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

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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COMMUNITY BOARD NO. 2, MANHATTAN
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NEW YORK, NY 10012-1899
www.cb2manhattan.org
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Greenwich Village ❖ Little Italy ❖ SoHo ❖ NoHo ❖ Hudson Square ❖ Chinatown ❖ Gansevoort Market

FULL BOARD MEETING AGENDA

DATE: Tuesday, April 26, 2022
TIME: 6:30 PM
PLACE: Via Video-Conference (with an in-person option in the CB2 conference room)

I. ATTENDANCE

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

III. ADOPTION OF AGENDA

IV. REPORTS TO THE PUBLIC

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

BUSINESS SESSION

V. APPROVAL OF THE MARCH MINUTES

VI. STANDING COMMITTEE REPORTS AND OTHER BUSINESS

1.	Landmarks	Chenault Spence
2.	Human Services	Susanna Aaron
3.	SLA Licensing	Robert Ely/Donna Raftery
4.	Quality of Life	William Benesh
5.	Land Use & Housing	Frederica Sigel
6.	Traffic & Transportation	Shirley Secunda
7.	Schools & Education	Patricia Laraia
8.	Arts & Institutions	Robin Rothstein/Mar Fitzgerald

VII. NEW BUSINESS

VIII. ADJOURNMENT

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May 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	**2** QUALITY OF LIFE	**3** SLA LICENSING 1	**4** PARK/WATERFRONT	**5** TRAFFIC & TRANSPORTATION SLA LICENSING 2	**6**	**7**
8 Mother's Day	**9** SCHOOLS & EDUCATION	**10** BYLAWS (5:30am)	**11** LAND USE	**12** LANDMARKS	**13**	**14**
15	**16**	**17** EXECUTIVE	**18**	**19** FULL BOARD	**20**	**21**
22	**23** ARTS & INSTITUTION	**24** EQUITY, RACE & JUSTICE	**25** ECONOMIC DEV. & SMALL BUSINESS	**26** HUMAN SERVICES	**27**	**28**
29	**30** Memorial Day	**31**	**REOPENING WG?**			

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LANDMARKS & PUBLIC AESTHETICS COMMITTEE

The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held its April meeting on April 12, 2022, by video conferencing.

Committee Members Present: Chenault Spence (Chair), Susan Gammie (Vice-Chair), Valerie De La Rosa, Brian Pape, Anita Brandt, Bo Riccobono
Board Members Absent with Notice: Mostafa Osman, Eugene Yoo
Board Members Absent without Notice:
Public Members Present: Albert Bennett, Andy Clark
Public Members Absent with notice:
Board members: Carter Booth, Donna Raftery

1. *224 Waverly Pl. – The application is to modify the ground floor windows and doors, modify the staircase roof, and to modify the fire escape, and add ductwork on the north facade.

Whereas:

A. The goal of the renovations is to make the theater accessible and more inviting; and

B. The current condition has a curb step up at the street entrances and the theatre is accessed by a flight of stairs only; and

C. An elevator is to be installed in an adjacent area through a new, grade level entrance in the center bay; and

D. The historic style proposed door is centered in the building, and conforms to the existing original openings pattern and the existing window will be moved to the existing position of the door; and

E. A new duct runs up the north wall of the second story, the access door is modified; and certain mechanical equipment will be replaced with smaller units; and

F. The duct and mechanical equipment will be painted or modified to blend into the existing finish of the north facade and though visible, is not objectionable; and

G. At side entrance, the pitch of the roof is raised (while still maintaining the existing peak) to accommodate an accessible toilet; and

H. There are two signs in frames, one beside each door, and a 11' tall banner, 10' off the ground, beside the entrance door; now

Therefore be it resolved that CB2 Manhattan recommends approval of this sensitive modification that provides accessibility to this distinguished building for a valued Off-Broadway company, that results in a symmetrical classical facade.

Unanimous

2. ***770 Broadway – Application is to install new signage and new emergency back-up generator at roof and new cooling towers.**

Whereas:

A. There are five gold script signs highlighted in dark green with interior halo lighting in the transom of assorted bays on the east and south facades with a medallion sign over the entrance; and

B. There are panel signs showing products and information in two east bays on 9th Street and four in the northern bays on 4th Avenue; with a substantial margin of clear glass providing visibility into the store; and

C. The southeast corner cooling tower is positioned to be as unobtrusive as practical, is masked, and is shorter than the adjacent penthouses and is visible from a distance which is not objectionable; and

D. The north-west generator is not taller than other equipment behind it and is minimally visible from a distance which is not objectionable; now

Now therefore be it resolved that CB2 Manhattan recommends:

A. Approval of the panel signs provided that they do not have advertising for particular products and that there is a substantial margin of clear glass around each sign.

B. Approval of the lighted signs and the rooftop equipment

Unanimous

3. *163 Bleecker St. – Application is to renovate the existing two-story structure with new mezzanine, raised second floor level, and new exterior façade.

Whereas:

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A. The three story building is to occupy the site of a burned out one story building; and

B. The ground floor is light colored masonry with a plate glass public entrance and solid door office entrance and the upper floor façade is made up of dark vertical aluminum cladding with large multi-pane windows; and

C. The vertical thrust, the large amount of glass, the materials and the overall design has no relationship to the historic character of the district and the building is an alien intrusion on the streetscape; and

D. The marquee is without precedent in the district -other than a theatre, is assertive, and has no relationship to the building; and

E. The modern style neon signs immediately behind the windows on the second and third stories become the central focus of the building, are not historic, and there is no recorded approval of new neon signs in the district which historically only has them on diners and similar establishments; and

F. The applicant stated that the signs are only an "idea" and made it clear that this is an incomplete application in this and several other respects and when the applicant was questioned about this and several other details the answers were vague; and

G. The overall impression of the building is one without historic reference, it bears no relationship to the historic music clubs and cabarets in the district which are traditionally found in modest buildings; and

H. There was public testimony opposing the design of the building, now

Therefore be it resolved thatCB2 Manhattan recommends:

A. That this application be denied for missing vital details and as a totally unacceptable concept and design for the district and the streetscape; and

B. That a new design be brought to the community board that is in harmony with the historic district and with the streetscape.

