

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



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

Community Board No. 2, Manhattan

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

FULL BOARD MINUTES

DATE: October 21, 2021
TIME: 6:30 P.M.
PLACE: Via Video Conference

BOARD MEMBERS PRESENT: Susanna Aaron, William Benesh, Keen Berger, Carter Booth, Richard Caccappolo, Ritu Chattree, Coral Dawson, Valerie De La Rosa, Robert Ely, Mar Fitzgerald, Joseph Gallagher, David Gruber, Susan Kent, Ryan Kessler, Jeannine Kiely (Chair), Ivy Kwan Arce, Patricia Laraia, Michael Levine, Janet Liff, Edward Ma, Matthew Metzger, Daniel Miller, Mostafa Osman, Brian Pape, Donna Raftery, Lois Rakoff, Robin Rothstein, Rocio Sanz, Shirley Secunda, Kristin Shea, Georgia Silvera Seamans, Dr. Shirley Smith, Susan Wittenberg, Antony Wong, Eugene Yoo, Adam Zeldin

BOARD MEMBERS ABSENT WITH NOTIFICATION: Anita Brandt, Cormac Flynn, Susan Gammie, Frederica Sigel

BOARD MEMBERS ABSENT: None

BOARD MEMBERS PRESENT/ARRIVED LATE: Katy Bordonaro, Amy Brenna, John Paul DeVerna, Chris Dignes, Wayne Kawadler, Chenault Spence

BOARD MEMBERS PRESENT/LEFT EARLY: Akeela Azcuy, Bo Riccobono

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

GUESTS: Tevin Williams, Senator Brad Hoylman's office; Emily Leng, Senator Brian Kavanagh's office; Tracy Jackson, Assembly Member Deborah Glick's office, Manhattan Borough President Gale Brewer; Ely Silvestre, Manhattan D.A. Cyrus Vance's office; Patrice Comerford, Council Speaker Corey Johnson's office; Irak Cehonski, Council Member Carlina Rivera's office; Anthony Drummond, Council Member Margaret Chin's office; Darlene Lutz, Pete Davies, Siyan Wang

MEETING SUMMARY

Meeting Date – October 21, 2021

Board Members Present – 42

Board Members Absent with Notification – 4

Board Members Absent - 0

Board Members Present/Arrived Late - 6

Board Members Present/Left Early – 2

I. SUMMARY AND INDEX

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II. PUBLIC SESSION

Non-Agenda Items

SoHo/NoHo Rezoning Plan

Pete Davies spoke regarding the plan.

1st Precinct Community Council

Darlene Lutz announced the upcoming Community Council October on October 28th via Zoom.

Quality of Life Items

Chinatown Health Fair Street Permit

Siyan Wang spoke regarding Chinatown Health Fair that was passed by CB2 but denied by the 5th Precinct.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Tevin Williams, Senator Brad Hoylman's office

Emily Leng, Senator Brian Kavanagh's office

Manhattan Borough President Gale Brewer

Ely Silvestre, Manhattan D.A. Cyrus Vance's office
Tracy Jackson, Assembly Member Deborah Glick's office

Patrice Comerford, Council Speaker Corey Johnson's office

Irak Cehonski, Council Member Carlina Rivera's office

Anthony Drummond, Council Member Margaret Chin's office

IV. ADOPTION OF MINUTES

Adoption of September minutes

V. BUSINESS SESSION

1. **Chair's Report** Jeannine Kiely reported.

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

3. **Treasurer's Report** Antony Wong reported. (See attached at end of report.)

STANDING COMMITTEE REPORTS

BYLAWS

Amendment to Bylaws

Whereas, the Article 10 of the Bylaws currently recognizes only that their amendment may be initiated by a board member's motion during the new business portion of a board meeting; and

Whereas, the Bylaws contain no mention of the amendment method that has been in use for many years by CB2, Man., namely that proposed amendments to the Bylaws are developed by a committee (or working group) appointed by the Board's chairperson; and

Whereas, while the Bylaws do allow the Board's chairperson to establish committees and working groups at their discretion, the Bylaws Working Group believes that the Bylaws should specifically acknowledge the "amendment by committee" method in addition to the "amendment by motion" method;

Therefore Be It Resolved the Bylaws Working Group recommends the adoption of the following text in place of the existing Article 10:

10) Amendments

a) Amendment by Committee

i) Pursuant to their authority under section 3.b.i (12), the Chair may appoint Members to a bylaws committee (or working group) to review the Bylaws and develop recommendations

for possible changes thereto; such meetings will be open to participation by all Board Members.

- ii) Board Members shall receive for their review and comment any recommendations produced by the committee or working group no less than 15 days prior to the Board meeting at which the group expects to present its recommendations for a vote.
- iii) After the review group presents its recommendations to the Board, it may approve the motion as made or as amended, approve a substitute motion, or take no action.

b) Amendment by Motion

- i) During the new business segment of any meeting of the full Board, any Member may propose a motion to amend these Bylaws.
- ii) Upon being seconded, the motion shall be tabled without discussion until the second subsequent full meeting of the Board.
- iii) The Chair shall select Members for a bylaws review group which shall convene within 30 days of such motion at meetings open to participation by all Board members; the group shall review the proposed amendment to assure no conflict with the City Charter or other laws and consistency with other provisions of these Bylaws and shall prepare a recommendation to the Board.
- iv) When the original motion is taken off the table, the review group shall present a recommendation to the Board after which the Board may approve the motion as made or as amended, approve a substitute motion, take no action.
- v) A Member may request that the proposed motion be referred to a committee or working group as contemplated by subsection a.i. of this Article for further review.

c) Notwithstanding any of the above, upon written request from the Borough President, the Board may at any time act upon a motion made and seconded to amend these Bylaws.

Vote: Unanimous, with 42 Board members in favor.

EXECUTIVE

CB2 Capital Budget Requests (FY 2023)

1. Allocate funds for the 100,000 square foot Bleecker Street School. (SCA)
2. Allocate funds for the permanent preservation of Elizabeth Street Garden, in its entirety, on land owned by NYC Department of Citywide Administrative Services, on a through lot on Elizabeth Street and Mott Streets, between Prince and Spring Streets. (HPD)
3. Allocate funds to develop affordable housing at 2 Howard St. once the site is transferred to the City. (HPD)

4. Allocate funds for resiliency efforts to shore up the west side of Community District 2 along the Hudson River Park.
5. Allocate funds for the complete renovation the Tony Dapolito Recreation Center. (DPR)
6. Allocate funds for full branch renovation of Hudson Park Library to include ADA accessibility. (NYPL)
7. Allocate funds for technology improvements, including smartboards, devices, connectivity, laptops and computers for PS 3, PS 41, PS 130, MS 297, P721, P751, Broome Street Academy, Chelsea Career and Technical Education High School, City-As-School High School, Harvest Collegiate High School, Harvey Milk High School, NYC iSchool. (DOE)
8. Allocate funds for development of the Water Tunnel site on Hudson at Clarkson for recreation including community scoping sessions. (DPR)
9. Allocate funds to P.S. 3 for gymateria dividers to increase flexibility and use and weatherproofing of rooftop playground. (DOE)
10. Allocate funds to create signage/markers/public art acknowledging and celebrating the rich history and contributions of the African diaspora within CB2. (LPC) (DCLA) (DPR)
11. Allocate funds to build STEAM and Literacy programs including a Wet Lab, Maker Space, Literacy Lab and Library / Media Center as well as to add water bottle refilling stations at City-as-School High School. (DOE)
12. Allocate funds to install an irrigation system to the planted area in Seravalli Playground. (DPR)
13. Allocate \$1 Million for Greenwich House Music School. (DCLA and/or DCYD)
14. Allocate funds for the complete renovation of Vesuvio Playground. (DPR)
15. Allocate funds for Horatio greenstreet West 4th and 8th Avenue wall (to have the wall removed and have the garden match the design of the one across 8th Avenue). (DPR)
16. Allocate funds for replacing the fence at the Time Landscape. (DPR)
17. Allocate funds for the update / renovation of Minetta Playground. (DPR)
18. Allocate funds for the completion of Desalvio Playground which at this point may be to take legal action against the developer who built on the adjacent lot and has not removed all remnants of their construction. (DPR)
19. Allocate funds to finding and developing appropriate space for additional dog parks. (DPR)

Vote: Unanimous, with 42 Board members in favor.

CB2 Expense Budget Requests (FY 2023)

1. Allocate funds to hire additional DOT inspectors to work nights and weekends to conduct enforcement and compliance of Temporary Open Restaurant guidelines. (DOT)
2. Extend protected bicycle lane on 6th Ave. (Ave. of the Americas) from 8th St./Greenwich Ave. to Canal St. (DOT)
3. Allocate funds for an inventory of Interim Multiple Dwellings in CD2 that includes a complete count of not only the current units but also all units created since the inception of their enabling legislation, including how many have been converted to other uses and how many such units exist today. (Loft Board or DOB)
4. Allocate funds to correct the deficiencies in the Certificate of No Harassment pilot program that expires on October 31, 2021 in light of the results of the report issued by The Coalition Against Tenant Harassment in December 2020. (HPD)
5. Allocate funds from the SBS LMI (Low-to-Moderate Income) Storefront Loan Program to include Census Tract 00041.00 (Chinatown in CB2 and Little Italy) as an eligible Census Tract for the next phase of the SBS LMI Storefront Loan Program. (SBS)
6. Maintain FY22 expense funding for all CB2 libraries. (NYPL)
7. Allocate funds to: conduct an in-depth study on coastal flood protection within Community District; explore funding and building green infrastructure within Community District 2. (MOCR)
8. Allocate funds for the DSNY to evaluate the quantity and condition of trash and recycling containers, evaluate pick-up schedules and adjust them as necessary, design rat-resistant trash containers, and improve trash removal by providing more frequent litter basket collection, especially on weekends and around spaces that attract a large volume of people. (DSNY)
9. Allocate more funding for certified licensed trained social workers for emotional support for teacher and students. (DOE)
10. Allocate funds for the NYC Men Teach to recruit, train and retain talented non-traditional public school educators in order to close the representation gap between our students and those that teach them. (DOE)
11. Allocate additional funding for LPC staff and the agency operating budget to increase capacity. (LPC)
12. Allocate funds for a study of “soft” sites (i.e., sites with less than 50% of current FAR) in CD2 that have the potential for redevelopment. This could be for voluntary inclusionary housing or for standard development. This inventory should include all parts of the district and be organized by subdistrict and by current zoning. (DCP)
13. Install traffic safety improvements at the intersection of Waverly Pl., Christopher and Grove Sts. (Stonewall Natl Monument area), including neckdowns, sidewalk extensions, daylighting, stop signs, improved directional signage, while also incorporating improvements to reduce pedestrian/vehicular conflicts at the nearby southwest side of Christopher St. and Greenwich Ave., the major approach to the Stonewall area. (DOT)

14. Allocate funds to the Health & Hospitals Corporation for a follow-up Community Health Assessment to examine the success of the Lenox Hill Greenwich Village stand-alone emergency department model to understand the impact of the hospital's closing; and to survey the general experience of accessing medical services. (HHC)
15. Allocate funds for teacher training and reading and writing curricula that use a structured literacy approach. (DOE)
16. Reinstate pre-pandemic funding for arts education. (DOE)
17. Allocate funds to support BE NYC implementation to support entrepreneurship throughout CB2. (SBS)
18. Allocate funds for effective rat control throughout Community District 2 parks, especially now as open restaurant programs have increased vermin complaints. (DPR)
19. Allocate funds for staffing of gates and expanded hours at Jefferson Market Garden. (DPR)
20. Allocate funds to address issues of homelessness misuse of the space within Golden Swan Park. (DHS)
21. Allocate funding for Washington Square Association Music Fund. (DPR)
22. Allocate funds for more frequent trash removal, and/or for larger-capacity, sanitary, trash bins in parks. (DPR)
23. Allocate funds to increase the number of Learn to Swim programs. (DPR)
24. Install a fully continuous shared street on University Pl. all the way from 14th St. to W. 4th St., as soon as feasible, considering provision for deliveries, drop-off/pickups, emergency and other necessary access. Conduct a Phase 2 study on the potential for installing a greenway on University Pl. from 14th St. to W. 4th St. where it would connect with Washington Square Park. (DOT)
25. Address continuing congestion problems on E. 12th St., focusing on 12th btw. Broadway and 5th Ave. problem area and placard parking abuses on 12th btw. University Pl. and Broadway. (DOT)
26. Conduct a study, including test applications and evaluations, of curbside access for package deliveries by commercial vehicles (especially in response to greater COVID-19 pandemic demand), taxi and car service pick-up and drop-off, and loading and unloading of personal vehicles in CB2, with test areas selection based on community input. (DOT)

Vote: Unanimous, with 42 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

FIRST LANDMARKS MEETING

1. 399 W. Broadway- Application is to propose a Master Plan for hand painted advertising signage.

