

Jeannine Kiely, Chair
Susan Kent, 1st Vice Chair
Valerie De La Rosa, 2nd Vice Chair
Bob Gormley, District Manager



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

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

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

FULL BOARD MEETING AGENDA

DATE: Thursday, June 16, 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* Written correspondence received in lieu of spoken testimony will be summarized.

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 MAY MINUTES

VI. STANDING COMMITTEE REPORTS AND OTHER BUSINESS

- | | |
|--|-------------------------------|
| 1. Landmarks | Chenault Spence |
| 2. Traffic & Transportation | Shirley Secunda |
| 3. Joint: Schools & Education/Human Services | Patricia Laraia/Susanna Aaron |
| 4. SLA Licensing | Robert Ely/Donna Raftery |
| 5. Quality of Life | Joseph Gallagher |
| 6. Land Use | Frederica Sigel |

VII. NEW BUSINESS

VIII. ADJOURNMENT

DRAFT

July 2021

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

NOTES:

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
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The Community Board 2 Manhattan
Landmarks and Public Aesthetics Committee
held its first of two June meetings on Thursday, June 9, 2021 by video
Conferencing.

Committee Members Present: Chenault Spence (Chair), Susan Gammie (Vice-Chair),
Eugene Yoo, Brian Pape, Valerie De La Rosa, Anita Brandt, Sandy Russo

Board Members Absent with Notice: Bo Riccobono, Doris Diether

Board Members Absent without Notice:

Public Members Present: Albert Bennett, Mostafa Osman

Public Members Absent with notice:

Board members: Michael Levine

~~*130 Greene St. — Application is to amend a master plan for painted wall signs. (Reviewed at
LPC staff level)~~

~~*60 Grand St. — Application is to amend a master plan for painted wall signs. (No public
hearing review)~~

***53 W. 9th St. – Application is to install new louvered wood shutters at the second, third
and fourth floor front facade windows.**

Whereas:

- A. There is ample precedent for shutters on houses of the period and design; and
- B. The black wood shutters are in historic design and are operative; and
- C. Addition of the shutters highlights the absence of lintels and sills; and
- D. The shutters would be less assertive on the narrow house in a lighter, traditional color; now

Therefore be it resolved that CB2 recommends:

**A. Approval of the shutters provided that they are in a lighter, traditional color and that
the color be reviewed by the Board for recommendation to the Commission; and**

B. That consideration is given to restoring the lintels and sills.

Unanimous

***357 W. Broadway – ~~Application is to add a 3rd floor rear stair bulkhead.~~ (Reviewed at LPC staff level)**

***55 Gansevoort St. – ~~Application is to amend a previous approval for mechanical equipment at the roof of a penthouse addition, and at an undeveloped rear facade.~~(Reviewed at LPC staff level)**

***4 Jane St. – Application is to construct a rooftop addition, excavate the rear yard and construct a below-grade rear yard addition.**

Whereas:

A. The rooftop addition has a skylight and window wall and a terrace with railing at the front of the building; and

B. Both the structure and the railing are highly visible and obtrusive from a public thoroughfare along the ally to the west of the building; and

C. An inadequate presentation did not illustrate the appearance of the finishes of the masonry and the glazing; and

D. Non historic openings along the east facade filled in glass brick are to be removed, bricked in and parged to match the wall; and

D. The rear yard excavation is 7'-0" deep to provide a walkout from the basement and 13'-0" from the rear wall of the house with 5'-0" remaining at the existing level to the property line.

E. The exiting stair from the parlour floor to the rear garden is to be replace by a spiral staircase; and

E. The cellar is to be excavated 1'-0"; and

F. The inadequate presentation did not give a visual depiction of the rear facade, the stair, the necessary retaining walls, and the garden with the materials and finishes and gave no information concerning the engineering and safety measures to be instituted on order to ensure the integrity of the house and the neighboring houses and gardens; and

G. A member of the public spoke in opposition to the application.

Therefore CB2 recommends:

A. Denial of the highly visible rooftop addition as obtrusive to the historic character of the neighborhood and because of inadequate information about its appearance; and

B. Denial of the rear facade and garden excavation because of inadequate information about its constriction and appearance; and

C. That the Landmarks Commission direct that the applicant comes before the Board for a review of an adequate presentation in order that the Board may make a proper evaluation and a recommendation to the Commission.

Unanimous

Respectfully submitted,
Chenault Spence, Chair

DRAFT

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The Community Board 2 Manhattan
Landmarks and Public Aesthetics Committee
held its second of two June meetings on Thursday, June 14, 2021 by video
Conferencing

Committee Members Present: Chenault Spence (Chair), Eugene Yoo, Brian Pape,
Valerie De La Rosa, Anita Brandt, Sandy Russo, Doris Diether

Board Members Absent with Notice: Bo Riccobono, Susan Gammie

Board Members Absent without Notice:

Public Members Present: Albert Bennett, Mostafa Osman

Public Members Absent with notice:

Board members: Michael Levine

15 Greenwich Avenue – Application is to demolish existing 1-story commercial building and construct a new 5-story mixed-use building with cellar and attic

A. The existing building, a one story much altered retail space replaced a 19th century four story row house in 1937 and is proposed to be demolished; and

B. The site is prominent, facing onto a moderately wide avenue with a park and an important historic building, the Jefferson Market Library.

C. The building is architecturally and historically undistinguished and there is no objection to its demolition; and

D. The proposed new building is 20' wide, with cellar and first commercial floors built to the lot line and above the building steps back 27' with four residential floors and an attic (48' deep); and

E. The height to the roof is 62'-6" and with an unarticulated parapet and painted aluminum mechanical equipment screen to a height of 72'

F. The facade is covered in concrete cast stone with blueish red color at the ground floor, as random vertical elements at the windows and the overall effect is an aggressive presence in the row of warm tone historic facades; and

G. The windows, 7'-0" high and 3'-0" wide, are single lite fixed panels with simple bronze frames with an operable tilt panel and are far out of scale with the neighboring historic buildings; and

H. The proportion of masonry to glass gives the appearance of a modern frame with glass panels rather than having the historic reference of punched window openings proportional to the masonry and there is no alignment of fenestration and height to the windows in the historic tenement and row houses to the west and the apartment building to the east; and

I. The rear facade is similar, with a simpler design and the applicant was unable to explain its visibility from 10th Street west of Greenwich Avenue.

J. The building is an unwelcome, aggressive presence on a cohesive historic row in a prominent location facing a park and important historic building and it is ill suited to this location on account of its scale, proportion, height, color, materials, windows, alignment with neighboring buildings, lack of detailing and totally lacking in historic reference; now

CB2 Manhattan recommends:

A. Approval of the demolition of the existing undistinguished building; and

B. Denial of the application for the new construction as being an unwelcome intrusion to a cohesive historic row in a prominent location and not having a harmonious relationship to the neighboring buildings and the immediate area and its total lack in historic reference.

Unanimous

**Respectfully Submitted,
Chenault Spence, Chair**

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TRAFFIC AND TRANSPORTATION COMMITTEE

June 2021

The Traffic and Transportation Committee of Community Board #2, Manhattan held its monthly meeting on Thursday, June 3, 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: George Haikalis, Joseph Flahaven.

Public Members Absent with notification: .

Public Members Absent:

Other Board Members Present: Jeannine Kiely (CB2 Chair), Michael Levine, Brian Pape, Chris Dignes, Josh Thompson (CB2 office).

Guests: Jessica Cronstein (DOT), Robert Giusti, Samir Lavingia, Michael Stosser, Matt Lorenz (DOT), Kimberly Rancourt (DOT), Arthur Schwartz, Robert Carney, Mark Berger, Fiona Kahn, Jennifer Leung (DOT), Eric Avrumson, Eve Jochnowitz, Chana Ben-Dov, Gregory Haas (DOT), Darlene Lutz, Jeffrey Rowland, Lisa Corn, Jonathan Stern, Barry Greene, Sharon Kess, Andrew Berman (Village Preservation), Lara Daniel, Michael Certo, Dorsey Adler, Jill Young, Joshua Shapiro, Helene Kommel, Andrew Corn, Christopher Moyer, Suzan Al Shammari, Greg Lipay, Richard Klein, Joe LoBello, Katie Radin, Lincoln Anderson, Karla De Bernardo, Flora Resnick, Lawrence Steinhorn, Susan and Sanford Kempin, Heide Kahme, Michael Stosser, Joseph Mastrandrea, Howard Negrin, Sheila Brown, Donna Mahanna, Charlie Anderson (Assembly Member Glick), Patrice Comerford (Council Speaker Johnson), Sharon Boonshoft, Irak Cehonski (Council Member Rivera), Choresh Wald, Judith Callet, Benny Pollak, Morgan Hare, William Kelley (Village Alliance BID), Greg Liambas, Kevin Fagan, Robert Schwinger, Gay Steinhorn, Sarah Avrumson, Sheldon Krinsky, Harilyn Rousso, James Huang, Beth Stevens, Colin Gibson, Susan Schenker, Kol Gjelij, Jeremy Unger, Steve Zammarchi, Kathleen Dunn,

Randy F, Hilary Ho, Ross Weiner, Peggy Strauss, Peter Guryan, Susan Rudich, Kevin Yin, Robin Felsher, Richard Riccucci, Brandon Zwagerman, Melodie Bryant, Zach Steinhorn, Mark Blunda, Robert Plutzker, Erin Hartnett, Gail Fox, Miriam Shire, Daniella LaRocco (Village Alliance BID), Myles Lewis, Josh Charles, Carolyn Boriss-Krimsky, Barbara Leeds, Cheri Simon, Kevin Snyder, Carole Mayer, Eric Rayman, Jonathan Stern, Judith Pesin, Valentine Goldstein, Larry Hellenberg, David Baum, Barry Greene, Andrew Gilbert, Sharon Kess, Devin Gould, Richard Reisman, Dimitris Koutoumbas, Bill Delaney, Ruth Starr, Jessica White, Gene J, Susan E. Meyer, Joshua Shapiro, Kay Deaux, Helene Kommel, Andrew Corn, Andrea Pedersen, Peter Brown, Barbara Eskin, Justin Rann, Robin Fostel, Rachel Sapir-Quinton, Jon Maroto, David Morris, Leah Rose Jacobs, Abbie Zuckerman, Stephen Graham, Jerry Gluci, Charle-John Cafiero, Valerie Street, Annie Pichard, Andy Rosenthal, Ellen Silverstein, Lori Brand, Alexandra Oryniak, Dina Weisberger, Catherine Boursier, Mindy Silverberg, Edmond Mukamal, David Koch, Karen Aronstam, Phil Dorn, Yehjong Son, Matthew Orley, Kevin Fagan, Barbara Cowen, Lionel Delevingne, Cheryl Small, Laura Shepard, Marsha Melnick, Aura Carpenters, Julia Parker, David Weinstein, Richard Hatch, Marjorie Elkin, Shirley Cheeger, Carrie Shapiro, Louis Fichera, Cynthia Nadelman, Howard Kaplan, Melissa Cahn, Isabel Stern, Ray Ellin, Daisy Friedman, Gayle Gerstein, Damon Cardasis, Joanne Oppenheim, Jean Margo Reid, Deborah Goldstein, Mary Garvey, Joan Rosenstock, Steven Berkowitz, Steven Pack, Diane Kolyer, Emily Cozzi, Bill Lipschutz, Davide Gentile, Adelaide Polsinelli, Scott Stokke, Ernest Turro, Elise Baker, Matthew Emerman, Amy Zarin, Chibi HamaRubin, Jay Delgado, Jean Tordella.

MINUTES:

Discussion of Bike Boulevard concept for University Pl. by NYC Dept. of Transportation (DOT) and update on DOT's engagement efforts there.