4. *24 Commerce St. – Application to reconfigure the rear roof with a large dormer window.

A. The rear door dormer will be demolished and the rear roof will be extended from the existing ridge to provide sufficient interior height for a room for 60% the width of the building; and

B. The roof shingles and cladding will match the existing and the windows will match the windows below; and

C. The extension is similar to 26 Commerce St. which was approved by the commission; now

Therefore be it resolved that CB2 recommends approval of the application.

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Unanimous

5. *31 Perry St. – Application is to renovate the existing four-story building with changes to the ground floor front, replacement of existing rear façade extension and new steel windows at rear (north) and side (east) facades.

A. The garage doors and curb cut will be reintroduced in the west side of the street level facade and a new column to match the existing column will create an entry area with a recessed paneled wood door all in dark brown; and

B. The rear facade is to be removed and the two lower floors will have large multi-pane windows and the upper floor are steel industrial punched windows with one blind window; and

D. The new, less deep rear extension with industrial windows is in the general style of other rear facade designs approved by the commission; and

E. The east lot line wall with historic narrow punched windows is proposed to have a solid brick ground floor, a large industrial steel window on the second floor and large punched double hung steel windows in the top two floors making it an important facade facing the garden of the neighboring property the design is assertive and transforms a lot line wall with small punched windows into a principal facade which has no historic precedent and is a distraction to the neighboring properties; and

F. The top floor is proposed to be floor to ceiling plate glass windows on all four sides and is minimally visible from a public thoroughfare; and

G. The glass penthouse is not in harmony with the building and the district and is a distraction to the surrounding properties, especially when lit in the evening; and

H. There was testimony from the public against the penthouse; now

Therefore be it resolved that CB2 Manhattan recommends:

A. Approval of the front facade provided that the restoration of the curb-cut is permitted; and

B. Approval of the rear facade; and

C. Denial of the east lot line wall of windows and that the windows be reduced in size and not more than the number of the existing and bricked up historic windows arranged in an orderly pattern; and

D. Denial of the penthouse as proposed and further recommends that it have a ratio of solid material to glass generally in line with similar approved penthouses and with a historic reference.

Unanimous

Respectfully Submitted,
Chenault Spence, Chair

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The Human Services Committee of Community Board No. 2, Manhattan held its regular monthly meeting on March 31, 2022, at 6:30pm by Zoom videoconference

Committee Members Present: Susanna Aaron, Chair; William Benesh, Keen Berger, John Paul DeVerna, Wayne Kawadler, Ryder Kessler
Committee Members Absent With Notice: Ritu Chattree, Adam Zeldin
Committee Members Absent Without Notice:
Other CB2 Members Present: Jeannine Kiely, Chair; Carter Booth, Michael Levine, Matthew Metzger, Donna Raftery, Lois Rakoff, Frederica Sigel, Antony Wong
CB2 Staff Present: Bob Gormley, District Manager
Public Members Present: Rachel Yarmolinsky

Agenda Public Session: Presentations by Greenwich House

1. ***Update to its contract with NYC Department for the Aging and shifts in its model of service.**
2. ***Update on work it has done with the Washington Square Park Working Group and request for funding to extend the program.**

Business session: Discussion of homeless shelter planned for **231 Grand Street.**

Greenwich House (GH) representatives included Darren Bloch, Executive Director and CEO; Judy Levin, Director of Older Adult Services; and Laura Langner, Chief Service Officer.

REPORT: SHIFTS IN GREENWICH HOUSE'S SERVICE MODEL
In the interest of encouraging innovative approaches to services for older adults, in the fall of 2020 NYC's Department for the Aging (DFTA) issued a new Request for Proposals (RFP) for older adult centers.

Greenwich House is the principal provider of older adult services in Community Board 2, Manhattan. It operates one center on Independence Plaza in lower Manhattan and three centers in CB2: Our Lady of Pompeii on Bleecker Street; Center on the Square on Washington Square North; and the Judith C White Center (JWC) on Barrow Street. Its new DFTA contract, signed in December of 2021, allows GH to now distribute its programming across the network of its facilities, offering complementary services in each rather than duplicating them throughout.

After meetings with its advisory committee, GH made some shifts:

-GH is expanding to five centers, with a new one at Westbeth Artists Housing. GH was already providing a case manager there from Monday through Friday, along with a mental health clinic. A full center will allow GH to bring in different services, such as tax preparation and legal services – along with recreational programming. GH will not use the Community Center but rather will use the I Building (sp?).

-JCW will now be dedicated to building up professional skills and supporting workforce connections. The kitchen has been closed for meals and will be used for educational purposes.

-JCW and Westbeth are both closed for renovations to adapt the spaces to the program's needs. Staff and members are moving across the centers while JCW is closed.

-Meals are now delivered by the same caterer to all the centers in the network. Congregate meals will be offered as well as grab-and-go meals.

-There is no charge for membership or meals.

GH is also pursuing the possibility of providing transportation among its centers.

Bloch: "Greenwich House averages about 2,000 registered members each year. Given that our district roughly has somewhere between 10,000 and 20,000 adults 65 and older…we should be creating spaces that are welcoming to newcomers of all types…It's important to make sure that that the spaces we create are as inviting and supportive for members who might have done well in their lives, and figured out retirement, as well as those who are struggling economically and continue to live in or near poverty or have special social or health needs."
He noted that, overall, the District Profile of CB2 shows strong outcomes in health, economics, and education, but there are "still pockets of need everywhere."