Whereas:

- A. The proposed 14.5' x 12' sign is typical of the painted wall signs in the district and appears to conform to the regulations for a painted wall sign for the building; and
- B. There is the vestige of a historic sign in the location; now

Therefore be it resolved that CB2, Man. recommends **approval** of the application provided that staff verifies that it conforms to the regulations for the district and the building.

Vote: Unanimous, with 42 Board members in favor.

2. 33 Ninth Ave. – Application is to retro-fit the existing non-illuminated window signs with internal illumination and install one custom corner sign cabinet reading ‘Rolex’ with a clock at each elevation.

Whereas:

- A. The three interior illuminated signs are in the same location and approximately the same size as the existing approved signs and are flush with the windows; and
- B. The corner illuminated sign is on each face 6'x 4' x 7" thick and is similar in size and considerably thicker and lower than the simple wooden corner sign shown in a historic photograph and has an operable clock in each face; and
- C. The applicant did not show any examples of either type of sign and exterior clocks in the district and represented that he did not know of any such installations; and
- D. The interior signs do not conform to the regulation that interior signs must be at least 18" from the window and there is far more than sufficient interior lighting in the showroom to draw attention to the premises; and
- E. The corner sign, though somewhat smaller than the historic sign, is in an intrusive lower location than the corner sign in the historic photograph and an illuminated sign with an operable clock are without historic or current precedent; and
- F. There was oral and written testimony from the public opposing the application; now

Therefore be it resolved that CB2, Man. recommends **denial** of the application in that the illuminated signs at the window are contrary to existing regulations and the corner sign is obtrusive and the illumination and clock are inappropriate to the building and the district.

Vote: Unanimous, with 42 Board members in favor.

3. ***52-58 Gansevoort St. - Application is to install signage, add exterior lighting, insert brickwork and a clock in middle window opening, add planter boxes on windowsills, and add logos adjacent to the entrance door.**
- A. The portion of the facade proposed for the mounting of a clock is a historic hatch that was converted to a pair of windows in the 1937 alteration of the building and this feature is highlighted in the designation report as historically important in showing the evolution of the building and of buildings in the district; and
 - B. The clock - 6'-10' x 6'-6" - is on a brick infill, matching the existing bricks in the facade; and
 - C. A discreet painted sign at the top of the building is 14' x 3' and illuminated by three black gooseneck lamps which are without historic precedents in the district; and
 - D. There are window boxes with greenery at the windows of the second floor are purely decorative and lit from behind by LED fixtures and they are without precedents, and are ill suited to an industrial building, and no example of such decoration in the district was shown by the applicant and;
 - E. An additional globe light, copying the existing ground floor fixtures, is to be added to the right side of the entry; and
 - F. There was public testimony in opposition to the application; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the painted sign and the added ground floor light; and
- B. **Denial** of the replacement of windows with the clock, gooseneck light fixtures above the sign, and the window boxes as without precedents in the neighborhood and contrary to the industrial character of the building.

Vote: Unanimous, with 42 Board members in favor.

4. ***527 Broome St. –Application is to replace the storefront.**

Whereas:

- A. The existing condition is two divided pane windows and a divided pane horizontal skylight which replaced an original loading; and
- B. The proposed replacement windows are operable casement sheet glass in six sections and the skylight windows are replaced with operable sliding solid glass panels that did not appear to have any provisions for the safety of passersby at the void created at near grade level when in the open position; and
- C. The plate glass operable casement windows of unsuitable design and proportion and the skylight are without historic precedent and are ill suited to the building; and

- D. The proposed application is in direct conflict with an agreement in connection with the approval of a liquor license that includes the following stipulations, all of which are in direct conflict with the changes proposed in the application:
1. All doors and windows will be closed at all times except for patron ingress and egress.
 2. Will not install or have French doors, operable windows or open facades.
 3. Will not make changes to the existing façade except to change signage or awning.

Therefore be it resolved that CB2, Man. recommends **denial** of the application of a modification that is in no way respectful of the historic character of the building and the district and is in direct conflict with binding stipulations in the liquor license for the premises with respect to operable windows and changes to the existing facade.

Vote: Unanimous, with 42 Board members in favor.

5. *611 Broadway - Application is to construct a one-story rooftop addition and mechanical equipment, install an ADA compliant entrance, and perform façade restoration.

Whereas:

- A. The Cable Building occupies a prominent position at a historic main intersection and is of notable historic and architectural importance; and
- B. The rooftop addition clad in dull zinc has a 20' setback from the bordering streets and the railings are carefully positioned to achieve minimal visibility; and
- C. The mechanicals are visible only from Broadway on the north, lot line facade and do not disturb the roofscape; and
- D. The cresting on top of the cornice is to be restored and the missing elements will be reproduced; and
- E. The ADA entrance is achieved by restoring the entry door to its original grade level: and
- F. The fire escapes will be removed and egress will be achieved by recessing and restoring existing Mercer Street loading dock doors and installing egress doors and louvers within the recess; and
- G. The several elements of this exceptionally sensitive application are well planned and respectful alterations and restorations in this application have been considered with respect to a welcome future master plan for full restoration of this important building; now

Therefore be it resolved that CB2, Man. recommends **approval** of this sensitive alterations and restoration of an important historic building.

Vote: Unanimous, with 42 Board members in favor.

6. ***9 St. Luke's Pl.– Application is to construct a 3-story addition to the rear of the house, a penthouse addition and new mechanical equipment on roof, new windows on all facades, refurbishment of areaway and sidewalk, and excavation below cellar and rear yard.**

Whereas:

- A. The new front doors are to match 8 St. Luke's Place with the introduction of historic detail matching other doors in the row and is appropriate to the house, provided that it and the surround are carefully detailed; and
- B. The balcony on the rear facade will be removed and
- C. A three story 6'-3" deep rear yard extension, much like other extensions within the doughnut has full width divided glass on the ground and parlour floors and there is an awkward configuration of two modern windows on the third floor and the three punched windows remain on the top floor; and
- D. There is a full width iron balcony at the parlor floor; and
- E. The penthouse is smaller than most of the penthouse additions in the row and with moderate visibility from St. Luke's Place and considerable visibility from the south side of the park across the street from the house; and
- F. The penthouse materials are light brick and the chimneys are to be removed and replaced with obtrusive light brick clad outside chimneys that are very visible as modern additions and they intrude on the roofscape; and
- G. The southwest chimney is turned at right angles to the front of the building in an awkward and obtrusive manner.
- H. There is to be excavation, some of which is to the lot line walls, in the cellar extending into the rear yard which will be paved over; and
- I. The parlor floor rear windows lack any suggestion of the historic three window configuration which they replace and there is a clear example two houses to the east with a similar window wall that makes this important historic reference; and
- J. The two oddly sized second floor rear windows disturb the integrity of the rear facade and are historically and aesthetically important and the three punched window configuration would greatly enhance the facade; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the entrance provided that the detailing is of careful historic design and fabricated; and
- B. That the penthouse be reduced in size and/or moved toward the rear of the building to reduce visibility; and

- C. **Denial** of the chimneys' design and that they be replaced with a more traditional design and be positioned in the historic parallel to the property line and flat against the sides of the building as close to the rear of the building as possible; and
- D. **Approval** of the rear basement windows and the parlor floor windows provided that the parlor floor configuration makes some reference to the three punched windows which they replace; and
- E. **Approval** of the excavation provided that all care is taken with the design and construction to ensure that the integrity building and neighboring buildings is not compromised, that all methods and monitoring necessary to ensure these protections are carried out.

Vote: Unanimous, with 42 Board members in favor.

7. *69 Gansevoort St. -Application is to construct a multi-story rooftop addition in front of and on top of an existing one-story rooftop structure.

Whereas:

- A. The existing front building of great importance to the evolution of architecture and to the culinary history of the district is to be well preserved and was modified to its present condition in the 20th century from twin row houses; and
- B. There is an existing tenement building behind and adjacent to the front building that is not visible from any public thoroughfare; and
- C. The addition was represented as being inspired by the volume and design of the historic front building; and
- D. The facade is plate glass with a decorative steel screen that results in a confusing layering of patterns and though it is set back 15' (20' forward of the south facade of the tenement building), its bold model presence completely overwhelms the existing front building, and is too bulky and high to be visually supported by the existing building; and
- D. The new construction encases the existing rear tenement building and its south facade will be demolished, essentially resulting in its demolition; and
- E. Two rear windows will be covered to mask an elevator shaft; and
- F. The height of the addition does not respect the street wall nor the original height of front building and the buildings to the east and west, resulting in a lack of resolution at the top; and
- G. The addition is boldly visible from across from Gansevoort: Street and for a distance to the east and the west and is somewhat visible toward the east and west corners and is objectionably visible from the Highline.
- H. The applicant represented that there was no historic reference intended apart from a questionable extraction of the screen pattern from the three punched windows south facade of the original buildings with is not at all discernable from viewing the building; and

- I. The applicant represented that of the distance of the new facade from the facade of the tenement building was driven by the desire to maximize the floor space of the upper stories; and
- J. There was testimony from the public opposing the application; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** for the restoration and minor alterations to the existing front building; and
- B. **Denial** of the addition as totally out of scale for the site and in a design that is without historic reference and does not respect the historic architecture of the existing building and the industrial quality of the neighborhood.
- C. That the Landmarks Commission ensures that a revised design is presented to CB2, Man. for a public review at its Landmarks Committee.

Vote: Unanimous, with 42 Board members in favor.

SECOND LANDMARKS MEETING

- 8. ***54 Bleecker St. - Application is to replace an existing storefront.**

Whereas:

- A. The present condition is painted wood infill with a painted cornice and windows with assorted grill like patterns in wood and awnings and lights which are to be removed; and
- B. The painted brick and wooden infill are to be stripped and the wood painted portions are to be restored as required and painted black; and
- C. Pending further investigation, the cornice will be either be cleaned, or, if needed, repainted to match existing color; and
- D. Discrete script logo signs will be painted on the black metal transoms; and
- E. LED lighting is to be installed in the cornice to provide a glow on the black transoms; now

Therefore be it Resolved that CB2, Man. recommends **approval** of the application which enhances the historic appearance of the building.