In response to CB2's request for a presentation to clarify an unexpected announcement by Mayor DeBlasio that a bike boulevard would be coming to University Pl., at the same time DOT is conducting a planning process with outreach to the community "for input on how University Pl. can better meet the needs of the surrounding community," which is expected to last at least beyond the summer, representatives from DOT presented a short (but not very clear) description of bike boulevards and an overview of the planning process which they expressed assurance would continue to be conducted into the Fall. DOT also indicated they're analyzing data from community surveys and two June outdoor listening sessions, and are expecting to have a design workshop in the Summer or Fall, most likely on-line through Zoom but this has to be worked out. They also indicated that DOT sees the need to maintain vehicular access on University Pl. and will be looking at conditions on 12th and 13th Sts. which have concerned constituents. They displayed some survey results revealing that most respondents live nearby and visit University Pl. daily and also nearby restaurants and bars as well as shop and run errands nearby. The great majority of survey respondents stroll and walk leisurely on University Pl. and would prefer to use this street for strolling and walking leisurely in the future, while very few answered that they bike on the street or would want to use it for biking in the future, and very few drive there. DOT also discussed a toolkit which they use to improve streets, including curb use, time of day and delivery management, programming, traffic controls, bicycle infrastructure, street furniture, edge objects, street seats, bike corrals, shared streets, and pedestrian improvements. Over 100 people attended the Traffic and Transportation Committee meeting, most of who voiced concern about the unsureness of information, and such matters as accommodation of motor vehicles, potential noise, emergency access, and danger from reckless bicyclists, although some residents thought that autos are what bring the noise and danger. CB2 asked DOT to commit to answer questions submitted by the community to which they agreed. The answers to the questions will be on CB2's website when received. CB2 is also sending a letter to DOT expressing community

concerns and asking DOT to conduct specific outreach providing clearer guidance on community input and to be prepared for more in-depth discussion when they meet with CB2 again.

RESOLUTIONS:

Resolution in response to presentation by the NYC Dept. of Transportation (DOT) on the Hudson Sq. W. Village long-term study re comprehensive transportation improvements.

Whereas the NYC Dept. of Transportation (DOT) presented an overview of the results of their comprehensive transportation study of Hudson Sq. and the W. Village (study area boundaries: East-6th Ave, Greene St., Church St.; West-West St.; North-Christopher St.; South-primary border Canal St./secondary border Watts St., Leonard St.) along with recommendations for both early-action improvements (2021) and longer-term improvements (2022 and beyond) and an update on implemented improvements; and

Whereas this study was in response to requests by Community Board 2 Manhattan (CB2), Council Speaker Corey Johnson, and the Hudson Square BID and focused largely on CB2 capital and expense budget and resolution requests. It was conducted over a period of more than three years in conjunction and including periodic consultations with CB2, several government agencies and community partners; and

Whereas early-action improvements were postponed because of the pandemic, but DOT is looking to implement them this year with CB2 input and approval; and

Whereas among the 10 already implemented improvements, all of which CB2 welcomes, CB2 is particularly pleased with the following that address long-time concerns that the Board has asked to be resolved:

- Extension of protected bicycle lane on Varick St. from Clarkson St. to W. Houston St. and provision of pedestrian islands and curb extensions from Clarkson to W. Houston St. These measures have made the area much safer for pedestrians and bicyclists who have both reported the improved conditions. (CB2 has also suggested extending the bike lane west on Houston from Varick to West St.)
- Installation of all-way Stop control signs at Washington & Morton Sts. This safety measure was particularly important because of its proximity to MS297, the new middle school at 75 Morton St.
- Provision of Leading Pedestrian Interval (LPI) for north crosswalk at 6th Ave./W. 4th & Cornelia Sts., a dangerous intersection where a bus coming from the west on W. 4th, turning north on 6th severely injured a pedestrian crossing on 6th with the light. The extra crossing time provides protection to be enhanced further by early-action improvements.
- Installation of new traffic signal at 7th Ave. S. & Leroy St. and a curb extension at its n.w. corner. This long and dangerous crossing that people use, following their desire lines despite the lack of protection, is now shortened and signalized for their safety.; and

Whereas the following recommended early-action improvements are expected to be implemented in 2021, based on CB 2 input and approval:

- Installation of one curb extension at the n.w. corner of Hudson & Canal Sts. intersection. This will shorten the pedestrian crossing over Canal St.at that location.
- Remove existing painted curb extension on the n.w. corner of Canal & Varick Sts. (that creates a difficult sharp turn for trucks) and install a new painted curb extension on the

n.e. corner. Some constituents indicated that the south Grand St. crosswalk on Varick, one block north of Canal also is heavily used and needs higher visibility.

- Because buses now turning left from 6th Ave. to Watts St. to reach the Holland Tunnel make a difficult sweeping turn obstructing other vehicular and pedestrian movements, and congestion on Watts St. causes delays, reroute buses to the Holland Tunnel via Canal St. during the weekday pm peak period, reducing travel time by 12.4 minutes. This activity would be monitored for impacts and possible adjustments.
- Install three curb extensions (around the n.w. and s.w. corner of Broome St. & 6th Ave. and on the n.w. corner of Broome & Little 6th Ave.) to shorten the long crossing distance (70 ft.) on 6th Ave., increase pedestrian circulation and channelize traffic movements.
- Revise signs that are confusing to drivers on Broome St. approaching the diverge btw. westbound Watts St. & Broome St. at W. Broadway for greater clarity, and add Peg-A-Trak markings to improve guidance for motorists.
- Install curb extensions at 6th Ave with the intersection of Cornelia St. & W. 4th St. to provide pedestrian crossing safety at all five corners.
- Restripe the north side of westbound Grove St. approaching W. 4th St. and provide on-street parking (one car space) on Grove's north side btw. W. 4th St. & 7th Ave. S. to redirect traffic to avoid the median tip on 7th Ave. S. that extends into the Grove St. travel lane making left turns difficult and potentially colliding with vehicles. DOT has also agreed to add a height element for visibility of the median tip, e.g. in the snow.
- Install small curb extension on the n.w. corner of 7th Ave. S. & Commerce St. to slow down the speed of right turns through the west crosswalk that are currently facilitated by the wide turning geometry.
- Install a new pedestrian-only phase for the west crosswalk at the Pier 40 Driveway on West St. at Houston St. to address concerns about high volume of turning vehicles conflicting with people walking in the west crosswalk by Hudson River Park/Pier 40. CB2 favors this improvement, but still has concerns about vehicles turning swiftly from Houston St. into the east crosswalk that endanger pedestrians, which DOT acknowledges but observes that there's no room in the signal cycle for adjustment and that an added light and crosswalk south of Houston may relieve crossing demand at Houston.; and

Whereas among the longer-term improvements recommended, CB2 is particularly pleased with the proposal to extend the eastbound bicycle lane on Clarkson St. btw. Greenwich & West Sts. by constructing a granite strip there to accommodate bicycles that now avoid the street's cobblestones by using the sidewalk, endangering (and having injured) pedestrians. This proposal is in keeping with CB2's own recommendation and request; and

Whereas the following longer-term improvements have also been proposed:

- To address the long pedestrian crossing distances at Charlton & Van Dam Sts. along Hudson St., install one curb extension at the s.e. corner of Hudson & Van Dam and two curb extensions at the n.e. and s.e. corners at the Hudson/Charlton Sts. intersection.
- To address unmarked loading docks interfering with moving traffic and crossing pedestrians on King St. btw. Hudson & Varick Sts., restripe King St. to separate moving traffic from the loading area along the south curb and install curb extensions on the s.e. corner at Hudson St. and the SW corner at Varick St.
- To address traffic and safety issues on 6th Ave. northbound btw. W. Houston & King Sts. where vehicles coming east from King St. have difficulty accessing the 6th Ave. right turn lane to turn east into W. Houston, reverse King St.'s direction btw. 6th Ave. &

MacDougal St. and install a new Stop control sign on the new King St. eastbound approach to MacDougal.

- Close the median opening at Leroy and West St. where there is no crosswalk or traffic signal to direct pedestrians toward signalized crosswalks at Morton St. (to the north) and Clarkson St. (to the south).
- Extend the tip of Canal Park in a concrete median island on Canal St. to Greenwich St., and add crosswalks on eastbound Canal St. east of Washington St. and on westbound Canal St. west of Washington St. to improve the pedestrian environment by Canal Park.
- Add a new signalized pedestrian crossing midblock btw. Charlton & W. Houston Sts. for additional pedestrian access to the Hudson River Greenway.
- To address congestion and confusion at the intersections along Broome/Watts St. approaching the Holland Tunnel, construct concrete curb extensions along Watts St. at the n.e. corner of Varick St. & s.e. corner of 6th Ave. (option 1) plus (option 2) add traffic cones to streamline the traffic flow to the tunnel.
- To improve pedestrian safety crossing Varick St. approaching the Holland Tunnel, provide Leading Pedestrian Intervals (LPIs) along Varick at King, Charlton, Vandam and Spring Sts.;

Therefore be it resolved that CB2 thanks DOT for conducting this study in response to and focusing on a range of CB2's transportation needs and for working in cooperation with CB2 and City and State agency partners to develop practicable solutions; and

Be it further resolved that CB2 appreciates that a great many of the improvements, whether early-action, longer-term or implemented, are directly responsive to CB2 requests and in keeping with CB2's recommendations; and

Be it further resolved that CB2 is in favor of all the early-action improvements and looks forward to their implementation, but asks that consideration also be given to the following:

- CB2 asks that DOT consider angling the crosswalk at Grand St. across Varick St. slightly more to the southeast in the direction of the subway station at Canal & Varick and ensure that it's striped for high visibility (in addition to installing the curb extension at the n.e. corner on Varick at Canal).
- CB2 recognizes and appreciates that DOT will be monitoring the bus route to the Holland Tunnel change from 6th Ave. to Canal St. and asks that DOT share with CB2 the monitoring results and whatever impacts are discovered and adjustments that are made.
- CB2 asks that DOT show CB2 the vertical element chosen to increase the visibility of the median tip on 7th Ave. S. at Grove St. in advance of installation. CB2 also requests that DOT consider using planters to channel traffic to avoid the 7th Ave. S. median tip instead of parking on Grove St.'s north side btw. W. 4th St. & 7th Ave. S. and instead of striping on westbound Grove St.'s north side approaching W. 4th St. in a future installation once the early-action diversion has been evaluated.
- CB2 is aware that at this time DOT finds it difficult to adjust signalization at Houston & West Sts. but still has great concern about danger to pedestrians crossing in West's east crosswalk from swift-turning vehicles from Houston heading north and urges DOT to continue observing conditions at that hazardous spot for potential changes (e.g. from congestion pricing) that warrant adjustments to promote pedestrian safety there; and

Be it further resolved that concerning the proposed longer-term improvements, CB2 is especially glad to learn that the granite bicycle lane strip proposed for Clarkson St. btw. Greenwich & West Sts, can be constructed and finished in 2022 because of new techniques; and

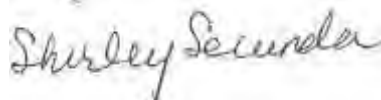
Be it further resolved that CB2 sees merit in many of the other proposed longer-term improvements and looks forward to further discussions as the opportunity for their implementation comes up, but has reservations about the following to consider:

- CB2 understands that reversing King St.'s direction from east-west to west-east btw. 6th Ave. & MacDougal St. could help avoid vehicular conflicts at 6th & King and allow for a clearer path in the 6th Ave. right turn lane, but also recognizes that MacDougal St. forms a dead end that could lead to extra turning movements down MacDougal and back up on the 6th Ave. right turn lane. Additionally, this may introduce more traffic to an otherwise quiet neighborhood street. As such, CB2 asks that DOT reconsider the reversal of the traffic flow on this block.
- CB2 is not in favor of closing the median opening at Leroy & West St. The population in that area is increasing, especially with the advent of 550 Washington St. and an event space nearby. CB2 encourages DOT to consider adding a signalized crosswalk at Leroy & West St. supplementing those already in operation at Morton & Clarkson Sts. to safely accommodate the ever-growing population and Hudson River Park users there; and

Be it finally resolved that CB2 asks that as an addition to the implemented (and welcome) extension of the protected bicycle lane on Varick St. from Clarkson St. to W. Houston St. and provision of pedestrian islands and curb extensions from Clarkson to W. Houston St. that DOT also consider CB2's request in its resolution adopted by the Full Board on May 23, 2019 (entitled: Resolution in response to presentation by NYC Dept. of Transportation (DOT) on improvements planned for Varick St.: Clarkson St./Carmin St. to King St) to install a protected bike lane on Houston St. from Varick St. to the Hudson River by removing parking on the north side of Houston on that stretch.

