

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

3 Washington Square Village

NEW YORK, NY 10012-1899

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

### FULL BOARD MINUTES

**DATE:** February 17, 2022  
**TIME:** 6:30 P.M.  
**PLACE:** Via Video Conference

**BOARD MEMBERS PRESENT:** Susanna Aaron, Akeela Azcuy, William Benesh, Keen Berger, Carter Booth, Katy Bordonaro, Anita Brandt, Amy Brenna, Richard Caccappolo, Ritu Chattree, Coral Dawson, Valerie De La Rosa, John Paul Deverna, Chris Dignes, Robert Ely, Mar Fitzgerald, Susan Gammie, David Gruber, Wayne Kawadler, Susan Kent, Ryder Kessler, Jeannine Kiely, Ivy Kwan Arce, Patricia Laraia, Michael Levine, Janet Liff, Edward Ma, Matthew Metzger, Daniel Miller, Brian Pape, Donna Raftery, Lois Rakoff, Zachary Roberts, Robin Rothstein, Rocio Sanz, Shirley Secunda, Kristin Shea, Frederica Sigel, Georgia Silvera Seamans, Dr. Shirley Smith, Susan Wittenberg, Antony Wong, Adam Zeldin

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Cormac Flynn, Eugene Yoo

**BOARD MEMBERS ABSENT:** None

**BOARD MEMBERS PRESENT/ARRIVED LATE:** None

**BOARD MEMBERS PRESENT/LEFT EARLY:** David Gruber, Bo Riccobono, Zachary Roberts

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

**GUESTS:** Olivia Glen-Rayner, Congressman Jerrold Nadler's office; Marissa Mavrigh-Burtch, Congresswoman Caroline Maloney's office; Emily Leng, Senator Brian Kavanaugh's office; Tevin Williams, Senator Brad Hoylman's office; Assembly Member Deborah Glick; James Lu, Assembly Member Yuh-Line Niou's office; Manhattan Borough President Mark Levine; Manhattan DA Alvin Bragg; Ian Wang, Council Member Christopher Marte's office; Irak Cehonski, Council Member Carlina Rivera's office; Nicole Barth, Council Member Erik Bottcher's office; Daryl Cochrane, Jane Carey, Tim Hynes, Tina Walsh

**MEETING SUMMARY**

Meeting Date – January 20, 2022  
Board Members Present – 46  
Board Members Absent with Notification – 2  
Board Members Absent - 0  
Board Members Present/Arrived Late - 0  
Board Members Present/Left Early – 0

**I. SUMMARY AND INDEX**

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**II. PUBLIC SESSION**

**Non-Agenda Items**

NYC Commission on Human Rights

Daryl Cochrane spoke about non-discrimination laws mainly in the areas of housing and employment, as well as bias-based profiling law enforcement, discriminatory harassment, issues related to disability and reasonable accommodation.

Whitney Museum

Jane Carey gave an update on Whitney Museum programs on summer opportunities for teens: Youth Insights Introductions.

Noise Complaint

Time Hynes made a noise complaint regarding the Temple Bar.

Education & Outreach

Tina Walsh, HRPT, Sr. Director of Education & Outreach provided an update on environmental education programming and current job opportunities.

## **ADOPTION OF AGENDA**

### **III. ELECTED OFFICIALS PRESENT AND REPORTING**

Olivia Glen-Rayner, Congressman Jerrold Nadler's office

Marissa Mavrich-Burtch, Congresswoman Caroline Maloney's office

Emily Leng, Senator Brian Kavanagh's office

Tevin Williams, Senator Brad Hoylman's office

Assembly Member Deborah Glick

James Lu, Assembly Member Yuh-Line Niou's office

Manhattan Borough President Mark Levine

Manhattan DA Alvin Bragg

Ian Wang, Council Member Christopher Marte's office

Irak Cehonski, Council Member Carlina Rivera's office

Nicole Barth, Council Member Erik Bottcher's office

### **IV. ADOPTION OF MINUTES**

Adoption of January 2022 minutes.

### **V. BUSINESS SESSION**

1. **Chair's Report** Jeannine Kiely reported.
2. **District Manager's Report** Bob Gormley reported.

## **STANDING COMMITTEE REPORTS**

### **LANDMARKS AND PUBLIC AESTHETICS**

**1. \*30 Gansevoort St.– Application is to approve the existing white façade, install new signage on the façade, and install a sign on a glass door. Whereas:**

A. The façade was painted in the existing white color, which is in keeping with the building and the district, without the approval of the Commission and the applicant seeks to have the existing color approved; and

B. A modest red logo 10” in diameter is to be attached to a plate glass door; now

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

Vote: Unanimous, with 46 Board members in favor.

**2. \*9 Vandam St. – Application is to add a rear yard extension, alter the rear fenestration, and construct furnishings and a hot tub in the garden.**

**Whereas:**

A. The building is of particular note for its design, the special character of the block, and as the former home of Leontyne Price; and

B. A certificate of appropriateness was obtained in 2019 by prior owners and the applicant seeks to modify certain portions of the provisions of that application; and

C. The applicant will adhere to the current approvals with respect to the front; and

D. Rear extensions are to be added to the basement, parlor and second floor and a bump-out added to the basement level; and

E. The fenestration of the rear façade is a confusing assortment of styles, proportions, and alignments, including notably non-contextual large expanses of glass with nearly invisible metal framing at the basement and parlor levels; and

F. The windows do not have lintels, which is not suitable to the historic style of the building; and

G. The skylight is to be removed and the attic bump-out window is to be changed to a door in a similar style; and

H. The entire garden is paved over except for 6’ at the rear which is proposed to have wooden decking over an existing concrete bench, and is without plantings, which would greatly enhance the design, and the applicant represented to the Committee that they would determine whether the existing concrete bench is necessary as a buttressing element and, if not, that they would be amenable to planting the 6’ area and would install plantings throughout the garden; and

I. The owner of an adjacent property shared her experience, verified by another neighbor, that her property has already been harmed by the previous applicant’s construction and communicated her justifiable concerns with this proposal - in particular issues involving extensions into the garden; proposed drilling into the party wall; vibration monitoring; drainage of impermeable paving and the hot tub; and lack of contact with the applicant; and the applicant represented that they would contact the neighbor to address these concerns; and

J. Village Preservation expressed concern about the history of neglect of the property and the danger of harm to the adjacent house and need for careful monitoring; and

K. The application has numerous errors and missing information and the applicant represented that these would be corrected prior to the hearing before the commission; now

**Therefore be it resolved** that CB2, Man. recommends:

A. **Approval** of the volume of the extensions, the removal of the skylight, and the modification of the roof bump-out window to a door of similar design; and

B. **Denial** of the rear façade unless it is in the historic style of the previously approved application with reasonable historic proportions, wooden frames, mullions of some substance, and lintels.

C. **Denial** of the garden design unless the 6’ area of soil is planted and proper drainage is assured.

D. **Denial** of any modifications to the house or garden that endanger the structural integrity of the house or the adjacent properties, and recommends that any approved work, be held to the highest possible engineering and monitoring standards.

Vote: Unanimous, with 46 Board members in favor

**QUALITY OF LIFE**

- 1. Thursday-Saturday, April 28–30, 2022 – SYIJ x FoodFest: Food Truck Pop Up (Heritage of Pride,Inc): Christopher St. between Bedford and Bleecker St. [partial sidewalk closure south side]**

**Whereas**, the applicant wishes to host a small, curb-lane activation featuring food trucks parked in the curb lane directly adjacent to the Heritage of Pride office, in order to raise awareness and excitement for upcoming Pride related events in June (SYIJ standing for “See You in June”); and

**Whereas**, the event will feature a single food truck each day, taking up a single parking spot in the curb lane, and the event will begin set-up at 8 AM, the event will take place during the store hours of 11 AM-5 PM, and breakdown will be complete by 8 PM on each day of the event, though food trucks may remain parked in the lane overnight; and

**Whereas**, the applicant will provide a limited seating area inside the Heritage of Pride Office, subject to COVID-appropriate capacity limitations, and featuring music from a Bluetooth speaker inside, but no outdoor amplified sound; and

**Whereas**, the applicant has expressly intended for the food trucks to only operate during mid-day hours, so as not to interfere with neighboring restaurants, most of which only operate during the evening; and

**Whereas**, the applicant expects around 100-200 total participants over the 3-day event; and

**Whereas**, concern was expressed by the committee regarding the possibility of crowding on and/or impediment of the sidewalk, given the narrowness of the sidewalk along Christopher Street, though the applicant stated that they would be sure to keep a pathway open on the sidewalk for pedestrians;

**Whereas**, the applicant expressed willingness to move the dates of the event from a Thursday- Saturday (4/28-4/30) to Tuesday-Thursday (4/26-4/28) in order to mitigate the risk of overcrowding;

**Therefore Be It Resolved** that CB2 Manhattan recommends approval of SYIJ x FoodFest: Food Truck Pop Up (Heritage of Pride, Inc): Christopher St. between Bedford and Bleecker St. [partial sidewalk closure – south side] from April 28-30, 2022 provided that the applicant alters the dates to April 26-28, 2022, and 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: Passed, with 44 Board Members in favor and one opposed. (R. Sanz)

**2. Saturday, 5/14/22 – Village Fair & Expo (Street Fair) (Sponsor: STONEWALL Rebellion Veterans Association): Broadway between Waverly Place and East 14th St. [full street closure]**

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

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

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

**Whereas**, this proposed event would completely shut Broadway from 8 AM to 8 PM from Waverly Place to 14<sup>th</sup> Street; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of STONEWALL Village Fair and Expo (STONEWALL Rebellion Veterans Association): Broadway between Waverly Place and East 14th St. [full street closure] on May 14, 2022.

Vote: Passed unanimously with 45 Board members in favor.