<u>RESOLUTION IN FAVOR OF ADDITIONAL FUNDING TO GREENWICH HOUSE TO CONTINUE ITS OUTREACH IN WASHINGTON SQUARE PARK</u>

WHEREAS:

1) As the Covid-19 pandemic appeared to fade in the Spring of 2021 and public spaces in the city became reactivated, Washington Square Park saw an increase in harmful behaviors, including incidents of assault; people camping in the park overnight; drug use in the park and in the comfort stations; drug overdoses, and more; and

2) In response to concerns over these conditions, then-Manhattan Borough President Gale Brewer assembled a task force to increase outreach in the park by social service providers. Among these efforts were needle sweeps, homeless outreach, substance abuse outreach, and more, with particular emphasis on employing peer counselors to gain acceptance in the street community; and

3) Greenwich House accepted the role of organizing of these 12-odd groups, which included representatives from CB2 and from several city agencies along with numerous social service not-for-profit organizations. It worked to coordinate outreach schedules among the service providers so as to provide a continuous presence in the park throughout the week; and

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4) With minor exception, none of the groups involved received additional funding for this work. Rather, each one redirected its program to fulfill this role within its existing budget; and

5) A casualty of the lack of extra funding was that little data was collected on the efficacy of this program. It is unclear to what extent additional outreach has produced its intended results, which consist of individuals accepting services, lives improved, and less anti-social behavior in Washington Square Park. Hence, while this model of outreach is a promising model, it is not yet an evidence-based model.

THEREFORE, BE IT RESOLVED THAT COMMUNITY BOARD 2, MANHATTAN

1) Supports funding to continue the work of Greenwich House and other social service providers to target outreach specifically to Washington Square Park, provided that any grant or contract require the collection of data to prove efficacy; and

2) Requests that a specific time frame be defined for testing this model of service, after which the program will be evaluated for efficacy to ensure that this allocation of funds is yielding outcomes that make it worthwhile.

VOTE IN FAVOR: Unanimous

A RESOLUTION OPPOSING A DROP-IN CENTER WITH STABILIZATION BEDS AT 231 GRAND STREET

WHEREAS:

RECORD OF MEETINGS

1. The Human Services Committee of Manhattan Community Board 2 (CB2) has held and participated in a series of meetings to discuss the proposed establishment of a Drop-In Center with Stabilization Beds at 231 Grand Street in the neighborhood of Chinatown, to be operated by the non-profit organization Housing Works (HW), with more details of such meetings to be provided below; and

2. The first of such meetings was a presentation by HW to the Human Services Committee of CB2 by HW and attended by representatives of NYC Department of Social Services / Department of Homeless Services (DSS/DHS) on February 24, 2022, and which included public comment; and

3. The second of such meetings was CB2's Full Board meeting on March 24, 2022, at which additional public comment was heard[1]; and

[1] https://youtu.be/j5UD0-LTASM

4. The third of such meetings was the CB2 Human Services Committee meeting on March 31, 2022, at which a business session was held to discuss the writing of a resolution regarding the proposed shelter; and

5. A written copy of the presentation by Housing Works and Charles King, its Chief Executive Officer and Co-Founder, can be accessed below as well as on the CB2 website, which also includes a full report from the February 24 meeting; and

    - https://cbmanhattan.cityofnewyork.us/cb2/committee-materials/human-services/
    - English:https://drive.google.com/file/d/1bnpmbszEaYXA1mc9Wd3_LxdPeCVIk2_D/view?usp=sharing
    - Traditional Chinese Characters (for Cantonese Speakers): https://drive.google.com/file/d/1K4c47WKvlnNNGqJK3uAM9JwvPs7_sDVC/view?usp=sharing
    - Simplified Chinese Characters (for Mandarin Speakers): https://drive.google.com/file/d/1K8KEJPLS0B7rza2Wr5-AHU1Q7pMWu4Fm/view?usp=sharing

BACKGROUND ON HOUSING WORKS[2]

6. Housing Works (HW) is a non-profit organization founded in 1990 to address homeless among people living with HIV, with the distinction of being the first organization in the United States to house homeless people without regard to their use of drugs in a supportive housing environment, and currently serving over 15,000 low-income New Yorkers including 2,000 people with HIV; and

7. HW's current services include a Federally Qualified Health Center (FWHC) operating five clinics in Brooklyn and Manhattan, as well as over 700 units of supportive housing operated under harm reduction principles that do not prohibit possession of drugs or alcohol, and supportive services which include case management, substance abuse treatment, mental health care, and job retraining; and

8. HW's clientele largely consists of groups which have historically been the subject of marginalization or discrimination, with a client base that is 51% black and 21% Hispanic, nearly 100% at or below the poverty line, 33% which have a history of incarceration, 33% which identify as LGBTQ, 51% which have diagnosed mental health issues, and 26% of which are active substance abusers; and

DESCRIPTION OF THE PROJECT AND SITE

9. 231 Grand Street is located on the corner of Bowery and Grand, within both the Chinatown Business Improvement District (BID) and the broader Chinatown

[2] https://www.housingworks.org

neighborhood, and currently consists of an 8-story building which is zoned C6-1G and has an estimated gross floor area of 48,911 sf.[3]; and

10. The building at 231 Grand was formerly the Best Western Hanbee Hotel, which was recently used for non-congregate housing for the homeless during the COVID-19 pandemic from Spring 2020 to Summer 2021, and is currently vacant; and

11. Current activity on the block surrounding 231 Grand consists of a number of senior street vendors selling food, a day care across the street, and businesses including a pharmacy, bank and bakery; and

12. Pending approval of the budget and contract by NYC, HW has stated an intention to open this facility by late Spring, 2022, the building having been recently renovated and in good condition; and