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*
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Joint Meeting: Schools and Education & Human Services Committee Meeting June 2021

Schools and Education & Human Services Committee held a joint meeting on Monday, June 7th, 2021 at 7:00PM via Zoom webinar.

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

CB 2 Board Members Absent with Notice: Barbara Glassman & Michael Markowitz

Public Members Present: Shino Tanikawa

Other CB 2 Members Present: William Benesh, Carter Booth, Chris Dignes, Bob Gormley (District Manager), Jeannine Kiely (CB2 Chair) & Adam Zeldin

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

Guests: Andrea Breliniski, Amy Chang, Tiffany Winbush, Josephine Ishmon & Tanvi Chopra

CB 2 Human Services Committee Members Present: William Benesh, Keen Berger, John Paul Deverna, Wayne Kawadler, & Adam Zeldin

CB 2 Board Members Absent with Notice: Susanna Aaron (Chair)

Public Members Present: Rachel Yarmolinsky

Speakers:

1. **Renny Fong**, Principal, PS 130
2. **Sharon Levanoni**, School Counselor, PS 130
3. **Wendy Lau**, **Social Worker**, PS 130
4. **Rev. Dr. Sanayi Beckles-Canton**, LMSW, M.Div., DMIN
5. **Susan Avery**, Dir. College & Career Counseling, Harvest Collegiate HS

The meeting was called to order at 7:02PM by Patricia Laraia.

The agenda for our meeting: **Mental Health in Our Schools and High School Admissions for 2021-2022.**

Please view slide presentations on changes to HS Admissions, [here](#).

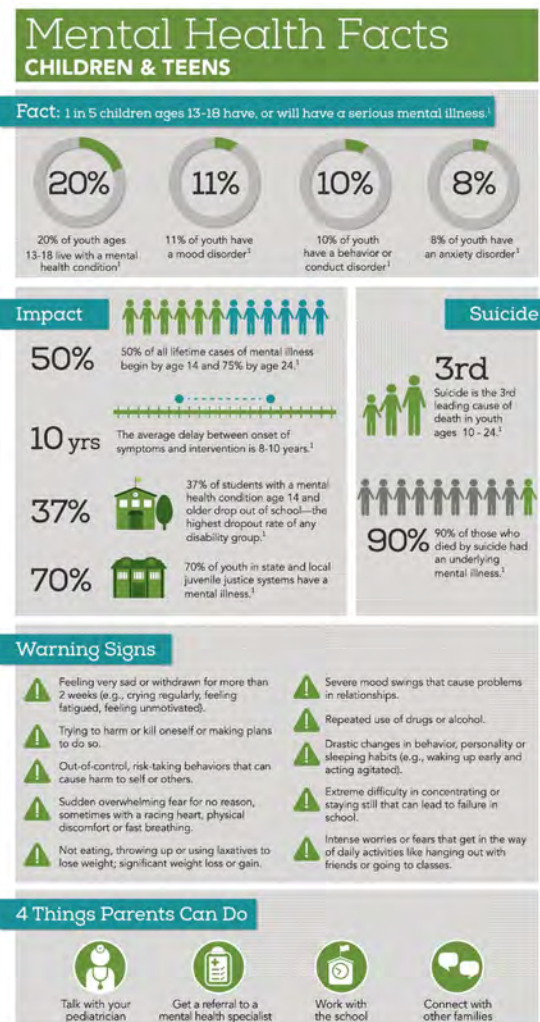
There are three resolutions.

Meeting was adjourned at 9:30pm.

#1 Resolution in Support of Mental Health Services in Schools

Whereas:

1. Students in the New York City Public School system have undergone significant recent hardships, the result of a global pandemic, a forced transition to remote schooling, a racial justice movement stemming from the killings of Black Americans, rising Anti-Asian sentiment, and economic and political instability;
2. While many families have suffered from job losses, food insecurity, racial trauma, and the death of a loved one, they have also had to weigh the difficult decision whether to send their children back to school or have them learn remotely at home. More than 70% of NYC public school students chose to learn exclusively from home and most of those who returned to buildings did so part-time or experienced frequent classroom and building closures due to proactive COVID mitigation strategies¹;
3. When schools fully reopen in the Fall of 2021, many students will be dealing with multiple pressures, especially those who have been bereaved or experienced other trauma during this time;
4. The State Department of Health estimates that one in five New York children has a diagnosable mental health disorder² and despite this need, long before Covid-19 arrived in New York, the state faced a [chronic shortage](#) of mental health care practitioners for children and adolescents;
5. Children in need of mental health treatment regularly [sit on wait lists for months](#) to see a therapist or child psychiatrist. [More than half of children](#) diagnosed with mental health conditions in New York receive no treatment or counseling at all—including [55 percent of kids with major depression](#), according to data from national surveys³;
6. Many public school families are priced out of mental health services, either because many mental health professionals in the area do not accept affordable health care options or do not accept insurance at all⁴;
7. Since the onset of the pandemic, schools are experiencing a significant increase in the demand for mental health services for students. Now more than ever, families need mental and behavioral health care for their children, but significant disparities in access to this treatment continue to exist⁵;



¹ <https://ny.chalkbeat.org/2021/4/5/22368832/opt-in-person-learning-nyc>

² <http://www.centernyc.org/reports-briefs/2020/9/15/despite-covid-19s-emotional-traumas-student-mental-health-services-dry-up>

³ <http://www.centernyc.org/reports-briefs/2020/6/9/kids-and-covid-19-a-mental-health-crisis-looms>

⁴ <https://www.americanprogress.org/issues/disability/reports/2020/09/10/490221/mental-health-care-severely-inequitable-came-coronavirus-crisis/>

⁵ <https://www.hhs.gov/about/news/2021/05/20/hhs-announces-142-million-american-rescue-plan-expand-pediatric-mental-health-care-access.html>

8. According to the New York City Department of Education’s “[Report on Guidance Counselors](#),” in 2018, there were 2,881 school counselors (77 of whom were part-time) and 1,335 social workers serving the 1.1 million students in the city’s public schools⁶. A 2017 report by the Manhattan Borough President estimated that “Across Manhattan, there is roughly one social worker for every 800 students, and dozens of schools have not a single social worker on staff”⁷;
9. The average delay between onset of symptoms and intervention is 8-10 years and 90% of youth ages 10-24 that died by suicide had an underlying mental illness⁸;
10. When students have limited social-emotional skills, they’re more likely to struggle when they face a new challenge or conflict. Currently, Social Emotional Learning (SEL) training is not required for educators and administrators and available only as an opt-in opportunity;
11. When SEL is combined with arts curriculum it enhances students’ capacity for Self-Awareness, Self-Management, Social Awareness, Responsible Decision Making, and Relationship Skills⁹;
12. Remote Learning has also provided comfort, safety and academic success for some of the families whose children suffer from chronic illnesses¹⁰, are too young to be vaccinated, are members of communities disproportionately affected by the pandemic, have been victim to racism in schools¹¹, and have students with learning disabilities who struggled in the traditional school environment¹²;

Therefore, Be it Resolved Community Board 2 demands the Department of Education (DOE):

1. Hire additional social workers and train teachers on how to conduct mental health screening when students return in Fall 2021;
2. Address the inconsistent mental health support to NYC Public Schools students by introducing additional targeted funding to enable schools to commission the support they need in this time of crisis;
3. Establish in school protocols that would allow students direct access to mental health providers. That offer preventative and treatment services to students and comprehensive school mental health programs that include adequate access to school psychologists, school counselors, and school social workers;
4. Ensure that the DOE provides ongoing culturally responsive SEL training to teachers and administrators within required professional development;
5. Ensure that screening practices are culturally responsive so that they mitigate the traditionally disparate treatment of Black, brown, and Asian students’ well-being;
6. Promote educational programs for parents and families to strengthen understanding and encourage a supportive home environment;
7. Provide mental health services free of charge to all NYC students through their public school;
8. Allocate more resources for language access so that families with limited English proficiency will be served adequately;
9. Provide a Remote Learning option for all families who need or want it for the entirety of the 2021-2022 school year.

Vote: 13 Yes

⁶<https://infohub.nyced.org/docs/default-source/default-document-library/guidance-counselor-report-and-summary-feb-2019.pdf>

⁷<https://www.manhattanbp.nyc.gov/wp-content/uploads/2018/06/School-Mental-Health-Report-2017-Final.pdf>

⁸<https://www.nami.org/nami/media/nami-media/infographics/children-mh-facts-nami.pdf>

⁹<https://www.edutopia.org/article/developing-curricula-sel-and-arts>

¹⁰<https://www.nytimes.com/2021/06/07/opinion/remoted-learning-nyc.html>

¹¹<https://apnews.com/article/lifestyle-race-and-ethnicity-health-coronavirus-education-c41c99db0f325bf6d0a7fc6c527e1ea9>

¹²<https://thechingerreport.org/remoted-learning-has-been-a-disaster-for-many-students-but-some-kids-have-thrived/>

Background

CB 2 Positions

- November 2020: Resolution to Extend Priority Admissions for Middle Schools and High Schools to Students from Community School District 1 and Community School District 2, VOTE: Unanimous, with 46 Board Members in favor.
- January 2021: No position on changes to high school admissions, concerned about unintended consequences

CECD3:

- [April 2019](#), HS resolution, included support for eliminating geographic priorities.

#2 Resolution Demanding Immediate Support for No Offer Students -- Students Who Received No Placement at a School on their High School List, nor a Specialized High School

Whereas:

1. District 2 middle schools shared that ***10% to nearly 30% of their 8th-grade students did not receive a match to any high school on their list of schools (“No Offer Students;”), a figure*** that far exceeds the 3% the city cited in a [June 2, 2021, New York Post](#) article;
2. The Department of Education (DOE) placed No Offer Students at under-enrolled schools located in geographic proximity to where a student lives, despite eliminating district priorities and without any coordination with the Manhattan High School or District 2 superintendents;
3. The DOE placed many No Offer Students at high schools with programs not aligned to a student’s interests including:
 - a. Transfer schools and
 - b. Historically struggling schools, such as Murry Bergtraum High School, which has a current enrollment of only [129](#) students (down 81% since 2016) and graduates who are [29% college-ready in 2019-20](#)¹³;
4. The ***high percentage of No Offer Students greatly increases the number of families facing significant uncertainty;***
5. No Offer Students likely received low lottery numbers, which would greatly inhibit these students’ ability to receive a waitlist offer to one of their ranked schools;
6. Because high school waitlists will close in mid-August 2021¹⁴, No Offer Students may have a better chance of obtaining a placement at one of their ranked high schools by exiting the DOE system and re-entering in the future, a workaround that favors families with time and resources to navigate the complex enrollment system and may serve to reduce equity, one of the DOE’s top priorities;
7. MySchools, the DOE application portal, allows users to search high schools by subway, size, sports, interest areas, eligibility (i.e., gender, new arrivals, and transfer), borough, building accessibility, admission method, early college, career and technical education (CTE), uniform, diversity in admissions and 10th grade admissions, ***but*** not by curricula, specifically identified classes, or programming. It is easier to find out if a school has a baseball team or requires uniforms than how

¹³ Current enrollment from the [NYC DOE website](#), five year enrollment from 2015-16 to 2019-20 using DOE Demographic Reports, capacity from the [NYC DOE Blue Book for 2019-20](#) (page 12) and college ready rate from the [NYC DOE Quality Snapshot for 2019-20](#).

