**

**i. Whereas,** this Applicant previously appeared before Community Board 2, Manhattan in May/2019 and again in June/2019 presenting an application to the Liquor Authority for a new on-premise liquor license to operate a full-service restaurant by combining multiple storefronts into one larger, combined space, previously unlicensed as such, within a mixed-use six-story building (circa 1930) located on Bleecker St. between West 10<sup>th</sup> St. and Christopher St. in Greenwich Village, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

**ii. Whereas,** in response to the Application, local residents appeared in opposition, including those directly impacted and living on Bleecker Street immediately above the premises to be licensed and the proposed sidewalk café, the proposed licensed premise and exterior café being surrounding by a significant residential presence, advancing concerns relating to noise impacts from the exterior café but also due to the interior restaurant, the size of the combination



of the two storefronts, one of which has never been licensed previously or used for eating and drinking, the prior use of the additional storefront having been as a retail clothing store not having the same sound intrusions and impacts as a full service restaurant with a large bar being installed where none had previously existed, the patron occupancy of 108 being much greater than the prior occupancy of the diner, the building being old without soundproofing and all residential above, the tenants impacted having lived in the building for decades with concerns that they are being targeted by the landlord due to their rent-controlled status; there also being concerns voiced that the Applicant was not being candid about his plans to prevent noise intrusions for the larger foot print and there being doors left unlocked and access to common tenant areas in the basement by employees of the proposed restaurant; and

**iii. Whereas,** in terms of background, the proposed premises to be licensed is a combination of multiple storefronts, located adjacent to each other, the first storefront having previously operated as a diner called Manatus which closed in 2015, the second storefront being a clothing store and never previously licensed or operated for eating and drinking, the combined premises being gut-renovated and kitchen being relocated into the basement, the combined interior premise for the proposed restaurant being 3500 sq. ft.; and,

**iv. Whereas,** the proposed interior premises will have 28 tables and 94 table seats, 1 standup bar with 14 bar seats for a maximum interior patron occupancy of 108, there will be no patron use of the basement and two patron bathrooms; the interior hours of operation are Sunday to Thursday from 8AM to 12AM and Fridays/Saturdays from 8AM to 1AM, music will be on the interior only and will be quiet background with additional live music, albeit limited to two times per week, acoustical instruments only, without amplification, no drums and no horns; and,

**v. Whereas,** the Applicant also sought to have service to a licensed sidewalk café in front of the interior premises, limited to 6 tables and 12 seats, with the Applicant agreeing to close the exterior sidewalk café by 10 PM Sunday through Thursday and by 11PM Fridays and Saturdays; and,

**vi. Whereas,** despite such opposition to this Application and the significant impacts generated from the licensing of a much larger footprint in a previously unlicensed space, calling into question whether the application established the public interest standard imposed by the 500 foot rule, Community Board 2 still made extensive efforts over two months of meetings to create and form a compromise to permit this Application to move forward despite the significant issues raised as to whether the public interest standard could be met with this application; and,

**v. Whereas,** those negotiations resulted in the Applicant executing a stipulations agreement with CB2 that he agreed to submit to the SLA and further agreed would be attached and incorporated into the method of operation on the restaurant on-premise liquor license stating that:

1. The establishment will be advertised and operated as a full-service restaurant serving breakfast, lunch and dinner.
2. The interior hours of operation will be Sunday to Thursday from 8AM to 12AM and Fridays/Saturdays from 8AM to 1AM (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time).

3. The premises will not operate a backyard garden or any outdoor area for commercial purposes other than a DCA approved sidewalk café.
4. The exterior sidewalk café will close by 10 PM Sunday through Thursday and close by 11 PM Friday to Saturday. All patrons will be cleared from the sidewalk cafe and no patrons will remain after stated closing time.
5. Will not have TVs.
6. 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.
7. The premises will not permit dancing in any portion of the premises.
8. Live music may occur at the interior premises, albeit limited to two times per week, acoustical instruments only, without amplification, no drums and no horns; otherwise the premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. Will install foam soundproofing with additional sound barriers for sound attenuation throughout entire ceiling, utilize sound limiters and will work with the residential tenants living directly above premises to attenuate/contain all sound impacts.
10. Will install awning over sidewalk café.
11. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. Signage will be installed to remain patrons outside to be respectful of residents living immediately above establishment.
13. The Licensee will obtain all required certificates, permits and related documents including a Certificate of Occupancy prior to opening and will keep current all certificates, permits and related documents.
14. There will be no operable windows and all operable doors on Bleecker Street will be closed at all times except for patron egress.
15. There will be a single patron entrance located at the northerly portion of the storefront premises.
16. There will be no "bottle service" other than typical restaurant beer/wine by the bottle.
17. There will be no velvet ropes or barricades used to control patrons.

**vi. Whereas**, in addition to agreeing to the proposed compromise and above-referenced stipulations with Community Board 2 to allow for the proposed license application to move forward to the NYSLA, the Applicant repeatedly informed Community Board 2 that he would resolve all potential problems and work with the tenants immediately impacted now and into the future to ameliorate the likely and potential impacts that will occur; and,

**vii. Whereas**, after agreeing to above-described compromise with Community Board 2, the Applicant now returns almost two years later to present a supplemental Alteration Request to add an open air front façade to the restaurant with operable French doors running along the entire front of the combined storefronts; and,

**viii. Whereas**, despite the two-year gap between the Applicant's initial appearances and agreements in compromise before Community Board 2 on this Application, he has not yet completed the renovations to the combined space and therefore has not yet opened his restaurant; and,

ix. **Whereas**, the Applicant's is now seeking the open façade on the speculative pretext that he will not be successful after he opens due to the Covid Pandemic even those he had never opened or been subject to any business impact from the Pandemic, instead it being fairly clear he is using the Pandemic to leverage an open façade at the licensed premises when maintaining a closed façade was a critical element and aspect of the compromise he accepted with Community Board 2 to garner his liquor license; and,

x. **Whereas**, in response to the Applicant's supplemental alteration application, local residents appeared yet again in opposition to the supplemental application, including those directly impacted and living on Bleecker Street immediately above the premises to be licensed and the proposed sidewalk café, there being significant distrust by the residents towards the Applicant as he never reached out to them to explain the proposed changes despite the clear implications of the impacts imposed by an alteration to open up the entire restaurant at the front façade when the Applicant's prior compromise and agreement with Community Board 2 was to maintain a fixed façade to prevent the noise intrusions presented by such a large restaurant and bar in the previously unlicensed space with a capacity of 109 patrons; and,

xi. **Whereas**, this license being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 77 active, 4 pending and 12 inactive liquor licenses within 750 ft of the premises, and 200 active such licenses within 1500 sq. ft. of the premises promised to be licensed, the Applicant seeking to modify his application despite the impacts imposed and concerns voiced by the tenants and residents living directly above the premises to be licensed, and having reneged his agreement made in good faith and after the significant efforts made by Community Board 2 despite the overwhelming opposition to this application, the public interest not being served by this supplemental alteration to a business which has nevered opened; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan recommends denial of the alteration application for the existing On Premise License for **340 Bleecker, LLC d/b/a AMOS, 340 Bleecker St. 10014**; and

**BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB2, Manhattan 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.

**Vote:** Unanimous in favor (8-0)

**4. WJ Café, Inc. d/b/a Luna Café, 628 Hudson St. 10014** (New Tavern Wine License-Wine Bar)

i. **Whereas**. the Applicant appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a Tavern Wine license to

operate a small café serving classic sandwiches, small plates, salads and desserts within a ground floor storefront located in a four story townhouse (circa 1846) with residential above, located on Hudson Street between Horatio Street and Jane Street, this townhouse building falling within NYC LPC's designated Greenwich Village Historic District; and,

**ii. Whereas,** the storefront premise sought to be licensed was previously operated as a café with a similar method of operation (Hudson Café 2013-2019), the storefront having fixed facades, the interior premise being roughly 1,359 sq. ft on two floors with 459 sq. ft. on the ground floor and 900 sq. ft. in the basement, with accessory use in the basement including customer bathrooms and convection ovens and there are 11 tables and 22 seats and 1 service bar without any patron seats on the ground floor, for a grand total of 22 interior seats, there will be no Sidewalk Café, there is a "letter of no objection" for eating and drinking use on the ground floor; and,

**iii. Whereas,** the hours of operation are Sunday to Thursday from 7 a.m. to 10 p.m. and Friday to Saturday from 7 am to 11 pm (all patrons will be cleared and no patrons will remain after stated closing times), music is quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

**iv. Whereas,** the Applicant executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a café style coffee and sandwich shop.
2. The hours of operation will be Sunday to Thursday from 7AM to 10PM and Friday and Saturday from 7AM to 11PM. All patrons will be cleared and no patrons will remain after stated closing times.
3. 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.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including pandemic-related, temporary sidewalk or roadbed seating).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, or promoted events.
9. The Premises will not have French doors, operable windows or open facades.
10. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
11. Will not make changes to the existing façade except to change signage or awning.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Any pandemic-related, temporary sidewalk or roadbed seating will end by 11 PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.
16. All pandemic-related temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
17. Applicant or successors will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed seating.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **denial** of an application for a Restaurant Wine License for **WJ Café, Inc. d/b/a Luna Café, 628 Hudson St. 10014** **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 Restaurant Wine License.