13. As noted on the agenda of the March 10, 2022, Public Hearing of the Mayor's Office of Contracts, "The contract term shall be from March 1, 2022 to June 30, 2027 with one three-year renewal option from July 1, 2027 to June 30, 2030. The contract amount will be $63,762,100. CB2, Manhattan. E-PIN #07122P0011001"; and

14. HW intends the site to consist of **a 1) Drop-in Center** and **2) Stabilization Beds** for unsheltered homeless adult men and women, consisting of over 50 "drop-in" chairs and 94 stabilization beds, and an outdoor deck for smoking; and

15. The model is considered the first of its kind and will be evaluated by DSS/DHS for outcomes; and

16. As with all new shelters in New York City, a "Fair Share" analysis is required to be completed prior to opening the shelter which is required to examine conditions by 400-ft, 1000-ft, and 1/2 -mile radius as well as by Community District.; and

17. Although the site is located within Community District 2, which currently has no homeless shelters, the neighborhood of Chinatown currently hosts shelters in Community Districts 1 and 3, with an additional shelter in development in Community District 3; and

OVERVIEW OF THE DROP-IN CENTER

18. The Drop-In Center is intended to be a 24/7/365 walk-in facility providing meals, shower, changing rooms, and laundry to homeless adult men and women, with 50-or-so lounge chairs available but no beds; and

19. The Drop-In Center will offer a host of services aimed at long-term wellness, with staff including a housing placement specialist, social workers, medical and psychiatric nurse

[3] http://maps.nyc.gov/doitt/nycitymap/

practitioners, and access to telehealth, and with on-site staff which speak English, Mandarin, Cantonese and Spanish; and

20. The facility will follow a "harm-reduction" model, which means that visitors will not undergo checks for illegal substances, with such design intended as a "low-threshold" program in order to reduce barriers to entry and to entice individuals toward receiving social services; and

21. HW will hire peer outreach workers, including from Chinatown, to conduct street outreach in the area and raise awareness among the homeless population regarding the existence of the Drop-In Center; and

OVERVIEW OF THE STABILIZATION BEDS

22. The proposed site will also consist of 94 "stabilization" beds, designed for use by adult men and women who have been living without shelter and have refused the traditional shelter that New York City provides, by law, to anyone who requests it; and

23. Candidates will be referred to the stabilization beds from outreach teams from both the Manhattan Outreach Consortium[4] as well as from HW's owned trained peer outreach workers, and will focus on working in a catchment area that will include Sara D. Roosevelt Park to the east and Washington Square Park to the west but that will seek to cover all nearby areas of need; and

24. Housing Works will be expected, by contract with DSS/DHS, to transition these clients to permanent housing within a period of twelve months; and

25. Similar to the Drop-In Center, the model for use of the stabilization beds is intended to be flexible and "low-threshold," with the baseline criteria for eligibility to a stabilization bed being evidence of living on the street; and

26. Given the site's proximity to facilities serving children, sex offenders with residential restrictions would not be permitted to reside at 231 Grand Street[5]; and

THE NEED FOR SHELTERS IN NEW YORK CITY

27. The need for additional homeless shelters in New York City is well-established, with the City currently operating an "Open RFP" program for the establishment of new shelters; and

[4] https://goddard.org/programs/fighting-homelessness/homelessoutreach/

[5] For more information about regulations concerning sex offenders, view CB2's report at https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2021/10/09-September-2021-Human-Services-Minutes-on-Sex-Offenders.pdf. Additional information is available through the NY State Senate at https://www.nysenate.gov/legislation/laws/EXC/A12-B . The sex offender registry can be accessed at https://www.criminaljustice.ny.gov/nsor/

28. As a right-to-shelter city, NYC's DSS/DHS is required by law to provide shelter to any individual who seeks it; and

29. The current population in the city's shelter system is approximately 48,413, including 15,057 children,[6] and a vacancy rate in 2018 of 1.5% vs. a goal of 3%[7]; and

30. Approximately 2,376 additional individuals were living on the city's streets on January 26, 2021[8]; and

CONDITIONS AND CHALLENGES IN CHINATOWN DURING AND FOLLOWING THE COVID-19 PANDEMIC

31. The proposed 231 Grand Street Shelter would be located within both the Chinatown BID and the greater Chinatown community, which has experienced a unique and varied set of challenges in the years following the COVID-19 pandemic; and

32. Such challenges include a significant increase in crime targeting Asian-Americans, with a 361% increase in anti-Asian hate crimes recorded in 2021 in New York City according to the NYPD[9], and the group Stop AAPI Hate recording over 1,700 hate incidents towards Asian-Americans in the state of New York from March 2020 through December 2021[10]; and

33. The overall increase in crime has included a number of specific horrific and tragic crimes which have recently been committed against Asian-Americans, including the murder of Christina Yuna Lee in her Chinatown apartment on Chrystie Street in February 2022; and

34. These incidents have led to an increased environment of fear amongst residents of Chinatown, with a recent survey indicating that 75% of Asian seniors in New York City are afraid to leave home due to the rise in attacks on Asian-Americans[11] and hundreds of residents lining up on the street in Chinatown for pepper-spray giveaways[12]; and

[6] https://www.coalitionforthehomeless.org/wp-content/uploads/2022/03/NYCHomelessShelterPopulationCharts1-2022.pdf

[7] https://www.coalitionforthehomeless.org/state-of-the-homeless-2018/

[8] https://www1.nyc.gov/assets/dhs/downloads/pdf/hope-2021-results.pdf

[9] https://www.nbcnews.com/news/asian-america/nypd-reports-361-percent-increase-anti-asian-hate-crimes-last-year-rcna8427

[10] https://stopaapihate.org/wp-content/uploads/2022/03/22-SAH-NationalReport-3.1.22-v9.pdf

[11] https://www.amny.com/news/asian-seniors-terrified-to-leave-homes-amidst-hate-crime-spate-study-finds/