Vote: Unanimous, with 42 Board members in favor.

- 9. ***314 Bleecker St. Application is to modify and legalize a rear yard extension, install a gate in the existing masonry garden wall and modify an egress door opening.**

Whereas:

- A. The existing extension was constructed without permit by a prior tenant and the proposal is to modify its rear facade with a painted bulkhead, operable multi-pane windows and a multi-pane door; and
- B. Existing exit door on Grove Street will be recessed to 18” to comply with regulations; and
- C. An ironwork gate in the masonry fence is of a harmonious design , but oddly is only the height of the masonry part of the fence, and the applicant favorably received a suggestion by the Committee that it be the full height of the fence as shown in several examples in the district; now

Therefore be it resolved that CB2, Man. recommends:

- A. Approval of the extension modifications, the Grove Street exit door, and the gate provided that the gate is even with the height of the top of the metal work in the fence; and
- B. That the extension as modified be legalized.

Vote: Unanimous, with 43 Board members in favor.

- 10. *122 W. 3rd St. aka 12 Minetta Lane: Application is to restore both the West 3rd Street and Minetta Lane façades with a set-back 2-story rooftop addition.**

(LAID OVER)

- 11. *33 Charles St. – Application is to reduce depth of existing rear addition at basement floor, construct a new rear addition at the parlor floor, construct a new rooftop addition, install new steel windows on the rear façade.**

Whereas:

- A. The rear yard addition and the stairs to the garden will be removed; and
- B. The two-story extension is 6’ deep with wide multi-pane windows, an 8’balcony in metal at the parlor level and a terrace railing at the second floor; and
- C. The metal windows at the basement and parlor rear facades are similar to the existing windows similar to those in another house close by in the doughnut which are assumed to have been approved by the Commission; and
- D. The wide metal window at the second floor is within the boundaries of the existing pair of double hung windows; and
- E. The 265 square-foot rooftop addition with mechanical equipment on top is positioned at the rear of the house and are not visible from any public thoroughfare; and
- F. There was testimony from the public on non-landmark grounds opposing the application; now

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

Vote: Unanimous, with 42 Board members in favor.

PARKS & WATERFRONT

Crosswalk to the Hudson River Park

Whereas:

1. There is a current lack of pedestrian crossings between West Street and Hudson River Park (HRP) on the stretch between Canal Street and West Houston Street, a distance of approximately one quarter mile; and
2. The new office building at 550 Washington St. that replaces the portion of the St. Johns building south of Houston St. - built by Oxford Properties Group and recently acquired by Google - was designed to include a new 50-ft-wide passageway between the southern side of 550 Washington and the northern side of the Department of Sanitation of New York (DSNY) building, in-line with where Charlton St. would run if it did not terminate at the UPS building on Greenwich St.; and
3. The new passageway will be called Charlton Garden Alley (CGA); and
4. The developers of 550 Washington Street have designed a new crossing of West St into HRP to commence from the sidewalk on the western side of 550 Washington St.; and
5. The new crossing will be positioned 60 ft north of CGA and 25 ft south of the left turn lane on the northbound side of the highway (closer to what would be King St. if that road continued west through the UPS building and the new office building). Specifically, the crossing will be sited 617 ft north of Spring St. and 372 ft. south of W. Houston St., terminating in HRP just south of pier 40; and
6. A crossing at this location permits a wide “refuge” area at the highway median; and
7. The option of a crossing that commenced at CGA and terminated in the space north of the tennis courts in HRP was considered but was deemed a danger to pedestrians because of the eastern terminus’s proximity to the entrance used by DSNY trucks; and
8. The crossing will be 20 ft wide, which is thought appropriate to support cyclists and pedestrians concurrently; and
9. The sidewalk on West St. adjacent to the 550 Washington Building will not be widened, but there will be a bump-out from the sidewalk into the eastern side of West St. at the crosswalk in the parking lane; and
10. The new crossing will include the installation of a stop light that requires cars to stop in both directions on West St., as well as signals to direct pedestrians on when it is safe to cross. This new stop light will be synced/coordinated with other lights north and south on West St. and will follow the federal minimum times for pedestrian crossing which in this case is expected to be 37 seconds which is thought to be sufficient for pedestrians to cross the estimated 98 ft of the highway. Timing will be set up to minimize the chance for southbound traffic to queue back and block the West Houston crossing; and
11. The crossing will enter HRP at a newly constructed opening in the lawns that will include a pedestrian plaza with a 22-bike Citibike dock; and
12. This Citibike dock will replace a 22-bike dock currently located a short distance to the south, adjacent to the northern end of the tennis courts, and will be located just south of the southern end of pier 40; and

13. The new Citibike location within the new pedestrian plaza is deemed safer for pedestrians than the existing site because it will be more visible and will include the installation of a flashing amber light in the HRP bikeway to encourage bikers to slow down around the crossing; and
14. Significant landscaping design has been done both for the new plaza and the greening over of the existing bike rack space adjacent to the tennis courts including 3 new oak trees that will be planted to replace the 3 trees that will have to be removed, 101 new shrubs; and a total of 650 plants with better improved irrigation and new boulders; and
15. The Hudson River Park Trust is supportive of this plan and was the driver of the decision to move the existing bike rack and combine it with a pedestrian plaza in order to maximize green space and lawn; and
16. At the current time there is no support by New York City Department of Transportation (NYC DOT) and New York State Department of Transportation (NYS DOT) for an additional crossing at Spring St. because of its proximity to Canal St. at West St. and the safety and traffic hazards that could result; and
17. There is no funding opportunity or consensus at this time for the building of overpass crossings at this site or at a Spring St location; and
18. NYC DOT has not yet proposed any signage to draw people to use CGA and this new West St. crossing, but the new Streetscape Plan by the Hudson Square BID recommends wayfinding to direct people to the CGA; and
19. Precise estimates of pedestrian crossing volumes are unattainable at this time because of the lingering effects of the Covid pandemic and the difficulty to predict employees' return to Google at 550 Washington St., but current predictions are for pedestrian crossings of 250 people per hour in both directions; and
20. Although designs and usage of the CGA have not been finalized, the developers have stated that it is expected to be primarily for pedestrian and bicycle access, though occupants of this building could use it for occasional drop-offs, but not for deliveries; and
21. Oxford Properties Group, the developers of 550 Washington, are funding all phases of this project, including design, getting approval for the plans, and implementation; and

Therefore, be it Resolved that CB2, Man.:

1. Appreciates the proposal by Oxford Properties Group, the developers of 550 Washington St., for its efforts in the design and funding of this project; and
2. Supports greater accessibility to Hudson River Park and supports this plan for doing so, though this crossing does not do so for residents of Soho; and
3. Remains interested in investigating the possibility of an overpass at or near Spring St.; and
4. Insists that the new Charlton Garden Alley and the new crosswalk remain for public use and not become private assets for the exclusive use of the owners and occupants of 550 Washington St., i.e., Google employees; and
5. Requests that the crosswalk installed be as wide as possible i.e., at least 20 ft wide, to permit safe crossing of cyclists and pedestrians at the same time; and
6. Requests that Oxford Properties Group and/or Google investigate the possibility of providing crossing guards if the intersection is found to be dangerous at certain times of the day; and
7. Looks forward to a more definitive explanation of how the Charlton Garden Alley passage will be used if it is meant to be multi-modal: the frequency and quality of automobile use; traffic regulations; and the management of interactions between automobiles, pedestrians and cyclists. These plans have not been finalized and could have significant implications for safety and comfort.

Vote: Unanimous, with 42 Board Members in favor.

QUALITY OF LIFE

Street Activities Applications:

1. Sunday, October 24, 2021— Protect Chinatown Health Fair 2021 – Centre St. between Grand St. and Howard St. (Applicant: The Peter Kwong Immigrant Workers Learning Center) [full street closure]

Whereas, the applicant wishes to host a health fair to provide information for those suffering with pandemic and work-related health issues, co-presented by the Coalition to Protect Chinatown and the Lower East Side, The Peter Kwong Immigrant Workers Learning Center, and the National Mobilization Against Sweatshops; and

Whereas, the applicant stated that the event will offer information on occupational therapy services that are available to vulnerable populations, health screenings, and vaccine information; and

Whereas, the event and all services offered will be free and available to all and the applicant has applied for an amplified sound permit from the local NYPD precinct for speeches and a poetry reading, and the amplified sound will only be used for short periods; and

Whereas, the applicant will have six tables and an art display of photographs by Corky Lee depicting service workers over the decades and will offer services to the protesters outside the Museum of Chinese in America (MOCA) who gather on this block in protest daily; and

Whereas, the event will begin set-up at 9 AM, the event will begin at 12 noon and breakdown will be complete by 7 PM; and

Whereas, concerns were raised about the closure of a main northbound street on a busy fall weekend day but the applicant stated that the street closure is necessary to protect the health and safety of all participants at the event who will be seeking assistance for health issues related to their work; and

Whereas, two members of the Broadway Residents Coalition appeared in support of the application for the full closure because of the benefits this event will provide to workers and the community; and

Whereas, the committee discussed the possibility of only using the curb lane on Centre Street; or, alternatively, using the curb lane on Howard Street, between Centre and Lafayette Streets; or, alternatively, a full street closure on Howard Street, between Centre and Lafayette Streets, should there be traffic concerns, and the applicant stated that the Centre Street full-street closure was ideal for their event; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of Protect Chinatown Health Fair 2021 – Centre St. between Grand St. and Howard St. [Full Street Closure] (Applicant: The Peter Kwong Immigrant Workers Learning Center) on October 24, 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: Unanimous, with 42 Board members in favor.

2. Friday-Monday, October 29-November 2, 2021 – Fall Festival: 1) Little West 12th Street between Ninth Avenue and Washington Street; 2) West 13th Street between Ninth Avenue and Washington Street 3) Gansevoort/13 Gansevoort Pedestrian Plaza (Applicant: Meatpacking District Management Association) [curb lane closure and pedestrian plaza street closure]

Whereas, the applicant wishes to present a “treats-in-the-streets” event for families on Little West 12th Street, while neighboring businesses host Halloween-themed events in their stores; and

Whereas, the event will include a small performance stage for a drag queen scary story hour, live music, and a dog costume contest and the event will use amplified sound with set-up beginning at 7 AM on October 30, the event will take place from 11 AM -5 PM on October 30, and breakdown will be complete by 8 PM on October 30; and

Whereas, the applicant stated that amplified sound will be monitored throughout the event and the applicant intends to keep the sound only as loud as necessary to hear the performer from the stage; and

Whereas, the event will coincide with an urban infrastructure street-design expo on West 13th Street, which will show different designs of how public spaces could be used when the curb space is open and will include designs for parklets, secure bike storage, and some outdoor dining ideas, in order to allow the public to engage with new street ideas and also to show businesses new ideas for outdoor dining; and

Whereas, this portion of the event will take place on Saturday and Sunday, October 30 and 31 from 11 AM-5 PM, and breakdown will be complete by November 1 at 10 AM; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of Fall Festival: 1) Little West 12th Street between Ninth Avenue and Washington Street; 2) West 13th Street between Ninth Avenue and Washington Street 3) Gansevoort/13 Gansevoort Pedestrian Plaza (Applicant: Meatpacking District Management Association) [curb lane closure and pedestrian plaza street closure on October 30, 2021.

Vote: Unanimous, with 41 Board members in favor and one abstention (B. Pape).