**Vote:** Unanimous in favor (8-0)

**5. Mareluna LLC d/b/a Mareluna, 137 Sullivan Street 10012 (New–Restaurant Wine)**

**i. Whereas,** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new Restaurant Wine License; the Applicant will operate a restaurant serving Italian cuisine in a R7-2 zoned, one-story mixed-use building constructed in 1910 on Bleecker St. between MacDougal and Sullivan Sts. (Block #526/Lot #56) and which is located in the SoHo Cast Iron Historic District; and

**ii. Whereas,** the Applicant will operate a full-service Italian restaurant in a premises of approximately 765 sq. ft. and with a maximum proposed occupancy of 74 persons; the space will have twenty-one (21) tables with 42 seats, and one (1) stand-up bar (which will also serve as a food counter) with four (4) seats, for a total of 46 seats in the premises, which has one (1) entrance/exit and one (1) bathroom; and

**iii. Whereas,** the Applicant’s agreed-to hours of operation will be 10:00AM to 12:00AM Sundays through Thursdays, and 10:00AM to 1:00AM Fridays and Saturdays; music will be quiet recorded background only consisting of music from iPod/CD’s (i.e. no active manipulation of music – only passive prearranged music); there will be no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

**iv. Whereas,** there is no licensed sidewalk café permitted at this location and no other areas for the service of alcohol to any exterior areas in connection with the license, the Applicant plans to have windows that open on one side of the front door and is agreeing to close any operable windows by 10 PM every night; and,

v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the Restaurant On-Premises License, with those stipulations as follows:

1. The premises will be advertised and will operate as a full-service Italian restaurant with the kitchen open and full menu items available until closing every night..
2. The hours of operation will be from 10:00 AM to 12:00 AM Sundays through Thursdays, and 10:00 AM to 1:00 AM on Fridays and Saturdays.
3. The premise 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 have televisions.
5. Will not operate a backyard garden or any outdoor area for commercial purposes (not including pandemic-related, temporary sidewalk or roadbed seating).
6. A sidewalk café is not included in this application.
7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will close all doors and windows by 10:00 PM every night.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. Will not have unlimited drink or unlimited food and drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
11. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
12. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
13. Any pandemic-related, temporary sidewalk or roadbed seating will end by 11 PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.
14. All pandemic-related temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
15. Applicant or successors will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed seating.

vi. **Whereas**, residents living in the area appeared in opposition to this application, speaking to the residential zoning to the Street and Block and the use of structures in the roadbed, causing unwanted exterior noise, the Applicant also changing the storefront to operable windows allowing further noise intrusions from the restaurant to escape out to those residences where the windows have been fixed at this establishment in the past, the area being saturated with liquor licenses, there having been a significant increase in the number of liquor licenses on this particular block in the last 10 years despite the area being zoned for residential uses only; and,

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 Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine License in the name of **Mareluna LLC d/b/a Mareluna, 137 Sullivan 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 Restaurant Wine License.

**Vote:** Unanimous in favor (8-0)

**6. 10 Downing Restaurant, LLC d//b/a TBD, 10 Downing St. 10014** (New OP-Restaurant)

**i. Whereas,** the Applicants and their Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new on premise liquor license to operate a full-service restaurant focusing on seafood, raw bar and caviar within a commercial storefront located in a seven story residential apartment building (circa 1940) at the corner of Downing Street and Sixth Avenue, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

**ii. Whereas,** the Applicants are the prior operators of Café Clover, a full service restaurant located with the very same storefront premise (2014-2020) but closed due to the Covid-19 pandemic but now seek to open a new restaurant in the same space now that the pandemic is subsiding; and,

**iii. Whereas,** the storefront is roughly 2,500 sq. ft. (1800 sq. ft ground floor and 700 sq. ft basement – no patron use of basement), with 33 tables and 105 seats, one stand-up bar with 14 seats for a total interior patron seating of 119 seats, with a full service kitchen, there being an entrance to the restaurant on Downing Street, there are double doors with windows that fold open leading to a roughly 410 sq. ft. sidewalk café facing Sixth Avenue covered by a large awning, the Applicants having no plans to alter the existing front façade; and,

**iv. Whereas,** the hours of operation will be Sunday to Wednesday from 11:00AM to 12:00AM, Thursdays from 11:00 AM to 1:00 AM and Friday to Saturday from 11:00AM to 2:00AM, the sidewalk café will be close by 11:00 PM every night, and all doors and windows will be closed by 10:00 PM every night except for patron ingress and egress, music on the interior 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 d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**v. Whereas,** the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated into the method of operation on the new restaurant on-premise liquor license stating that:

1. This application is for a restaurant on-premise liquor license.
2. The hours of operation are Sunday to Wednesday from 11:00AM to 12:00AM, Thursdays from 11:00 AM to 1:00 AM and Friday to Saturday from 11:00AM to 2:00AM. All patrons will be cleared and no patrons will remain after stated closing times.

3. The premises will operate as a full service restaurant focusing on seafood, raw bar and caviar with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.
5. The premise will have not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
7. Any future sidewalk café will operate no later than 11PM every night (all tables and chairs will be removed by 11PM).
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors will be closed by 10 PM every night except for patron ingress and egress.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & 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. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. Any pandemic-related, temporary sidewalk or roadbed seating will end by 11 PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.
17. All pandemic-related temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
18. Applicant or successors will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed seating.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends denial of a new restaurant on-premise liquor license for **10 Downing Restaurant, LLC d//b/a TBD, 10 Downing St. 10014** 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 Restaurant On-Premise Liquor License.

**Vote:** Unanimous in favor (8-0)

**7. Christian Rowan on Behalf of an Entity to be Determined d/b/a To Be Determined, 24 Greenwich Ave. 10011 (new OP-Restaurant)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new On Premises Restaurant license for a “a neighborhood restaurant serving French-inspired American fare”; and,



**ii. Whereas,** this application is for a new On Premises Restaurant license at a previously licensed location which is located in ground floor storefront in a mixed use 4 story building (built in 1900) located on Greenwich Avenue between West 10<sup>th</sup> Street and Charles Street

**iii. Whereas,** the premises to be licensed is roughly 2072 sq. ft premise (1,572 ft ground floor and 500 ft basement – no patrons in basement) with 30 tables and 90 table seats, 1 stand up bar with 11 seats; there is 1 patron entrance and two bathrooms; a certificate of occupancy was presented; and,

**iv. Whereas,** the hours of operation for the interior will be Sunday to Thursday from 11 AM to 12AM and Friday and Saturday from 11 AM to 1AM, music in the interior 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 at 9 PM every night, except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**v. Whereas,** the applicant met with representatives of the West 10<sup>th</sup> Street Block Association came to an amicable agreement on stipulations, incorporated herein; and,

**vi. Whereas,** the Applicant executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a full-service restaurant serving “French-inspired American fare”;
2. The hours of operation will be: Sunday to Thursday from 11 AM to 12AM and Friday and Saturday from 11 AM to 1AM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate a full-service restaurant with the kitchen open and full menu items 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. Will not operate a backyard garden or other outdoor area for commercial purposes (not including pandemic-related, temporary sidewalk or roadbed seating).
7. Licensed sidewalk Café is not included in this application.
8. Will play quiet, ambient, recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at anytime.
9. Will close all doors and windows at 9:00 PM every night.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
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 beer or wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. 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 doorman.
18. Any pandemic-related, temporary sidewalk or roadbed seating ends by 11 PM (all patrons will be cleared by this hour and area closed); no speakers or music played outdoors and no interior speakers positioned to face outside.
19. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires. This location is located in a residentially zoned area.
20. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **denial** of a new On Premises Restaurant/Tavern for **Christian Rowan d/b/a Marians, 24 Greenwich Ave 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 Restaurant Wine License.