[12] https://www.cbsnews.com/newyork/news/chinatown-free-pepper-spray/

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35. This increase in crime and fears for safety has been accompanied by economic hardship as well, with an increase of 6,000% in Asian-Americans in New York state filing for unemployment at the beginning of the pandemic, more than three times the rate of the general population[13]; and

36. This economic hardship has further led to fears around survival of the Chinatown culture community, highlighted by the closure of iconic establishments such as Jing Fong in 2021, one of 17 restaurants in Chinatown that had already closed permanently by March 2021 as a result of the pandemic[14]; and

37. Augmenting such challenges and hardships faced by Chinatown in the last two years, there is a sense that the concerns of the community have not been adequately addressed by elected officials given that Chinatown straddles multiple Community Districts as well as multiple existing and proposed NY Congressional Districts[15]; and

OUTPOURING OF OPPOSITION

38. Amid this current environment within Chinatown, the community has expressed unprecedented and sustained opposition to the proposed 231 Grand Street shelter, which is seen by many in the community as an unfair burden to be placed on the Chinatown neighborhood at this time given both the economic and safety-related issues currently facing the community, with this opposition being expressed to CB2 on multiple occasions as outlined below; and

39. CB2's Human Services Committee videoconference on February 24, 2022, was attended by over 200 people, with comments heard from over 20 attendees plus scores of comments in the Chat section of the Zoom meeting; and

40. CB2's Full Board videoconference on March 24, 2022, was attended by over 400 people , with comments heard from 65 people (including elementary school students) during a four-hour public session, with all comments except two being in opposition to the plan; and

41. The office of CB2 received over 3,600 postcards collected from Susan Lee, a Tribeca resident representing New Yorkers for Downtown Recovery, which were signed by "residents, merchants, patrons and visitors of Chinatown" expressing "outrage" at the proposed shelter; and

[13] https://www.theguardian.com/us-news/2021/sep/05/new-york-chinatown-11-september-covid-19-crisis

[14] https://www.nytimes.com/2021/03/10/nyregion/chinatown-restaurant-closures-coronavirus.html

[15]https://newyork.redistrictingandyou.org/?districtType=cd&propA=current_2012&propB=congress_latfor_20220202&opacity=2#%26map=13.49/40.72239/-73.98988/30

42. CB2 additionally received approximately thirty emails in opposition, as well as two emails in support; and

43. The public comments heard and received by CB2 centered on a number of key issues and areas, as further outlined below; and

44. One such area was the feeling that the Chinatown community is saturated with conditions that degrade quality of life, with the public speaking of a "steady deterioration of quality of life" and asking for balance when placing shelters throughout the city; and

45. Other concerns centered around the rise in anti-Asian hate crimes and the accompanying heightened fear and anxiety in the neighborhood, as noted in points 32-34 of this resolution, with business owners speaking of closing their businesses early to prevent employees' having to walk or commute home after sunset, and many commenters expressing their belief in a connection between crime and homelessness and describing encounters with homeless individuals; and

46. Others expressed concerns that a new shelter would add to an already existing issue with drug use and drug dealing, particularly in nearby Sara D. Roosevelt Park; and

47. Others noted concerns around mental illness among the homeless and were worried about increased encounters with mentally ill individuals on the street; and

48. Commenters further noted that they felt that the above Quality-of-Life concerns had been borne out during the time that 231 Grand served as a temporary shelter during the COVID-19 pandemic with instances of harassment and encounters with mentally ill individuals occurring near the shelter during this time; and

49. Others noted concerns that the proposed shelter would contribute to the already difficult economic conditions in Chinatown, and;

50. Other commenters specifically pointed to the proposed plans by the City to demolish a pre-existing jail to construct a new borough-based jail in Chinatown, and believed that such a jail would be an undue burden to the community in addition to the proposed shelter; and

51. Many commenters noted that there were already multiple existing shelters in Chinatown, as well as others currently in development, and that although the proposed 231 Grand shelter would be the first shelter open in CB2, there are already "6 shelters in the Chinatown area" and several others proposed; and

52. Many noted the division of Chinatown amongst three community districts (as noted in point 37 of this resolution) and felt the City had applied a "divide and conquer" strategy in order to site new shelters in the Chinatown area, with this feeling of neglect from the City amplified by language barriers that exists with many Chinatown residents; and

53. An overall general concern noted was that the homeless to be housed in the proposed shelter would not be "from the neighborhood" and that the shelter would "bring more homeless into the area" from outside the neighborhood; and

54. The range of concerns culminated with a repeated call for CB2 and elected officials to listen to and respond to the concerns of the community by preventing the proposed shelter from opening at this location; and

ADDITIONAL SPECIFIC CONCERNS RAISED BY CB2 MEMBERS

55. In addition to the concerns and issues raised by community members, CB2 members also raised specific concerns relating to the process for siting and evaluating the proposed 231 Grand Shelter, with such concerns being outlined further below; and

56. Comments were made by CB2 members regarding the opacity of the process for developing the Fair Share Analysis, which is not shared with the general public and does not define precisely what a "fair" or "unfair" share is, and the question was raised as to why a "stripped down" version of the Fair Share report could not be provided to the public, especially given the many comments from Chinatown community members stating that the neighborhood was already shouldering its "fair share"; and

57. Further concerns were raised that the Fair Share Analysis does not take into account shelters which are in development but not complete, nor does it take into account facilities in development such as the proposed jail which might impact quality of life, both of which possibly provide a distorted view of the "fair share" given to Chinatown by the City and relevant agencies; and

58. Other concerns were raised over the lack of specific metrics to evaluate the success of the proposed shelter structure (Drop-in Center with Stabilization Beds), given that the facility is the first of its kind, and whether such metrics would include community impact measures such as crime and drug use; and

59. Further concerns were raised that DSS/DHS had not defined when the pilot program would be evaluated by them and what specifically would constitute program success, and whether the facility would be shut or redesigned if unsuccessful; and

60. Concerns were raised over whether the City would definitively close existing hotels currently being used as homeless shelters in Chinatown, which are slated to be closed in 2023; and

61. Many CB2 members expressed recognition of the need to continue building new homeless shelters in NYC but believed that the concerns of the Chinatown community were valid and that CB2 should lend its voice in order to amplify the voices of Chinatown, which have seemingly been unheard by the City and relevant agencies.