¹⁴ NYC DOE high school waitlist information posted on June, 7, 2021 at <https://www.schools.nyc.gov/enrollment/enroll-grade-by-grade/high-school/waitlists>

it meets NYSED and standard college prep curricula requirement or how its math, science or arts offerings compare to other high schools. For example, one can learn that a school offers Spanish but it is unclear how many years it is available for students or a school offers AP Biology but it is unclear what other non-AP science offerings are available;

8. Greater transparency will help families more easily compare high school offerings, identify high schools that need additional resources and, ultimately, level the playing field for NYC high schools.

Therefore, Be It Resolved that Manhattan Community Board 2:

1. Demands that the DOE provide greater transparency and clarity for how students were placed at high schools and how the waitlists work;
2. Demands that the Department of Education immediately support No Offer Students in finding high school placements in alignment with an individual student's interests, including to:
 - a. **Leave waitlists open until October 31, 2021** when the DOE finalizes enrollment numbers for public schools;
 - b. **Clarify Placement Options for No Offer Students Once Waitlists Close;**
 - c. **Evaluate Revising Waitlist Priorities** such as moving No Offer Students to the top of certain waitlists;
 - d. **Provide Additional Funding and Support for Low Demand High Schools** including working with the Manhattan High School Superintendent to identify these schools, so that these schools can provide academic, elective and CTE offerings to attract more students to the choice system;
 - e. **Expand Capacity at High Demand High Schools** including working with the School Construction Authority to identify existing school buildings and other real-estate opportunities and offering Satellite campus options in the near term;
 - f. **Promote and Market Low Demand High Schools that receive funding and support** the same way the DOE supports new schools, to attract students and increase demand in our choice-based system;
 - g. **Disclose Percent of No Offer Students** -- the percent of 8th-grade students in District 2, who ranked high schools, but did not receive a placement to a school on their list nor a specialized high school offer -- and how these percentages compare to 2020 placements for District 2 and 2021 placements for the city as a whole;
 - h. **Expand the Ability to Compare Academic, Elective and CTE Offerings on MySchools**, which will provide greater transparency and help families more easily compare and rank high school offerings; and,
 - i. **Establish a Helpline** to answer principal, guidance counselor, parent, and student questions and help identify alternative placement options, prioritizing the needs of No Offer Students;
3. Insist that the DOE significantly improve the implementation of its changes to the High School admissions process to reduce uncertainty and provide additional support for principals and guidance counselors who advise students on the high school admissions process.

Vote: 6 Yes

Abstain: Akeela Azcuy, and Shino Tanikawa (Public Member)

#3 Resolution in Support of Increased Transparency, Clarity, and Improvements to the High School Admission Process for Fall 2022

Whereas:

1. On December 18, 2020, Mayor Bill de Blasio and Schools Chancellor Richard A. Carranza [announced changes](#) to the middle and high school admissions process for NYC Department of Education (DOE) public schools for the 2021-22 school year
2. Announced changes included:
 - a. The elimination of district priorities for Fall 2021 and all other geographic priorities to be eliminated for Fall 2022, impacting approximately 250 high schools that have some kind of district or geographic priority in place;
 - b. Keeping academic screens in place at high schools that currently use screens and requiring schools to publish their rubric criteria on MySchools;
 - c. Centralizing the ranking process to “ensure equity and transparency;” and,
 - d. Arts high schools will move to a virtual audition system, allowing students to submit their audition online and use one audition for all schools that require it;
3. The learning environment for the 2020-2021 school year has been far from ideal, State tests were offered on an opt-in basis and were not offered on a remote basis and attendance records for the 2020-2021 school year have been affected by extended illnesses, quarantines, and schedule changes;

MySchools Application Portal

4. Even choosing a small set of schools to thoroughly evaluate can be burdensome;
5. Incorrect data about course offerings and screening mechanisms appeared in the MySchools website used by families to select schools for application;
6. MySchools, school websites, and school virtual tour presentations often presented inconsistent information regarding high school admissions and programming;
7. The search capability of the MySchools website was unreliable, with certain successful features (e.g., PSAL sports) but many deficiencies (e.g., Special Ed programs);
8. Response time for the MySchools website on the day that Specialized admissions closed and the day that regular admissions opened was extremely poor;
9. Shifting information was hard to follow in English but even harder for non-English speakers;
10. Schools themselves were uncertain during the application process about admissions methodology implemented by DOE;
11. Changes to admissions criteria were not transparently tracked;

Virtual Tours and Open Houses

12. Availability of virtual tours was inconsistent, with some schools available only in December and others only in January or February;
13. Some schools took a punitive approach to families desiring open houses or virtual tours, excluding late arrivals without regard for the realities of technical difficulties or other chaos introduced by the pandemic of 2020-2021;
14. There was no single place to check tour availability, requiring visits to multiple websites to track new dates;
15. The new virtual open house for Arts schools was large and overwhelming;

Application Submission and Release of Results

16. Schools with supplemental application requirements set their due dates for supplemental materials, creating confusion when system-wide due dates for applications were changed; and
17. Due dates for applications were changed and updates to websites with those due dates were inconsistent;
18. Many families did not receive timely acknowledgment of receipt of applications or virtual auditions;
19. Arts high school auditions submitted through the common application process were not received by schools in some cases;
20. Students' level of anxiety increases with each day between submission of application and release of results;
21. Specialized High School admission results were released poorly, first with an encrypted email that was difficult or impossible for some families to access, then unencrypted; and,

What Worked

22. Improvements have been made to the high school admission process that should continue, namely the consolidation of the Arts audition process and the increased prevalence of virtual tours.

Therefore, be it Resolved that Community Board 2 insists that the DOE:

1. Eliminate State test scores and attendance records from admissions criteria for the 2022-2023 admissions process;
2. Release changes to admissions criteria for 2022-2023 by October 1, 2021;

Improve Data and Transparency and Centralized Access on MySchools Application Portal

3. Assist families in narrowing their choice of schools by providing information regarding the likelihood of admission, e.g., what rank in the lottery has been required for admission in the past;
4. Ensure consistency across MySchools, school websites, and stand-alone presentations, with immediate translation into supported languages;
5. Include an accurate date of the last update on each page of school information on the MySchools website;
6. Extend search capabilities on MySchools to include:
 - a. Special Ed and ELL support, including the number of learning specialists per grade and the availability of a full-time special education coordinator;
 - b. Filter by travel time from more than one location; and,
 - c. Search specifically identified classes or programming rather than general text search with the caveat that programming may change from year to year;

Tours and Open Houses

7. Provide a single reference point on MySchools for tour dates and consistent methodology for signup and confirmation;
8. Maximize opportunities for families to learn about schools by increasing tour capacities and allowing for late entrance to meetings or other methods of accommodating challenging family circumstances;
9. Make prior-year virtual tours and open houses available on school websites;
10. Revise the Arts open houses to have several shorter, more focused sessions;

Application Submission and Release of Results

11. Enhance its testing processes for application websites to ensure timely responses on the days with most demand;
12. Create a system-wide due date for all supplemental application materials one week after the main application deadline, extending what was done with Arts auditions this year;

13. Identify the reasons for malfunctions in the Arts audition process and make any necessary corrections for next year;
14. Gather public opinion regarding the timeline for high school applications such as whether a greater number of spring tours or a later application deadline would relieve pressure by allowing research to be spread out over time or exacerbate anxiety by prolonging the process;
15. Release admissions results in a matter of weeks after the application deadline instead of months;
16. Release admissions results using tested methods such as the MySchools website rather than through new, untested methods;
17. Minimize the parts of the high school application process that must be communicated through secure methods while ensuring such private information is appropriately treated as such;
18. Continue to use the new consolidated method for Arts auditions and pursue further methods to simplify the application process and offer virtual tours (including an interactive component) once in-person tours have resumed.

Vote: Unanimous

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*

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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 June 1, 2021 via Video Conference.

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

Committee Board Members absent with notice:

Other Board Members Present: C. Booth, V. De La Rosa, J. Kiely

RESOLUTIONS:

- 1. Margherita Corporation d/b/a Margherita, 197 Grand St. 10013** (Alteration to OP– Restaurant to add Space Next Door)
 - 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 an On-Premises Liquor License to add the next door premises to their current On-Premises License (Lic #1314848, exp. 5/31/23) for a full-service Italian restaurant located in a C6-2G zoned seven (7)-story, mixed-use building (c. 1900) on Grand Street between Mott and Mulberry Streets (Block #237 / Lot #14); and
 - ii. Whereas**, the interior ground floor premises is approximately 1,200 sq. ft.; there are a total of 15 tables with 52 seats and one (1) bar with 18 seats for a total of 70 seats; there is one (1) entrance that serves as both patron ingress and egress, there are two (2) bathrooms; there is a sidewalk café with four (4) tables and eight (8) seats; and
 - iii. Whereas**, the proposed method of operation remains the same and the Applicant agreed to a new stipulation agreement with CB2, Man. which is consistent with but more extensive than the prior stipulations at this location and those stipulations are as follows:
 1. Premises will be advertised and operated as a full-service Italian restaurant.
 2. The hours of operation will be 11AM to 11PM; Sundays through Thursdays and 11AM to 12AM Fridays and Saturdays. No patrons will remain after stated closing time.

3. Will operate a full-service Italian restaurant “where tourists, residents and workers in the area have a taste of Italy at an affordable price” 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 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 consisting of four (4) tables and eight (8) chairs no later than 11PM Sundays through Thursdays and 12PM Fridays and Saturdays (all tables and chairs will be removed at this hour).
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors and windows at 10PM every night 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 provide a Certificate of Occupancy permitting eating and drinking for combined store front premises proposed to be licensed prior to issuance of license.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. 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 NYSLA.
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/door staff.
18. Any pandemic-related, temporary sidewalk or roadbed seating ends by 11PM (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 CB2, Man. recommends **denial** of the OP–Restaurant Alteration Application for **Margherita Corporation d/b/a Margherita, 197 Grand St. 10013**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA License.