**Vote:** Unanimous in favor (8-0)

**8. Ninano, Inc. d/b/a TBD, 61 Grove St., Store #West 10014 (New OP-Restaurant)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new On Premises Restaurant license for a “a restaurant serving Asian American fusion fare”; and,

**ii. Whereas**, this application is for a new On Premises Restaurant license at a previously licensed location which is located in a mixed use 5 story building (built in 1900) located on Grove Street at the corner with Seventh Avenue South in a roughly 975 sq. ft premise (650 sq. ft. ground floor and 325 sq. ft. basement – no patrons in basement) with 6 tables and 12 table seats, 1 stand up bar with 6 seats; there is one patron entrance and two bathrooms; a certificate of occupancy was presented; and,

**iii. Whereas**, the hours of operation for the interior will be Sunday through Saturday from 11AM to 12AM, music in the interior 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 at 9 PM every night, except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**iv. Whereas,** the Applicant executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the restaurant on premise license stating that:

1. The licensed premise will be advertised and operated as a full service restaurant serving Asian American fusion fare;
2. The hours of operation will be: Sunday to Saturday from 11 AM to 12AM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate a full-service restaurant with the kitchen open and full menu items 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. Will not operate a backyard garden or other outdoor area for commercial purposes.
7. Licensed sidewalk Café is not included in this application.
8. Will play quiet, ambient, recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at anytime.
9. Will close all doors and windows at 9:00 PM every night.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
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 beer or wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. 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 doorman.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **denial** of a new On Premises Restaurant/Tavern for **Ninano, Inc. d/b/a TBD, 61 Grove St., Store #West 10014** **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 for the On Premise license.

**Vote:** Unanimous in favor (8-0)

**9. Moose Goose Holding LLC d/b/a The Grey Dog, 49 Carmine Street 10014**  
(New OP – Restaurant)

**i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new Restaurant On Premises License, seeking to change from Restaurant Wine to On Premise; the Applicant will continue operating a full-service restaurant with a similar method of operation albeit with wait service to all tables, featuring American cuisine in a R6 zoned four-story, mixed-use building constructed in 1910 on Carmine Street at its northeast corner with Bedford Street (Block #586/Lot #42) and which is located in the Greenwich Village Historic District; and

**ii. Whereas,** since 2015 the Applicant has operated the The Grey Dog with a Restaurant Wine License (# 1274764, exp. 02/28/22) at this location, a premises of approximately 3100 sq. ft. and a maximum occupancy of 74 persons; the approximately 1800 sq. ft. first floor, to which an existing food counter is being transformed into a service bar for its wait staff, there will continue to be 19 tables with 48 seats; the basement, which is approximately 1300 sq. ft. will have no patrons or patron access, is reached via an interior staircase; the premises has one (1) entrance for patrons located at the corner of Bedford and Carmine with two (2) patron bathrooms; and

**iii. Whereas,** the Applicant’s agreed-to hours of operation will be 11:00 AM to 12:00 AM, seven (7) days a week; it has also agreed to the following: the playing of quiet recorded background only, no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

**iv. Whereas,** while in the past there has been community concern over this Applicant, including documented reports of the illegal service of alcohol at unapproved sidewalk seating, the Applicant has corrected the problem and promised to comply in all respects with its license’s Method of Operation; and

**v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the Restaurant On Premises License, with those stipulations as follows:

1. The premises will be advertised and will operate as a family-style restaurant focusing on American cuisine.
2. The hours of operation will be from 11:00 AM to 12:00 AM seven (7) days a week. The premises will open no later than the stated opening time and **no** patrons shall remain after the stated closing time.
3. The premises will operate as a full-service restaurant with its kitchen open and full menu items available until closing every night.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. It will not have televisions.

6. It will not operate a backyard garden or any outdoor area for commercial purposes (not including pandemic-related temporary sidewalk or roadbed seating).
7. A licensed sidewalk café is not included in this application.
8. The Applicant will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
9. It will not install or utilize French doors, operable windows or open facades.
10. It will close all doors and windows by 10:00 PM every night, allowing only for patron ingress and egress.
11. It will not make changes to the existing façade except to change signage or awning.
12. It will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
13. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
14. The Applicant will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
15. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
16. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. It will not change any principals prior to the submission of an original application to the SLA.
18. Any pandemic-related, temporary sidewalk or roadbed seating shall end by 11:00 PM (all patrons will be cleared by this hour and the area closed); there will be no speakers installed, or music may be played outdoors, and no interior speakers positioned to face outside.
19. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
20. The Applicant will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises License in the name of Moose Goose Holding LLC d/b/a The Grey Dog, 49 Carmine Street 10014, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the SLA Restaurant On Premises License.

**Vote:** Unanimous in favor (8-0)

**10. Cornucopia Cruise Line NY, LLC, d/b/a Destiny and Cornucopia Cruise Line NY, LLC, d/b/a Horizons Edge, Pier 40, 353 West St. 10014 (New Vessel/Boat/Ship)**

**i. Whereas,** the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new Vessel Liquor license for two ships, Destiny and Horizon's Edge, for chartered Hudson River cruises docked at Pier 40 in Hudson River Park on the West side of Manhattan at West Houston Street and West St.; and,

**ii. Whereas,** each ship has four floors and roughly 8100 sq. ft., each are docked on the northern and western perimeters of pier 40, and will operate for parties, events and dinner cruising on the Hudson River in and about New York and New Jersey harbor area, each vessel currently holding all USCG permits; and,

**ii. Whereas,** the Applicant's hours of operation are Sunday through Saturday from 6 pm to 12 am; there will open air decks; music will be by DJ and from Ipod/CD's at entertainment and at background levels, the Applicant agreeing to specific stipulations regarding music as indicated below; and,

**iii. Whereas,** complaints have been received and observations were shared prior to and at the meeting by members of the community and members of CB2 Manhattan in regards to the music volume levels played on the previously licensed vessels owned and operated by Hornblower NY, LLC, when those ships are docked at Pier 40, when they disembark Pier 40 and when they return to Pier 40, the harmful quality of life impacts having been a persistent problem for the surrounding residential buildings, and to other users of the park, to disruptions to small music performances on Pier 46 and other users such as participatory dance groups; and,

**iv. Whereas,** despite such historical complaints to the vessel operators at Pier 40, there was no one designated from the owners/proprietors of the ships in resolve and mitigate these persistent, on-going problems, the Applicant (Mustafa Kilic) and his family having significant experience operating similar cruise ships across the Hudson River out of Hoboken and Jersey City, acknowledging an understanding of these persistent problems in the past by prior operators at pier 40, stating affirmatively that none of his ships will be playing music at entertainment levels while embarking or disembarking from pier 40, further agreeing to be individually responsible for any complaints that may come up and arise in the future, and agreeing to address those concerns should they come up directly and in a responsible manner; and,

**v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the Restaurant On Premises License, with those stipulations as follows:

1. The licensed vessels will be operated as an event ad dinner boat rental business on open waters with passenger embark/disembark at Pier 40.
2. The hours of operation will be from 6:30 PM to 12 AM 7 days a week. All patrons will be cleared and no patrons will remain on the ship after stated closing times.

3. Will not play music while docked and/or during embarking or disembarking of passengers from pier 40.
4. All vessels will cease playing music within .5 nautical mile of shoreline and/or pier 40 (for all vessel approaching/leaving pier 40 for purposes of dockage or berthing vessels at Pier 40).
5. Owner will provide dedicated, updated and shared contact number for members of the Community and Community Board 2 to contact the cruise line directly should there be noise complaints or other problems.
6. All noise complaints will be immediately shared with all managers and staff to prevent unreasonable noise intrusions to residents living nearby. There will be designated parking in Pier 40 for each event/cruise.
7. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not change any principals prior to submission of original application to SLA.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **DENIAL** of a Vessel Liquor License for **Cornucopia Cruise Line NY, LLC, d/b/a Destiny and Cornucopia Cruise Line NY, LLC, d/b/a Horizons Edge, Pier 40, 353 West St. 10014** **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 Vessel Liquor License.