3. **Sunday, 6/19/22 – Folsom Street East (Street Fair) (Sponsor: Folsom Steet East): 1) Weehawken St. between Christopher St. and West 10th St. [full street closure]; 2) Christopher St. between Weehawken St. and Washington St. [sidewalk and street closure]**

**Whereas**, this event has previously been held for many years in Chelsea, with the prior support of Community board 4;

**Whereas**, the proceeds from past events as well as from the proposed event will be donated to local LGBTQ youth organizations;

**Whereas**, the sponsors of the event wish to move the event to the Village to tap into the energy of the neighborhood during Pride as well as to partner with Rockbar, which sits at the corner of Christopher St. and Weehawken St.;

**Whereas**, the event will feature amplified sound, DJs, and will serve beer;

**Whereas**, the sponsors indicated that they expected between 1,000 and 1,200 attendees at the event;

**Whereas**, Weehawken St. is a short, narrow, residential street, and the committee expressed some concern that an event of the proposed size could be successfully held in the proposed space;

**Whereas**, a resident of Weehawken St. appeared at the committee meeting and expressed opposition to the event;

**Whereas**, the organizers of the event have not yet conducted any outreach to residents of Weehawken St. and/or Christopher St.;

**Whereas**, the committee was of the belief that there may be other locations within CB2, such as Little West 12th St., which may be better suited to this event while still meeting the organizers' goals of hosting the event in the Village;

**Therefore Be It Resolved** that CB2 Manhattan recommends that Folsom Street East (Street Fair) (Sponsor: Folsom Steet East): 1) Weehawken St. between Christopher St. and West 10th St. [full street closure]; 2) Christopher St. between Weehawken St. and Washington St. [sidewalk and street closure] **be laid over** and that the organizers of the event consider other possible locations, such as Little West 12th St., and conduct extensive outreach to residents of the proposed location prior to finalizing their application.

Vote: Passed unanimously with 45 Board members in favor.

#### **Street Activity Application FYI/Renewals**

4. **6/11/22 – P.A.L. Festival (Street Fair) (Sponsor – Police Athletic League): Broadway between Waverly Place and East 14th St. [full street closure]**

**Whereas**, a committee member requested that this event **be laid over** for potential further discussion, and there is sufficient time ahead of the proposed event in order to do so;

**Therefore Be It Resolved** that CB2 Manhattan recommends that P.A.L. Festival (Street Fair) (Sponsor – Police Athletic League): Broadway between Waverly Place and East 14th St. [full street closure] **be laid over.**

Vote: Passed unanimously with 45 Board members in favor.

5. **3/18/22 – 1/1/23** – Old Cathedral Outdoor Market (St. Patrick’s Old Cathedral Basilica): Prince St. between Mulberry St. and Mott St. [partial sidewalk closure – north side]
6. **5/07/22** – Grace Church School 66th Annual May Fair (Street Fair): East 10th St. between Broadway and 4th Ave. [full street closure]
7. **5/17/22** – Grad Alley (Street Fair (Sponsor: NYU): 1) Washington Square South between Thompson St. and Washington Square East, 2) West 4th St. between Washington Square East and Mercer St., 3) Washington Place between Washington Square East and Mercer St., 4) LaGuardia Place between Washington Square South and West 3rd St., 5) Washington Square East between West 4th St. and Washington Place, 6) Greene St. between West 4th St. and Washington Place [full street closure]
8. **5/28/22 – 6/05/22** – Washington Square Outdoor Art Exhibit (Street Fair): University Place between Waverly Place and East 13th St. (note: No Sidewalk or Street Closures)
9. **5/29/22** – Washington Square Fair (Street Fair) (Sponsor – Bailey House): Washington Square North between University Place and MacDougal St. [full street closure]
10. **6/9/22** – Family Fun Day 2022 (Academy of St. Joseph): Washington Pl. between 6th Ave. and Barrow St. [sidewalk and street closure – both sides]
11. **7/16/22** – 10th Annual WitchFest USA (NYC Wiccan Family Temple): Astor Pl. between Broadway and Lafayette St. [sidewalk and street closure – both sides]
12. **7/30/22** – Bleecker Street Fair (Village Independent Democrats): Bleecker St. between Christopher St. and Bank St. [full street closure]

**Whereas**, these events have been held continuously for many years and no recent complaints have been received; now

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

Vote: Passed unanimously with 45 Board members in favor.

## **SCHOOLS AND EDUCATION**

### **Requesting NYC DOE Provide Informational Materials and Briefing Sessions on “College Financing 101 – 529 Accounts and FAFSA”**

1. **WHEREAS**, it has come to the attention of the CB2 Schools & Education Committee that a number of local parents and guardians of school-age children are unaware of the advantages of starting to save for college – or even private K-12 school tuition – at the earliest possible age of their child(ren); and

2. **WHEREAS**, CB2 Schools & Education Committee hosted a public informational session on the topic prepared and presented by committee public member Michael Markowitz, P.E. / MBA, and CB2 resident Robert Boykoff, VP, Wealth Management Advisor, Merrill Lynch, on Monday, Feb 7, 2022 (powerpoint attached), highlights of which include

**a. “529 Plans” (named after IRS Code Section 529)<sup>1</sup>:**

- i. Provide significant state tax benefits, which vary by state, including:
  1. Income deductions (e.g., in NYS, up to \$5k per donor per year / \$10k per couple – regardless of how many *recipients*: deduction is for *donors*),
  2. Earnings growth (not taxed as income for either donors or recipients), and
  3. Withdrawals of funds (again, not taxed as income for recipients, and, does NOT count in means-testing for federal assistance via the FAFSA process);
- ii. Provide significant compound interest benefits;
- iii. In combination provide significant “compounded benefits” advantages;
- iv. Can be used for all higher education costs, including room & board;
  1. Includes 2-yr, 4-yr, and post-graduate college programs, as well as trade and vocational education programs.
- v. Can be used for private and parochial K-12 tuition-only;
  1. Up to \$10k per year
- vi. Can be transferred to different beneficiaries (e.g., a sibling, or even another family member);
- vii. Can be contributed to by anyone (e.g., typically parents/guardians, but grandparents and others, including non-family members too);

**b. FAFSA (Free Application for Federal Student Aid)<sup>2</sup>:**

- i. Required to be eligible for any *federal* student aid – whether grants or loans;
- ii. Required by many colleges and universities to be eligible for *state-* or *school-based* aid, whether or not needs-based (i.e., including academic, merit, and athletic scholarships);
- iii. Deadline for any academic year are counterintuitively near the end of the academic year, although it is best to submit well prior to the start of the academic year to be eligible for aid *during* that same full academic year (e.g., not just a last-second federal loan at the end of a spring semester); and

3. **WHEREAS**, the benefits “the sooner the better” to save for college (or K-12 tuition) can be tremendously significant, and yet to our knowledge NYC Department of Education (NYC DOE) – while providing an excellent web page on the topic – does not as yet provide any training.

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<sup>1</sup> 26 US Code Section 529 – Qualified Tuition Programs:  
<https://www.law.cornell.edu/uscode/text/26/529>

<sup>2</sup> FAFSA Application – Federal Student Aid (US DOE):  
<https://studentaid.gov/h/apply-for-aid/afsa>

workshops, or similar for parents and guardians<sup>3</sup>; and

4. **WHEREAS**, the cost of college has never been higher, or the family income gap wider, as per these “Trends in College Pricing” highlights from the College Board<sup>4</sup>:

#### **Published or Sticker Prices**

In 2021-22, the average published (sticker) tuition and fees for full-time students are:

- Public four-year in-state: **\$10,740\***, \$170 higher than in 2020-21 (1.6% before adjusting for inflation).
- Public four-year out-of-state: **\$27,560**, \$410 higher than in 2020-21 (1.5% before adjusting for inflation).
- Public two-year in-district: **\$3,800**, \$50 higher than in 2020-21 (1.3% before adjusting for inflation).
- Private nonprofit four-year: **\$38,070**, \$800 higher than in 2020-21 (2.1% before adjusting for inflation).

\* **\$10,740/yr** for 4-year per the College Board is a *national average*.  
For NYC and NYS: **CUNY = \$6,930; SUNY = \$7,070.**

#### **Family Income**

The income gap between families with the lowest and highest incomes is growing.

#### **Between 1990 and 2020:**

- The average income increased by **57%** for the top quintile of families [*1.9% per year, uncompounded average*],
- and by **12%** for the lowest quintile of families [*0.4% per year*]\*,
- vs. **98%** US CPI (Consumer Price Index) inflation [*3.3% per year*] during that period; and

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<sup>3</sup> NYC DOE Paying For College:

<https://www.schools.nyc.gov/learning/student-journey/college-and-career-planning/paying-for-college>

<sup>4</sup> Trends in College Pricing Highlights (College Board\*)

<https://research.collegeboard.org/trends/college-pricing/highlights>

5. **WHEREAS**, New York State offers the [NY Saves](#) 529 program<sup>5</sup> to U.S. citizens and permanent residents, and the NYC Department of Education (NYCDOE) [NYC Kids Rise](#) program<sup>6</sup> offers free college and scholarship savings to NYC public school and charter school kindergarten students, but information, resources, and supports are not made widely available; and
6. **WHEREAS**, a number of parents and guardians have raised concerns over immigration and citizenship status, in connection with either or both of 529 Plans and FAFSA, and reporting to other federal agencies, including: US DOJ (Department of Justice), US DHS (Department of Homeland Security), and US CIS (Citizenship and Immigration Services), etc., i.e., any and all agencies involved with immigration process<sup>7</sup>; and
7. **WHEREAS**, a number of parents and guardians have raised concerns over access to, and affordability of, professional and/or certified financial advisors; and
8. **WHEREAS**, a number of parents and guardians have suggested New York State’s SUNY system and NYC’s CUNY system be FREE, as per a number of other states, including Michigan, for participants in their states’ 529 Plans, or even in general<sup>8</sup>.

**THEREFORE BE IT RESOLVED**, Community Board 2 urges the NYC Department of Education to better publicize its web page, and develop and provide informational materials and briefing sessions to parents and guardians, by the end of this 2021-2022 school year if possible, and no later than the end of calendar year 2022, on:

1. 529 Accounts (all parents and guardians starting in Pre-Kindergarten);
2. FAFSA forms (high school audiences only);
3. Related college financing information;
4. At every DOE school level, from 3Ks to Pre-Ks to K-5s to middle schools to high schools; and

**BE IT FURTHER RESOLVED**, Community Board 2 urges the Department of Education undertake a parent survey to determine the level of parent financial preparation for college, awareness of savings and scholarship opportunities, and interest in attending the above-requested briefing sessions; and

**BE IT FURTHER RESOLVED**, Community Board 2 urges the Department of Education to expand its [NYC Kids Rise](#) college and scholarship program to families of all NYC public school students that

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<sup>5</sup> NY’s 529 College Savings Program  
<https://www.nysaves.org>

<sup>6</sup> NYC Kids RISE Program  
<https://nyckidsrise.org>

<sup>7</sup> Financial Aid and Undocumented Students (US DOE / Federal Student Aid):  
<https://studentaid.gov/sites/default/files/financial-aid-and-undocumented-students.pdf>

<sup>8</sup> Michigan Saves 529 Plan:  
<https://www.misaves.com/plan/details.shtml>

qualify for Free or Reduced-Price Lunch (FRPL), and provide one-on-one services from professional and/or certified financial advisors to aid these families in navigating the process; and

**BE IT FURTHER RESOLVED**, Community Board 2 urges the NYS Comptroller to advertise widely and to increase the number of information sessions for its [NY Saves](#) 529 program to families of all NYC public school students that qualify for Free or Reduced-Price Lunch (FRPL) and undocumented New Yorkers, and provide one-on-one services from professional and/or certified financial advisors to aid these families in navigating the process.