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THEREFORE BE IT RESOLVED that Community Board 2, Manhattan (CB2) recognizes both the legal obligation of New York City and the urgent need to provide shelter and services to the unhoused, as well as recognizes the positive work historically performed by Housing Works, but believes that in certain cases, **serious concerns** around equity and safety must be addressed before deciding to move forward with a specific site; and

BE IT FURTHER RESOLVED that in the case of the proposed shelter at 231 Grand Street, CB2 has **serious concerns** around the impact of COVID-19 and other factors in recent years on the Chinatown community, as well as a seeming lack of sufficient engagement between City officials and the Chinatown community; and

BE IT FURTHER RESOLVED that given these **serious concerns,** Community Board 2, Manhattan, **demands** the following actions be undertaken prior to the consideration of any other shelters within the Chinatown community, including the proposed shelter at 231 Grand Street; and

FAIR SHARE ANALYSIS

1. Analysis of facilities in development and extinction, in addition to shelters and other facilities currently in operation; and
2. Analysis of the impact of different types of facilities beyond shelters which are likely to have an impact on quality of life in Chinatown, such the new planned "mega jail" on White Street; and
3. A definition of "fair" concentration vs. over-saturation.

PROGRAM EVALUATION

4. NYC Department of Social Services and Homeless Services (DSS/DHS**)** must provide **written commitment** to the date when the shelter at 231 Grand Street, presented to CB2 as a pilot program, as well as any other proposed shelter, will undergo **program evaluation**; and
5. DSS/DHS must provide **written commitment** to the metrics that will be measured, and **include among those** impacts to the community, including crime, noise, trash, visible drug use, and other negative factors.

WIND-DOWN OF EXISTING HOTEL SHELTERS

6. DSS/DHS provide **written commitment** that the hotels within Chinatown currently serving as shelters will be closed by the end of 2023, as outlined in the DeBlasio administration's "Turning the Tide on Homelessness" and prior to the consideration of any new shelters in Chinatown.

RECOGNITION OF AND ENGAGEMENT WITH THE CHINATOWN COMMUNITY

7. Elected Officials including the Mayor's office and NYC agencies – including NYPD, DOT, DPR, DSNY, Small Business Services and more - acknowledge the deep impact of the COVID-19 pandemic and other factors on the Chinatown community, including increased hate crimes towards Asian-Americans and violence, crime and fears for personal safety, economic hardship, and a decline in the quality of life for many Chinatown residents; and that these entities make a deep and good faith effort to engage with the Chinatown community regarding issues of representation, safety, equity and Quality of Life. This should

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include safety and Quality of Life concerns regarding any of the identified shelters within Chinatown.

BE IT FINALLY RESOLVED that, given that the City has not yet made extensive general engagement or specific engagement on the topics identified above, Community Board 2 believes that the City **should not move forward** with the current proposed 231 Grand Street shelter consisting of a Drop-in Center and Stabilization Beds at this time.

FOR: 5 (Kwan-Arce, Benesh, Berger, DeVerna, Yarmolinsky)
OPPOSED: 3 (Aaron, Kawadler, Kessler)

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

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

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SLA LICENSING COMMITTEE 1

The SLA Licensing Committee #1 of Community Board 2, Manhattan, held a meeting at 6:30PM on Tuesday, April 5, 2022 at Community Board 2 Conference Room, 3 Washington Square Village, #1A and via Video Conference.

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

Other Board Members Present: Bo Riccobono, Valerie De La Rosa

RESOLUTIONS:

1. **No Skim Milk Corp. d/b/a Peperosso To Go, 130 West Houston St. aka 168 Sullivan St. 10012** (RW – Restaurant)

i. **Whereas,** the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 via video conference to present an application for a new Restaurant Wine License to operate an Italian restaurant in the below-grade ground floor of a non-conforming R7-2 zoned, four (4)-story, mixed-use building (c. 1900) on Houston Street between Sullivan and MacDougal Streets (Block #526/Lot #75) in Greenwich Village; and

ii. **Whereas,** the premises is approximately 2,250 sq. ft. on the ground floor and 750 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; the first floor being located below grade on Houston street side with several steps down from the Houston St entrance and there being interior steps in the middle of the premises going back up to the single story rear extension on the rear Sullivan Street entrance side of the ground floor which is at grade; there are six (6) tables and 32 seats; the premises has two (2) doors (one on Sullivan Street and one on Houston Street, the entry on Sullivan Street being at grade level) which will serve as patron ingress and egress and one (1) patron bathroom; and

iii. **Whereas,** the immediate previous tenant at this location was a fast-casual sausage restaurant called "Wurld's Wurst" with a restaurant wine license (SN #1317368) with closing hours of 11:00PM daily, windows and doors closed at all times and no outdoor seating; and