**Vote:** Unanimous in favor (8-0)

**11. Uncle Biagio, LLC d/b/a TBD, 235 West 12<sup>th</sup> Street 10014 (New OP – Restaurant)**

**i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new Restaurant On Premises License; the Applicant will operate a restaurant serving Italian cuisine in a C1-6 zoned six-story, mixed-use building constructed in 1907 on West 12<sup>th</sup> Street between Greenwich Avenue and West 4<sup>th</sup> Street (at the intersection of West 12<sup>th</sup> Street and Greenwich Avenue, northwest corner; Block #615/Lot #81) and which is located in the Greenwich Village Historic District; and

**ii. Whereas,** the Applicant will operate an Italian restaurant featuring a small plates menu in a premises of approximately 1200 sq. ft. and a maximum occupancy of 74 persons; the approximately 800 sq. ft. first floor will have seven (7) tables with 24 seats and one (1) stand-up bar with four (4) seats, for a total of 28 interior seats; the approximately 400 sq. ft. basement, to which there is no patron access, is reached via a sidewalk hatch and a staircase that opens into a common stairwell; the premises has one (1) entrance, one (1) exit, and one (1) bathroom; and

**iii. Whereas,** the Applicant's agreed-to hours of operation will be 11:00 AM to 12:00 AM, Sundays through Wednesdays and 11:00 AM to 1:00 AM, Thursdays through Saturdays; it has also agreed to the following: the playing of quiet recorded background only, no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; the Applicant intends to apply for pandemic-related temporary sidewalk (4 tables with 8 seats) and roadbed (6 tables with 12 seats) seating; and

**iv. Whereas,** the Applicant is an experienced restaurateur, having operated a full-service Italian restaurant with an On Premises License since 2017 at a location adjacent to the premises that is the subject of this application; it is the Applicant's intention that its new establishment, while remaining operationally separate, will serve as a compliment to its existing restaurant; the Applicant is familiar with the neighborhood and has engaged in community outreach by contacting the appropriate block association; and

**v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the Restaurant On Premises License, with those stipulations as follows:

1. The premises will be advertised and will operate as an Italian restaurant.
2. The hours of operation will be from 11:00 AM to 12:00 AM, Sundays through Wednesdays and 11:00 AM to 1:00 AM, Thursdays through Saturdays. The premises will open no later than the stated opening time and **no** patrons shall remain after the stated closing time.
3. The premises will operate as a full-service restaurant with its kitchen open and full menu items available until closing every night.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. It will not have televisions.
6. It will not operate a backyard garden or any outdoor area for commercial purposes (not including pandemic-related temporary sidewalk or roadbed seating).
7. A licensed sidewalk café is not included in this application..
8. The Applicant will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
9. It will not install or utilize French doors, operable windows or open facades.
10. It will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
11. It will not make changes to the existing façade except to change signage or awning.



12. It will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
13. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
14. The Applicant will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
15. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
16. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. It will not change any principals prior to the submission of an original application to the SLA.
18. Any pandemic-related, temporary sidewalk or roadbed seating shall end by 11:00 PM (all patrons will be cleared by this hour and the area closed); there will be no speakers installed, or music may be played outdoors, and no interior speakers positioned to face outside.
19. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
20. The Applicant will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises License in the name of **Uncle Biagio, LLC d/b/a TBD, 235 West 12<sup>th</sup> Street 10014**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the SLA Restaurant On Premises License.

**Vote:** Unanimous in favor (8-0)

**12. Mulberry Hospitality, LLC d/b/a TBD, 310 W. 4<sup>th</sup> St. 10014 ( New OP-Restaurant)**

**i. Whereas,** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new Restaurant On Premises Liquor License; the Applicant will operate a restaurant serving vegetarian plant-based cuisine in a commercial storefront within a five story residential building constructed in 1900 in a residentially zoned area on West 4<sup>th</sup> Street between Bank and West 12<sup>th</sup> Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

**ii. Whereas,** the Applicant will operate a full-service restaurant focusing on plant-based fare and hydroponically grown produce and cocktails (both with and without alcohol) utilizing

fresh greens, herbs and spices with a full service kitchen within a subsurface below ground storefront that is roughly 1500 sq. ft., the storefront have previously operated as a restaurant known at the Black Derby; and,

**iii. Whereas,** there will be twenty (20) tables with 50 seats and one (1) stand-up bar with six (6) seats, for a total of 56 interior seats; there are 6 tables with 12 seats on the exterior immediately in front of the premise proposed to be licensed, within the property line, which will close by 10:00 PM every night, there are operable windows in the front as well, which will be closed by 9:00 PM every night, with one (1) patron entrance, one (1) exit, and one (1) bathroom; there is also access to a rear yard extension which will not be used for eating or eating purposes, the yard being limited to ancillary operations of the restaurant but will be closed (lights out) for any purpose by 10:00 PM every night, and there will be no smoking or loitering by staff or anyone at any time in the rear yard extension; and

**iv. Whereas,** the Applicant's agreed-to hours of operation will be Sundays from 11:00 AM to 12:00 AM, Mondays through Wednesdays and 4:00 PM to 12:00 AM, Thursdays and Fridays from 4:00 PM to 12:30 AM and Saturdays from 11:00 AM to 12:30 AM; it has also agreed to the following: the playing of quiet recorded background only, no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

**iv. Whereas,** the Applicant engaged in community outreach by contacting the local block associations, and agreed to work with the Community regarding hours and other impacts but still others wrote in objecting mostly, if not predominantly to the use of the exterior roadbed seating in a residentially zoned area, the Applicant having not been subject to the Covid-19 pandemic, this being a new application with the pandemic now subsiding; and

**v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the Restaurant On Premises License, with those stipulations as follows:

1. The premises will be advertised and will operate as a full service farm to table restaurant.
2. The hours of operation will be from Sundays from 11:00 AM to 12:00 AM, Mondays through Wednesdays and 4:00 PM to 12:00 AM, Thursdays and Fridays from 4:00 PM to 12:30 AM and Saturdays from 11:00 AM to 12:30 AM. The premises will open no later than the stated opening time and **no** patrons shall remain after the stated closing time.
3. The premises will operate as a full-service restaurant with its kitchen open and full menu items available until closing every night.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. It will not have televisions.
6. It will not operate a backyard garden or any outdoor area for commercial purposes except for outdoor seating area within property line in front of licensed premises limited to 6 tables and 12 seats.
7. Will operate outdoor seating area within property line in front of building no later than 10PM (all tables and chairs will be removed at this hour).

8. Operator will be very mindful regarding rear yard service operations (i.e. trash and storage) and glass bottles so as not to disturb residents. No smoking, loitering or patrons in rear yard; rear yard will not be used for any purpose after 10 PM every night.
9. The Applicant will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
10. Sidewalk café not included in this application.
11. It will close all doors and windows by 9:00 PM every night, allowing only for patron ingress and egress.
12. It will not make changes to the existing façade except to change signage or awning.
13. It will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
14. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
15. The Applicant will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
16. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
17. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
18. It will not change any principals prior to the submission of an original application to the SLA.
19. Any pandemic-related, temporary sidewalk or roadbed seating shall end by 11:00 PM (all patrons will be cleared by this hour and the area closed); any structure will be open and not enclosed; there will be no speakers installed, or music may be played outdoors, and no interior speakers positioned to face outside.
20. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
21. The Applicant will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises License in the name of **Mulberry Hospitality, LLC d/b/a TBD, 310 W. 4<sup>th</sup> St. 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the SLA Restaurant On Premises License.

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

**13. Matrix Hospitality, Inc, fka Corp. to be formed by Christopher Nelson d/b/a Intercontinentale, 95 7th Ave. So. 10014 (OP-Restaurant) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 8, 2021 the Applicant's Counsel requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **Matrix Hospitality, Inc, fka Corp. to be formed by Christopher Nelson d/b/a Intercontinentale, 95 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 in favor

**14. La Dolce Vita, LLC d/b/a Pending, 18 9<sup>th</sup> Ave. 10014 (OP-Restaurant) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 8, 2021 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 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **La Dolce Vita, LLC d/b/a Pending, 18 9<sup>th</sup> 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 in favor

**15. 6 Glasses, LLC d/b/a 6 Glasses Apart, 37A Bedford St. 10014 (RW-Restaurant) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 8, 2021 the Applicant 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 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **6 Glasses, LLC d/b/a 6 Glasses Apart, 37A Bedford St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

**16. Francis Louis, LLC d/b/a Frankie's 570 Spuntino, 570 Hudson St. 10014 (OP-Restaurant) (Withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 8, 2021 the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **Francis Louis, LLC d/b/a Frankie's 570 Spuntino, 570 Hudson St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