VOTE: Unanimous, with 46 Board Members in favor.

### Sample Slides from Committee Presentation, February 7, 2022:

#### CS 101 – When?

- ◆ **WHEN can you open an account?**
  - ◆ Kids age 0+.
  - ◆ No upper age limit.
- ◆ **WHEN can you make contributions?**
  - ◆ Any time.
  - ◆ Payroll deductions.
  - ◆ By Dec 31, to get the state income tax deduction for the ENTIRE year.
- ◆ **WHEN can you make a withdrawal?**
  - ◆ Any time after expense has been incurred.
  - ◆ NOT tied to tax year per se, though if audited, you'll have to show the expense HAS been incurred, i.e. no guessing ahead.
- ◆ **WHEN is the best time to contribute?**
  - ◆ Yesterday.
  - ◆ Don't try to "time" the market. Steady deposits (vs. one big lump) benefit from "dollar cost averaging."

#### CS 101 – Why?

- ◆ **WHY?**
  - ◆ Higher ed – college and grad school – expenses
  - ◆ Private and parochial school K-12 tuition
- ◆ **COMPOUNDING**
- ◆ **TAX BENEFITS**
  - ◆ **The Big Three**
    - ◆ Contributions have significant state income tax benefits
    - ◆ NYS: \$5,000 deductible per individual / \$10,000 deductible per couple.
    - ◆ Growth is tax-free
    - ◆ Withdrawals do NOT count as income.
  - ◆ **Additionally**
    - ◆ Protection from Estate Taxes and Gift Taxes
- ◆ **Compounding PLUS Tax Benefits... *Compounds the Benefits***

#### CS 101 – Who?

- ◆ **WHO Basics**
  - ◆ Parent/Guardian is the "participant" who sets up the account.
    - ◆ "Successor" participants can be designated, e.g. other parent, grandparent.
  - ◆ Child is the "beneficiary."
- ◆ **WHO can be a beneficiary?**
  - ◆ Higher Education students – of ALL AGES
  - ◆ K-12 students
  - ◆ SIBLINGS, etc. 529 Funds are TRANSFERABLE
    - ◆ Note: Beneficiary can be changed ONCE per Calendar Year
- ◆ **WHO can contribute?**
  - ◆ Parents
  - ◆ Grandparents
  - ◆ ANYBODY
- ◆ **WHO can make a withdrawal?**
  - ◆ Account holder(s)
  - ◆ Note: Withdrawals can be to individuals, OR, direct to the school

#### CS 101 – What?

- ◆ **WHAT is a "529 Plan"?**
  - ◆ IRS Section 529
    - ◆ 529 plans are named after section 529 of the [Internal Revenue Code 26.U.S.C. § 529](#).
    - ◆ Limited Federal benis (no up-front deductability; yes deferred tax on earnings.)
    - ◆ Significant State benis (State income tax-deductable contributions, varies by state)
  - ◆ **History**
    - ◆ Started by some states, notably Michigan, formalized and expanded by the feds.
    - ◆ Formalized by Congress in 1996, as part of the Small Business Job Protection Act.
    - ◆ Covers **higher education tuition, room & board, and related expenses**.
    - ◆ In 2017, with passage of the "Tax Cuts and Jobs Act," **K-12 tuition** became eligible.
  - ◆ **529 Plans are state-specific**
    - ◆ State of RESIDENCY (i.e. Which state do you pay income tax?)
    - ◆ State of SCHOOL (i.e. If the student knows he/she is going to a specific state's school...)
- ◆ **WHAT kind of investments can you direct the funds to?**
  - ◆ Wide range – basically, the full gamut of investment funds, mutual funds, index funds, etc.
  - ◆ **NOTABLE: Age-Based Mutual Funds**
    - ◆ Fund automatically shifts investment allocation over time from higher risk / higher return when beneficiary is younger... to more conservative the closer the time comes to pay the bills.

#### CS 101 – Where?

- ◆ **WHERE can you set up an account?**
  - ◆ Any State.
  - ◆ Mix of state-run and state-endorsed.
- ◆ **State-specific**
  - ◆ New York – TWO CHOICES
    - ◆ Self-Directed
      - ◆ **NYSaves.Org**
      - ◆ Funds available via Vanguard
    - ◆ JP Morgan
      - ◆ Professionally Managed Mutual Funds
  - ◆ New Jersey
  - ◆ Connecticut
  - ◆ Various Others
    - ◆ Some states have in-state SCHOOL benefits if you invest in THEIR state's fund!

#### CS 101 – FAFSA mattah U?

- ◆ **FAFSA = Free Application for Federal Student Aid (annually)**
  - ◆ Common platform for providing family financial information.
  - ◆ Required by all colleges and universities that distribute federal financial aid, i.e. grants or loans.
  - ◆ Used by many of those schools to determine NON-means-tested scholarship \$\$\$ as well.
    - ◆ Additionally, approx. 200 schools use an additional form, the CSS ([College Scholarship Service Profile](#)) administered by the College Board to qualify for non-federal aid.
  - ◆ EFC = Expected Family Contribution
    - ◆ Does NOT consider grandparents.
  - ◆ Considers income and assets AVAILABLE for paying college expenses.
    - ◆ No real estate holdings,
    - ◆ no IRAs or retirement funds.
  - ◆ Note: Please talk to a financial advisor about the interplay between 529's and FAFSA.
  - ◆ Note: Please talk to a financial advisor about any family unit considerations, e.g. divorce.
- ◆ **Parents of HS Seniors, and Continuing college students**
  - ◆ FAFSA Deadline is **June 30, 2023** for school year 2022-2023. **HOWEVER...**
  - ◆ Counter-intuitive, but....
  - ◆ **Still need to submit prior to Fall 2022 for federal aid at the START of the 2022-2023 school year.**
  - ◆ Note: CSS Deadline is **Feb 28, 2023** for school year 2022 - 2023. Etc.

## CS 101 – Cheat Codes

### LINKS

**NY Saves** (The official NYS plan)  
<https://www.nysaves.org>

**Federal Student Aid / FAFSA** (US DOE)  
<https://studentaid.gov>

**ABCs of 529 Plans**  
<https://www.collegeadvantage.com/blog/blog-detail/posts/2022/02/07/the-abc-of-529-plans>

### CONTACTS

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## SLA LICENSING

### 1. FTG Company USA, Inc. d/b/a Nikutei Futago, 341 W. Broadway 10013 (Corporate Change, RW – Restaurant, SN#1312918)

- 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 a Corporate Change to an existing Restaurant Wine Liquor License (SN#1312918) to operate a high end Japanese restaurant specializing in Japanese barbecue on the ground floor and mezzanine of M1-5A zoned 2-story, mixed-use 1930 building on West Broadway between Grand and Broome Streets (Block #475/Lot #3), the building falls within NYC LPC’s designated SoHo Cast Iron Historic District; and
- ii. **Whereas**, the two-story premises are approximately 1,700 sq. ft., with 1,100 sq. ft. on the ground floor store level and an additional 600 sq. ft. on the second floor mezzanine, has a maximum occupancy of 74, the premises has been operating as Nikutei Futago since 2018 and previously operated as a Hogar Dolcebakery closing by 11:00 PM every night, there are operable doors on the front façade facing the sidewalk, and the applicant presented a Certificate of Occupancy consistent with the proposed usage; and
- iii. **Whereas**, the premises will have nine (7) tables with 30 seats on the ground floor and two (2) tables with eight (8) seats on the second floor, for a total of 9 tables and 38 seats, there is no outdoor seating in either the roadbed or sidewalk; and
- iv. **Whereas**, the applicant’s hours of operation are from 5:00PM to 12:00AM Sundays through Saturdays (7 days a week); music is quiet background only consisting of music from iPod/CDs; there is no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, nonmovable barriers
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Restaurant Wine License, with those stipulations as follows:
  1. Premises will be advertised and operated as a full-service restaurant, specifically a Japanese restaurant specializing in Japanese barbecue with the kitchen open and full menu items

- available until closing every night.
2. The hours of operation will be 5:00 PM to 12:00 AM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
  3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
  4. Will not operate a backyard garden or any outdoor area for commercial purposes including sidewalk café and/or roadbed seating operating under the Open Restaurants program.
  5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
  6. Will not have any televisions.
  7. Will close all doors and windows at 9:00 PM every night, allowing only for patron ingress and egress.
  8. Will not install or have French doors, operable windows or open facades.
  9. Will not make changes to the existing façade except to change signage or awning.
  10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
  11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
  13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
  14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
  15. 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 Corporate Change to the existing Restaurant Wine License in the name of **FTG Company USA, Inc. d/b/a Nikutei Futago, 341 W. Broadway 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 NYSLA Restaurant Wine License.

Vote: Unanimous, with 48 Board members in favor.