3. Saturday, October 30, 2021 – Children’s Museum of the Arts (CMA) Halloween Family Day: 1) Sixth Avenue between Spring Street and Broome Street, 2) Dominick Street between Varick Street and Sixth Avenue (Applicant: CMA) [full street closure]

Whereas, this is a family day event to replace the annual fair that CMA usually holds on the street in front of its location, which is currently blocked by neighboring construction, and will include Halloween-themed arts and craft activities, and set-up begins at 8 AM, the event will take place from 11 AM to 4 PM, and breakdown will be complete by 6 PM; and the first hour is reserved for families with elderly attendees, and the applicant is using EventBrite to manage the timing of attendees, so that attendance is dispersed throughout the day; and

Whereas, the event is free and open to all, and CMA is encouraging donations from the community but not charging for access, and is using this event to bring attention to the New Digital Commons—an online platform to bring child-centered arts education to the community; and

Whereas, the applicant stated that they may apply for an amplified sound permit to make speeches, and there will be no food or drink served, and the applicant is using a table and chair rental service; and

Whereas, a neighbor appeared at the meeting and expressed concern that the staging area for the Halloween Parade is in the same location the following day and the applicant stated that they would coordinate to make sure that the staging for the events would not conflict; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of Children’s Museum of the Arts (CMA) Halloween Family Day: Sixth Avenue between Spring Street and Broome Street (Applicant: CMA) [full street closure] on October 30, 2021.

Vote: Unanimous, with 41 Board members in favor and one abstention (B. Pape).

4. Tuesday-Sunday, November 2-7, 2021 – Netflix-The Harder They Fall: Gansevoort Pedestrian Plaza (Sponsor: IDEKO) [pedestrian plaza street closure]

Whereas, this event is to coincide with the premiere of the Netflix movie *The Harder They Fall*, which explores how Black people helped to build the American West, and this activation is to build a space that mimics the movie’s setting, a small frontier town with a marketplace selling goods made by Black-owned enterprises, a replica train car, a replica saloon, a tintype photo booth, and a performance stage with storytelling; and

Whereas, the activation will be completely within a fenced perimeter that has one entrance and several exit points, and it will be free and open to the public on a “first-come-first-served” basis and the number of people at any one time will be metered in the space, with a capacity for about 150-175 people at one time, and there will be a queue line between the fenced perimeter and stone bollards which line the plaza; and

Whereas, Netflix brand ambassadors will be walking around the event and queue and will give out free branded tote bags and bandanas, and there will be costumed actors walking around the space, and set-up for the event will begin at 5 AM on November 2 and continue on November 3, the event will be open from November 4-7 between 11 AM-6 PM, and breakdown will be complete by 8 PM on November 7; and no work will take place between midnight and 5 AM; and the applicant will limit “loud work” set-up between the hours of 5 AM-7 AM; and

Whereas, the applicant stated the event will use amplified sound and lighting elements but that all light and sound will be directed to within the perimeter of the activation; and

Whereas, the space will be closed to the public after 6 PM, but there will be 5-feet of pedestrian access around the perimeter at all times, and there will be 24-hour security around the space, and the event will be publicized through all Netflix social-media channels, and food and non-alcoholic beverage will be given-away, and the applicant intends to use a portion of the curb lane on Little West 12th and West 13 Streets; and

Whereas, two neighboring residents appeared with concerns about the length (6 days) and size of this event, the amplified sound and use of extra lighting, the amount of people the event will attract, the privatization of public space, the commercialization of a public space, and the lack of connection between the event and the community; and

Whereas, this event and the Disney event in the following resolution will be the third and fourth activations of this plaza by large corporate entities in the last two months: Kate Spade Apple Orchard in September, Miss Dior Pop-Up Store (photo below) in September, Disney and Netflix in October; and



Whereas, the applicant will pay a five-figure fee to the City for the use of the public plaza (picture below) and the Meatpacking BID receives an additional fee from the applicant which is used, at least partially, for the maintenance of this plaza; and



Whereas, some committee members questioned such a blatant commercial use of a public plaza that is usually fully-accessible to all and felt that such well-funded corporate entities are quite able to present these types of experiential events in an empty storefront or event space, as has been done recently by Amazon Prime when they converted an empty storefront in SoHo and transformed it into an operating period-diner for the season premiere of *Marvelous Mrs. Maisel*; and

Whereas, Community District 2 is also home to the pedestrian plaza in Astor Place which has been activated by more community-oriented events like a farmers market, and a performance stage in conjunction with the Public Theatre, and has not seen similar commercial activations; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of Netflix-The Harder They Fall: Gansevoort Pedestrian Plaza (Sponsor: IDEKO) [pedestrian plaza street closure] from November 2-7, 2021.

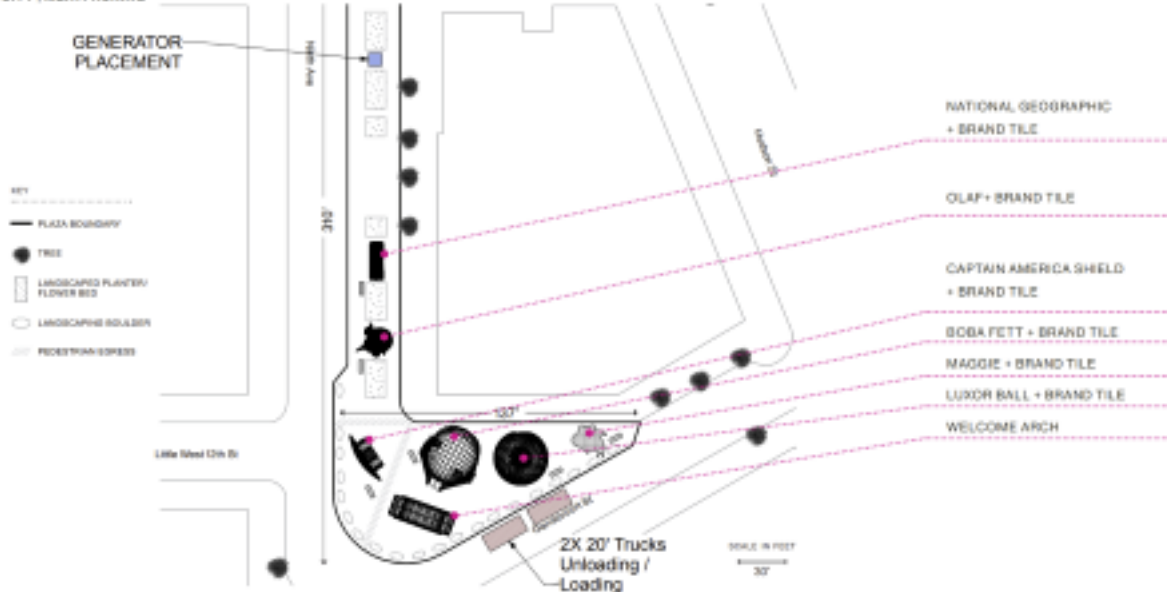
Vote: Unanimous, with 41 Board members in favor and one abstention (B. Pape).

5. Monday, November 8, 2021 – Disney Inflatable Sculpture Garden Event: Gansevoort Pedestrian Plaza (Sponsor: Alt Terrain, LLC) [pedestrian plaza street closure]

Whereas, The Walt Disney Company, an American multinational entertainment, and media conglomerate, hopes to use the Gansevoort Pedestrian Plaza to display six Disney-branded inflated sculptures (rendering below), ranging in size from 6-25 feet tall, with set-up beginning on November 8 at 7 AM, the event will take place from 10:30 AM-5:30 PM, and breakdown will be complete by 7:30 PM; and



Whereas, the balloons will be weighed down with ballast and will be continually inflated by air fans powered by a 15,000 watt generator (see site plan below), and the applicant stated that they expect attendance between 1,000-4,999 people and the event will be promoted on Disney social media channels, and the applicants expects to use two-three curb spaces on Gansevoort Street; and



Whereas, the applicant stated the site will be monitored by a security team and the applicant is required to obtain a Department of Buildings Structure Permit for all balloons greater than 10 feet in height; and

Whereas, the applicant will pay a five-figure fee to the City for the use of the public plaza and the Meatpacking BID receives an additional fee from the applicant which is used, at least partially, for the maintenance of this plaza; and

Whereas, two neighboring residents appeared with concerns about the size of this event, the continuous use of a generator, the amount of people the event will attract, the privatization of public space, the commercialization of a public space, and the lack of connection between the event and the community; and

Whereas, this event and the Netflix event in the preceding resolution will be the third and fourth activations of this plaza by large corporate entities in the last two months: Kate Spade Apple Orchard in September, Miss Dior Pop-Up Store (photo above) in September, Disney and Netflix in October; and

Whereas, while the committee had less concerns with this event due to its brevity and because the space remains somewhat accessible to pedestrians, some committee members continued to question such a blatant commercial promotional use of a public plaza that is usually fully-accessible to all and felt that such well-funded corporate entities are quite able to present these types of experiential events in an empty storefront or event space, as has been done recently by Amazon Prime when it temporarily converted an empty storefront in SoHo into a fully operating 1950's-period diner for the season premiere of *Marvelous Mrs. Maisel* to the enjoyment of many; and

Whereas, Community District 2 is also home to the pedestrian plaza in Astor Place which has been activated by more community-oriented events like a farmers market, and a performance stage in conjunction with the Public Theatre and has not seen similar commercial activations; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of Disney Inflatable Sculpture Garden Event: Gansevoort Pedestrian Plaza (Sponsor: Alt Terrain, LLC) [pedestrian plaza street closure] on November 8, 2021.

Vote: Unanimous, with 41 Board members in favor and one abstention (B. Pape).

Street Activities FYI/Renewals:

6. November 18-December 24, 2021 – South Village Farmer’s Market (Applicant: David Gruber): Sixth Avenue between Carmine St. and West Third Street [partial sidewalk closure]

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

Therefore Be It Resolved that CB2, Man. recommends approval of the renewal application 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: Unanimous, with 42 Board members in favor.

SCHOOLS & EDUCATION

1. Resolution in Support of Redevelopment Guidelines for a New School Building for NYC iSchool and Chelsea Career & Technical Education High School

Whereas:

1. To ensure Education Construction Fund (ECF) builds a 130,000 sq. ft., as of right school, at 429 West 36th Street for Chelsea Career & Technical High School and NYC iSchool;
2. The design phase of the new school building will commence in 2022 with construction to be completed in 3-4 years thereafter;
3. ECF intends to enter a 99-year lease agreement with the developer, [Tribeca Investment Group](#), and further intends to issue bonds with a 40-year maturity;
4. The two high schools serve different demographics of students: Chelsea Career and Technical High School serving 95% students of color, 74% male students and 84% students in poverty¹ versus 46% students of color, 54% female students and 44% students in poverty² at NYC iSchool;³
5. ECF will build a new state of the art building pursuant to School Construction Authority guidelines which includes a separate Gym, Library, Cafeteria, Auditorium, Science Lab, Art Lab, and locker rooms which will all be ADA accessible.
6. Jennifer Maldonado, ECF Chief Executive Officer has agreed to return with the developer to present renderings of the school to CB2, Man.

Therefore Be It Resolved that CB2, Man. urges the Educational Construction Fund to:

1. Support school redesign plans that create an equitable distribution of shared spaces between NYC iSchool and Chelsea Career & Technical Education High School;
2. Return with the Tribeca Investment Group and renderings of the building as soon as possible;
3. Return with the environmental impact of building a school near the Lincoln Tunnel; a) safety and air quality studies b) and transportation studies.