**17. Cornucopia Cruise Line NY, LLC, d/b/a Majesty, Pier 40, 353 West St. 10014 (Vessel/Boat/Ship) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 8, 2021 the Applicant requested **withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **Cornucopia Cruise Line NY, LLC, d/b/a Majesty, Pier 40, 353 West St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

**18. Cornucopia Cruise Line NY, LLC, d/b/a Princess, Pier 40, 353 West St. 10014 (Vessel/Boat/Ship) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 8, 2021 the Applicant requested **withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **Cornucopia Cruise Line NY, LLC, d/b/a Princess, Pier 40, 353 West 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 in favor

**19. Cornucopia Cruise Line NY, LLC, d/b/a Sundancer, Pier 40, 353 West St. 10014 (Vessel/Boat/Ship) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 8, 2021 the Applicant requested **withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan 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 **Cornucopia Cruise Line NY, LLC, d/b/a Sundancer, Pier 40, 353 West 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 in favor

Respectfully submitted,

Robert Ely and Donna Raftery, Co-Chairs, SLA Licensing Committee  
Community Board 2, Manhattan

Jeannine Kiely, Chair  
Susan Kent, First Vice Chair  
Valerie De La Rosa, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Eugene Yoo, Secretary  
Ritu Chattree, Assistant Secretary

## COMMUNITY BOARD NO. 2, MANHATTAN

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

### QUALITY OF LIFE COMMITTEE

April 2021

The Quality of Life Committee of Community Board #2, Manhattan held its monthly meeting on Monday, April 5, 2021, at 6:30 p.m. via Zoom.

**Committee Board Members Present:** Joe Gallagher (Chair), Rocio Sanz, Michael Levine, Brian Pape, William Benesh, Susan Kent, Ritu Chatree, Ed Ma

**Committee Board Members Absent with notification:** Cathy Sullivan

**Public Members Present:** Karen Eckhoff

**Public Members Absent with notification:** Ann Arlen, Rhea Sohne, Linda Aizer

**Other Board Members Present:** Carter Booth, Robin Rothstein

#### Street Activities:

1. **Kith Pop-Up Installation: Load In—April 22-23, Load Out—May 7-8, 2021: Lafayette St. between Bleecker St. and Jones Alley [curb lane only]**

**Whereas,** the applicant wishes to reserve approximately four parking spaces at this location, on the east side of Lafayette, in order to load in and then load out new display fixtures and will have attendants on site during the installation to reserve and hold the spots; and

**Whereas,** the applicant stated that the load in and out will be done in a way to minimize noise and the current parking regulations are truck loading only from 7 AM – 6 PM; and

**Whereas,** a representative from NoHo-Bowery Stakeholders appeared and spoke in favor of this application and stated that the applicant had been very attentive and responsive to community concerns; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of Kith Pop-Up Installation application for April 22-23 and May 7-9 on Lafayette Street between Bleecker St. and Jones Alley [curb

lane only], **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote: Adopted unanimously.**

2. **5/04/21 – 5/20/21 – HSBID Reconnect –Lunch on Little 6th (Hudson Square Business Improvement District): Sixth Ave. between Spring St. and Broome St. [full street closure]**
3. **6/01/21 – 9/28/21 – Tuesday Lunch on Little 6th (Hudson Square Business Improvement District): 6 Ave between Spring St. and Broome St. [full street closure]**
4. **6/01/21 – 9/28/21 – Tuesday Art Display at Dominick St. (Hudson Square Business Improvement District): Dominick St. between Varick St. and 6th Ave. [full street closure]**
5. **6/03/21 – 9/30/21 – Thursday After Work Happy Hour at Little 6th (Hudson Square Business Improvement District): 6th Ave between Spring St. and Broome St. [full street closure]**
6. **6/03/21 – 9/30/21 – Thursday Art Display at Dominick Street (Hudson Square Business Improvement District): Dominick St. between Varick St. and 6th Ave. [full street closure]**
7. **6/05/21 – 9/25/21 – Saturday Family Event at Little 6th (Hudson Square Business Improvement District): 6th Ave. between Broome St. and Spring St. [full street closure]**
8. **6/05/21 – 9/25/21 – Saturday Art Display at Dominick Street (Hudson Square Business Improvement District): Dominick St. between Varick St. and 6th Ave. [full street closure]**

**Whereas**, the Hudson Square Business Improvement District (“HSBID”) is providing programming on Little Sixth Avenue between Spring and Broome Sts., and on Dominick Street between Varick Street and Little Sixth Avenue in May, June, July, August, and September, 2021; and

**Whereas**, these streets are participating in the City’s Open Culture and Open Streets program; and

**Whereas**, the Lunch on Little Sixth program will act as a relaxation venue from 10 AM to 3 PM on Tuesdays and Thursdays in May, and Tuesdays in June, July, and September, 2021; and

**Whereas**, the lunch program will include socially distanced moveable seating, outdoor games, and live ambient music provided by musicians selected through the MTA’s Arts for Transit program—and HSBID will strive to include local musicians; and

**Whereas**, the Tuesday Art Display is an art activation on Dominick Street, featuring socially distanced movable seating, with art pieces displayed in two small booths and will be held from 11 AM to 5 PM, with set-up beginning at 9 AM and breakdown complete by 6:30 PM on Tuesdays in June, July, and September; and

**Whereas**, the Thursday Art Display activation will operate in the same way and will be held from 11 AM to 7:30 PM, with set-up beginning at 9 AM and breakdown complete by 9 PM on Thursdays in June, July, August, and September; and

**Whereas**, the Saturday Art Display activation will operate in the same way and will be held from 9 AM to 5 PM, with set-up beginning at 8 AM and breakdown complete by 6:30 PM on Saturdays in June, July, August, and September; and



**Whereas**, while sales of the art are not permitted during the Open Culture event, QR codes with more information about the artists will be displayed, and sales can occur at a later time; and

**Whereas**, there will also be a section for socially distanced games and space for attendees to create their own art projects facilitated through an “Art Cart”; and

**Whereas**, the Saturday Family Event on Little Sixth Avenue will include socially distanced moveable seating, live music, local organization tabling, and family and kid-oriented programming and games; and

**Whereas**, the Family Event will be held from noon until 4 PM, with set-up beginning at 8 AM and breakdown complete by 6:30 PM on Saturdays in June, July, August, and September; and

**Whereas**, there will be a required 15-foot emergency lane on both Little 6<sup>th</sup> Avenue and Dominick Street at all times; and

**Whereas**, the event will not interfere with the activities of the businesses on Little Sixth Avenue including the Ducati store and Altro Paradiso; and

**Whereas**, the HSBID is coordinating with the other organizations utilizing these Open Culture streets throughout the summer; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of these HSBID activations on Little Sixth Avenue between Spring and Broome Sts., and on Dominick Street between Varick Street and Little Sixth Avenue in May, June, July, August, and September, 2021, **provided that** the applications conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote: Adopted unanimously.**

9. **5/24/21 – 5/27/21 – The Hang Workshop 1 (HERE Arts Center): Dominick St. between Varick St. and 6th Ave. [full street closure]**
10. **6/21/21 – 6/24/21– The Hang Workshop 2 (HERE Arts Center): Dominick St. between Varick St. and 6th Ave. [full street closure]**
11. **8/09/21 – 8/12/21 – The Hang Workshop 3 (HERE Arts Center): Dominick St. between Varick St. and 6th Ave. [full street closure]**

**Whereas**, Here Arts Center, an arts institution located on Dominick Street between Varick and Little 6th Avenue, is producing these three four-day events on this Open Culture street in May, June, and August 2021; and

**Whereas**, each event will consist of three days of open music rehearsals with eight musicians and four to eight singers and will culminate in an open air performance; and

**Whereas**, the events will be free and open to the public and social distancing and mask wearing will be required at all times; and

**Whereas**, the music and singers will be amplified and the applicant is obtaining a sound permit from the NYPD; and

**Whereas**, the events will take place at certain points between the hours of 9 AM and 9 PM; and

**Whereas**, a 15 foot emergency lane will be accessible on Dominick Street at all times; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of these Here Arts Center activations on Dominick Street between Varick Street and Little Sixth Avenue in May, June, and August, 2021, **provided that** the applications conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote: Adopted unanimously.**

12. **7/08/21 – 7/11/21 – RAW Festival (HERE Arts Center): Dominick St. between Varick St. and 6th Ave. [full street closure]**

**Whereas**, Here Arts Center, an arts institution located on Dominick Street between Varick and Little 6th Avenue, is producing this four-day event on this Open Culture street in July 2021; and