**2. Mercer I, LLC & Mercer Kitchen, LLC, 147 Mercer St. aka 99 Prince St. 10012 (OP-Hotel/Restaurant, Alteration to Expand Hotel Licensed Premises to Include Existing 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 alteration to an existing Hotel license SN#1023300 originally issued in 1997 to extend the boundaries of the Hotel license to include what is currently a separately licensed restaurant within the hotel operating as the Mercer Kitchen, LLC SN#1025120 on the ground floor and basement of the building, the Hotel being a six (6)-story building built in 1881, renovated and turned into a 74-room hotel which included via a special 74-711 zoning permit the ground floor and basement restaurant which are the subject of this application, which would have otherwise been

prohibited by zoning and being located on the northwest corner of Mercer and Prince Streets (Block #513/Lot #35), the building falling within the SoHo-Cast Iron Historic District; and

- ii. **Whereas**, the entire premises is approximately 56,000 sq. ft. consisting of approximately 7,000 sq. ft. per floor, including the sub-basement to the 6th floor connected by elevators and stairs, there being no eating and/or drinking areas on floors 2 through 6, there are three (3) entries serving as ingress and egress for patrons and hotel guests, there are two (2) bathrooms in the restaurant, the restaurant consists of 60 tables with 140 seats, there being approximately 12 seats on the ground floor with the balance of seats in the basement, there are 20 seats in the hotel lobby and approximately 20 seats on the sidewalk as part of the temporary DOT Open Restaurants program, there are three (3) bars between the hotel and restaurant; and
- iii. **Whereas**, the hours of operation for the hotel liquor license were stated to be from 7:00AM to 4:00AM Sundays through Saturdays (7 days a week); for all areas of the hotel, music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. **Whereas**, the separately licensed restaurant on the ground floor and basement seeking to be added to the hotel license has been operated by chef Jean-Georges Vongerichten as Mercer Kitchen since approximately 1998, with communal tables and banquets and an open kitchen in the basement, the ground floor casual café serving breakfast and lunch and transforming into a bar during evening hours, the restaurant having been presented and represented to CB2, Man. in questionnaires submitted by the previous operator and materials for liquor license applications with closing hours of midnight; and
- v. **Whereas**, as part of CB2, Man. and the City's approval of the special 74-711 zoning permit C910115ZSM which was approved in 1991 prior to the development of the hotel (hotel opened in 1997) which allowed use group 5 (hotel) and use group 6 (retail and restaurant) uses on the ground floor, cellar and sub-cellar levels of a loft building with a coverage exceeding 3,600 square feet, including the eventual creation of the subject restaurant space in the hotel which is to be included in the existing hotel liquor license, and in addition to other agreements, "the owners have agreed that the building will contain no disco or other entertainment (use group 12) use" in response to concerns that a "discotheque or nightclub [would] generate noise and traffic late at night;" and,
- vi. **Whereas**, concerns were raised by the Committee of having the restaurant operate under the Hotel license with a 4:00AM closing, particularly because the restaurant is primarily located in a basement space which could lend itself to becoming a lounge should the operator and method of operation of the restaurant change at some time in the future with attending impacts including on traffic noise and quality of life issues, and given the hours of operation until midnight clearly indicated on materials submitted to CB2, Man. by the previous licensee including most recently in 2001, several years after the restaurant opened and when an alteration was sought to include the ground floor bar in the hotel as part of the restaurant's license, concerns regarding one of the principal's other locations where problems arose in similar circumstances where the method of operation differed from that stated to CB2, and a similar staggered closing existing and agreed to at yet another hotel operated in CB2 by some of the principals to mitigate similar concerns; and

- vii. **Whereas**, the committee felt an appropriate compromise would be for the last dinner seating to be at 1:00 AM for the restaurant areas in the entire basement with the small ground floor bar area being allowed to operate later to accommodate late arriving hotel guests as needed; and
- viii. **Whereas**, while the Applicant agreed to no DJs or live music in the entire premises, they would not agree to limit the last seating to 1:00 AM for the basement restaurant or having advertised patron hours of the basement restaurant to anything earlier than a “last seating” of 2:00 AM or extend the 4:00 AM hours to only the immediate ground floor hotel lobby bar;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the Alteration to the On-Premises Hotel/Restaurant Liquor License application for Mercer I, LLC & Mercer Kitchen, LLC, 147 Mercer St. aka 99 Prince St. 10012; and

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

**THEREFORE, BE IT FURTHER RESOLVED**, that if despite CB2, Man.’s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the following stipulations be imposed on any future On-Premises Hotel/Restaurant license for Mercer I, LLC & Mercer Kitchen, LLC, 147 Mercer St. aka 99 Prince St. 10012:

1. The last seating for the restaurant on the ground floor and entire basement is 1:00 AM Sundays through Saturdays (7 days a week).
2. The small ground floor bar area can continue to operate as needed past the last seating for the restaurant in order to service hotel guests as needed.
3. There will be no DJs, no live music, no dancing, no TVs, no promoters.
4. Will not install any new operable accordion doors or windows and all current doors and windows will be closed by 10PM.
5. There will be no roadbed seating. Any sidewalk seating will be adjacent to the building and will close no later than 11:00 PM Sundays through Saturdays. All patrons, tables and chairs will be removed at this hour. No exterior music, speakers or TVs.

Vote: Unanimous, with 48 Board members in favor.

**3. Street Food Chaat, LLC d/b/a Honest, 176 Bleecker St. 10012 (New RW–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 for a new Restaurant Wine Liquor License to operate a fast casual Indian restaurant on the ground floor of a R7-2 zoned, five-story, mixed-use building (c. 1900) on Bleecker Street between Sullivan and MacDougal Streets (Block #526/Lot #61), the building falling within the designated South Village Historic District; and
- ii. **Whereas**, the immediate previous tenant at this location was a café operating without a liquor license; prior to that, from approximately 2014 to 2016, was a casual Mediterranean restaurant called “Montaditos” selling inexpensive sandwiches with a restaurant wine license (SN #1275211) and before that was a pizzeria known as “Garden Pizza” for over 50 years (1957–2013); and

- iii. **Whereas**, the premises is approximately 1,600 sq. ft. on the ground floor and 1,080 sq. ft. in the basement connected by an interior staircase with no patron use of the basement, the basement being used for food storage and prep only; there are 14 tables and 46 seats; the premises has one (1) door which will serve as patron ingress and egress and one (1) patron bathroom; and
- iv. **Whereas**, the hours of operation will be from 12:00 PM to 11:00 PM Sundays through Thursdays and 12:00 PM to 3:00AM Fridays and Saturdays with service of alcohol ending at 1:00AM on Fridays and Saturdays; all doors and windows will be closed at all times; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- v. **Whereas**, there is an approximately 350 sq. ft. backyard garden with large accordion doors opening onto it from the rear area of the restaurant that the Applicant intended to use, the current Letter of No Objection (LNO) not permitting eating and drinking in the rear yard of the premises; and
- vi. **Whereas**, CB2 Man's SLA Committee had concerns with regard to the Applicant's proposed method of operation which included use of the backyard as well as keeping the accordion doors open to the backyard creating noise and quality of life issues for the adjacent residential neighbors, this happened in the past when Montaditos placed large speakers facing out to the backyard through the open doors in derogation of their executed stipulations; and
- vii. **Whereas**, the Applicant initially requested the hours and service of alcohol ending at 10:00PM Sundays through Thursdays and 3:00AM on Fridays and Saturdays, concerns being raised by the Committee that the five hour difference in closing times between the week and weekends was to capitalize on weekend drinking while leaving the community without the quick late night food service during the weekend, the Applicant understanding these concerns and agreeing to serve later during the week if there was customer demand and to end the service of alcohol at 1:00AM on Fridays and Saturdays; and
- viii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new Restaurant Wine License, with those stipulations as follows:
  1. Premises will be advertised and operated as a full-service restaurant, specifically a fast, casual restaurant serving Indian and Indo Chinese dishes with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be 12:00 PM to 11:00 PM Sundays through Thursdays and 12:00 PM to 3:00 AM Fridays and Saturdays with all service of alcohol ending no later than 1:00 AM on Fridays and Saturdays. No patrons will remain after stated closing time.
  3. Will not operate a backyard garden or any outdoor area for commercial purposes including sidewalk café and/or roadbed seating operating under the Open Restaurants program.
  4. Will not use the rear yard for any purpose including employee breaks or storage of trash.

5. There will be no patron or employee use of the backyard aside from for access to the storage area by employees during business hours. Employees will not use the backyard for breaks or for smoking.
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. Will not have any televisions.
8. Will close all doors and windows at all times every night, allowing only for patron ingress and egress, including doors to the rear yard.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/ security personnel.
15. 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 Liquor License in the name of **Street Food Chaat, LLC d/b/a Honest, 176 Bleecker St. 10012**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Restaurant Wine License.

Vote: Unanimous, with 48 Board members in favor.

**4. Tava Café 643, LLC, d/b/a Josephine, 643 Broadway 10012 (New OP – Restaurant) (Live Music–Jazz Occasionally in Basement) (DOT Open Restaurant Program sidewalk and roadbed)**

- i. **Whereas**, the Applicant appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application for a new On-Premises Liquor License to operate an upscale FrenchBistro in the ground floor, cellar and sub-cellar of a C6-2 zoned, five-story, mixed-use building (c. 1878, altered 1970) on Broadway at the northwest corner of Bleecker Street (Block # 532/Lot #25), the building falling within the designated NoHo Historic District; and
- ii. **Whereas**, the premises is approximately 6,600 sq. ft. (1,600 on the ground floor, 2,500 sq. ft. in the cellar and 2,500 sq. ft. sub-cellar, the sub-cellar being connected to the cellar by an interior staircase and not being for patron uses, the cellar being connected to the ground floor by both an interior staircase as well as having direct access from a separate entryway on Bleecker Street); the ground floor premises will have 20 tables and 48 seats and one (1) bar with seven (7) seats for a ground floor seated occupancy of 55 seats, the cellar premises will have 18 tables with 75 seats (some tables are banquettes), one (1) bar with 11 seats and room for seven (7) standing patrons for a total patron cellar

occupancy of 93 and total overall patron occupancy of ground floor and cellar being 38 tables and 123 seats and two (2) bars with 18 seats and seven (7) standing for 148 patrons total, the maximum legal capacity being 299 persons; there are two (2) entries serving as patron ingress and egress — one on the ground floor on Broadway and one via a stairwell directly to the cellar on Bleecker Street, there is one (1) kitchen located on the ground floor and four (4) bathrooms located in the cellar; and