Vote: Unanimous in favor (6-0; P Laraia, Dr. S. Smith absent)

2. Sunshine Kitchens NY, LLC d/b/a KYU New York, 324 Lafayette St. 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, wood-fired Asian-inspired restaurant on the ground floor of a M1-5B-zoned, eight (8)-story commercial building (c. 1897) on Lafayette Street between West Houston and Bleecker Streets (Block #522/Lot #28) in the NoHo Historic District; and
- ii. Whereas**, the storefront is approximately 5,111 sq. ft. (3,339 sq. ft. on the ground floor and 1,772 sq. ft. in the basement connected by an interior staircase), there will be 46 tables with 148 seats and one (1) bar with 10 seats, for a total patron occupancy of 158 persons; the basement is used for storage and office purposes only, there is no patron use of the basement; there is one (1) entryway on Lafayette used for patron egress and ingress; one (1) entryway used for emergency exit only on Crosby Street and three (3) patron bathrooms; and
- iii. Whereas**, the storefront location had operated as a Mediterranean restaurant (Gato) from 2014 to 2020 in a similar manner to the instant application; and
- iv. Whereas**, the Applicant met with one of the local stakeholder organizations, the NoHo Bowery Stakeholders, and a number of issues were reviewed and agreements were discussed including but not limited to installing proper venting for the wood-fired grill, storing refuse in a refrigerated room in the interior of the premises until it is picked up by third-party hauler and adding motion-sensing lighting to Crosby Street; and as a result the applicant agreed to incorporate proposed agreements into a stipulations agreement with Community Board 2, Manhattan; and
- v. Whereas**, the agreed to hours of operation are 10AM to 1AM Sundays through Wednesdays and 10AM to 2AM Thursdays through Saturdays; music will be quiet background only consisting of music from iPod/CD’s, no music will be audible in any adjacent residences at any time and applicant is adding additional soundproofing to the premises; all doors and windows will be closed at 10PM 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**, this application being subject to the 500 foot rule, requiring the Applicant to establish public interest for the license to be issued at its inception, the Applicant agreeing to and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the “Method of Operation” of the On-Premise Liquor License, limiting its method of operation on the on premise license for this purpose, as follows:

1. The premises will be advertised and will operated as a full-service Asian-inspired restaurant.
2. The hours of operation will be from 10AM to 1AM Sundays through Wednesdays and 10AM to 2AM Thursdays 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 wood-fired, Asian-inspired fine dining 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. Will operate a sidewalk café consisting of five (5) tables and ten (10) seats no later than 10PM seven (7) days a week. All tables and chairs will be removed at 10PM and there will be no patrons in the sidewalk café after 10PM.
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 add additional soundproofing to the premises including but not limited to replacing the flooring.
10. Will close all doors and windows by 10PM every night, allowing only for patron ingress and egress.
11. Will not install or have French doors, operable windows or open façades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will use Lafayette Street for patron ingress and egress with Crosby Street being used for emergencies only.
14. Will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
15. Will store all refuse in a refrigerated room in the interior until it is picked up by third-party haulers.
16. Will add motion-sensing lighting to the Crosby Street side of the restaurant to ensure the area is well lit whenever people are present.
17. Will comply with all NYC Codes for venting of the wood-fired grill and solid fuel grill.
18. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
19. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
20. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
21. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
22. Will not change any principals prior to submission of original application to NYSLA.

23. 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.
24. Will not have any temporary or permanent roadbed seating, now or in the future.
25. Any pandemic-related, temporary sidewalk seating ends by 10PM (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.
26. All pandemic-related, temporary sidewalk seating will be removed once the program authorizing it expires.
27. 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 **Sunshine Kitchens NY, LLC d/b/a KYU New York, 324 Lafayette 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-Premise License.

Vote: Unanimous in favor (7-0; Dr. S. Smith absent)

3. **Jing Fong Restaurant, Inc., from 14-20 Elizabeth St., to 202 Centre St. 10013** (Removal and relocation of OP – Restaurant)
 - i. **Whereas**, the Applicant’s son (who works in the business) 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 removal (Lic #1025307) and relocation of a new On-Premises Liquor License to operate as a family restaurant serving traditional Hong Kong-style Cantonese cuisine within a ground floor storefront located in a M1-5B-zoned, eight (8)-story, commercial building (c. 1912) on Centre Street between Hester and Grand Streets (Block #235/Lot #1); and
 - ii. **Whereas**, the storefront is approximately 5,244 sq. ft. (3,234 sq. ft. on the ground floor and 2,010 sq. ft. in the basement connected by an interior staircase), there will be 18 tables with 120 seats and one (1) service bar with no seats, for a total patron occupancy of 120 persons; the basement is used for storage and office purposes only, there is no patron use of the basement; there is one (1) entryway on Centre Street used for patron egress and ingress and three (3) patron bathrooms; and
 - iii. **Whereas**, the Applicant is a family run business which has been located at 14-20 Elizabeth Street since 1993, where it has been one of the largest restaurants in Chinatown, is known for its traditional dim sum brunch, lunch and dinner service as well as being a popular venue for weddings and birthday parties while also serving a very high volume of customers during Lunar New Year celebrations; and

- iv. **Whereas**, the instant application is a significantly smaller venue; the Applicant, whose business was severely impacted by the Covid-19 pandemic, stating that the method of operation will be similar but scaled back; and
- v. **Whereas**, concerns were raised about access to the stairwell and elevator which are located through a common hallway accessed through the rear of the building, each being separated by a doorway, the Applicant agreeing to having an alarmed door into the common hallway to prevent any patron or employee access; and
- vi. **Whereas**, there is a Buddhist temple, The American Society of Buddhist Studies, at 214 Centre Street that is within 200 feet of the existing premises as well as a public school, PS 130 The Hernando De Soto School at 143 Baxter nearby that could be within 200 feet of the existing premises; 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 Cantonese restaurant.
 2. The hours of operation will be from 10AM to 11PM Sundays through Saturdays (7 days a week). (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 serving traditional Hong Kong-style Cantonese cuisine with the primary business including traditional dim sum brunch/lunch and dinner service 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. 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 10PM every night, allowing only for patron ingress and egress.
 10. Will ensure the doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in case of emergency.
 11. Will not install or have French doors, operable windows or open façades.
 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. 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 NYSLA.
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 or roadbed seating ends by 11PM (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.
21. 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 **Jing Fong Restaurant, Inc., from 14-20 Elizabeth St., to 202 Centre 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, and

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. recommends the State Liquor Authority measure and calculate the distance between 202 Centre Street to both the American Society of Buddhist Studies and PS 130 The Hernando De Soto School to determine whether the distance between the applicant’s premises and either of these venues does not violate the 200 ft. rule. Should the NYSLA find that the premises do violate the 200 ft. rule, CB2, Man approves a Restaurant Wine license at this location.

Vote: Unanimous in favor (7-0; Dr. S. Smith absent)

4. Melvindale NY, LLC d/b/a Gjelina, 45 Bond St. 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 “modern upscale restaurant serving farm-to-table fare with an emphasis on season, indigenous ingredients and the ‘whole beast’ in cellar, ground and second floors of a M1-5B-zoned, six (6)-story commercial building (c. 1899) on Bond Street between Bowery and Lafayette Street (Block #529/Lot #31) in the NoHo Historic District Extension; and

- ii. **Whereas**, the premises is approximately 4,682 sq. ft. (1,700 sq. ft. ground floor, 1,200 sq. ft. basement and 1,400 sq. ft second floor connected by an interior stairway) with 14 tables with 46 seats and one bar with eight (8) seats and one food counter with six (6) seats on the ground floor and 22 tables with 74 seats and one (1) bar with six (6) seats on the second floor for a total of 140 interior seats; there are two (2) bathrooms on both the ground and second floor; there is no patron use of the cellar which is used for storage, food prep and kitchen only; and
- iii. **Whereas**, while these premises were previously licensed as a full service restaurant for eating and drinking in the past, albeit on the basement and ground floors only, this Applicant appeared at CB2, Man. first in April/2016 to license the basement and ground floors resulting in a deny/unless resolution from CB2, Man. and then again in February/2018 and December/2019 with similar principals but under different corporations with an application expanding the licensed footprint as the Applicant was gut-renovating the entire space while also adding the renovated second floor to the licensed premises, the second floor not being previously operated for eating and drinking in the past, adding additional patron capacity that did not previously exist, there being questions about whether there is a proper Certificate of Occupancy for such use on the second floor, the applicant also planning on having operable windows where none previously existed, that application resulting in a deny resolution by CB2, Man. and for a number of reasons the Applicant was unable to move forward at the NYSLA with the liquor license at both times; and
- iv. **Whereas**, in February/2018 and December/2019 the application did not include a sidewalk café and the applicant had previously agreed with the local neighborhood to hold off on seeking a sidewalk café permit for one year after opening, there are no plans to further alter the front storefront façade to add additional operable windows or doors, the windows on the second floor being operable; there is a Certificate of Occupancy which permits eating and drinking on the basement and first floor levels only but not on the second floor requiring a new Certificate of Occupancy and new Place of Assembly Permit; and
- v. **Whereas**, the proposed hours of operation are Sunday through Saturday from 8AM to 1AM, music will be quiet background only consisting of music from iPods/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors and windows were proposed to be closed at 10PM except for patron ingress and egress, there will be no DJs., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and
- vi. **Whereas**, there continues to be significant disagreement and opposition to the lateness of the hours of operation proposed seeking 1AM every night midblock on a street block that has been transformed with a number of new residential buildings built over the last decade giving the immediate area and block a much larger and concentrated residential presence with some of those residences being on the ground floor, the proposed restaurant being a destination restaurant not designed to support the immediate block and surrounding community, the other restaurants (Il Buco Vineria, Fish Cheeks and The Smile) located on this particular block having closing hours no later than 12AM during the week and 1AM on the weekends; and

- vii. **Whereas**, while this same Applicant previously appeared before CB2, Man. in the April/2016 proposing later hours than the previous applicant resulting in a deny/unless resolution, the applicant did not move forward with the prior proposal; the Applicant appearing again before CB2, Man. in February/2018 and December/2019 presenting a new application with significant changes including seeking to add the second floor, the increased patron occupancy and operable windows; the instant application adding further additional interior seats, requesting operable windows open until 10PM every night and, upon questioning about intent to participate in the Open Restaurants program, requesting to have both sidewalk and roadbed seating consisting of approximately 20 seats on the sidewalk and approximately 20 seats in the roadbed (the roadbed seating was increased to 35 following the CB2, Man. SLA committee meeting) despite previously agreeing to waiting a year after opening before applying for any sidewalk seating; and
- viii. **Whereas**, prior to the instant application there had been ongoing opposition by the local residents living thereat who have indicated that they would be agreeable to a restaurant at the premises albeit with “restaurant hours” closing no later than midnight during the week, the other restaurants on the same block being successful businesses with operating hours no later than 12AM weekdays; there being no indication on the instant application of an intent to participate in the Open Restaurants program which will potentially add 55 seats on the exterior or any future permanent outdoor dining program; and
- ix. **Whereas**, this application being subject to the 500-foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, there being 49 On-Premises licenses within 750 ft. of the premises; the impact of the additional outdoor dining on the next door and nearby residents, some of whom reside on the ground floor; and
- x. **Whereas**, the Applicant was not willing to compromise on the lateness of his restaurant hours, the closing of the windows—including the second floor windows—and would not commit to returning to the community prior to filing for any permanent outdoor sidewalk and/or roadbed seating, the Applicant having never opened the premises and therefore has not been subject to the hardship of the Covid-19 pandemic but is looking to leverage the pandemic to create outdoor seating where none previously existed or was planned to exist; in light of this, CB2, Man. has presented stipulations for consideration below that might conceivably allow for the creation of public interest by mitigating the impacts the issuance of this new license might have and that represent a balance between residents and the operator; and
- xi. **Whereas**, should the Liquor Authority consider granting this license in light of the above outlined issues and over CB2’s recommendation of Denial, CB2, Man. respectfully requests that the following stipulations/conditions be imposed on the license if the applicant does not otherwise agree to them:
1. The premises will be advertised and operated as a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’” and will operate at all times as a full-service restaurant.
 2. The hours of operation will be Sunday to Thursday from 8AM to 12AM and on

weekends (Friday and Saturday) from 8AM to 1AM. 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.
7. There is no permanent outdoor dining included with this application.
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. All doors and windows will be closed at all times except for patron egress.
11. Alcohol service will not begin before 10AM Sunday to Saturday.
12. There will never be more than 140 patrons (staff additional) in the premises at any time. This number of patrons, “guests,” is not to be substituted by DOB capacity, which may be greater than the above stated and agreed configuration capacity of the restaurant.
13. The establishment’s personnel will manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk immediately in front, and to additionally keep that portion of the sidewalk clean during all hours of operation.
14. The establishment will actively engage in all efforts to keep the sidewalk immediately in front of the premises and gutters free of debris and waste at all times, including the provision of containers in which to store garbage until third-party pick up and that all effort will be made to avoid garbage pick-ups between the hours of 2AM and 7AM, seven days a week.
15. Licensee will abide by all the regulations of the Department of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, the Public Assembly Permit and exterior signage, modifications and design. Licensee will obtain a new Certificate of Occupancy and Public Assembly Permit reflecting patron use on the second floor prior to the issuance of any license.
16. Licensee will assign at least one person (“Community Liaison”) who will be available to speak with local residents during normal weekday business hours concerning any matter related to compliance with the terms of these stipulations. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of these stipulations in the event emergency contact is required.
17. Licensee agrees that any change in the method of operation, contrary to the terms and restrictions in these stipulations and in the materials submitted to CB2, Manhattan at the time of the initial application, will be submitted and reviewed for recommendation and approval through CB#2 Manhattan. This also includes the addition of any future permanent outdoor dining spaces, which is not included in this application.
18. Licensee will maintain a reservation system for patrons at all times. Any walk in guests who are unable to be accommodated or guests for whom tables are not yet ready and who are unable to be hosted within the restaurant will not be permitted to queue or

loiter in front of the establishment, but will instead be contacted by cell phone or other electronic means by the Licensee when their seating is available. At times, patrons may be encouraged to visit other establishments in the neighborhood until such time their table is ready. All conversations regarding seating and accommodation of guests with Restaurant staff will occur inside the restaurant. At all times, the licensee will use best practices to mitigate any quality of life issues, excess noise or traffic issues in managing their patrons as they come and go.