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iv. **Whereas**, the hours of operation will be from 11:00AM to 11:00PM Sundays through Saturdays (7 days a week); all doors and windows will be closed at 10:00PM every night; 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 a sidewalk café and roadbed seating operating under the temporary Open Restaurants; sidewalk seating consists of one (1) table and two (2) seats on Houston Street and five (5) tables with ten (10) seats on Sullivan Street, all tables and seats located adjacent to the building; roadbed seating not exceeding the business frontage on Sullivan Street with nine (9) tables and eighteen (18) seats; both the sidewalk café and roadbed seating will close no later than 10:00PM nightly; and

vi. **Whereas,** the Applicant has operated Pepe Rosso To Go at 149 Sullivan Street with a Restaurant Wine license (SN#843594) for over 20 years and is moving to this new location, the instant application following a similar method of operation, albeit with significantly more seating than the original location whose primary business was a "to-go" service; the applicant has also operated a number of other licensed premises with several located within CB2; and

vii. **Whereas**, members of the public and CB2, Man. SLA Committee members spoke in favor of the Applicant and the value of the establishment to the community over the years including that it was one of the few establishments open for take-out all through the Covid-19 pandemic; and

viii. **Whereas**, the concerns raised from adjacent residents and committee members being both the significant outdoor seating under the temporary Open Restaurants program on Sullivan Street, a relatively quiet residential-only zoned Street, and the Applicant's intention to use the Sullivan Street entry as the primary means of ingress and egress because of its location near the kitchen allowing for easy waitstaff service to the sidewalk and roadbed dining as well as allowing for handicap accessibility; previous Applicants having stipulated to no outdoor seating of any kind and to using Houston Street as the primary entrance to alleviate the concerns of adjacent residents; the Applicant agreeing to use Houston Street as the primary means of ingress and egress after 10:00PM which coincides with the end of outdoor service nightly; and

ix. **Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan 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 Italian restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 11:00AM to 11:00PM Sundays through Saturdays. No patrons will remain after stated closing time.
3. Will not operate a backyard garden or <u>any</u> outdoor area for commercial purposes except for a certified sidewalk café and roadbed seating operating under the temporary Open Restaurants program on Houston and Sullivan Streets. Sidewalk café is located

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immediately adjacent to the storefront with no more than one (1) table and two (2) patron seats on Houston Street and five (5) tables and ten (10) patron seats on Sullivan Street and roadbed seating not exceeding the business frontage of licensed premises on Sullivan Street with nine (9) tables and eighteen (18) patron seats.

4. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
5. Will have no more than one (1) television no larger than 32" for the staff. There will be no projectors and TV will operate in "closed caption" mode only without sound.
6. Will close <u>all</u> doors and windows at 10:00PM every night, allowing only for patron ingress and egress.
7. Will utilize Houston Street for patron ingress and egress after 10PM every night with exceptions for persons unable to use the stairs on Houston Street.
8. No patron occupancy/service to any portion of the basement of licensed premises.
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
15. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/ security personnel.
16. Any sidewalk or roadbed seating operating under the temporary Open Restaurants program ends by 10PM (all patrons will be cleared by this hour and area closed); no exterior music, speakers or TVs.
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 Community Board 2, Manhattan recommends **<u>denial</u>** of the application for a new Restaurant Wine Liquor License in the name of **No Skim Milk Corp. d/b/a Peperosso To Go, 130 West Houston St. aka 168 Sullivan St. 10012**, **<u>unless</u>** 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 in favor (9–0)

2. Serafina To Go 110 Uni, LLC d/b/a TBD, 110 University Pl. 10003 (New TW–Bar/Tavern) *(previously unlicensed)*

i. Whereas, a corporate representative of the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 via video conference to present an application for

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a new Tavern Wine Liquor License to operate a quick service Italian restaurant in the ground floor and of a C1-7-zoned, 23-story, mixed-use building (c. 2016) on the northwest corner of University Place and East 12th Street the building being located between 12th and 13th Streets (Block #570/Lot #7503), in Greenwich Village; and

ii. Whereas, the newly-constructed, previously-unlicensed ground floor storefront is approximately 1,800 sq. ft., there are 12 tables and 48 seats and one service counter with no seats for a total seated occupancy of 48 persons, the premises has one (1) door which will serve as patron ingress and egress and one (1) patron bathroom; and

iii. Whereas, the hours of operation will be from 10:00AM to 10:00PM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

iv. Whereas, there is a sidewalk café operating under the temporary Open Restaurants program with four (4) tables and eight (8) seats on University Place and six (6) tables with twelve (12) seats on East 12th Street, all tables and seats located adjacent to the building, all sidewalk seating will end at 10:00PM nightly; and

v. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new Tavern Wine License, with those stipulations as follows:

1. Premises will be advertised and operated as a quick service Italian restaurant with less than a full service kitchen but will operate with the full menu items available during all hours of operation.
2. The hours of operation will be 10:00AM to 10:00PM 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 premises to be operated in that manner
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront with no more than four (4) tables and eight (8) patron seats on University Place and six (6) tables and twelve (12) seats on East 12th Street. No roadbed seating.
5. Sidewalk café will close no later than 10:00PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
7. Will not have televisions.
8. Will close all doors and windows at all times.
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.

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12. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein
15. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/ security personnel.
16. Any sidewalk or roadbed seating operating under the temporary Open Restaurants program ends by 10:00PM (all patrons will be cleared by this hour and area closed); no exterior music, speakers or TVs.
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 Community Board 2, Manhattan recommends **denial** of the application for a Tavern Wine License in the name **Serafina To Go 110 Uni, LLC d/b/a TBD, 110 University Pl. 10003**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the NYSLA Tavern Wine Liquor License.