- iii. **Whereas**, the Applicant stated that both the ground and cellar floors will operate as one restaurant with hours of operation being Sundays through Saturdays (7 days a week) from 11:00 AM to 12:00 AM on the ground floor and 11:00 AM to 2:00 AM in the cellar; music would be quiet background only on the ground floor with live jazz and blues music in the cellar on the “quieter nights of the week” which may include horns and percussion but no additional amplification; and
- iv. **Whereas**, from 2010–2013 the premises had been operated by Corner Shop, LLC as a restaurant serving healthy rustic cuisine from breakfast through dinner on the ground floor with the downstairs premises featuring a bar offering high end cocktails in addition to the food menu; Corner Shop, LLC having negotiated extensive stipulations with CB2, Man. and local residents in regards to hours, garbage collection, seating, use of exits, and noise mitigation among other items, including additionally entering into a Memorandum of Understanding with 77 Bleecker Street Corp. and 643 Broadway Holdings LLC; and
- v. **Whereas**, in 2014 a new On-Premises liquor license was granted to 643 Broadway Holdings, LLC via a “transfer” of the license held by Corner Shop, LLC, the applicant having appeared before CB2, Man. in September/2013 and agreeing to operate in the same manner of operation, with the same stipulations including the Memorandum of Understanding as Corner Shop, LLC; and
- vi. **Whereas**, at that time concerns regarding the location were outlined regarding past operators before Corner Shop, LLC, including history of drug arrests, fires, cabaret operations, noise and other quality of life issues which were outlined in past CB2 resolutions for Corner Shop, LLC but for which there was no recent immediate history; and
- vii. **Whereas**, this current Applicant first appeared before CB2, Man. in January/2022 at which time a number of questions and concerns were raised about the instant application including that there had been no successful outreach to the neighboring buildings including 77 Bleecker, 88 Bleecker nor NoHo Bowery Stakeholders, all of whom had previously been involved in the extensive stipulations agreed to by past applicants, including one as recently as January/2021, the Applicant agreeing to lay over the applicant to this month in order to do that outreach and additionally to provide plans for any outdoor seating which was of concern to residents attending the meeting; and
- viii. **Whereas**, questions were raised as to how the premises was going to operate as one restaurant as the Applicant described with there being a subterranean space and a ground floor space surrounded by operable doors, both being very different and distinct in character and the difficulty in operating them in a similar fashion so as they are recognized as one cohesive space to the patrons; additionally, while the Applicant stated the premises would operate as one restaurant, there was a separate and distinct “raw bar” menu provided for the cellar in addition to the basic menu, that basic menu being inaccurate showing the same items listed for entrée, soup and salad and dessert; and

- ix. **Whereas**, there were additional concerns about the premises realistically operating as one cohesive space when the ground floor where the kitchen is located would be closing to patrons at midnight each night but the cellar would remain open until 2:00 AM with live music a few nights a week and with a street-level separate entry, the Applicant again stating that the premises would operate as one restaurant and not as a bar downstairs; and
- x. **Whereas**, while there is a Certificate of Occupancy dated 7/16/2009 allowing for the occupancy requested, the Certificate of Occupancy supplied by the Applicant with the instant application was dated 4/13/1971 and did not reflect the current permitted occupancy; and
- xi. **Whereas**, the Applicant appeared with a Mr. Harzem Sendogan, identified as his partner who was responsible for marketing and managing the licensed premises, Mr. Sendogan being a guarantor on the lease submitted with this application, Mr. Sendogan also being the subject of news articles demonstrating he pleaded guilty to DWI and vehicular assault charges in 2015, serving two years in prison, with the victim not being properly compensated for her devastating physical damages, thereby raising significant concerns amongst Committee Members that the Applicant was concealing Mr. Sendogan's financial interest in the licensed operations proposed in this application; and
- xii. **Whereas**, the Applicant returned this month after attending a zoom call arranged by NoHo Bowery Stakeholders which according to both the applicant and NoHo Bowery Stakeholders was not well-attended which came as a surprise to the Committee as residents have been very active and concerned in the past regarding this location including at the January/2022 meeting, and provided some areas of agreement but did not provide the extensive list of points that had been attached to prior licensees at this location, and
- xiii. **Whereas**, in addition the Applicant provided plans for extensive outdoor seating operating until 11:00 PM nightly as part of the DOT Open Restaurant Program consisting of seven (7) tables and 28 seats in the roadway on Bleecker Street, two (2) tables and eight (8) seats on the sidewalk of Bleecker Street, three (3) tables and 12 seats in the roadway on Broadway and four (4) tables and eight (8) seats on the sidewalk on Broadway; this being a very congested corner, the sidewalk on Bleecker Street being the pedestrian route to the subway station; prior applicants stipulating to never having any outdoor seating as part of meeting the public interest requirement for previous On-Premises Liquor Licenses, the immediate adjacent buildings consisting of residential buildings having been impacted in the past by noise outside the premises with previous applicants agreeing to many stipulations that mitigated noise on Bleecker Street in particular from both patrons, employees and trash collection, the Applicant unwilling to remove any or all of the outdoor seating from their application; and
- xiv. **Whereas**, additional areas of concern were keeping the operable French doors on both Bleecker Streets and Broadway open until 11:00 PM, food service ending all evenings at midnight raising questions again as to how the cellar will continue to serve as a restaurant with the kitchen closed, and a lack of the extensive stipulations and Memorandum of Understanding that all applicants since 2010 have agreed to which included addressing issues of garbage, seating, exits, smoking and noise; and
- xv. **Whereas**, this application being subject to the 500-foot rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by adding another liquor license at

this location, the immediate adjacent area being already saturated with multiple liquor licenses and late night drinking establishments, with there being 27 active licensed premises within 750 feet of the subject premises, in addition to 6 pending licenses, it being unclear how the two distinct spaces will operate as one restaurant and there being no plans for the premises to operate differently from that, the Applicant refusing to consider removing the outside seating from the application, with the use of the exterior areas resulting in an unreasonable noise increase to the immediate residential community; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the On-Premises Liquor License application for **Tava Café 643, LLC, d/b/a Josephine, 643 Broadway 10012**; and

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

Vote: Unanimous, with 48 Board members in favor.

**5. Entity to be Formed by Samuel Yoo, 116 Elizabeth St. 10013 (OP – Restaurant/Pub) (previously unlicensed)**

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Committee#1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Liquor License for a local Asian pub offering a wide variety of Asian street and pub foods located on the ground floor of a C6-2G zoned, five (5)-story mixed-use building (c. 1900) on Elizabeth Street between Grand and Broome Streets (Block #470 / Lot #37); and
- ii. Whereas**, the premises is roughly 2,100 sq. ft. comprised of approximately 1,800 sq. ft. on the ground floor connected by an interior staircase to an approximately 1,300 sq. ft. basement for use by employees for storage purposes only; there will be 15 tables with 40 seats and one (1) bar with 20 seats for a total patron occupancy of 60 seats; there is one (1) entryway serving as both patron ingress and egress and three bathrooms; there will be no sidewalk café or roadbed seating; and
- iii. Whereas**, the Applicant is a well-regarded chef who opened his first restaurant, an Asian diner called Golden Diner, on the East Side of Manhattan under the Manhattan Bridge in March of 2019 to much acclaim and quickly became a fixture of the neighborhood; and
- iv. Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by adding another liquor license at this location, the Applicant having reached out to the immediate building boards and residents, obtaining their support with the agreed upon stipulations being reasonable, many sending letters of support to CB2 and speaking in favor of the applicant at the meeting, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and
- v. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new On-Premises Liquor License, with those stipulations as follows:

1. Premises will be advertised and operated as a local Asian restaurant.
2. The hours of operation will be 11:00 AM to 12:00 AM Sundays through Thursdays and 11:00 AM to 1:00 AM Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing time.
3. Will operate a full-service Asian restaurant and pub featuring a wide variety of Asian street food 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 other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
7. Will no more than four (4) televisions no larger than 50". There will be no projectors and TV will operate in "closed caption" mode only without sound).
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. Will ensure no patrons are waiting in the common lobby or congregating on the sidewalk.
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 comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches."
15. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will not have: dancing, DJs, live music, promoted events, any event where 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 On-Premises Liquor License application for **Entity to be Formed by Samuel Yoo, 116 Elizabeth 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 On-Premises License.

Vote: Unanimous, with 48 Board members in favor.

**6. Robillo Holdings, LLC d/b/a Bar 9, 90 W. Houston St. 10012 (OP – Restaurant)**

- i. **Whereas**, the Applicant appeared before CB2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Liquor License for a Filipino restaurant located on the ground floor of an R7-2 with a C1-5 overlay zoned, four (4)-story mixed-use building (c. 1900, altered 1988) on West Houston Street between LaGuardia Place

and Thompson Street (Block #525 / Lot #57) the building falling within the designated South Village Historic District; and

- ii. **Whereas**, the premises is roughly 1,200 sq. ft. located in the cellar of the building and accessed from the sidewalk by going down a number of steps to the entryway; there is one (1) entryway serving as both patron ingress and egress and one additional emergency exit, there are two (2) bathrooms; there was no seating diagram included with the instant application, the application stating there will be 13 tables and 15 seats with one (1) bar with 12 seats and banquettes in the rear, the application includes roadbed seating under the Open Restaurants program though no diagram was provided; and
- iii. **Whereas**, the Applicant stating they will operate a restaurant serving the “best Filipino food in New York” with hours of operation will be from 11:00 AM to 4:00 AM Sundays through Saturdays (7 days a week); the Applicant currently operating a hair salon and having little restaurant experience; music will consist of quiet background music, live music and karaoke; there will be no dancing, DJs, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. **Whereas**, the premises previously operated in 2012 as an acoustic jazz and piano bar and in 2014 as a lounge with background music only, no live music; the layout of the premises being more suitable to a bar than a restaurant; and
- v. **Whereas**, the floor plan provided had no seating but indicated an occupancy of 36 patrons and two (2) employees in the front room and 30 patrons and six (6) employees in the rear room, the Certificate of Occupancy provided dated 12/8/2005 showing a maximum occupancy of 36 in each of the two cellar spaces; and
- vi. **Whereas**, the proposed roadbed structure was installed and is being used by the adjacent establishment, the Applicant stating they will share the roadbed structure, the Committee having the understanding that each establishment operating under the temporary DOT Open Restaurants program should have its own separate and distinct roadbed dining area and per guidelines updated 02/08/2022 eligibility is for “any food service establishment licensed by the NYC DOHMH which has business frontage on the ground floor”, the Applicant agreeing to remove the roadbed dining from the instant application; and
- vii. **Whereas**, this application being subject to the 500-foot rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by adding another liquor license at this location, the immediate adjacent area being already saturated with multiple liquor licenses and late-night drinking establishments, with there being 78 active licensed premises within 750 feet of the subject premises including two other late night bars adjacent to the instant application at 92 and 94 West Houston Street, in addition to 7 pending licenses, the Applicant not willing to reduce the hours of operation to better align with the hours of other restaurants in the area nor was the Applicant willing to eliminate the karaoke or live music component while stating that the method of operation was that of a restaurant and not a bar;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the On-Premises Liquor License application for **Robillo Holdings, LLC d/b/a Bar 9, 90 W. Houston St. 10012**; and

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

Vote: Unanimous, with 48 Board members in favor.