VOTE: Unanimous, with 42 Board Members in favor.

1. Resolution in Support of Ensuring the Bleecker School is Built: *An Option Worth \$65 Million to NYC Taxpayers*

Whereas:

¹ <https://insideschools.org/school/02M615>

² <https://insideschools.org/school/02M376>

³ <https://data.cityofnewyork.us/Education/2019-20-Demographic-Snapshot-School/nie4-bv6q>

1. To ensure that the Department of Education (DOE) retains its option — worth \$65 million — to build the Bleecker School — a 100,000 sq. ft., K-8 public school on New York University-owned land — the DOE must either fund the cost of the construction of a school before the option expires on December 31, 2021 or extend the option date ⁴;
 - a) The Bleecker School was a key component of NYU’s community giveback agreement as part of its 2012 rezoning;
 - b) **If the Bleecker School option expires on December 31, 2021, earmarked funds will transfer to NYU.** Based on the average price per buildable square foot in Manhattan, and the lack of vacant land in Greenwich Village, NYU will collect a windfall of over \$65 million in taxpayer funded value transfers, which will not be utilized to increase much needed public school seats in CB2, Man..
 - c) From 2014 to 2020, CB2, Mana. has passed six resolutions in support of funding and building the Bleecker School, including our September 2019 resolution: *Dyslexia Education: A Critical Equity Issue for NYC Students – in support of 1) implementation of early screening, curriculum development, teacher training, programs and schools to support and teach children with dyslexia in NYC public schools and 2) the creation of a DOE public school program for dyslexic students at the Bleecker School Site* and our July 2020 resolution: *Resolution In Support of New York University and Trinity Real Estate Commitments to NYC for the Bleecker School and Hudson Square School and Public Recreation Space.*
2. December 2019, downtown elected officials sent a letter to the DOE in support of exploring the “possibility of creating a DOE public school program for dyslexic students” at the Bleecker School site⁵
3. In November 2019 and February 2020⁶, the DOE Capital Plan included language that the DOE “intends to exercise” its option;
4. In February 2021⁷, the DOE Capital Plan included revised language that “the DOE has been working with NYU to extend the period to exercise the option to develop a school at Bleecker Street and LaGuardia Place;”
5. On October 7, 2021, elected officials once again urged the (SCA) and (DOE) to intervene to meet the extended deadline that NYU has offered and would like to meet and discuss how they can commit to building a school at 130 Bleecker Street.

⁴ For additional details, view <http://bit.ly/BleeckerFAQ>.

⁵ Letter and Restrictive Document available on CB 2 website at <https://www1.nyc.gov/html/mancb2/html/newpublicschools/trinityschool.shtml>.

⁶ SCA and DOE, FY 2020 - 2024 Five-Year Capital Plan, Proposed Amendment, February 2020. For Bleecker School, see page 16.

https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital_Plan/Capital_plans/02202020_20_24_CapitalPlan.pdf?sr=b&si=DNNFileManagerPolicy&sig=I0uRPmk95aGbwzaOUCMHOZ71nBES%2FZ2YKSlzY1xJ4n0%3D.

⁷ SCA and DOE, FY 2020 - 2024 Five-Year Capital Plan, Proposed Amendment, February 2021. For Bleecker School, see page 16.

SCA https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital_Plan/Capital_plans/02012021_20_24_Capital%20Plan.pdf?sr=b&si=DNNFileManagerPolicy&sig=Wwokl89NRTMiZswqQQcotO34SDL/1bY9Ks4b9zn2UQI=

Therefore Be It Resolved that CB2, Man. urges the SCA and Department of Education to:

1. Confirm its intention to construct a school on Bleecker Street before it loses the option and the site return entirely to NYU's control;
2. Immediately advocate to meet the extended deadline NYU has offered, and meet with CB 2 to discuss ways the Community Board 2 can support the DOE's commitment to citing the school at 130 Bleecker Street;
3. Continue to support that when the Bleecker School is funded and built, it serves the educational needs of our community, with particular focus on the possibility of developing a school to serve students with dyslexia and other language-based learning disabilities.

VOTE: Unanimous, with 42 Board Members in favor.

SLA LICENSING

1. BEL NYC, LLC d/b/a Bronson's Burgers, 250 Mulberry St. 10012 (New RW–Restaurant)

i. Whereas, the Applicant and Applicant's Attorney appeared before CB2, Manhattan's SLA Licensing Committee #1 via video conference to present an application for a new Restaurant Wine License to operate a restaurant specializing in burgers and milkshakes in a C6-2-zoned, six (6)-story, mixed-use building (c. 1900) on Mulberry Street between Spring and Prince Streets (Block #494/Lot #14) in the Special Little Italy Zoning District; and

ii. Whereas, the storefront premises had been operated as Torrisi Italian Specialties with a Restaurant Wine license from approximately 2009–2015; and

iii. Whereas, the Applicant has been operating in the storefront premises since July 2021 without the service of alcohol, the interior ground floor premises being approximately 1,275 sq. ft. (approximately 650 sq. ft. on the ground floor and 625 sq. ft. in the basement, with no patron access to basement), there are five (5) tables with ten (10) seats and one (1) food counter with no seats for a total interior seated patron occupancy of 10; there is one (1) entryway used for both patron egress and ingress and one (1) patron bathroom; and

iv. Whereas, the Applicant originally appeared before CB2, Man. in September/2021, that application also including two roadbed dining structures the Applicant had been using under the temporary Open Restaurants program with one structure being located directly in front of the proposed licensed premises and an additional structure being located across from a northern part of the building that is not part of the proposed licensed premises; both roadbed structures also containing large speakers being used to play amplified music in non-compliance with the temporary Open Restaurants guidelines; there being concerns that the second dining structure was not conforming to the siting guidelines of the temporary Open Restaurants by not being located directly in front of the proposed licensed premises; additional concerns being raised about the lip protruding from both roadbed structures and overlapping the sidewalk by approximately 18"; the Applicant deciding to layover the Application to October/2021 in order to further check guidelines of the temporary Open Restaurants program; and

v. Whereas, upon returning to CB2, Man., the Applicant agreed to immediately remove the speakers from the outdoor structures, to immediately cease using the roadbed structure that was not located in front of the business frontage and remove it as soon as could be arranged and additionally remove the lip extending onto the sidewalk from the remaining roadbed structure; and

vi. Whereas, the agreed to hours of operation are Sundays through Thursdays from 11AM to 10PM and Fridays and Saturdays from 11:00AM to 11PM; music will be quiet background only consisting of music from iPod/CDs, no music will be audible in any adjacent residences at any; all doors and windows will be closed at 10PM; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and

vii. Whereas, roadbed seating operating under the temporary Open Restaurants program will not exceed the business frontage of the proposed licensed premises and will consist of no more than seven (7) tables and fourteen (14) patron seats; there will be no exterior music, speakers or TVs and no sidewalk seating; roadbed seating will end no later than 10PM Sunday to Thursdays and 11PM Fridays and Saturdays; and

viii. Whereas, the Applicant executed a stipulation agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the license as follows:

1. Premises will be advertised and operated as full-service restaurant specializing in burgers and milkshakes with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be Sundays through Thursdays from 11AM to 10PM and Fridays and Saturdays from 11:00AM to 11PM. All patrons will be cleared and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for roadbed seating operating under the temporary Open Restaurants program on Mulberry Street. Roadbed seating not exceeding the business frontage of licensed premises consisting of one enclosure with no more than seven (7) tables and fourteen (14) patron seats. There will be no lip from the roadbed structure that overlaps the sidewalk.
5. Roadbed seating will close no later than 10PM Sundays to Thursdays and 11PM Fridays and Saturdays. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs. Will not have televisions.
6. Currently existing additional roadbed structure which is not directly in front of the business frontage of proposed licensed premises will cease being used immediately and will be removed from premises as soon as arrangements can be made with a contractor.
7. Sidewalk café is not included in this application.
8. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will not have televisions.
10. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
11. Will not install or have French doors, operable windows or open facades.
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. 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. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License for **BEL NYC, LLC d/b/a Bronson’s Burgers, 250 Mulberry St. 10012**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the method of operation on the SLA Restaurant Wine License.

Vote: Unanimous, with 42 Board members in favor.

2. Wan Wan LLC d/b/a Wan Wan, 207-209 Mulberry Street, New York, New York 10012 (New OP-Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Liquor License for a restaurant specializing in Thai noodles located in the ground floor of a C6-2-zoned, 5-story, (c. 1900) mixed-use building on Mulberry Street between Kenmare and Spring Streets (Block #481/Lot #22) in the Special Little Italy Zoning District; and

ii. Whereas, the interior ground floor premises is approximately 1,200 sq. ft. with 750 sq. ft. on the ground floor and approximately 450 sq. ft. in the cellar connected by an interior stairway; there will be fourteen (14) tables with twenty-eight (28) seats and three (3) booths with twelve (12) seats on the ground floor and seven (7) tables with fourteen (14) seats and one (1) bar with six (6) seats in the cellar, for a total interior patron occupancy of sixty (60) seats; there is one (1) entryway used for both patron egress and ingress and two (2) patron bathrooms; and

iv. Whereas, the instant application for the On-Premises Liquor License also included a roadbed dining structure located in the roadway directly in front of the business frontage on Mulberry Street consisting of eight (8) tables and thirty-two (32) seats operating under the temporary Open Restaurants program; and

iii. Whereas, the location was previously licensed for restaurant beer and wine from 2008 to 2019 (SN# 1215555) but did not have an On-Premises license; at the time of that application, the Applicant showed themselves responsible and responsive to the community, making adjustments to their concept and method of operations to ensure that the establishment operated and was seen as a genuine restaurant serving a cuisine not otherwise common in the area, that it would not operate as a night club and signed stipulations stating they would not have a sidewalk café at any time; and

iv. Whereas, the hours of operation of the instant Application are 11AM to 10PM Sundays, 11AM to 11PM Mondays to Wednesdays, and 11AM to 12AM Thursdays to Saturdays; there will be no televisions; music will be quiet background only consisting of music from iPod/CDs, no music will be audible in any adjacent residences at any time; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and

v. Whereas, this application being subject to the 500-foot rule requiring the Applicant to satisfy the public interest standard for adding another licensed establishment in this area; the area already being saturated with licensed establishments, there being approximately forty-six (46) licensed premises and six (6) pending licenses within 750' of the instant application; there being concerns raised about the public interest of adding another On-Premises license to an already heavily licensed community, and stronger concerns being raised about the large outdoor roadbed structure adding 32 additional seats to the outside area operating under the temporary Open Restaurant program on a block already inundated with outdoor dining operating under the program, the immediate neighborhood being mixed use with residents on the upper floors in the neighboring buildings; and

vi. Whereas, at the meeting CB2, Man. SLA #1 Committee voted to deny the instant Application based on the inclusion of the outdoor dining structure not meeting the public interest standard of the 500-foot rule; the Committee also voting that if the service of alcohol to the outside, now or in the future, was

eliminated from the Application their vote would be to deny unless stipulations were in place to affirm that; and

iv. Whereas, upon learning the vote of the Committee to deny the application, the Applicant agreed to having no outdoor seating now or in the future to maintain the public interest standard; the Applicant having executed a stipulation agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the license as follows:

1. Premises will be advertised and operated as a restaurant specializing in Thai noodles.
2. The hours of operation will be 11AM to 10PM Sundays, 11AM to 11PM Mondays to Wednesdays, and 11AM to 12AM Thursdays to Saturdays. All patrons will be cleared and no patrons will remain after stated closing time.
3. Will operate a full-service restaurant, specifically a restaurant specializing in Thai noodles 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 operate a backyard garden or **any** outdoor area for commercial purposes including sidewalk café and/or roadbed seating.
6. No sidewalk café or roadbed seating now under the temporary Open Restaurants program or in the future to maintain public interest standard at outset of license.
7. Will play quiet, ambient, recorded background music only at all times, inclusive of any private parties. No music will be audible in any adjacent residences anytime.
8. Will not have televisions.
9. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to issuance of license.
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. 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: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
19. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Liquor License for **Wan Wan LLC d/b/a Wan Wan, 207-209 Mulberry Street, New**

York, New York 10012, unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On-Premises License.