**Whereas**, the event is three days of in-progress theatre rehearsals of new performance works by HERE resident artists and will culminate in an open air performance on Thursday; and

**Whereas**, the event will be free and open to the public and social distancing and mask wearing will be required at all times; and

**Whereas**, the rehearsals and performance will take place at certain points between the hours of 9 AM and 9 PM; and

**Whereas**, a 15 foot emergency lane will be accessible on Dominick Street at all times; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of this Here Arts Center Raw Festival on Dominick Street between Varick Street and Little Sixth Avenue in July 2021, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

13. **7/07/21 – 7/28/21 – MorDance Rehearsal (Morballet Inc. dba MorDance): 6th Ave. between Spring St. and Broome St. [full street closure]**
14. **8/04/21 – 8/25/21 – MorDance Rehearsal (Morballet Inc. dba MorDance): 6th Ave. between Spring St. and Broome St. [full street closure]**
15. **9/08/21 – 9/29/21 – MorDance Rehearsal (Morballet Inc. dba MorDance): 6th Ave. between Spring St. and Broome St. [full street closure]**

**16. 10/02/21 – 10/23/21 – MorDance Rehearsal (MorDance Inc. dba MorDance): Little 6th Ave. between Spring St. and Broome St. [full street closure]**

**Whereas**, MorDance, a woman-led, NYC-based ballet company, founded in 2013, is presenting open-air dance rehearsals and site-specific performances on Dominick Street between Varick Street and Little 6th Avenue on Wednesdays in July, August, September, and October 2021; and

**Whereas**, the event will be free and open to the public and social distancing and mask wearing will be required at all times; and

**Whereas**, there will be a required 15-foot emergency lane on both Little 6<sup>th</sup> Avenue and Dominick Street at all times; and

**Whereas**, the event will not interfere with the activities of the businesses on Little Sixth Avenue including the Ducati store and Altro Paradiso; and

**Whereas**, the rehearsals and performance will take place between of 4 PM and 7 PM with set-up beginning at 3 PM and breakdown complete by 8 PM; and

**Whereas**, a 15 foot emergency lane will be accessible on Little Sixth Avenue at all times; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of this MorDance Activation on Little Sixth Avenue in July, August, September, and October 2021, **provided that** the applications conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote: Adopted unanimously.**

**17. Sunday September 19, 2021 – The Urban Bear Street Festival (Community Health Project, Inc. dba Callen Lorde Community Health Center): Little West 12th St. between 10 Ave. and Washington St. [full street closure]**

**Whereas**, The Urban Bear Street Festival is an LGBT event celebrating NYC's bear community and supporters that has been held at this location on Little West 12<sup>th</sup> Street between 10<sup>th</sup> Avenue and Washington Street since 2008; and

**Whereas**, the outdoor, open-air festival intends to produce a scaled-down event this year to comply with social distancing requirements and will limit attendance through an on-line reservation system; and

**Whereas**, the festival is co-sponsored by the Callen Lorde Community Health Center and will be held from noon until 7 PM with set-up beginning at 9 AM and breakdown complete by 8 PM; and

**Whereas**, there will be space for tabling by local LGBT organizations; and

**Whereas**, there will be amplified sound and the applicant is obtaining a sound permit from the NYPD; and

**Whereas**, a 15 foot emergency lane will be accessible on Little West 12<sup>th</sup> Street at all times; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of The Urban Bear Street Festival on Little West 12th St. between 10 Ave. and Washington St. on September 19, 2021 [full street closure], **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote: Adopted unanimously.**

**18. Saturday, June 26, 2021 – PSNY The Alliance and NYC AIDS Memorial presents Kiki Ball (New York City AIDS Memorial): Greenwich Ave. between Bank St. and West 12th St. [full street closure]**

**Whereas**, this year Performance Space New York (“PSNY”) is partnering with the NYC AIDS Memorial to produce their annual Kiki Ball outdoors in order to be COVID-19 compliant; and

**Whereas**, the Kiki Ball will be held on Greenwich Avenue between Bank and West 12<sup>th</sup> Sts., adjacent to the NYC AIDS Memorial plaza on June 26, 2021 and the event will be held from 2 PM to 8 PM with set-up beginning at 9 AM and breakdown complete by 11:30 PM; and

**Whereas**, the Kiki Ball scene emerged out of the historical house/ballroom drag community and this is a highly organized creative, youth-led event that is centered around so-called “houses” with complex kinship structures that function as vital support systems that biological families often fail to provide to many LGBTQ youth; and

**Whereas**, the event will consist of a DJ and emcees who will preside over an amateur dance battle of two dancers per round in front of a panel of judges who will award prizes at the finish; and

**Whereas**, these balls serve the LGBTQ and BIPOC communities both as a form of entertainment and also as a means to further HIV/AIDS awareness and education and provides access to HIV/AIDS testing and healthcare; and

**Whereas**, there will be space for tabling by local LGBTQ organizations; and

**Whereas**, there will be amplified sound and the applicant is obtaining a sound permit from the NYPD; and

**Whereas**, the applicant will erect a stage and runway platform for this event and will acquire a DOB structure permit for the event; and

**Whereas**, a 15 foot emergency lane will be accessible on Greenwich Avenue at all times and the applicant is working with Lenox Health Greenwich Village to ensure access to emergency vehicles at all times; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of PSNY The Alliance and NYC AIDS Memorial presents Kiki Ball (New York City AIDS Memorial): Greenwich Ave. between Bank St. and West 12th St. on June 26, 2021 [full street closure], **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote: Adopted unanimously.**

**19. Saturday, May 15, 2021 – STONEWALL Village Fair and Expo (STONEWALL Rebellion Veterans Association): Broadway between Waverly Place and East 14th St. [full street closure]**

**Whereas**, this event is a Mardi Gras Festival Productions produced multi-block festival with typical street fair vendors selling food, drink, socks, t-shirts, handicrafts, sunglasses, etc.; and

**Whereas**, shutting Broadway between 14<sup>th</sup> Street and Waverly Place would be extremely disruptive to local traffic patterns, especially because Broadway is one of the only southbound avenues available on this stretch of the 14<sup>th</sup> Street Busway and vehicles can be ticketed for travelling on Broadway for more than one-block on 14<sup>th</sup> Street if the vehicle is not permitted to turn south onto Broadway; and

**Whereas**, it is Community Board 2's longstanding practice to discourage multi-block street fairs on major avenues, including Broadway; and

**Whereas**, the applicant's co-sponsor does not plan to include any other neighborhood or LGBT organizations at the street festival;

**Whereas**, this proposed event would completely shut Broadway from 9 AM to 9 PM from Waverly Place to 14<sup>th</sup> Street; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of STONEWALL Village Fair and Expo (STONEWALL Rebellion Veterans Association): Broadway between Waverly Place and East 14th St. [full street closure] on May 15, 2021.

**Vote: Adopted unanimously.**

**20. Saturday and Sundays between May 29 – June 6, 2021 – Washington Square Outdoor Art Exhibit (Washington Square Outdoor Art Exhibit Inc.): University Place between Waverly Place and East 13th St. [sidewalk closure]**

**Whereas**, this event, in its 90<sup>th</sup> year, has historically been held in the vicinity of Washington Square Park and has been substantially reduced in size over many years and was cancelled in 2020 due to the COVID-19 pandemic; and

**Whereas**, this year’s event will be reduced in size to comply with social distancing requirements and will feature many less artists than in years past and the applicant hopes to feature as many local artists as possible and will focus on presenting artists with seniority at the exhibit; and

**Whereas**, for the past several years this event has been presented on the sidewalks of University Place as it will be this year and the applicant will not be using the sidewalks occupied by sidewalk and curbside dining;

**Whereas**, this event will be held on Saturdays and Sundays between May 29-June 6 between 10 AM and 6 PM with set-up beginning at 8 AM and breakdown complete by 7 PM each day of the event; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of Washington Square Outdoor Art Exhibit (Washington Square Outdoor Art Exhibit Inc.): University Place between Waverly Place and East 13th St. on Saturdays and Sundays between May 29-June 6, 2021 [sidewalk closure], **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote: Adopted unanimously.**

**21. Wednesday June 9, 2021– Elizabeth Irwin HS Senior Graduation (LREI): Charlton St. between 6th Ave. and Varick St. [sidewalk and street closure]**

**Whereas**, the applicant intends to host an outdoor, open-air graduation ceremony for the 60+ graduating seniors of Elizabeth Irwin High School located at 40 Charlton Street; and