**7. 450 West Broadway, LLC d/b/a TBD, 450 W. Broadway 10012 (New OP – Restaurant) (previously unlicensed)**

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Committee#1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Liquor License for neighborhood restaurant located on the first floor and cellar of a M1-5A-zoned, two (2)-story commercial building (c. 2000) on West Broadway between Prince and West Houston Streets (Block #516 / Lot #37) located in the SoHo-Cast Iron Historic District Extension; and
- ii. Whereas**, the premises encompasses the entirety of the building and is roughly 3,620 sq. ft. comprised of approximately 2,750 sq. ft. on the ground floor connected by both an interior staircase and elevator to approximately 2,860 sq. ft. in the cellar; on the ground floor there will be 20 tables with 68 seats in the dining room and one (1) bar with 13 seats and three (3) tables with nine (9) seats in the bar area and in the cellar there will be 12 tables with 50 seats for a total patron occupancy of 140 seats; there are two entryways serving as patron ingress and egress and three (3) patron bathrooms on the cellar floor; there will be no sidewalk café or roadbed seating; and
- iii. Whereas**, the hours of operation will be from 7:00 AM to 12:00 AM Sundays through Thursdays and 7:00 AM to 1:00 AM Fridays and Saturdays; all doors and windows will be closed at all times; music will be quiet background only consisting of music from iPod/CDs on the ground floor at all times, there may be acoustic live music in the cellar and only during a private event; there will be no dancing, DJs, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. 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 done outreach to nearby residents where the licensed premises will be located, as well as residents residing near his other recently-opened restaurant in CB2, the Applicant willing to further work with the concerns of the Committee and some residents in reducing the hours of operation from 2:00 AM Thursdays to Saturdays to 12:00 AM on Thursdays and 1:00 AM on Fridays and Saturdays, as well as agreeing to have private events only in the cellar level, limiting the number of private events to an average of 2x/month and only having live music when there is a private event, thereby obtaining the support of the nearby residents 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,
- v. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new On-Premises Liquor License, with those stipulations as follows:
  1. Premises will be advertised and operated as a neighborhood restaurant.
  2. The hours of operation will be 11:00 AM to 12:00 AM Sundays through Thursdays and 11:00 AM

to 1:00 AM Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing time.

3. Will operate a full-service restaurant, specifically a neighborhood restaurant with an Italian menu 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 other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
6. Will play quiet ambient recorded background music only on the ground floor. Acoustic live music is permitted in the cellar only and only when a private event is being held in that location.
7. Will have no more than an average of two (2) private events per month. All private events will take place in the cellar space only. No private events on the ground floor.
8. Will not have televisions
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open façades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: dancing, DJs, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.
17. 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 application for **450 West Broadway, LLC d/b/a TBD, 450 W. Broadway 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 48 Board members in favor.

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

**8. 20X Hospitality, LLC d/b/a Spicy Moon Vegan Szechuan, 68 W. 3rd St. 10012**  
(Corporate Change, OP – Restaurant)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 1, 2022 the Applicant requested **to withdraw** this application for a Corporate Change to their existing On-Premises Liquor License application 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 **20X Hospitality, LLC d/b/a Spicy Moon Vegan Szechuan, 68 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 48 Board members in favor.

**9. Sharma and Singh Restaurant Group, Inc., 154 Bleecker St. 10012 (Change in Method of Operation to Extend Hours to 4AM, OP – Restaurant)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 1, 2022, the Applicant requested **to withdraw** this application for a Change in method of Operation to their existing On-Premises Liquor License application and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and

**THEREFORE, BE IT RESOLVED** that 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 **Sharma and Singh Restaurant Group, Inc., 154 Bleecker 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 48 Board members in favor.

**10. 3 of Cups, LLC d/b/a Three of Cups, 150 Sullivan St. 10012 (Change in Method of Operation, RW – Restaurant)**

**Whereas**, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on February 1, 2022, the Applicant requested **to withdraw** this application for Change in Method of Operation to their existing Restaurant Wine Liquor License application 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 **3 of Cups, LLC d/b/a Three of Cups, 150 Sullivan 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 48 Board members in favor.

**11. 151 Bleecker, LLC d/b/a Red Lion, 151 Bleecker St. 10012 (Alteration to Add Additional Bar, OP – Bar/Tavern)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 1, 2022, the Applicant requested **to withdraw** this application for an Alteration to their existing On-Premises Liquor License application 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 **151 Bleecker, LLC d/b/a Red Lion, 151 Bleecker 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 48 Board members in favor.

**12. 55 Bond Street, LLC d/b/a Fish Cheeks, 55 Bond St. 10012 (Alteration Application to Expand into Adjacent Space, OP – Restaurant)**

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 1, 2022, the Applicant requested **to layover** this application for a Alteration to an existing On-Premises Liquor License application to March/2022 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 **55 Bond Street, LLC d/b/a Fish Cheeks, 55 Bond 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 48 Board members in favor.

**13. Skybird Hospitality Partners, LLC d/b/a Pending, 109 Mulberry St. 10012 (RW – Restaurant)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 1, 2022, the Applicant requested **to withdraw** this application for a Restaurant Wine Liquor License application 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 **Skybird Hospitality Partners, LLC d/b/a Pending, 109 Mulberry 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 48 Board members in favor.

**14. Entity to be Formed by Joseph Mongeluzzi, d/b/a TBD, 210 Elizabeth St. 10012 (OP – Restaurant)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 1, 2022, the Applicant requested **to withdraw** this application for an On-Premises Liquor License application 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 Entity to be **Formed by Joseph Mongeluzzi, d/b/a TBD, 210 Elizabeth 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 48 Board members in favor.

**15. Slowear New York, Ltd. d/b/a Slowear, 330 Lafayette St. 10012 (OP – Bottle Club)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 1, 2022, the Applicant requested **to withdraw** this application for an On-Premises Bottle Club Liquor License application 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 **Slowear New York, Ltd. d/b/a Slowear, 330 Lafayette 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 48 Board members in favor.

**16. King Jade Garden, Inc. d/b/a Lady Chow's Kitchen, 171 Hester St. 10013 (OP – Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 1, 2022, the Applicant requested **to layover** this application for an On-Premises Liquor License application to March/2022 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, Manhattan strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **King Jade Garden, Inc. d/b/a Lady Chow's Kitchen, 171 Hester St. 10013, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 48 Board members in favor.

**17. Entity to be Formed by Ofer Cohen d/b/a TBD, 163 Bleecker St. 10012 (OP – Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 1, 2022 the Applicant requested **to layover** this application for an On-Premises Liquor License application to March/2022 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 **Entity to be Formed by Ofer Cohen d/b/a TBD, 163 Bleecker 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 48 Board members in favor.

**18. WSA Cafe, LLC d/b/a C+C Coffee + Cocktails, 18 Ninth Ave. 10014 (Corporate Change)**

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for a change of corporate structure for an existing On premise license to continue to operate a patisserie/café with outdoor seating within the thirteen story Gansevoort Hotel (c.2003) building on Ninth Avenue between Little West 12th and 13th Streets in the historic Meatpacking District; and,
- ii. Whereas**, this particular café was initially licensed in Feb./2020, the Applicant and Licensee returning five months later in June/2020 during the Covid pandemic seeking to upgrade that license from restaurant wine to on premise license subject to 500 foot rule and public interest standard, the agreed upon hours of operation for the exterior café being a critical factor in measuring that standard; the Applicant returned again in September/2021 to extend the hours of operation on the exterior portion of the premises to 12AM and agreed to compromise and extend the hours of service on the exterior to 11PM every night and,
- iii. Whereas**, this application is seeking to change the structure of the corporation holding the liquor license but the Applicant will remain the primary owner/operator of the licensed premises and the method of operation is not changing; and,
- iv. Whereas**, the interior café is roughly 825 sq. ft., with 1 bar with 7 seats, 6 tables and 36 seats and 5 counter/window seats near the entrance for a total interior seating for 48 patrons, with the outdoor seating within a roughly 200 sq. ft. space immediately in front of the café with 10 tables and 20 patrons seats, with 1 entrance, 1 exit, one bathroom and additional bathrooms in the hotel lobby, the exterior café being within the property line for the hotel and not upon the public sidewalk, there are no operable facades or French doors and there will be no exterior speakers and no exterior TVs; and,
- v. Whereas**, the hours of operation for the interior café will continue to be from 7:00 AM to 12:00 AM Sunday through Saturday and the hours of operation for the exterior café will now be from 7:00 AM to 11:00 PM Sunday through Saturday, all interior music shall be quiet recorded background only, all doors and windows will be closed at all times, there will be no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, no TV’s, velvet ropes, metal barricades or security personnel; and
- vi. Whereas**, the Applicant previously executed and had notarized a Stipulations Agreement with CB2, Man. which should continue to be incorporated into the Method of Operation of the existing On Premise License, with those stipulations as follows:
  - 1. The premises will be advertised and operated as a patisserie cafe.
  - 2. The interior hours of operation will be 7:00 AM to 12:00 AM Sunday through Saturdays.
  - 3. Will not operate a backyard garden or any outdoor area for commercial purposes except for exterior café within the property line immediately in front of premises.
  - 4. Exterior café for dining purposes only, no music and no later than 11 PM (all patrons and staff will be cleared at this hour and area closed).
  - 5. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime. No speakers of any kind, no televisions and no music at the

exterior café.

6. Will not install French doors, operable windows, or open façades.
7. Will close all doors & windows at all times.
8. 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.
9. There will be no TVs.
10. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
12. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
13. The premises will not permit dancing.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a corporate change for its existing on premise license to **WSA Cafe, LLC d/b/a C+C Coffee + Cocktails, 18 Ninth Ave. 10014** **unless** the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the Method of Operation on the SLA On Premise License.

Vote: Unanimous, with 48 Board members in favor.