Vote: Unanimous, with 42 Board members in favor.

3. Jose Andres, LLC d/b/a N/A, 115 Mulberry St. 10013 (New RW–Restaurant)

i. Whereas, the Applicant appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application for a new Restaurant Wine License to operate a restaurant serving the local community specializing in Spanish and Italian dishes in a C6-2G-zoned, five (5)-story, mixed-use building (c. 1910) on Mulberry Street between Canal and Hester Streets (Block #206/Lot #22) in the Special Little Italy Zoning District; and

ii. Whereas, the premises were previously operated as a full-service Italian Restaurant Ristorante Luna (Lic. # 1257130, exp. 11/30/2021) preceded by Focolare Bar and Bistro (Lic. # 1193056, exp. 8/31/2011), another full-service Italian restaurant; and

iii. Whereas, the ground floor premises is roughly 1,818 sq. ft. (990 sq. ft. on ground floor and 828 sq. ft. in the basement connected by an interior staircase); there are 23 tables with 54 seats and one (1) bar with four (4) seats, for a total of 58 interior seats, all on the ground level with the basement level being used for storage and other non-patron auxiliary uses; and

iv. Whereas, there will be a sidewalk café operating under the temporary Open Restaurants program with no more than six (6) tables with twelve (12) seats running on a platform separated from the sidewalk by a metal fence/railing along Mulberry Street, the applicant incorrectly asserted that the platform is within the property line because it is some sort of pre-existing, non-conforming platform but it is clearly not private property and is part of the sidewalk; and

v. Whereas, the proposed hours of operation are Sundays to Saturdays (7 days a week) from 11AM to 12PM for the interior and 11AM to 10PM for the sidewalk café; there will be one (1) television operating in closed-caption mode (no sound); music will be quiet background only consisting of music from iPod/CDs, no music will be audible in any adjacent residences at any time; there will be no more than twelve (12) private events per year incorporating the entire restaurant; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and

vi. Whereas, the Applicant executed a stipulation agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the license as follows:

1. Premises will be operated as a full-service restaurant, specifically a Mediterranean and Italian restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 11AM to 12PM Saturdays through Sundays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.

4. Will not operate a backyard garden or **any** outdoor area for commercial purposes except for a sidewalk café operating under the temporary Open Restaurants program immediately adjacent to the storefront with no more than six (6) tables and twelve (12) patron seats. There will be no roadbed seating.
5. Sidewalk café will close no later than 10PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs. No roadbed seating.
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
7. Will have no more than one (1) television no larger than 65". There will be no projectors and TV will operate in "closed caption" mode only without sound).
8. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
9. Will ensure doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in the case of emergency.
10. No patron occupancy/service to any portion of the basement of licensed premises.
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 not have more than twelve (12) private events per year incorporating the entire restaurant.
14. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
15. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to issuance of license.
16. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
18. Will not change any principals prior to submission of original application to NYSLA.
19. 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.
20. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License for **Jose Andres, LLC d/b/a N/A, 115 Mulberry 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 Restaurant Wine License.

Vote: Unanimous, with 42 Board members in favor.

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

4. **475 Soho, LLC d/b/a Dos Caminos SOHO, 475-477 W. Broadway 10012** (OP–Restaurant) (Sidewalk Café)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested to **layover** this application to October/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **475 Soho, LLC d/b/a Dos Caminos SOHO, 475-477 W. Broadway 10012, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

5. 675 Hudson Vault, LLC d/b/a Dos Caminos & Troy Liquor Bar, 675 Hudson St. 10014 (OP–Restaurant) (Sidewalk Café)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 5, 2021 the Applicant requested to **layover** this application to October/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **675 Hudson Vault, LLC d/b/a Dos Caminos & Troy Liquor Bar, 675 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, with 42 Board members in favor.

6. Strip House Restaurant NY, LLC d/b/a Strip House, 13 E. 12th St. 10003 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested to **layover** this application to October/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Strip House Restaurant NY, LLC d/b/a Strip House, 13 E. 12th St. 10003, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed

directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

7. Strip House Restaurant NY, LLC d/b/a Strip House, 11 E. 12th St. 10003 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested to **layover** this application to October/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Strip House Restaurant NY, LLC d/b/a Strip House, 11 E. 12th St. 10003, until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

8. West 4th & Barrow, LLC d/b/a The Spaniard, 186 W. 4th St., Store #2 10014 (OP–Restaurant) (To Add Adjoining Storefront) (Security Personnel) (Open Restaurant Space)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested to **layover** this application to October/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **West 4th & Barrow, LLC d/b/a The Spaniard, 186 W. 4th St., Store #2 10014, until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

9. GE.GA Food, LLC d/b/a Coppola Café, 171 W. 4th St. 10014 (TW–Bar/Tavern) (Sidewalk Café)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested to **layover** this application to October/2021 and will resubmit the

application for consideration at a future CB2, Man. SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

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

Vote: Unanimous, with 42 Board members in favor.

10. Hoya W3, LLC, d/b/a TBD, 82 W. 3rd St. 10012 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested **to layover** this application to October/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Hoya W3, LLC, d/b/a TBD, 82 W. 3rd St. 10012**, **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

11. JLS Hospitality, LLC d/b/a Racquel's, 77 W. Houston St. 10012 (OP–Restaurant) (DJ) (Live Music–Jazz Trio) (Bottle Service) (failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 5, 2021, the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2, Man.;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **JLS Hospitality, LLC d/b/a Racquel's, 77 W. Houston St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

12. Third Street Jazz Café, Inc. d/b/a Zinc Espresso & Jazz, 82 W. 3rd St. 10012 (OP–Bar/Tavern) (Basement & Cellar) (Live Music–All Types, Predominantly Jazz)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested to **layover** this application to October/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;

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

Vote: Unanimous, with 42 Board members in favor.

13. Tartinery W3, LLC d/b/a Tartinery, 78 W. 3rd St. 10012 (OP–Restaurant) (Sidewalk Café)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested to **layover** this application to October/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Tartinery W3, LLC d/b/a Tartinery, 78 W. 3rd St. 10012**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

14. Pro Action NY, LLC d/b/a TBD, 195 Spring St. 10012 (OP–Restaurant) (Sidewalk Café) (Renotification)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested to **layover** this application to October/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Pro Action**

NY, LLC d/b/a TBD, 195 Spring St. 10012, until the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

15. PLANTA SOHO, LLC d/b/a PLANTA Cocina, 202 Prince St. 10012 (OP–Restaurant) (Patio or Deck) (Interior Laneway) (previously unlicensed location)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 5, 2021, the Applicant requested to **layover** this application to October/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **PLANTA SOHO, LLC d/b/a PLANTA Cocina, 202 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, with 42 Board members in favor.

16. Arthur & Sons NY Italian, LLC d/b/a Pending, 38 8th Ave. 10014 (New OP—Restaurant)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for a new on-premise liquor license to operate a full-service Italian restaurant within a ground floor storefront located in a four-story townhouse building (circa 1842) on Eighth Avenue at the corner and intersection with West 4th and Jane Streets in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, this storefront location was previously operated as a full-service restaurant known as Dell’Anima, the storefront located in a roughly 850 sq. ft. premise with 12 tables and 40 table seats, 1 bar with 6 seats; there is 1 patron entrance located on Eighth Avenue, the storefront extending in the rear to West 4th Street, where there another single doorway that leads from the back of the restaurant and will service a sidewalk café with no more than 7 tables and 14 seats, with all exterior tables being located immediately adjacent to and placed against the rear façade of the townhouse building, the service of alcohol to the exterior sidewalk not extending beyond the two residential entrances on either side of the townhouse on West 4th St.; there will be no roadbed seating or structure built in the roadway, the front and rear façades to the townhouse storefront being fixed and without French doors or windows; and,

iii. Whereas, the agreed-upon hours of operation for the interior will be Sunday to Thursday from 11 AM to 11 PM and Fridays and Saturdays from 11 AM to 12 AM, music in the interior will be quiet

background only, the sidewalk café will close by 10 PM every night, there will be no roadbed service, and there will be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The licensed premises will be advertised and operated as a full-service, classic Italian neighborhood restaurant with full menu items available until closing every night.
2. The hours of operation will be Sunday to Thursday from 11 AM to 11 PM and Fridays and Saturdays from 11 AM to 12 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. Will not operate a backyard garden or other outdoor area for commercial purposes except for sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to storefront on West 4th Street only, and with no more than 7 tables and 14 patron seats. No roadbed seating.
6. Sidewalk café will close by 10 PM every night. All tables and chairs will be removed at closing. No exterior music/speakers/TVs.
7. Will not install or have French doors, operable windows or open facades.
8. Will close all windows and doors by 10 PM every night.
9. No patron occupancy/service to any portion of the subbasement/cellar to licensed premises.
10. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
11. The premises will not have dancing, DJ's, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades and security personnel/doorman.
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 appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
18. Will appear before CB2, Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

v. Whereas, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, the Applicant having met with the local Jane St. Block Association and entered into reasonable stipulations with the block association, the operator being well-known in our Community having held licensed premises within this Community Board in the past; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an application for On Premise License for **Arthur & Sons NY Italian, LLC d/b/a Pending, 38 8th Ave. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On Premise License.

Vote: Unanimous, with 42 Board members in favor.

17. Velveteen Rabbit, LLC d/b/a Bird Dog, 525 Hudson St. 10014 (New OP — Restaurant)

i. Whereas, the Applicants and the Applicants’ Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for a new on-premise liquor license to operate a full service restaurant within a ground floor store front located in a five-story tenement style residential building (circa 1888) on Hudson Street between West 10th and Charles Streets in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, this storefront location was previously operated as a restaurant known as Flip Sigi (2nd City West Village Ser. #1294537), the interior storefront being roughly 450 sq. ft. premise with 6 tables and 14 table seats, 1 bar with 4 seats; there is 1 patron entrance located on Hudson Street, storefront’s infill design being fixed and without French doors or operable windows, there will be a small sidewalk café with 2 tables and 4 seats, with all the tables being located immediately adjacent to and placed against the storefront’s front façade; there will be no roadbed seating or structure built in the roadway on Hudson Street; and,

iii. Whereas, the agreed-upon hours of operation for the interior will be Sundays from 10 AM to 10 PM, Mondays to Thursdays from 4 PM to 11 PM, Fridays from 4 PM to 12 AM and Saturdays from 10 AM to 12 AM, music in the interior will be quiet background only, the sidewalk café will close by 10 PM every night, there will be no roadbed service, and there will be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The licensed premises will be advertised and operated as a full-service restaurant with a focus on southern cuisine with an emphasis on homemade pasta with full menu items available until closing every night.
2. The hours of operation will be Sundays from 10 AM to 10 PM, Mondays to Thursdays from 4 PM to 11 PM, Fridays from 4 PM to 12 AM and Saturdays from 10 AM to 12 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. Will not operate a backyard garden or other outdoor area for commercial purposes except for sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to storefront with no more than 2 tables and 4 patron seats. No roadbed seating.