**Whereas**, the applicant intends to invite two people per graduating senior to the event as well as select faculty of the school and is exploring the possibility of having all graduating seniors either outside during the event (space permitting) or inside the school watching on a monitor until they are called to accept their diploma on stage; and

**Whereas**, the event will be held from 9 AM to 11 AM with set-up beginning at 7:30 AM and breakdown complete by noon, at which point Charlton Street will be open to vehicles; and

**Whereas**, the speakers at graduation will be using amplified sounds and the applicant is acquiring a sound permit from the NYPD; and

**Whereas**, a 15-foot emergency lane will be accessible on Charlton Street at all times; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of Elizabeth Irwin HS Senior Graduation (LREI): Charlton St. between 6th Ave. and Varick St. [sidewalk and street closure] on June 9, 2021, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

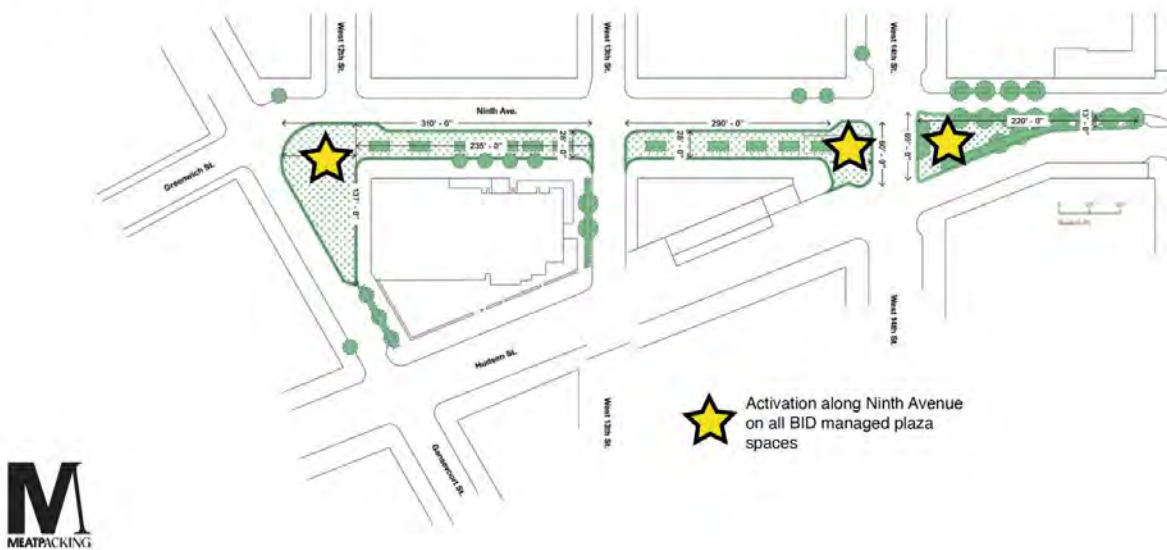
**Vote: Adopted unanimously.**

**22. Wednesday, June 9- Tuesday, June 15, 2021– New York City Flower Show (Meatpacking BID): Gansevoort Pedestrian Plaza**

**Whereas**, the Meatpacking BID is producing its first annual festival of flowers in the Gansevoort Pedestrian Plaza featuring large floral arrangements by select NYC florists; and

**Whereas**, the event will take place from Thursday, June 10<sup>th</sup> through Sunday, June 13<sup>th</sup> and set-up will begin on June 9, 2021 and breakdown will be complete by June 15, 2021 by 10 PM at the below locations; and

## Locations



**Whereas**, this event was originally scheduled for Spring 2020 but was rescheduled due to the COVID-19 pandemic; and

**Whereas**, the BID is coordinating with local businesses to install in-store floral displays; and

**Whereas**, the BID is working with the Mayor’s Street Activity Permit Office and the City to ensure compliance with all COVID-19 protocols and social distancing and mask wearing will be required of all participants and attendees; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of New York City Flower Show (Meatpacking BID): Gansevoort Pedestrian Plaza from June 9-15, 2021, **provided that** the applications conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote: Adopted unanimously.**

- 23. Thursday, June 10, 2021 – The Drawing Center June 2021 Celebration (The Drawing Center): Wooster St. between Broome St. and Grand St. [full street closure]**

**Whereas,** The Drawing Center, a non-profit exhibition space for local artists at 35 Wooster Street, is hosting its annual fundraiser outdoors in the open-air due to COVID-19 restrictions; and

**Whereas,** the event will take place from 4 PM to 8 PM with set-up beginning at noon and breakdown complete at 9 PM; and

**Whereas,** the applicant will use ambient amplified sound and will acquire a sound permit from the NYPD; and

**Whereas,** a 15-foot emergency lane will be accessible on Wooster Street at all times; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of The Drawing Center June 2021 Celebration (The Drawing Center): Wooster St. between Broome St. and Grand St. [full street closure] on June 10, 2021, **provided that** the applications conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements

**Vote: Adopted unanimously.**

**\*FYI Street Activities Renewals:**

24. **4/2/21 – 12/31/21 – Old Cathedral Outdoor Market (St. Patrick’s Old Cathedral Basilica): Prince St. between Mott St. and Mulberry St. [partial sidewalk closure]**

**Whereas,** this event has been held continuously for many years and no recent complaints have been received; now

**Therefore Be It Resolved** that CB2 Manhattan recommends approval of the renewal application **provided that** that the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote: Adopted unanimously.**

Respectfully submitted,



Joe Gallagher, Chair



Jeannine Kiely, *Chair*  
Susan Kent, *First Vice Chair*  
Valerie De La Rosa, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Eugene Yoo, *Secretary*  
Ritu Chattree, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

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### TRAFFIC AND TRANSPORTATION COMMITTEE

**April 2021**

The Traffic and Transportation Committee of Community Board #2, Manhattan held its monthly meeting on Thursday, April 1, 2021, at 6:30 p.m. via Video Conference.

**Board Members Present:** Shirley Secunda (Chair), Ritu Chattree (Vice Chair), Joe Gallagher, Janet Liff, Ed Ma, Daniel Miller, Lois Rakoff, Antony Wong, Adam Zeldin.

**Board Members Absent with notification:** .

**Board Members Absent:**

**Public Members Present:** Joseph Flahaven, George Haikalis.

**Public Members Absent with notification:**

**Public Members Absent:**

**Other Board Members Present:** Carter Booth, Michael Levine. Katy Bordonaro, Brian Pape.

**Guests:** Jessica Cronstein & Jennifer Sta. Ines (DOT), Hillary Ho, Darlene Lutz, Charles Weissman, Howard Negrin, Christy Robb, John Fuoci, Noel Hattem, Michael Markowitz, Alayne Skylar, Vakerie Street, Peter Brown, Samir Lavingia, Gene J, Choresch Wald, Davide Gentile, Andrew Gilbert, Dale Van Dyke, Michael Certo, Maguerite Martin, Michael Bilavsky, Sugar Barry, Margot J. Fox, Howard Chynsky, Barbara Quart, Andrew Rosenthal, Constance Dondore, Wendy Shenfield, Christopher Moyer, Shirley Cheeger, Mary Fielder, Marcy Laper, Nancy Shamban, George Faust, Judith Pesin, Valentine Goldstein, Myles Lewis, Ricki Tishman, Frances Schramm, Rob Mason, Susan Parker, Cheryl Grandfield, Susan Schenker, Gail Fox, Emily Goldstein, Russ Bartels, Andrea Pedersen, Chana Ben-Dov, Jerry Gluck.

#### MINUTES:

**1. NYC Dept. of Transportation (DOT) presentation of upcoming outreach process to gather feedback from the community on how University Place can better meet neighborhood needs.**

Jessica Cronstein from DOT's Public Space Unit discussed an outreach process to the community that DOT is conducting to gather input on making University Pl. more responsive to the neighborhood and balanced for various user needs. For starters, DOT has been conducting an online survey for input on University and has received 400 responses so far. To access the survey, go to: <https://www.surveymonkey.com/r/UniversityPICF>. During the process, DOT will be working with the Village Alliance BID doing on-site outreach in the first week of May. They'll do some number crunching of survey data, and also a workshop for additional input, and may come back to CB2 to do some more input gathering. They will certainly come back if they have a proposal or for more information.