**19. EC 95 Greenwich, LLC d/b/a El Condor, 95 Greenwich Ave. 10014 (New Tavern Wine)**

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee to present an application for a new Tavern Wine license to operate a small café/restaurant within a ground floor storefront located in a six-story building (circa 1936) on Greenwich Avenue, between Bank and West 12th Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,
- ii. Whereas**, the storefront location was previously operated as So Fresco, a small café specializing in Columbian coffee and fare, and before that as Nourish Kitchen, a small café and catering company with a similar method of operation that closed by 10 PM nightly; and,
- iii. Whereas**, the storefront to be licensed is 1,032 sq. ft., with eight (8) tables and 18 seats, and one service counter with 0 seats, for a total overall seating occupancy of 18 seats; there is 1 patron entrance and 1 bathroom, the storefront’s infill being fixed and without French doors or operable windows; and,
- iv. Whereas**, the hours of operation for the interior will be Sunday through Saturday from 7 AM to 9 PM, music will be quiet background only, there will be no TVs, no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,
- v. Whereas**, the Applicant signed and notarized a stipulations agreement with CB2, Man. which

include the following:

1. Premise will be advertised and operated as a small restaurant serving Mediterranean fare.
2. Premise hours of operations will be 7:00 AM to 9:00 PM Sunday through Saturday.
3. Premise will operate with less than a full-service kitchen but will serve food during all hours of operation.
4. Premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premise to be operated in that manner.
5. Premises will not have televisions.
6. Will not operate a backyard garden or other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
7. Premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Premises will not install or have French doors, operable windows or open façades.
9. Premises will not make changes to the existing façade except to change signage or awning.
10. Premises will comply with all NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
11. Premises will not have unlimited drink or unlimited food and drink specials. Will not have boozy brunches.” No pitchers of beer.
12. Premises will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ doorman.
13. 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 a new Tavern Wine license for **EC 95 Greenwich, LLC d/b/a El Condor, 95 Greenwich Ave. 10014** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on its Tavern Wine License.

Vote: Unanimous, with 48 Board members in favor.

**20. Mr. Z Dim Sum, Inc. d/b/a TBD, 313 6th Ave. 10014 (New Restaurant Wine)**

- i. **Whereas**, the Applicant and the Applicants’ Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for a new Restaurant Wine license to operate a full-service restaurant in a groundfloor storefront within a four-story Federal style townhouse building (circa 1920) on Sixth Avenue between West 4th and Carmine Streets in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,
- ii. **Whereas**, the storefront address sought to be licensed was previously operated by a fast-casual restaurant Xi’an Famous Foods (2018-2021), which closed by 8:30 pm every night, and before that was occupied as a retail store selling DVDs (and has not previously been licensed for the service of alcohol), the Applicant seeking to operate “a modern Chinese Restaurant” with the service of alcohol being limited to its interior premises; and,

- iii. **Whereas**, the storefront sought to be licensed is roughly 1,100 sq. ft. (ground floor level and basement, with the basement being used for storage but not designated for patron service), with 26 tables and 56 table seats for a total interior seating occupancy for 56 patrons, with 1 patron entrance on Sixth Avenue and one bathroom, the storefront's infill being fixed and without French doors or operable windows; and,
- iv. **Whereas**, the hours of operation for the interior are 11:00 AM to 12:00 AM every night, Sunday to Saturday, there will be no exterior areas for the service of alcohol, there will be 1 TV, music on the interior will be quiet background consisting of music from iPod/CDs; there will be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,
- v. **Whereas**, the Applicant met with the Carmine Street Block Association; and,
- vi. **Whereas**, the Applicant also 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 serving Chinese fare, with menu items available until closing every night.
  2. The hours of operation will be 11:00 AM to 12 AM every night, Sunday to Saturday. 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 have one (1) television.
  5. Will not operate a backyard garden or other outdoor area for commercial purposes. No sidewalk/roadbed seating.
  6. Will not install or have French doors, operable windows or open facades.
  7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
  8. 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.
  9. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
  10. Will not make changes to the existing façade except to change signage or awning.
  11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
  12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
  13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
  14. Will not change any principals prior to submission of original application to SLA.
  15. 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 a On Premise Liquor License for **Mr. Z Dim Sum, Inc. d/b/a TBD, 313 6th 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” with its NYSLA License.

Vote: Unanimous, with 48 Board members in favor.

**21. Allen Chan – Business Entity not yet Established d/b/a TBD, 117 Perry St. 10014 (New Wine Bar, previously unlicensed location)**

- i. Whereas**, the Applicant appeared before CB2, Manhattan’s SLA Licensing Committee for a new Tavern Wine liquor license to operate a café and wine bar within a ground floor storefront on Perry Street within a six-story tenement-style residential building (circa 1900) located on the corner of Perry and Greenwich Street in in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,
- ii. Whereas**, the storefront address sought to be licensed is only 150 sq. ft., was previously operated for 18 years as Kaas Glassworks, a retail store selling vintage decoupage supplies, which closed by 7:00 pm every evening, there being no record that this particular storefront has ever been licensed for the sale of alcohol or occupied for eating/drinking purposes in the past; and,
- iii. Whereas**, 117 Perry Street is the same address used by multiple separate storefronts located within the same building, with each storefront being occupied by licensed establishments (Left Bank and Canto West Village) on Perry Street and on Greenwich Street, the last remaining storefront being unlicensed and located midblock on Perry Street, the remaining storefront being the subject of the instant application; and,
- iv. Whereas**, the interior of the tavern/wine bar will consist of 7 tables and 14 seats, one bathroom, a small hand sink and a small food prep station, there is no kitchen, the storefront’s infill and window facing Perry Street being fixed, not being operable to the exterior sidewalk; and,
- v. Whereas**, the proposed hours of operation for the interior are Sunday to Wednesday from 11:00 AM to 11:00 PM and Thursday to Saturday from 11:00 AM to 12:00 AM, there will be no exterior areas for the service of alcohol, no TVs, music on the interior will be quiet background consisting of music from iPod/CDs; there will be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and
- vi. Whereas**, the Applicant recently opened (Jan./2022) and operates Canto West Village, a restaurant located next door in the same Building with an on-premise liquor license, in the larger, adjacent storefront, which cannot be physically connected on the interior with the storefront proposed to be licensed; and,
- vii. Whereas**, the Applicant met with the West Village Resident’s Association representing those living on Perry and Greenwich Streets, the residents and block association not supporting this particular application, citing the saturation of liquor licenses on their particular block, and after being licensed would preclude a more diverse retail environment, which is less intrusive, this

particular storefront being the last remaining unlicensed storefront within this particular building (117 Perry Street) and on Perry Street, this block having a significant residential presence and a very narrow one-way roadway, there also having been significant problems in the past with noise intrusions and crowd control problems outside the adjacent storefront, and more particularly the Aria Wine Bar and Restaurant (228 Bleecker, LLC d/b/a Aria; lic.# SN 1239342), those problems being documented in resolutions from CB2, Man.; and,

- viii. **Whereas**, concerns were raised as to whether the small storefront space would operate as a stand-alone business, the Applicant indicating that food would be prepared at the adjacent restaurant and transferred to the new proposed space which would be used as a holding location for patrons waiting for a table at the adjacent restaurant, to assist in overcrowding, the storefront having no kitchen, the new use and occupancy of the small storefront as an overflow would ultimately result in patrons and staff going back and forth, creating an undue burden of noise by running both operations in concert; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of an application for a Tavern Wine Liquor License for **Allen Chan – Business Entity not yet Established d/b/a TBD, 117 Perry 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 48 Board members in favor.

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

**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 February 3, 2022, the Applicant failed to appear and gave no reason to explain such non-appearance;

**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 CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 48 Board members in favor.

**23. Emmy Squared Bedford, LLC d/b/a Emily, 33 Bedford St. aka 35 Downing St. 10014 (OP-Restaurant) (laid over)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 3, 2022, the Applicant agreed to layover this application to March/2022, 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 **Emmy Squared Bedford, LLC d/b/a Emily, 33 Bedford St. aka 35 Downing 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 concerns of the Community be fully heard.

Vote: Unanimous, with 48 Board members in favor.

**24. 68 Perry Street Corp. d/b/a Corner Bistro, 331 W. 4th St. 10014 (OP-Restaurant) (Alteration to Include Live Music-VariouS) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022, the Applicant **withdrew** this application from consideration and did not appear;

**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 **68 Perry Street Corp. d/b/a Corner Bistro, 331 W. 4th 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 concerns of the Community be fully heard.

Vote: Unanimous, with 48 Board members in favor.

**25. Barbuto West, LLC d/b/a Barbuto, 521 West St. aka 113 Horatio St. 10014 (Alteration to OP-Restaurant) (Increase Occupancy to Sidewalk, First Floor and Cellar (laid over))**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022, the Applicant requested **to layover** this application to March/2022 affirming that they will not submit this alteration 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 to **Barbuto West, LLC d/b/a Barbuto, 521 West St. aka 113 Horatio 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 48 Board members in favor.

**26. W & J Café, Inc., d/b/a Luna Café, 628 Hudson St. 10014 (TW-Bar/Tavern) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022, the Applicant requested **to layover** this application to March/2022 affirming that they will not submit this alteration 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 to **W & J Café, Inc., d/b/a Luna Café, 628 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 48 Board members in favor.

**27. MA.GE.GA Food, LLC d/b/a Coppola Café, 171 W. 4th St. 10014 (TW-Bar/Tavern) (Sidewalk Café) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022, the Applicant requested **to layover** this application to March/2022 affirming that they will not submit this alteration 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 to **MA.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 48 Board members in favor.

**28. Jane St. Social Club, Inc. d/b/a SVB NYC, 113 Jane St. 10014 (OP-Club/Members Only/Not- for-Profit) (Basement, 1st, Mezzanine, 2nd, 3rd, 5th Flrs.) (DJ) (Live Music-Piano, Light Jazz, Small Group Live Bands) (Patron Dancing) (Security Personnel) (Rooftop) (laid over)**

**Whereas**, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022 the Applicant requested **to layover** this application to March/2022 seeking to enter into additional discussions with the surrounding community which was opposed to this application in light of the significant impacts on that community subject to the public interest standard, the Applicant and his

Counsel affirming that they will not submit this alteration 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 to **Jane St. Social Club, Inc. d/b/a SVB NYC, 113 Jane 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 48 Board members in favor.

**29. SVB NYC, LLC d/b/a The Jane Hotel, 113 Jane St. 10014 (OP-Hotel-Restaurant) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 4, 2022, the Applicant **withdrew** this application from consideration and did not appear;

**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 **SVB NYC, LLC d/b/a The Jane Hotel, 113 Jane 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 48 Board members in favor.