6. Sidewalk café will close by 10 PM every night. All tables and chairs will be removed at closing. No exterior music/speakers/TVs.
7. Will not install or have French doors, operable windows or open facades.
8. Will close all windows and doors by 10 PM every night.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
10. The premises will not have dancing, DJ's, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades and security personnel/doorman.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
12. Will not make changes to the existing façade except to change signage or awning.
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

v. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, the Applicant having met with the local Block Association and those Residents living in the Building, obtaining their support with the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an application for On Premise License for **Velveteen Rabbit, LLC d/b/a Bird Dog, 525 Hudson St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA On Premise License.

Vote: Unanimous, with 42 Board members in favor.

17. Foragers 350, LLC, d/b/a Foragers, 350 Hudson St. 10014 (New OP — Restaurant)

i. **Whereas**, the Applicants and the Applicants' Attorney appeared before CB2, Manhattan's SLA Licensing Committee for a new on-premise liquor license to operate a full-service restaurant within a ground floor store front located in a nine story commercial office building (circa 1930) on Hudson Street at the corner with King Street in Hudson Square; and,

ii. **Whereas**, this storefront location was previously operated as a retail store specializing in the sale of chocolates (Jacques Torres), the interior storefront being roughly 3,352 sq. ft. premise, where, after renovations, there will be 16 tables and 52 table seats, 1 bar with 12 seats for an overall interior seating of 64 patrons; there may be a sidewalk café, all the tables being located immediately adjacent to and placed

against the storefront's front façade; there will be no roadbed seating or structure built in the roadway on Hudson or King Street; and,

iii. Whereas, the hours of operation for the interior will be 8 AM to 12 AM, Saturday through Sunday, music in the interior will be quiet background only, the sidewalk café will close by 11 PM every night, there will be no roadbed service, and there will be no dancing, no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The licensed premises will be advertised and operated as a full-service restaurant with full menu items available until closing every night.
2. The hours of operation will be 8 AM to 12 AM, Saturday through Sunday. 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. Will not operate a backyard garden or other outdoor area for commercial purposes except for sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to storefront. No roadbed seating.
6. Sidewalk café will close by 11 PM every night. All tables and chairs will be removed at closing. No exterior music/speakers/TVs.
7. Will close all windows and doors by 10 PM every night.
8. No patron occupancy/service to any portion of the basement/cellar to licensed premises.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
10. The premises will not have dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades and security personnel/doorman.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. Will not make changes to the existing façade except to change signage or awning.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

v. Whereas, this application being subject to the 500-foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, the Applicant having experience opening other similar Forager's Table locations in the City of New York, the agreed upon method of operation and stipulations being reasonable, the storefront being located in a commercial

building, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an application for On Premise License for **Foragers 350, LLC, d/b/a Foragers, 350 Hudson St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On Premise License.

Vote: Unanimous, with 42 Board members in favor.

18. Lucille Lortel Theatre Foundation, Inc. d/b/a Lucille Lortel Theatre, 121 Christopher St. 10014 (New OP — Legitimate Theater)

i. Whereas, the Applicant and the Applicants’ Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for a new Theater liquor license to continue to operate and preserve the continuous operation of one of New York City’s premiere Off-Broadway Playhouses in a two-story building (circa 1916) on Christopher Street between Hudson and Bleecker Streets in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the Lucille Lortel Theatre and its Foundation have presented and hosted many critically acclaimed award-winning productions since its continuous operation since the 1950s and its proposed method of operation is a continuation of its past and present, the roughly 5,608 sq. ft. theater having 299 orchestra and balcony seats, where there will be scheduled performance and ticketed seating; and,

iii. Whereas, the hours of operation for the interior will be 9 AM to 1 AM, Saturday through Sunday, there will be no service of alcohol to any exterior location, there will be no sidewalk café, no roadbed service; and,

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

1. The licensed premises will be advertised and operated as a Off-Broadway Playhouse and Theater.
2. The hours of operation will be 9 AM to 1 AM, Saturday through Sunday. Service of alcohol will begin no earlier than one hour before a scheduled performance/event and end no later than one hour after conclusion of scheduled performance/event 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. Will not operate a backyard garden or other outdoor area for commercial purposes. No sidewalk or roadbed seating.
5. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
6. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

7. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an application for On Premise Theater License for **Lucille Lortel Theatre Foundation, Inc. d/b/a Lucille Lortel Theatre** 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 Theater License.

Vote: Unanimous, with 42 Board members in favor.

19. Maman Hudson Square, LLC d/b/a Maman, 375 Hudson Street, Suite 103, 10013

(OP – Restaurant)

i. Whereas, the Applicant and the Applicant’s Attorney previously appeared before CB2, Manhattan’s SLA Committee on February 2, 2021, to present an application to the NYS Liquor Authority for an On-Premise Liquor License to operate a full service café and restaurant serving breakfast, lunch and dinner with food inspired by family traditions and featuring high-quality, locally sourced ingredients in addition to hosting events ranging from cooking classes to other types of classes such as creating and photographing floral arrangements as well as hosting birthday parties, bridal and baby showers in a space with a comfortable and rustic décor; and

ii. Whereas, the Applicant did not move forward with their prior application at the NYSLA, so they provided a new 30-day notice and returned to represent their Application before CB2, Man. in October/2021, the instant subsequent application and method of operation for the premises to be licensed being identical to the prior Application in February/2021; and,

iii. Whereas, the storefront proposed to be licensed is located in the ground floor of an M1-6 zoned, 21-story commercial office building on Hudson Street between King and West Houston Streets (Block #599/Lot #64) and is approximately 3,573 total sq. ft. with 3,073 sq. ft interior space consisting of 34 tables with 68 seats and one (1) food counter with no seats for take-out items, one door serving as ingress and egress and two (2) bathrooms; there is a 500 sq. ft. exterior sidewalk café in a Privately Owned Public Space as designated by the NYC Department of Buildings along King Street with 19 tables and 38 seats; and

iv. Whereas, the location was previously operated as a restaurant since 2015; with the instant application operating in a similar manner but with the addition of later evening hours in order to hold private events and accommodate evening diners; and

v. Whereas, the Applicant’s agreed to hours of operation are 7:30 AM to 11:00 PM Mondays through Fridays and 8:00 AM to 11:00 PM Saturdays and Sundays; music will be quiet background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times, there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; and

vi. Whereas, the Applicant has previously executed and has had notarized a Stipulations Agreement with CB2, Man. 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 operate as a café and restaurant.
2. The hours of operation will be from 7:30 AM to 11:00 PM Mondays through Fridays and 8:00 AM to 11:00 PM Saturday and Sundays. (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
3. The Applicant will operate a full-service restaurant, specifically a café, bakery and restaurant with food featuring locally sourced ingredients in addition to hosting events ranging from cooking classes, creating and photographing floral arrangements to birthday parties, bridal and baby showers with the kitchen open and full menu items available until closing every night.

4. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows by 10:00 PM every night without exception, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open façades.
11. Will not make changes to the existing façade except to change signage or awning.
12. It will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. It will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or security personnel / doormen.
18. Will operate pandemic-related, temporary sidewalk café consisting of 19 tables / 38 seats in the Privately Owned Public Space along King Street no later than 11:00 PM (all tables and chairs will be removed at this hour). No speakers or music will be played outdoors and no interior speakers will be positioned to face outside.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the application for a new On-Premise Liquor License in the name of **Maman Hudson Square, LLC d/b/a Maman, 375 Hudson Street, Suite 103, 10013**, unless the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA On-Premise License.

Vote: Unanimous, with 42 Board members in favor.

20. LLC to be Formed by Andrea Ienna d/b/a TBD, 569 Hudson St. 10014 (New OP — Restaurant/Bar)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new on-premise liquor license to operate a “pizza restaurant” in a corner storefront located in a four-story tenement style apartment building (circa 1900) on the northwest corner of Hudson Street and West 11th Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the corner storefront premise was previously operated for years as a restaurant (Philip Marie), a restaurant operating with closing hours daily by 12 AM, with fixed facades and a small sidewalk café on Hudson Street containing 9 tables and 18 seats on either side of the front door, the long-time

operator of Phillip Marie closing after the advent of the Covid Pandemic in 2020; and

iii. Whereas, the ground floor storefront is roughly 1,300 sq. ft., there is a basement but the square footage for the basement was not provided, a diagram of the basement providing for a prep area, two storage areas, an office and two bathrooms, the ground floor space having 19 tables with 66 patron seats, 1 stand-up bar with 6 seats for a total patron seating of 72 seats, with an single patron entrance on Hudson Street, in addition to a side service entrance on West 11th Street (not for patron use); a letter of no objection from the NYC DOB was presented with this application; and,

iv. Whereas, the hours of operation proposed were Sunday through Saturday from 11:00 AM to 12:00 AM, with all facades remaining fixed and without the installation of operable windows or French doors, music being at background levels only, with no dancing, d.j., no promoted events, no scheduled performances or cover fees, no security, no velvet ropes and no movable barriers on the sidewalk; and,

v. Whereas, the instant Application also includes the use a large, 60-70 foot long shed located in the roadbed on West 11th Street, where there will be 8 tables and 30 seats, in addition to use of a sidewalk café on Hudson Street with 9 tables and 18 seats, the Applicant not being able to say who built the sidewalk shed structure, the structure having been built without an operating restaurant in the space during the Covid Pandemic; and,

vi. Whereas, there was significant opposition from the Community to this application, the West Village Resident's Association appearing in opposition, the community opposition focusing on the roadbed structure, there having never been such a structure or roadbed service at this location in the past, the Applicant having never been subject to the pandemic, the impact of the pandemic now waning and in the process of subsiding, the Applicant having a direct connection with Etan Sugarman, Mr. Sugarman being an owner and significant shareholder of the proposed license, Mr. Sugarman having a significant negative history operating as the sole licensee of the White Horse Tavern, the Tavern (SN# 1318058, 567 Hudson St. 10014) being located immediately across West 11th Street from the proposed premises to be licensed, with the Tavern being the subject of disciplinary proceedings, significant fines and closure imposed by the NYSLA in July/2020 during the Covid pandemic, the concerns being raised that this Application and this Applicant being in name only and acting as a front or shell business for Mr. Sugarman's business interests underlying this application, with the unexplained roadbed structure having been built in the roadbed on West 11th for this unoccupied space; and,

vii. Whereas, this application being subject to the 500-foot rule, requiring the Applicant to demonstrate that public interest and public convenience is served from the addition of yet another liquor license in this area, an area already greatly saturated with late night drinking establishments and liquor licenses, including the White Horse Tavern located across the Street, Mr. Sugarman's past transgressions and business interests in the subject application requiring full disclosure before any license should be issued, those past transgressions still being very recent and showing a reckless disregard for the health and safety of those living in the immediate area, the use and service of alcohol to the large roadbed structure, where none previously existed, on a narrow residential street not being in the public interest;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application for the existing On-Premise License for LLC to be Formed by Andrea Ienna d/b/a TBD, 569 Hudson St. 10014; and

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

THEREFORE, BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2 requests that the SLA conduct a 500-foot hearing.

Vote: Unanimous, with 42 Board members in favor.