19. There will be no patron use/service in the basement space.
20. Any pandemic-related, temporary sidewalk and/or roadbed seating will end no later than 11PM (all patrons and staff will be cleared at this hour and area closed) with no speakers or music played outside and no interior speakers positioned to face outside and will be on a temporary basis only, the temporary basis ending when NYC emergency executive orders 126 and/or 128 are rescinded, lapse, or are superseded.
21. Licensee will file an alteration application with the NYSLA and appear before CB#2 Manhattan with a 30-day notice prior to submitting an application for any permanent outdoor seating in either the sidewalk or roadbed.
22. Any pandemic-related, temporary sidewalk and/or roadbed seating will consist of no more than 20 seats in each area for a total number of no more than 40 seats outside.
23. Any pandemic-related, temporary sidewalk and/or roadbed seating will not extend East or West past the frontage of the licensed premises.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the presented application seeking a new restaurant on-premise liquor license for **Melvindale NY, LLC d/b/a Gjelina, 45 Bond St. 10012**; and

THEREFORE, BE IT FURTHER RESOLVED that should this new restaurant on-premise liquor license application be considered by the Liquor Authority, CB2, Man. respectfully requests that after a 500-ft. rule hearing is conducted, that this item be Calendared to appear before the Full Board of the Liquor Authority; and

THEREFORE, BE IT FURTHER RESOLVED that if this application is considered by the Liquor Authority, despite CB2, Manhattan's recommendation to deny this application, CB2, Man. respectfully requests that the Liquor Authority make a condition of approval the stipulations and conditions as set forth above.

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:

5. **Corp. to be Formed by Chad Noel d/b/a Pot Pies, 165 Bleecker St. 10012 (RW – Pizza Restaurant) (Covid Temporary Sidewalk Seating)**

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 1,

2021 the Applicant 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 **Corp. to be Formed by Chad Noel d/b/a Pot Pies, 165 Bleecker St. 10012, 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 concerns of the Community be fully heard.

Vote: Unanimous in favor

6. 177 NAP, Inc. d/b/a Famous Ben's Pizza, 177 Spring St. 10012 (TW-Bar/Tavern)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on June 1, 2021 the Applicant requested **to lay over** this application to July/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 **177 NAP, Inc. d/b/a Famous Ben's Pizza, 177 Spring St. 10012, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

7. Beyond Pho Corp. 2 d/b/a Five Spice, 227 Mulberry St., Store B, 10012 (RW-Restaurant)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on June 1, 2021 the Applicant verified that the Application being submitted to the NYSLA was exactly the same application that was presented to CB2, Man. in December/2019 but was never submitted to the NYSLA which resulted in a deny/unless resolution that was unanimously approved by CB2, Man.; and

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 **Beyond Pho Corp. 2 d/b/a Five Spice, 227 Mulberry St., Store B, 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. 357 W. Broadway, LLC, 357 W. Broadway 10012** (OP–Restaurant) (rooftop terrace or deck) (Sidewalk Café)

Whereas, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on June 1, 2021 the Applicant requested **to lay over** this application to July/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 **357 W. Broadway, LLC, 357 W. Broadway 10012**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

- 9. Piacere Enterprises, LLC, 351 Broome St. 10013** (RW—Restaurant) (Upgrade to OP–Restaurant) (Sidewalk Café)

Whereas, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on June 1, 2021 the Applicant requested **to lay over** this application to July/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 **Piacere Enterprises, LLC, 351 Broome St. 10013**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

10. Entity to be Formed by James Wright d/b/a 59 Grand, 59 Grand St. 10013 (OP–Restaurant)

Whereas, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on June 1, 2021 the Applicant requested **to lay over** this application to July/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 **Entity to be Formed by James Wright d/b/a 59 Grand, 59 Grand St. 10013**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

11. Chobani Café, LLC, 152 Prince St. 10012 (OP–Café) (Sidewalk Café) (previously unlicensed location)

Whereas, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on June 1, 2021 the Applicant requested **to lay over** this application to July/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 **Chobani Café, LLC, 152 Prince St. 10012**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

12. DLA Restaurants, LLC d/b/a Mermaid Oyster Bar, 79-81 MacDougal St., So. Store 10012 (OP–Restaurant)

Whereas, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on June 1, 2021 the Applicant requested **to lay over** this application to July/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 **DLA Restaurants, LLC d/b/a Mermaid Oyster Bar, 79-81 MacDougal St., So. 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

Respectfully submitted,

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

Jeannine Kiely, *Chair*
Susan Kent, *1st Vice Chair*
Valerie De La Rosa, *2nd 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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SLA LICENSING COMMITTEE 2

The SLA Licensing Committee #2 of Community Board 2, Manhattan, held a meeting at 6:30 PM on Thursday June 3, 2021 via Video Conference.

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

Committee Board Members absent with notice: K. Shea.

Other Board Members Present: C. Booth, Valerie De La Rosa and P. Laraia.

RESOLUTIONS:

1. Uno Nove Otto Corp d/b/a t/b/a, 117 Perry St. (New OP - Restaurant)

i. Whereas, the Applicants appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application for a new On Premise Liquor License to operate a restaurant and wine bar with a ground floor storefront in a 6 story old tenement-style residential building (circa 1900) on Perry Street between Hudson and Greenwich Streets, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the ground floor storefront is roughly 800 sq. ft, with an interior stairway leading to a basement space for an additional 800 sq. ft., the basement space being for storage and two (2) bathrooms but not for patron service or occupancy, the premise to be licensed having formerly operated as the Aria Wine Bar and Restaurant, the ground floor interior will have 1 bar with 12 seats, 14 tables with 40 seats for a total patron occupancy of 51 interior seats, there being a previous "letter of no objection" for eating and drinking issued for this location; and,

iii. Whereas, the landmarked front façade is fixed and will not be altered, there are two doors for egress on Perry Street, the Applicant having met with residents and the local block association, this block having a significant residential presence and narrow roadway, there having been significant problems in the past with noise intrusions at this location, those problems being documented in resolutions from Community Board 2 Manhattan; and,

iv. **Whereas**, consistent with the prior license at this particular location, there will be no exterior operations, backyard garden, sidewalk café or roadbed dining, the service of alcohol taking place on interior premise only; and,

v. **Whereas**, the hours of operation are Sunday to Wednesday from 11 AM to 11 PM and Thursday to Saturday from 11 AM. to 12 AM (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 and there will be no T.V.'s; and,

vi. **Whereas**, this application being subject to the 500 foot rule, requiring the Applicant to establish public interest for the license to be issued at its inception, the Applicant agreeing to and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the license, limiting its method of operation on the on premise license for this purpose, as follows:

1. The licensed premises will be advertised and operated as a full-service restaurant and wine bar serving Italian fare with full menu items available until closing every night.
2. The hours of operation will be Sunday to Wednesday from 11AM to 11PM and Thursday to Saturday from 11AM to 12AM. 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 (including pandemic-related, temporary sidewalk or roadbed seating except except for and unless interior seating is prohibited at any percentage in the future due to covid-19 pandemic).
7. No Licensed Sidewalk café or roadbed now or in the future.
8. No patron occupancy/service to any portion of basement of licensed premises.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
10. The premises will not have DJ's, live music, or promoted events.
11. The Premises will not have French doors, operable windows or open facades.
12. Entry doors will be closed by 10 PM every night except for patron egress.
13. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
14. Will not make changes to the existing façade except to change signage or awning.
15. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
16. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an application for On Premise License for **Uno Nove Otto Corp d/b/a t/b/a, 117 Perry St. 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 On Premise License.

Vote: Unanimous in favor (8-0)

2. OC W14, LLC d/b/a Olde City Cheesesteak & Brew, 202 W. 14th St. 10011 (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 neighborhood restaurant and bar focusing on South Philadelphia sandwiches and craft beers in a groundfloor storefront within a five story tenement style building (circa 1905) on West 14th Street between 7th and 8th Avenues; and,

ii. Whereas, the ground floor storefront is roughly 1900 sq. ft, with additional 900 sq. ft. basement space, the basement space being for storage and business office but not for patron service, there will be two (2) bathrooms, the premise to be licensed having formerly operated as the Asian fusion restaurant known as Zusik, the ground floor interior will have 1 bar with 10 seats, 23 tables with 46 seats for a total patron occupancy of 56 interior seats, there being a certificate of occupancy for a “restaurant” issued for this location; and,

iii. Whereas, the front façade contains operable doors that will not be altered, there are two doors for egress onto the public sidewalk, the Applicant having reaching out to residents living in the building above the location to be licensed; and,

iv. Whereas, consistent with the prior license at this particular location, there will be no exterior operations, backyard garden, sidewalk café or roadbed dinning, the service of alcohol taking place on interior premise only; and,

v. Whereas, the hours of operation are Sunday to Wednesday from 11 AM to 1 AM and Thursday to Saturday from 11 AM. to 2 AM (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 will be seven (7) TVs, all doors and windows will be closed by 10 PM every night, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

iv. Whereas, this application being subject to the 500 foot rule, requiring the Applicant to establish public interest for the license to be issued at its inception, the Applicant agreeing to and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the license, limiting its method of operation on the on premise license for this purpose, as follows:

1. The licensed premises will be advertised and operated as a full-service restaurant and bar with full menu items available until closing every night.

2. The hours of operation will be Sunday to Wednesday from 11 AM to 1 AM and Thursday to Saturday from 11 AM. to 2 AM. 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 (including pandemic-related, temporary sidewalk or roadbed seating except except for and unless interior seating is prohibited at any percentage in the future due to covid-19 pandemic.
7. No Licensed Sidewalk café now or in the future.
8. No patron occupancy/service to any portion of basement to licensed premises.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
10. The premises will not have DJ's, live music, or promoted events.
11. All doors/windows will be closed by 10 PM every night ~~except~~ for patron egress.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
13. Will not make changes to the existing façade except to change signage or awning.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of an application for On Premise License for **OC W14, LLC d/b/a Olde City Cheesesteak & Brew, 202 W. 14th St. 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 On Premise License.