**30. L. Johnson on Behalf of an Entity TBD, 86 Bedford St. 10014 (OP-Restaurant) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022 the Applicant requested **to layover** this application to March/2022 affirming that they will not submit this alteration 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 to **L. Johnson on Behalf of an Entity TBD, 86 Bedford 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 48 Board members in favor.

**31. LLC to be Formed by Christopher Reda and Harry Sasho, d/b/a TBD, 271 Bleecker St. 10014 (RW-Restaurant) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022 the Applicant requested **to layover** this application to March/2022 affirming that they will not submit this alteration 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 to **LLC to be Formed by Christopher Reda and Harry Sasho, d/b/a TBD, 271 Bleecker 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 48 Board members in favor.

**32. Waverly Restaurant-Diner, Ltd. 385 6th Ave. 10014 (RW-Restaurant) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022, the Applicant requested **to layover** this application to March/2022 affirming that they will not submit this alteration 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 to **Waverly Restaurant-Diner, Ltd. 385 6th Ave. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 48 Board members in favor.

**33. RH NY Guesthouse, LLC & RH NY Guesthouse F&B, LLC d/b/a RH, 55 Gansevoort St. 10014 (OP-Hotel with Restaurant) (DJ-for Private Events Only) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022, the Applicant **withdrew** this application from consideration and did not appear; and,

**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 **RH NY Guesthouse, LLC & RH NY Guesthouse F&B, LLC d/b/a RH, 55 Gansevoort 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 48 Board members in favor.

**34. Nat's on 8th Street, LLC d/b/a TBD, 33 W. 8th St. 10011 (Transfer) (OP-Restaurant) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022 the Applicant **withdrew** this application from consideration and did not appear; and,

**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 **Nat's on 8th Street, LLC d/b/a TBD, 33 W. 8th St. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 48 Board members in favor.

**35. Chez Group, Inc. d/b/a TBD, 394 West St. 10014 (OP-Restaurant) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 3, 2022 the Applicant requested **to layover** this application to March/2022 affirming that they will not submit this alteration application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license to **Chez Group, Inc. d/b/a TBD, 394 West St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 48 Board members in favor.

## **TRAFFIC AND TRANSPORTATION**

### **1. Resolution in response to application for an NYU Shuttle bus stop on Lafayette St. at Great Jones St., SE corner.**

**Whereas** Community Board 2 Manhattan (CB2) reviewed an application from Academy Express L.L.C. for an NYU Shuttle bus stop to be located on the SE corner of Lafayette St. at Great Jones St., as part of its Route B that travels south of Washington Sq. Park, including from 721 Broadway, Broadway and Broome St., down to Lafayette btw. Franklin and White Sts., through Cleveland Pl. and Spring St. and back to 721 Broadway; and

**Whereas** several people who live and/or work in the neighborhood expressed their concern that the sidewalk at the SE corner of Lafayette St. at Great Jones St. (the site of the proposed stop) is exceptionally narrow and would not provide sufficient space to wait for and board the bus, and that introducing these activities would further limit pedestrian passage there that already is constrained (photos illustrating the obvious narrowness of the sidewalk also were presented); and

**Whereas** community members also observed that long queues of students are often seen waiting for the shuttle bus, requiring a wider sidewalk to accommodate these numbers; and

**Whereas** the sidewalk at the SE corner of Lafayette St. at E. 4th St., just one block north of the proposed location and directly in front of an NYU building, is substantially wider than the one at the SE corner of Lafayette at Great Jones St. and could more adequately accommodate more numerous waiting and boarding activities as well as passing pedestrians; and

**Whereas** people also observed that NYU shuttle buses frequently idle for longer than NYC's legally capped three minutes while waiting for passengers, rather than turning off their engines, producing emissions that pollute the air, seriously endanger people's health and waste fuel; and

**Therefore** be it resolved that CB2 does not support locating an NYU Shuttle bus stop on the SE corner of Lafayette St. at Great Jones St.; and

**Be it further resolved** that CB2 recommends installing the requested bus stop for the NYU Shuttle on the SE corner of Lafayette St. at E. 4th St. or exploration of other alternative sites; and

**Be it finally resolved** that CB2 urges NYU and Academy Express L.L.C. to take steps to ensure that NYU Shuttle bus drivers are educated about the harmful effects of emissions from idling and apprised of NYC law banning idling of over three minutes.

Vote: Unanimous, with 46 Board Members in favor.

### **2. Resolution expressing interest in and requesting a presentation on Neighborhood Loading Zones in CB2M, and recommending clarification of NLZ Guidelines.**

**Whereas** in December 2021, as enacted by the NYC Council, a new section 19-170.2 was added to the NYC Administrative Code that requires the NYC Dept. of Transportation (DOT) to install 500 loading

zones annually throughout the city. This was discussed at the 02/03/2022 meeting of Community Board 2 Manhattan's (CB2) Traffic and Transportation Committee; and

**Whereas** this new law follows up DOT's Neighborhood Loading Zone (NLZ) pilot program that has been conducted since 2018 in an effort to address and alleviate conditions arising from ever-growing e-commerce deliveries<sup>1</sup> and their excessive double parking, such as blocked bicycle and bus lanes, heavily congested streets (resulting in air and noise pollution), time costs from traffic backups, impeded and unsafe curbside access, fuel waste, and emergency vehicle delays; and

**Whereas** in accordance with the new law's provisions to establish such loading zones and a methodology for siting them, DOT is firming up and extending a permanent NLZ program to reduce double parking on narrow residential streets by providing curb space for: (1) package deliveries by commercial vehicles; (2) taxi and car service pick-ups and drop-offs; and (3) active loading and unloading of personal vehicles.<sup>2</sup> Areas with large residential buildings where hundreds of people can make use of these facilities are favored for installation<sup>3</sup>; and

**Whereas** during the pilot project, it was found that double parking decreased on corridors with NLZs from 10% to 70%.<sup>4</sup> A constituent who works in CB2 and lives in Jackson Heights, marveled at the efficiency of NLZs in her neighborhood in preventing double parking on narrow streets, where "delivery vehicles are able to pull in, do their delivery and drive off quickly"<sup>5</sup>; and

**Whereas** many constituents expressed considerable confusion about guidelines for the NLZ program and asked for more and clearer details, for example:

- Although 25 ft. to 40 ft. zones seem to be typical (no more than one or two of these per block), DOT literature indicates NLZs of as many as four or five blocks to 16 blocks, suggesting a need for clearer definition and nomenclature.
- Aside from the large residential building and narrow street preferences, flexibility to allow for NLZs in other configurations, such as on wider thoroughfares or streets with predominantly low-rise and/or mixed-use structures and many residents (common in CB2 and where NLZs are expected to be requested), is hinted at, but not elucidated.
- Hours of operation need to be defined - are they the same for all locations or do they vary and in what circumstances? Do some apply in the nighttime as well as daytime?
- Can NLZs be applied with or instead of Open Restaurants or Citi Bike stations? Do any of these curbside uses take precedence, when and why?; and

Whereas concern has been voiced about the need for enforcement to ensure that vehicles do not use NLZs for regular parking (as some have observed has taken place at times during the pilot). The promising new partnership between DOT and the NYC Police Dept. (NYPD) for safer intersections might be applied as well for managing NLZs; and

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<sup>1</sup> "New York City residents receive an average of 2.3 million packages per day ..... Household deliveries now outpace those to businesses," José Holguín-Veras, Director of Rensselaer Polytechnic Institute's Center of Excellence for Sustainable Urban Freight Systems, quoted in Ryan Deffenbaugh & Cara Eisenpress, "Inside the city's Wild West of package deliveries," *Crain's*, Dec. 20, 2021.

<sup>2</sup> <https://www1.nyc.gov/html/dot/html/motorist/nlz.shtml>

<sup>3</sup> Ibid.

<sup>4</sup> New York City DOT, *Neighborhood Loading Zones (NLZ), Freight Mobility*, Spring 2021, p. 6.

<sup>5</sup> Cordelia Persen, Executive Director, NoHo BID, NYC, Feb. 3, 2022.

**Whereas** for the past two years, CB2 has requested that DOT conduct a study of curbside access in our district including identifying areas for potential loading zones for goods and people working in concert with the community<sup>6</sup>, and in response, DOT has expressed interest in including CB2 in the NLZ program; and

**Whereas** DOT has indicated they're seeking to scatter NLZs throughout the community, and a comprehensive look is necessary in view of the many curbside uses that take place, the need to achieve an appropriate balance, and the goal to service the whole area;

**Therefore be it resolved** that CB2 fully supports the NLZ program and recognizes its potential to help reduce double parking and other unwanted standing behaviors that obstruct street and sidewalk access, thereby providing a safer street environment for all users; and

**Be it further resolved** that CB2 urges DOT to further clarify NLZ guidelines by specifying details on such matters as hours of operation, NLZ sizes, criteria for locating NLZs, delineation of continuous NLZ areas, and conditions allowing variations from standard requirements, in other words, to define clear NLZ parameters and give specifics on how they apply in individual communities and their different neighborhoods; and

**Be it further resolved** that CB2 encourages DOT and NYPD to work together to conduct enforcement measures that prevent drivers from occupying NLZs for parking other than brief loading/unloading or drop-off/pick-up activities, whether through traffic enforcement agents or by employing technology, such as camera installations, or both; and

**Be it further resolved** that CB2 welcomes the prospect of participating in the NLZ program and working with DOT on outreach to the community and discussion, evaluation and implementation of applicable NLZ installations; and

**Be it further resolved** that CB2 requests that DOT present an overview of the NLZ program to the CB2Traffic and Transportation Committee, including a clear and extended definition of program parameters and allowable variations, details on successful applications of the program, and illustrations of those applications; and

**Be it finally resolved** that CB2 asks that the need for NLZs be observed holistically toward ensuring a comprehensive and balanced distribution.

Vote: Unanimous, with 46 Board Members in favor.

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<sup>6</sup>Community Board No. 2 Manhattan, *Resolution requesting a study, including test applications and evaluations, of curbside access for package deliveries by commercial vehicles, taxi and car service pick-up and drop-off, and loading and unloading of personal vehicles inCommunity Board 2, Manhattan, with selection of test areas based on community input*, Feb. 2020.

Respectfully submitted,

Eugene Yoo

A handwritten signature in black ink, consisting of a stylized 'E' followed by a long horizontal stroke that curves slightly upwards at the end.

Secretary  
Community Board #2, Manhattan