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

21. Ruby’s West Village, LLC d/b/a Ruby’s Café, 225 W. 4th St. 10014 (OP-Restaurant) (Sidewalk Café) (laid over)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 7, 2021, the Applicant requested **to layover** this application to November/2021 affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Ruby’s West Village, LLC d/b/a Ruby’s Café, 225 W. 4th St. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

22. PTO3, Inc., 137 7th Ave. So. 10014 (OP-Restaurant) (failed to appear)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 7, 2021, the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2, Man.;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **PTO3, Inc., 137 7th Ave. So. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, Man., should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

23. Entity to be Formed by Manuel Ramirez d/b/a The Village Sand Bar, 64 Greenwich Ave. 10013 (OP-Restaurant) (Sidewalk Café) (failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2021, the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2, Man.;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Entity to be Formed by Manuel Ramirez d/b/a The Village Sand Bar, 64 Greenwich Ave. 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, Man., should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

24. EC 95 Greenwich, LLC d/b/a El Condor, 95 Greenwich Ave. 10014 (RW-Restaurant) (failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2021, the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2, Man.;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **EC 95 Greenwich, LLC d/b/a El Condor, 95 Greenwich 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, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

25. NY JJOONYBUZA, LLC d/b/a Oh K Dog & Egg Toast, 70 7th Ave. So. 10014 (RW-Restaurant) (failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2021, the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2, Man.;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license to **NY JJOONYBUZA, LLC d/b/a Oh K Dog & Egg Toast, 70 7th Ave. So. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

26. 62 West Ninth Restaurant, LLC d/b/a & Son, 62 W. 9th St. 10011 (OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2021, the Applicant requested **to layover** this application to November/2021 affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **62 West Ninth Restaurant, LLC d/b/a & Son, 62 W. 9th St. 10011** **until** CB2, Man. 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, with 42 Board members in favor.

27. Mr. Z Dim Sum, Inc. d/b/a TBD, 313 6th Ave. 10014 (OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2021, the Applicant agreed **to lay over** this application to November/2021, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Mr. Z Dim Sum, Inc. d/b/a TBD, 313 6th Ave. 10014** **until** CB2, Man. 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, with 42 Board members in favor.

28. Mareluna, LLC d/b/a Mareluna, 137 Sullivan St. 10012 (RW-Restaurant) (layover requested)

Whereas, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2021, the Applicant agreed **to lay over** this application to November/2021, affirming that they will not submit

this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Mareluna, LLC d/b/a Mareluna, 137 Sullivan St. 10012** until CB2, Man. 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, with 42 Board members in favor.

29. Philip Testa or Entity to be formed, d/b/a N/A, 285 W. 12th St. 10014 (OP - Restaurant)
(withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 9, 2021, the Applicant agreed to withdraw this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Philip Testa or Entity to be formed, d/b/a N/A, 285 W. 12th St. 10014** until CB2, Man. 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, with 42 Board members in favor.

30. Grupo Gitano, LLC & Gitano NYC, LLC d/b/a Gitano, 76 Varick St. 10003 (OP-Restaurant/Bar) (Garden/Grounds) (Freestanding Covered Structure) (laid over)

Whereas, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2021, the Applicant requested to to lay over this application to November/2021, requesting reconsideration and 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Grupo Gitano, LLC & Gitano NYC, LLC d/b/a Gitano, 76 Varick St. 10003** until CB2, Man. 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, with 42 Board members in favor.

TRAFFIC AND TRANSPORTATION

Resolution in response to discussion with the New York State Department of Transportation and the New York City Department of Transportation on anticipated crosswalk to be installed on West St. just north of Charlton St.

Whereas representatives of the New York State Dept. of Transportation (NYS DOT) and the New York City Dept. of Transportation (NYC DOT) attended CB2, Man. Traffic and Transportation Committee's (T&T) Oct. 7, 2021 meeting to give input and details and answer questions on the crosswalk that is planned to be installed, in conjunction with and by the developers of the 550 Washington St. development, across West St. just north of Charlton St. (i.e. where Charlton St. would be located if it extended to West St.), going from the eastern curb to the Hudson River Park (HRP) (and CB2 thanks NYS DOT and NYC DOT for their attendance and for their very helpful clarification of this project); and

Whereas the T&T meeting was in follow-up to a presentation of the plan for the crosswalk at CB2's Parks & Waterfront Committee meeting on Oct. 6, 2021, by Oxford Properties (developers), Cook Fox (architects), Philip Habib & Associates (transportation planning and engineering), and Mathews Nielsen (landscape architects); and

Whereas currently there's no West St. crosswalk after Canal St. going north all the way to Houston St., hence no safe crossing for several blocks for anyone going to or from the HRP; and

Whereas the new crosswalk will be 60 ft. north of the Charlton St. location (i.e., where Charlton St. would run if it didn't terminate at the UPS building on Greenwich St.) and will have a traffic signal; and

Whereas with users of the HRP constantly increasing and with new development and improvements in the area that are transforming and will further transform this West St. vicinity to a well-used community place, along with the vastly increased population from Google's occupation of 550 Washington, not to mention the increased numbers of both pedestrians and bicyclists that will be there once they become aware of the new crossing, including the many children who will be crossing back and forth during hours of after-school activities at Pier 40, where as many as 20 different youth activity programs are held at one time, including parents and others, at many different times, there will be highly increased pedestrian activity, and bicycles too, on the West St. eastern sidewalk at this location; and

Whereas NYS DOT has indicated that the West St. eastern sidewalk at this location is expected to be 10 ft. wide. Currently, the traffic lane adjacent to the eastern curb is taken up with construction staging equipment and scaffolding, with no adverse impacts on the West St. traffic flow. The plan calls for an 8 ft. bump out at the crosswalk to shorten the crossing, although a sidewalk widening could serve to both shorten the crossing and at the same time accommodate the increased numbers of pedestrians and cyclists that are expected, without hindering vehicular movement; and

Whereas the increased numbers of expected pedestrians and bicyclists also may necessitate a wider crosswalk to accommodate them safely and comfortably and avoid conflicts between them crossing concurrently. The current crosswalk width, as cited in the plans, is 15 ft., but NYS DOT believes it will be 20 ft. wide, in keeping with the width of other of the West St. crosswalks. The planners for Oxford Properties indicate that, if needed for conditional approval, the designs can be adjusted to make the crosswalk 20 ft. wide; and

Whereas it has been suggested that traffic managers, similar to the Pedestrian Safety Managers successfully employed by the Hudson Square BID to ensure that pedestrians have safe open crosswalks, be retained to help avoid pedestrian/cyclist conflicts in the crosswalk; and

Whereas it was indicated that the average pedestrian crosses at 5-6 ft. per second, while the slowest one would cross at approximately 3 ft. per second, although some studies have shown that people with mobility issues are only able to cross at no more than 2 ft. per second. Given the full crossing length of 98 ft. from the proposed bump out to the HRP Esplanade, based on the 3 ft. per second figure, a slow crossing would take about 33 seconds; at 2 ft. per second, it would take about 49 seconds. NYC DOT has specified that the traffic signal allows 37 seconds in the crossing phase. A few more seconds for crossing could better accommodate variations in physical disabilities and capacities; and

Whereas NYC DOT has asserted that the MUTCD (Manual on Uniform Traffic Control Devices) which is customarily followed for traffic signal guidance, leans in favor of a minimum requirement for pedestrian crossing time (and giving more time to motor vehicles) to avoid vehicular traffic backups, although it may not be pedestrian friendly; and

Whereas NYC DOT has indicated that it's possible to do a minimum 40 seconds crossing time and still coordinate with other West St. signals, and if there's a need for more time for pedestrians and bicycles, it is open to examining this possibility; and

Whereas a passageway with plantings that appears to be 50 ft. wide (currently referred to as Charlton Garden Alley) is planned to be created between the north side of the Dept. of Sanitation (DSNY) building (353 Spring St.) and the south side of 550 Washington St to provide a pedestrian connection from Washington St. to West St. by removing a previously built-up wall and tower area that blocked east-west/west-east access. Users will need to be made aware of and directed to this new passageway that is expected to always be open to the public for pedestrians and cyclists (no cars, except for drop-offs, no parking, no deliveries); and

Whereas the Hudson Square BID has recommended incorporating art and wayfinding to direct people to the Charlton Garden Alley passageway including use of the Spring St. DSNY Building's wall as a canvas for directional art and lighting. The NYC DOT will check its wayfinding team to see if a wayfinding plan can be developed; and

Whereas there's considerable concern that increasingly rampant speeding by cyclists and (illegal) electric motored transportation on the HRP bikeway could seriously endanger pedestrians entering the HRP from the crosswalk. A flashing amber light is planned south of the crosswalk there to alert cyclists to pedestrians. If necessary, NYS DOT would assess whether to make it a three-color signal, but would need to consider the potential for enforcement; and

Whereas the NYS DOT has indicated that no decision has yet been made, since the final plan has not yet been submitted, and there's still opportunity for adjustments;

Therefore, be it resolved that CB2, Man. believes that the new crosswalk will be a very welcome haven for crossing West St. after so many blocks without the opportunity for a safe crossing for pedestrians and bicyclists and is looking forward to its installation; and

Be it further resolved that CB2, Man. requests that NYS DOT and NYCDOT (in concert with the developers, architects, and engineers of the crosswalk plan) re-examine estimates of pedestrian and bicycle usage in view of the continuing growth of the total walking and bicycling population (residents, workers, visitors, park users, etc.) in the area right now and expected in the future; and

Be it further resolved that CB2, Man. asks that consideration be given to widening the West St. eastern sidewalk adjoining the proposed crosswalk by incorporating the 8 ft. road lane adjacent to the eastern curb as part of the sidewalk. This would provide an approximately 18 ft. wide sidewalk, less than the over 20 ft. sidewalk in front of the West St. facade of the neighboring DSNY building directly south of 550 Washington St., but providing at least some additional needed space for the expected increase in pedestrian and biking activity; and

Be it further resolved that CB2, Man. urges that the width of the new crosswalk be at least 20 ft. wide; and

Be it further resolved that CB2, Man. recommends that pedestrian safety managers be employed by Google to manage the crosswalk activity, who, although they'd be unable to issue tickets (as do NYPD traffic enforcement agents, who would not be available), could signal to stop and/or slow traffic, mediate pedestrian/cyclist conflicts and direct use and actions in the crosswalk; and

Be it further resolved that CB2, Man. strongly supports increasing crossing time to at least 40 seconds (preferably more, if possible) for those using the new West St. crosswalk to enable a safe and comfortable crossing for all, including those with highly challenging mobility impairments, and urges NYC DOT to provide this extra time in the crossing phase; and

Be it further resolved that CB2, Man. welcomes the prospect of the new Charlton Garden Alley passageway; and

Be it further resolved that CB2, Man. encourages NYC DOT to develop a wayfinding plan to clearly direct people to the Charlton Garden Alley passageway to access the new West St. crosswalk, including signage that identifies the entrances to the passageway, and to consult with the Hudson Square BID in developing the wayfinding plan as well as with DSNY about using the DSNY Spring St. facility's wall for displaying wayfinding directions; and

Be it further resolved that CB2, Man. appreciates possible NYS DOT evaluation to determine the need for a three-color signal where the HRP bikeway interfaces with the new West St. crosswalk; and

Be it finally resolved that CB2, Man. asks for an opportunity to review plan revisions before NYS DOT's final approval.

Vote: Unanimous, with 42 Board Members in favor.

Respectfully submitted,

Eugene Yoo
Secretary
Community Board #2, Manhattan