Vote: Unanimous in favor (8-0)

3. Elmhurst 3, Inc., d/b/a The Village Tavern, 46 Bedford St. 10014 (OP – Existing Bar; Review of Method of Operation for Exterior)

i. Whereas, the Licensee of **The Village Tavern** (Lic. # 1116708), Aiden Stenson, was requested to appear before Community Board 2 Manhattan after there being many complaints from people living in the surrounding neighborhood regarding the Bar’s on-going operations; and

ii. Whereas, this Bar has has operated for years as a sports bar within a single story building at the coner of Bedford and Leroy Streets, the Bar having closed during the Covid-19 Pandemic is now reopening as the Pandemic is receding; and,

iii. Whereas, the Bar, which is currently permitted to be at 100% capacity on the interior, is taking advantage of the City of New York’s “open restaurant” program and is operating on the

exterior sidewalk with tables and chairs along its frontage on Leroy Street, having also mounted large flat screen TVs on the public sidewalk in a residentially-zoned (R-6) neighborhood; and,

iv. **Whereas**, long time residents living adjacent to and across the street from the licensed bar appeared to voice numerous quality of life problems stemming from the exterior operations of the Bar, patrons to the bar being allowed to drink on the sidewalk surrounding the bar, unseated, creating a bar-like atmosphere with music being played, well-past midnight, on the exterior surrounds, establishing an unreasonable and significant intrusions on their lives; and,

v. **Whereas**, the Licensee and Owner of the Bar appeared and listened to the concerns of his neighbors, having no prior experience in operating outside the licensed premise, not reading the rules pertaining to the temporary program, a video having been presented showing unseated patrons being served and drinking while standing on the sidewalk and roadway; and,

vi. **Whereas**, the Licensee was unclear as to whether the TVs and music were allowed or not on the exterior, the open restaurant's program not providing any clarity on that subject, there being no enforcement taking place pursuant to this program, it being suggested to the Licensee that if he simply moved the TVs back inside the bar, patrons would simply watch the sports programming on the interior, where it has always been; and,

vii. **Whereas**, to ameliorate the current problems and complaints being voiced, the Licensee agreed to 1) close his exterior operations and alcohol service for the Bar by 10 pm Sunday through Thursday and by 11 pm on Fridays and Saturdays, and 2) that all patrons being served alcohol on the exterior will be seated at all times and located at a table located on the sidewalk; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan refers this matter to the New York State Liquor Authority for any further action, as it may deem necessary.

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:

4. Sanyou West, LLC, 47 8th Ave. 10014 (RW-Sushi Restaurant) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 3, 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 **Sanyou West, LLC, 47 8th 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

5. Moz Restaurant, Inc. d/b/a Meme, 581 Hudson St. 10014 (OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 3, 2021 the Applicant requested **to lay over** this application to July/2021 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 **Moz Restaurant, Inc. d/b/a Meme, 581 Hudson 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

6. 131 7AV S, LLC d/b/a Flip Sigi, 131 7th Ave. So. 10014 (RW-Restaurant) (Sidewalk Café) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 3, 2021 the Applicant requested **to lay over** this application to July/2021 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 **131 7AV S, LLC d/b/a Flip Sigi, 131 7th Ave. So. 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

7. Members Only Experience, LLC d/b/a Members Only, 53 W. 8th St. 10011 (New OP-Bar/Tavern) (Laid Over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 3, 2021 the Applicant requested **to lay over** this application to July/2021, 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 **Members Only Experience, LLC d/b/a Members Only, 53 W. 8th St. 10011** **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

8. Entity to be Formed by Curt Huegel d/b/a TBD, 225 W. 4th St. 10014 (New OP-Restaurant) (Live Music-TBD) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 3, 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 **Entity to be Formed by Curt Huegel d/b/a TBD, 225 W. 4th 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

9. L'Antica Pizzeria da Michele NYC, LLC d/b/a Pending, 81 Greenwich Ave. aka 2 Bank St. 10014 (New OP-Restaurant) (Live Music-Acoustic) (Sidewalk Café) (laid over)

Whereas, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 3, 2021 the Applicant requested **to lay over** this application to July/2021, 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 **L'Antica Pizzeria da Michele NYC, LLC d/b/a Pending, 81 Greenwich Ave. aka 2 Bank 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

10. Happiness Eating, LLC, 556 Hudson St. 10014 (New OP-Restaurant) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 3, 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 **Happiness Eating, LLC, 556 Hudson 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

11. Corp. to be Formed by Andrew Nelson d/b/a Death by Pizza, LLC, 240 W. 14th St. 10011 (New OP-Restaurant) (DJ) (Live Music) (Patron Dancing) (Patio or Deck) (Sidewalk Café) (laid over)

Whereas, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 3, 2021 the Applicant requested **to lay over** this application to July/2021, 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 **Corp. to be Formed by Andrew Nelson d/b/a Death by Pizza, LLC, 240 W. 14th St. 10011** **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

12. Ferdi Restaurant, LLC d/b/a Ferdi's, 15 7th Ave. So. 10014 (OP-Restaurant) (Sidewalk Café) (laid over)

Whereas, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 3, 2021 the Applicant requested **to lay over** this application to July/2021, 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 **Ferdi Restaurant, LLC d/b/a Ferdi's, 15 7th Ave. So. 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

Respectfully submitted,

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

DRAFT

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*

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QUALITY OF LIFE COMMITTEE

June 2021

The Quality of Life Committee of Community Board #2, Manhattan held its monthly meeting on Monday, June 7, 2021, at 5:00 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

Public Members Present: Karen Eckhoff

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

Other Board Members Present: Carter Booth

Street Activity Applications:

1. **June 14-29, 2021—NYC Pride – Production Event (Heritage of Pride, Inc.): Christopher St. between Greenwich St. and Washington St. [curb lane closure only]**

Whereas, the applicant hopes to use these curb spaces for the load in and out of deliveries and to pull items out of storage units in preparation for the Pride events at the end of June; and

Whereas, the applicant will use a parking space to place a dumpster to clean up after the Pride events and at no time will the sidewalk be blocked; and

Whereas, the parking regulations of the spaces being reserved are alternate side public parking, and the applicant will use police barricades and/or bike racks to reserve the required 15-20 parking spaces and will place signs indicating the spaces are reserved; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of NYC Pride – Production Event (Heritage of Pride, Inc.): Christopher St. between Greenwich St. and Washington St. from June 14-29, 2021 [curb lane closure].

Vote: Adopted unanimously.

2. Friday, June 18, 2021—Juneteenth Gathering (Greenwich House Inc.): Jones Street between Bleecker Street and West 4th Street at Greenwich House pottery [full street closure]

Whereas, this event will take place on Jones Street between Bleecker and West 4th Streets in front of Greenwich House pottery with set-up starting at 2 PM, the event taking place from 4 PM-5:30 PM, and breakdown complete by 6:30 PM; and

Whereas, the event will include a music and dance celebration to commemorate the ending of slavery in the United States, and will include family programming in collaboration with the Mozart Foundation, Ars Nova, Family Justice Center, and Sanctuary for Families; and

Whereas, the applicant will use a 9-inch tall by 6-foot wide riser, and there will be a small jazz band playing using amplified sound; and

Whereas, this is a free event and the applicant is asking for RSVPs through the Greenwich House website, and there will be no food or drink sold or served; and

Whereas, the applicant will provide for the required 15-foot emergency lane, and the sidewalk will remain clear and open for pedestrian use; and

Whereas, the applicant will have 4 members of Greenwich House doing set-up and breakdown, and will use an additional 8 volunteers assisting during the event to facilitate the barricade set-up and removal, and the event will observe all required covid restrictions, and all attendees will be asked to wear masks because all age groups will be in attendance; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of Juneteenth Gathering (Greenwich House Inc.): Barrow Street between 7th Avenue South and West 4th Street at 27 Barrow Street on June 18, 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.

3. Tuesday and Wednesday, June 22-23, 2021—TENURE EXPERIENTIAL—Pride 2021: 7th Avenue South between W. 4th and 10th Streets [curb lane only]

Whereas, the applicant did not appear on behalf of this application and the committee was not able to hear the particulars of the need for the full street and sidewalk closure; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of TENURE EXPERIENTIAL—Pride 2021: 7th Avenue South between W. 4th and 10th Streets [curb lane only] from June 22-23, 2021.

Vote: Adopted unanimously.

4. Sunday, June 27, 2021— ACT-UP Health Fair: Thompson Street between Washington Square South and West 3rd Street [full street closure]

Whereas, this applicant wishes to host this event during Pride to provide health-related information about vaccines, PrEP, protected sex, and STI testing; and

Whereas, the event will take place from 3:30 PM-10 PM, with set-up beginning at 12:30 PM and breakdown complete by 11:00 PM, and there will be no food or drink sold, and no amplified music; and

Whereas, the applicant will provide for the required 15-foot emergency lane, and the sidewalk will remain clear and open for pedestrian use; and

Whereas, the applicant will use three 10-foot by 10-foot tents provided by the NYC Department of Health, a co-sponsor of the event; and

Whereas, Judson Church is permitting the applicant to use its space for participants to cool off, use the restroom, and is equipped with wheelchair access, and the event will observe all required covid restrictions; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of ACT-UP Health Fair: Sullivan Street between Washington Square South and West 3rd Street [full street closure] on June 27, 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.

5. Sunday, June 27, 2021—PrideFest2021 (Heritage of Pride Inc.): 1) 4th Avenue between East 13th and East 9th Streets 2) East 10th Street between 4th Avenue and Broadway 3) East 12th Street 4th Avenue and Broadway 4) East 13th Street between 4th Avenue and Broadway [full street closures]

Whereas, the applicant hopes to present NYC PrideFest on Pride Sunday from 11 AM-6 PM, with several exhibitors, food vendors, DJs, and performances; and

Whereas, the food vendors will be located on East 10th Street between 4th Avenue and Broadway, and there are no conflicting outdoor dining structures at this location; and

Whereas, the applicant will use a 8-foot by 8-foot platform, much smaller than in year's past, at Broadway and 11th Street for DJs and performances throughout the day, and all amplified sound will end by 5:45 PM, and set-up for the event begins at 8:30 AM, with breakdown complete by 8 PM; and

Whereas, the applicant is utilizing a waste management team throughout the event to keep the area clean and will do a thorough end of the event clean-up; and

Whereas, the applicant will have a COVID safety plan in place with signage throughout encouraging masks and social distancing, all vendors will be screened and temperature checked,

volunteers will receive PPE kits, multiple hand-washing and sanitizing stations, free masks for anyone in attendance in need; and

Whereas, the event will be free and open to the public and the applicant is working with the City on crowd management; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of PrideFest2021 (Heritage of Pride Inc.): 1) 4th Avenue between East 10th and East 9th Streets 2) East 10th Street between 4th Avenue and Broadway 3) East 12th Street 4th Avenue and Broadway 4) East 13th Street between 4th Avenue and Broadway [full street closures] on June 27, 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.

6. Monday, June 28, 2021 – Broome Street Academy 2021 Graduation Ceremony: Broome Street between 6th Avenue and Varick Street [sidewalk and street closure]

Whereas, the applicant did not appear on behalf of this application and the committee was not able to hear the particulars of the event; however the committee has been generally supportive of street closures for graduation ceremonies during COVID-19; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of Broome Street Academy 2021 Graduation Ceremony: Broome Street between 6th Avenue and Varick Street [sidewalk and street closure] on June 28, 2021, **but should this application be approved the applicant must** conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Adopted unanimously.

7. Wednesday, June 30, 2021—Anonymous Gallery (136 Baxter St.) Public Neighborhood Gathering: Baxter St. between Hester St. and Grand St. [sidewalk and street closure -both sides]

Whereas, the applicant hopes to host a block party for residents and neighbors on this block to gather from 3 PM – 8 PM, and the event is for the creative community to gather; and

Whereas, the applicant is a resident of the block and owns an art gallery on the same block and presented 20 signatures from neighboring residents supporting the street closure; and

Whereas, there is a public school on this block and the applicant stated that the street closure would not interfere with any school activities; and

Whereas, the applicant will be supplying bottled water and pizza from a neighboring restaurant and is working with Cobra Performing Arts to organize arts and dance activities, and will reach out to other neighborhood organizations to invite participation; and

Whereas, the applicant said that participants are invited to bring their own chairs and blankets and there will be no amplified sound, and expects 75 to 100 participants; and

Whereas, the applicant will provide for the required 15-foot emergency lane, and the sidewalk will remain clear and open for pedestrian use; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of Anonymous Gallery (136 Baxter St.) Public Neighborhood Gathering: Baxter St. between Hester St. and Grand St. [sidewalk and street closure -both sides] on June 30, 2021.