They will be doing residential and office outreach. Right now, there's an open street, so there'll be largely residential input. They'll make sure to accommodate loading and unloading (side streets too) and will investigate what's under the street (e.g. wiring). In-person on-site surveys will be done one weekend day and one weekday. The Public Space Group will be working with DOT's Engineering and Planning groups concerning traffic, and with other departments like DOT's Bicycle division. They'll look at data and how people respond to the survey and are also doing a merchant's survey and counts. Access needs will be included and how to keep University a community street. They will be taking all uses and activities (e.g. the Art Fair and other events) into account. They're not talking about booting cars off the street. The study area: University Pl., 12th & 13th Sts. to Waverly Pl. They'll also consider parallel streets, side streets and impacts. Jessica Cronstein can be reached at: [publicspace@dot.nyc.gov](mailto:publicspace@dot.nyc.gov).

## **2. Discussion of process to alert the community about new CitiBike Stations.**

Jennifer Sta. Ines, the DOT Deputy Borough Commissioner, Manhattan, was present to hear what people had to say about CitiBike stations and to answer questions. Concern was voiced about not enough communication from DOT re upcoming CitiBike locations - transparency is needed in advance about where CitiBike wants to put stations. It also was reported that the link to the CitiBike open data is not very clear. Some constituents said there were too many CitiBike stations all in the same place, and couldn't understand the rationale for them. Others were upset about the loss of parking spaces because of CitiBike stations and also because of Open Streets restaurants, although they were supportive of restaurants getting the economic boost from that. One constituent had submitted a list of suggested potential replacement parking spaces, and, although the meeting wasn't about parking, was assured that the list was already passed on to DOT for evaluation, and Jennifer Sta. Ines assured him that DOT would review it and get back. When another constituent asked who DOT would be getting back to, Sta. Ines said they would get back to both the person who submitted the list and to CB2.

A major concern is lack of rebalancing at CitiBike stations to keep enough docks free for returning bicycles. It was pointed out that neighborhood users returning home often have to travel long distances to find an open CitiBike parking space. Sta. Ines said DOT works hand-in-hand with private partners in management and planning of the system and notifies partners of complaints. She said there should be a list of nearby stations and contact information at the station, and there are online maps and also APPs showing stations. One attendee suggested having valet parking like at the CitiBike station at Duarte Sq., where valet parkers keep 5 or 6 of the docks open for returning bikes. When people take more bikes out, they're replaced with bikes set aside, but some spots are always kept open for returning bikes. Sta. Ines answered that only a

few higher volume stations host the valet service, but DOT is hoping to host extra valet services this year. More information is at: <https://www.citibikenyc.com/service>.

A frequent request was for utilization data for CitiBike stations as a tool to estimate need. Someone pointed out that all CitiBike data is open source, available at: <https://www.citibike.com/system-data>. Adam Zeldin of the T&T Committee pulled together usage data from <https://s3.amazonaws.com/tripdata/index.html> to create maps using Tableau, which he displayed, and offered to send screenshots of the visuals to anyone interested. He explained that to assess whether the stations are sized appropriately, his approach would be to review the amount of time the station is fully empty and the amount of time the station is fully full, although ideally these states would rarely be reached - if the station is fully full often, it likely should be expanded. He also indicated that one has to look at the peak excess demand and peak excess supply for the station.

## **RESOLUTIONS:**

### **Resolution requesting advance notice of plans to install CitiBike stations in CB2, including identification of proposed locations, for community study before DOT presents to the Board and receives feedback.**

**Whereas** in December 2020 and January, February and March 2021, residents and other community members throughout Community Board 2 Manhattan (CB2) were both surprised and distressed to find that CitiBike stations had been installed on their blocks without receiving any advance opportunity to give input on these actions; and

**Whereas** although the NYC Dept. of Transportation (DOT) presented 10 CitiBike station locations selected for implementation in CB2 to the Board's Traffic and Transportation Committee in November 2020, no preliminary list of locations was issued prior to the meeting, preventing advance dissemination of this essential information that would allow all those in the CB2 community most knowledgeable about these sites and most affected by the changes to be aware of these planned actions and have a chance to comment about them; and

**Whereas** those who live and work in the community can provide important input on the suitability of specific locations for CitiBike stations and offer useful details, such as the need for disabled access or the existence of garbage pickup at some locations or identification of places where the noise from CitiBike takeout and return activity and maintenance might disturb ground floor living situations, as well as give suggestions for alternative locations; and

**Whereas** DOT asserts that the CitiBike outreach program has always been the same, however, in the past DOT has sent CB2 advance information *identifying* Citibike station siting possibilities at *individual* locations which gives the people at those specific sites early notice, so that they can weigh in at the beginning about suitability (as opposed to CB2 receiving a notice that a list of locations will be presented with no advance identification of the locations to be on that list); and

**Whereas** CB2 constituents have observed that numerous CitiBike stations have been placed in close proximity to each other in certain areas, e.g., on Washington and Greenwich Sts. from

Bank to Morton Sts. there are 7 stations in 8 blocks, and they ask for the rationale for these locations and others, so they can understand DOT's logic and give constructive feedback; and

**Whereas** several CitiBike users, especially from the Village's Far West side, pointed out that their problem is not a need for more CitiBike stations, but the absence of proper rebalancing at existing stations leading to a lack of open docks to which to return the bikes. This results in people returning from work and other places having to search for a CitiBike station that isn't full, frequently having to go a long distance, often in the dark and/or in bad weather, and getting home much later than should occur; and

**Whereas** valet parking can be used to keep docks open for returning bikes. At Duarte Sq.'s CitiBike station, for example, one or two valet parkers keep five or six of the docks there free; when people take more bikes out, these can be replaced with bikes that are kept aside, but some spots are always kept open for returning bikes; and

**Whereas** CitiBike collects utilization data and publishes monthly reports for DOT;

**Therefore be it resolved** that CB2 strongly urges DOT to provide advance notice before presenting to the Board of any plan to install CitiBike stations, whether at one individual location or at several different locations, that identifies each location being considered, along with the length of each station, how many bikes (broken down into types of bikes) each will accommodate, and whether each is in the roadbed, sidewalk or other; and

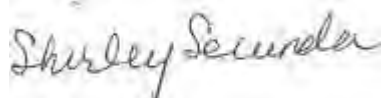
**Be it further resolved** that CB2 also urges that this advance notice additionally include the rationale for the proposed locations as well as utilization data for these areas based on the CitiBike monthly report; and

**Be it further resolved** that CB2 asks that this advance notice, including all the requested information, be made available in ample time for the community to study it and then give useful feedback when it 's presented to the Board (at least 2-3 weeks for prior review + sufficient time after DOT receives feedback for adjustments and re-locations before installation); and

**Be it finally resolved** that CB2 greatly favors installing valet parking in its CitiBike installation areas and requests that valet services be provided in certain high volume locations in those areas, in consultation with community users.

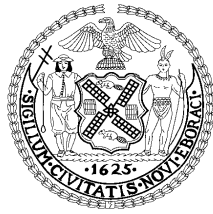
**Vote:** Unanimous in favor.

Respectfully submitted,



Shirley Secunda, Chair  
Traffic and Transportation Committee  
Community Board #2, Manhattan

**Jeannine Kiely, Chair**  
**Susan Kent, First Vice Chair**  
**Valerie De La Rosa, Second Vice Chair**  
**Bob Gormley, District Manager**



**Antony Wong, Treasurer**  
**Eugene Yoo, Secretary**  
**Ritu Chattree, Assistant Secretary**

## **COMMUNITY BOARD NO. 2, MANHATTAN**

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

### **Equity Working Group Statement to Community Board 2 Community April 22, 2021**

Dear Community Board 2 Community,

When we established the Equity Working Group over ten months ago and committed to you, our neighbors and friends, that we would align our actions with our intentions, it was in the tragic aftermath of the murders of George Floyd, Eric Gardner, Amadou Diallo, Sandra Bland, Ahmaud Arbery, Breonna Taylor, and too many others to name. We call out their names once again because, although the verdict in the murder of George Floyd was just, we must never forget those who did not receive justice because of the color of their skin.

Murders and killings of Black people have not ceased since George Floyd's death. Systemic racism permeates our city's policies and practices, institutions and communities - we are far from living in an anti-racist world.

We reaffirm our commitment to continue to engage with you in dialogue and examine what Community Board 2 can do better. As part of that engagement, over the coming months, we will examine modern-day racialized policing and the criminalization of poverty as described in the [NYC Police Reform and Reinvention Collaborative Plan](#). We will follow closely how the plan's recommendations and the city council's recent police reform bills are being implemented within the CB2 community.

Your participation and insight are critical to our success. We look forward to working with you over the coming months.