Vote: Adopted unanimously.

FYI Street Activities Renewals:

8. **8/22/21 (1pm – 7pm) 132nd Feast of St. Rocco Block Party (Baxter St. between Hester and Canal Sts.)**
9. **10/16/21 (9:00am (set-up) – 4pm) The Marco Polo Festival (Grand St between Mulberry & Mott Sts.)**

Whereas, these events have 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 applications **provided that** 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.

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*

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LAND USE AND HOUSING COMMITTEE

June 9, 2021

The Community Board 2, Manhattan Land Use and Housing Committee held one meeting on Wednesday, 6/9/21 @ 6:30 PM—Meeting Access via Video Conferencing.

Committee Members Present: Frederica Sigel (Chair), Anita Brandt, Susan Wittenberg, Eugene Yoo, Sandy Russo, Doris Diether, David Gruber, Donna Raftery, and Michael Levine

Committee Members Absent with Notice: Katy Bordonaro

Committee Members Absent without Notice: John Paul DeVerna

Public Member Present: Sean Sweeney

Other Board Members Present: Jeannine Kiely (chair), Carter Booth, Valerie De La Rosa, Brian Pape, Susan Kent, Shirley Secunda, Chris Dignes

1. Elevate Transit: Zoning for Accessibility (ZFA) Text Amendment: This proposal would establish a systemwide framework for coordinating the siting and provision of transit station easements and improvements with new developments and enlargements that would allow the MTA to locate access to subway stations within private developments. Sponsored by DCP, Metropolitan Transportation Authority (MTA), City Council and the Mayor's Office for People with Disabilities (MOPD).

Whereas:

1. The MTA and DCP are proposing a citywide text amendment that would facilitate systemwide accessibility, with an emphasis on vertical access.
2. This action is subject to a public review process but not the ULURP process.
3. At present, only 28% of MTA transit stations are ADA accessible.
4. The proposal includes two features: a system-wide transit easement requirement and an expanded transit improvement bonus for high density areas.

5. CB2 supports increased transit accessibility if it is accomplished quickly and relates specifically to ADA accessibility.
6. Even though DCP does not expect the proposed action to induce development where it would not have naturally occurred, the cumulative effect around transit stations could be transformative.
7. The lack of elevators in a majority of subway stations disenfranchises a great many people who need to use public transit from being able to access it or who can only access it with great difficulty.
8. The urgent need to construct subway elevators to provide this requisite ADA access has existed for many years.
9. It is expected that elevator construction may take many years, because of MTA budget limitations. DCP has indicated that such construction is not in the MTA current 10-year capital plan and is not in the forefront of the next one.

The Systemwide **Transit Easement** Would Apply To All Stations in CB2

10. The present easement provision is a requirement for station-adjacent sites in very limited areas.
11. This text amendment would extend the easement requirement systemwide to almost every station in the city.
12. The proposed easement provision would require developments and enlargements on lots >5000sf within 50' of a mass transit station in most zoning districts to submit an application to the MTA and the CPC Chair requesting a determination as to whether or not a transit easement volume is required for future station access.
13. The proposed action would be offered as a new CPC Chair Certification (certified jointly by CPC and MTA), which would be awarded prior to receiving any building permit from DOB.
14. This is the only type of non-discretionary review proposed in ZFA; it will not be referred to community boards.
15. Where easements are provided, zoning modifications, such as a floor area exemption or a reduction in required parking spaces (not required in CB2), would apply.
16. Zoning lots within 50' of mass transit in the designated districts, but <5000sf, can apply for a voluntary provision of an easement volume in exchange for the same zoning relief as larger sites. Conversions would receive a targeted subset of zoning relief. Where clear paths are provided to address sidewalk conditions, street wall relief would apply.
17. In addition, an optional Chair Certification would be created to facilitate the voluntary provision of a transit easement on sites not subject to the requirement.
18. Applicable zoning districts include all manufacturing districts; residential districts at or above R5D (with or without commercial overlay); commercial districts with a residential equivalent at or above R5 districts; and C7 and C8 districts.
19. Easements can take up multiple floors (for underground, at-grade, and elevated stations) and could be used to accommodate station needs such as elevators, staircases, passageways or turnstiles.
20. Relief from easements can take the form of:
 - a. **Floor area and open space:** Excluding easement areas from zoning floor area; treating the easement as a permitted obstruction (in commercial and manufacturing districts, commercial uses on the second floor would be allowed to extend up to 30' in height within the rear yard). Increasing maximum lot coverage in R5, R6 and R7 districts is also an option.
 - b. **Height and setback:** Maximum permitted height increased by 10' for easements serving below-grade stations in R5 and R6 districts; by 20' for above-grade easements in R7 and

above. The portion of the street wall within 15' of an easement would be allowed to recess up to 15' from the street line.

- c. **Use:** Allowing temporary, permitted non-residential uses as well as local retail uses (UG 6) in residential districts while waiting; allowing local retail uses within 30' of easement areas in residential districts; allowing greater flexibility to locate commercial uses on the second floor and allowing second-floor commercial uses to extend into the rear yard at above-grade stations.
 - d. **Parking:** Not applicable in CB2
 - e. **Streetscape provisions:** Excluding easement areas from ground floor use regulations and planting requirements to facilitate station entrance design; curb cuts prohibited within 30' of an easement to ensure safety).
21. There is no increase in FAR with the transit easement, although an increase in height is allowed.

The Expanded **Transit Improvement Bonus** In High-Density Areas (R9, R10) Would Apply To All But Two Stations In CB2

- 22. The current Transit Improvement Bonus applies to the densest commercial districts (R9 and above) in or near central business districts and offers a floor area bonus for station-adjacent development sites that construct “major” on- or offsite station improvements. It is also currently available in certain Special Purpose Districts. In CB2, those include the Union Square District and the NYU 8th St. station (not the Special Hudson Square district or the Special Little Italy District). CB2 has no central business districts.
- 23. This text amendment would extend the Transit Improvement Bonus to lots that are both in R9 and R10 zones and within 500' of a station. Both conditions must be met.
- 24. Through a new CPC Authorization (no longer a Special Permit), the proposed text amendment would grant a floor area bonus of up to 20% of the maximum floor area ratio permitted in the underlying zoning and expand the improvement bonus to commercial districts of 10 FAR and above in Manhattan (R9 and R10 districts plus their commercial equivalents, MX district equivalents, and M1-6 districts).
- 25. CPC Authorizations would be referred out to community boards, but ULURP would not be required except with additional zoning modifications.
- 26. The amount of floor area bonus will be “commensurate with the degree to which such improvements enhance customer access and station environment.”
- 27. This would apply to any development/enlargement projects with zoning lots that are directly adjacent to stations as well as to any zoning lots within 500' of a station (or 1500' of a station in a central business district) and provide a “significant” station improvement. “Significant” improvements include elements like elevators, additional station entrances, mezzanine expansions and platform upgrades.
- 28. A total of 121 stations in Manhattan are located within the designated distances of eligible sites.
- 29. Sites within 500' of a station are also eligible to provide off-site improvements.
- 30. Every project to apply for the expanded transit improvement bonus would be subject to a discretionary review process, with final approval resting with City Planning.
- 31. There are a few exceptions where the transit improvement bonus can be used on top of other citywide floor area bonuses. Voluntary Inclusionary Housing projects can use the transit and affordable housing bonuses singly or in combination. Sites that receive the transit bonus may be granted additional FAR on top of the maximum FAR permitted through the Mandatory

Inclusionary Housing program. For both MIH and VIH, this additional FAR is exempt from the affordable housing requirements.

32. Maintenance of the station improvement by the developer also qualifies for a floor area bonus.
33. A developer would not be allowed to occupy and use the bonus floor area until the MTA determines that the subway improvement is usable by the public.

Pertaining To Both The Easement And The Transit Improvement Bonus

34. Where a site providing an easement needs additional zoning modifications beyond what is offered via Certification, additional discretionary actions in the form of an Authorization (including, for unique circumstances, up to an additional 25% in height) or Special Permit (for “very unique” circumstances that require >25% height increase) would be required. Other use, bulk, parking, streetscape, and loading relief measures can be granted. Special Permits require a full ULURP.
35. This text amendment will also create a Special Permit to address instances where a height increase must extend beyond the 25% increase allotted in the above Authorization with the same permitted modifications as above.
36. Both the easement and the improvement bonus are applicable in historic districts. Any construction would be subject to LPC review and approval.
37. “Unique sites” could be provided additional relief, for example to create a transit plaza or provide extra circulation space around a station entrance.
38. If a station is already ADA accessible, improvements can include station access and circulation improvements such as a new entrance, escalators, more elevators, and stairs. The MTA will determine which improvements are appropriate.

Therefore: CB2 recommends approval of the ZFA text amendments with the following conditions:

1. Any increase in FAR, height and/or bulk must be for an improvement that specifically supports ADA accessibility.
2. No increases in height, bulk and/or FAR without a public process that includes referral to community boards.
3. All developments or enlargements that receive an increase in floor area, bulk, height, etc. as a result of this text amendment must be built to be 100% compliant with federal ADA standards.
4. No increases (FAR, bulk or height) should exceed 20% for any reason.
5. No combination of bonus programs (such as ZFA, VIH and MIH) should be permitted that yields more than a combined 20% increase in FAR, bulk or height.
6. “Major” or “significant” actions resulting from required easements or bonused developments that trigger height, bulk and/or FAR increases must be defined and quantified in the text before the amendment is adopted.
7. Institution of a mechanism that guarantees that developers do not receive bonus FAR and then deliver an unusable station improvement.
8. Priority should be given to swift construction of these improvements.

Vote: Unanimous (10-0)

2. The Health and Fitness Text Amendment will modify regulations relating to gyms, spas, licensed massage therapy, and other health and fitness facilities defined as Physical Culture or Health Establishments (PCEs). The proposed text amendment will remove the requirement for such facilities to receive a special permit by the Board of Standards and Appeals (BSA). The proposed citywide text amendment will impact all zoning districts in New York City except R1 and R2 district.

Whereas:

1. The Covid-19 pandemic has resulted in major disruptions to gyms and fitness facilities.
2. The BSA special permit process can take more than six months and costs businesses as much as \$50,000.
3. Removal of the PCE special permit is intended to help businesses in this sector recover and provide needed health-related amenities to communities across the city.
4. The proposed text amendment will remove the requirement for such facilities to receive a special permit by the BSA (ZR 73-36) and add uses currently subject to this special permit to Use Groups that are permitted in certain zoning districts.
5. It will impact every zoning district in the city except R1 and R2 districts.
6. The action will categorize all facilities dedicated to physical fitness and health occupying less than 10,000sf as Use Group 6.
7. Facilities in excess of 10,000sf will be categorized as UG 9.
8. The proposed action would distinguish between establishments containing higher-intensity uses (exercise machines, weights) that have a greater potential to generate noise vs. those with fewer objectionable effects (yoga studios, therapy).
9. Higher intensity uses would have to verify to the Dept of Buildings prior to issuance of a Certificate of Occupancy that the use is designed according to national standards for noise and vibration to meet the NYC Noise Code. These additional requirements would apply to mixed-use buildings in commercial and MX districts.
10. The only objections to PCEs that CB2 has heard in the last eight years are complaints about noise and vibration in mixed use buildings.

Therefore, be it resolved that CB2 recommends approval of this text amendment with the following conditions:

1. Verification to the DOB is via professional certification by acoustical engineer—not self-certification.
2. Given the potential for problems in buildings with residential units, all PCEs, regardless of level of intensity of uses, must go through the DOB process for assessing performance standards for noise, vibration, and other quality of life concerns.
3. Hours of PCEs in residential or mixed-use buildings must be reasonably limited.
4. DEP response and enforcement mechanism must be improved.

Vote: Unanimous (10-0)