Vote: Unanimous in favor (9–0)

3. Entity to be Formed by Thomas Dunbar d/b/a TBD, 133 Mulberry St. 10013 (New Restaurant Wine)

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 via video conference to present an application for a new Restaurant Wine Liquor License to operate a gaming-themed restaurant that will serve Italian cuisine in the cellar of a R-2-zoned, six (6)-story mixed-use building (circa 1893) on Mulberry Street between Grand and Hester Streets (Block #236/Lot #7503), the building being located in the Special Little Italy District; and

ii. Whereas, the cellar premises has not previously been licensed as a separate establishment operating separately from the ground floor restaurant, the location previously having had a restaurant On-Premises Liquor License for many years under different licensees and under a different interior building configuration, the building having been significantly remodeled, the cellar space itself being operated as part of the ground floor premises; and

iii. Whereas, the premises is approximately 2,700 sq. ft. with 10 tables and 50 seats and one (1) bar with ten (10) seats for a total seated occupancy of 60 persons, the premises has one (1) door which will serve as patron ingress and egress, two emergency exits and and two (2) patron bathrooms; there is no access to other parts of the building; and

iv. Whereas, the Applicant's agreed to hours of operation are 5:00PM to 12:00AM Sundays through Thursdays and 5:00PM to 1:00AM Fridays and Saturdays; music will be quiet

background only consisting of music from iPod/CDs, there are no televisions, there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and

v. Whereas, the premises will feature collectible card-based games such as "Magic The Gathering" and will not operate as a reservation-only establishment and, while there may be occasions for highly-anticipated card releases that there will be some type of reservation for the pack of cards, the goal is to always have products on the shelves for patron participation; there will not be video or electronic games; the food will be Italian to honor the location of the premises and may be themed based on trending gaming interests; and

vi. Whereas, the Applicant was originally asking for closing hours of 2:00AM on Fridays and Saturdays, concerns being raised that the upstairs restaurant as well as other neighboring restaurants in addition to another neighborhood gaming café close at midnight or earlier, that the later hours could lead to more of a bar scene inside with potential loitering outside; the Applicant agreeing to a 1:00AM closing on Fridays and Saturdays and to no service of pitchers of beer; having provided petitions in support of the Application, the Applicant stating support from members of the condo board with full condo board support of the Application being received following the SLA1 Committee meeting; and

vii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan 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 gaming-themed restaurant that will serve Italian food based on trending gaming interests with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 5:00PM to 12:00AM Sundays through Thursdays and 5:00PM to 1:00AM Fridays through Saturdays. 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 <u>any</u> 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, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
6. Will not have any televisions.
7. Will ensure all IDs are checked prior to service of alcohol.
8. Will close <u>all</u> doors and windows at all times, allowing only for patron ingress and egress.
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.

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13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/ security personnel.
16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine License for an **Entity to be Formed by Thomas Dunbar d/b/a TBD, 133 Mulberry St. 10013**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the NYSLA Restaurant Wine License.

Vote: Unanimous in favor (9–0)

4. DOUP Partners, LLC d/b/a Museum of Women, 480 Broadway, 1st & 2nd Flrs., Cellar & Subcellar 10013 (New TW – Tavern Wine in a Museum) (Temporary Retail Permit) (Extended Summer Seasonal) *(previously unlicensed)*

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 via video conference to present an application for a Tavern Wine Liquor License to operate an extended seasonal pop-up 'museum' in the subcellar through 2nd floor of a five (5)-story (exclusive of cellar and sub-cellar), M1-5B-zoned mixed-used building (c. 1900, altered 2014) on Broadway between Grand and Broome Streets (Block #473/Lot #10), the building falling within the designated SoHo-Cast Iron Historic District; and

ii. Whereas, the four (4)-story, previously unlicensed premises includes a ground floor of 7,509 sq. ft., a second floor of 7,509 sq. ft., a cellar of 10,103 sq. ft. and a staff-only sub-cellar with no patron service or access of 5,790 sq. ft. for a total of 30,911 sq. ft. overall, the floors connected by an interior escalator; there are eight (8) tables with 30 seats, one (1) bar with eight (8) seats and two (2) couches with a three (3) seats each for a total of 44 seats in the ground floor café/lounge and an additional 50 seats for events in the 2nd floor event space; there is one entry serving as patron ingress and egress and five (5) bathrooms dispersed throughout the premises; there will be no sidewalk café or roadbed seating temporary or permanent; and

iii. Whereas, the seasonal license will run for one extended season ending on January 31, 2023; the hours of operation will be from 9:00AM to 11:00PM Sundays through Saturdays (7 days a week) with the service of alcohol ending at 10PM every night; all doors and windows will be closed at all times; music will be quiet background only; there will be no dancing, DJs, no

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scheduled performances outside of 2nd floor events, no exterior velvet ropes or movable barriers; and

iv. **Whereas**, the instant Application indicated hours of 9:00AM to 12:00AM 7 days a week with a last ticket sale of 9:00PM not anticipating guests staying later than 10:30PM with the requested Midnight closing hour for special events, during discussion at the CB2 Man.'s SLA Committee meeting the Applicant stated the last ticket sale would be 9:30PM, the 12:00AM closing enabling patrons on a regular basis to have drinks in the café/lounge after visiting the exhibits, this being in contradiction to the intent of the later closing hour indicated on the Application; and

v. **Whereas**, the instant Application included live music and entertainment volume levels with live music being for special events, the Applicant anticipating special events occurring one to two times per week but not producing any acoustic report regarding soundproofing of the premises, there being no outreach to the residents of the building, nor any other adjacent residents or block associations, noise being of particular concern to the 5th floor tenants in the building (the two residential units being rent-stabilized) citing an extensive history of previous music and noise complaints, there being no plans for new soundproofing provided, other local residents appearing raising issues with lines outside, sidewalk congestion, music, conformance with newly enacted zoning regulations, public safety and department of buildings regulations, the Committee having additional concerns for any tenants in adjacent buildings, the premises having been previously occupied by retail store Topshop with residents having previously complained of music and noise from their operations; and

vi. **Whereas**, the City Council modification to the SoHo/NoHo Neighborhood Plan which went into effect at the end of 2021 limits the size of eating and drinking establishments to 8,500 sq. ft., the instant Application being for 30,911 sq. ft. which, when eliminating the 5,790 sq. ft . sub-cellar with no patron use, far exceeds the sq. ft. limit for eating and drinking establishments; and

vii. **Whereas**, this application being seasonal in nature and limited to one season and being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule; the Applicant agreeing to no live music and background music only with closing hours of 11:00PM and service of alcohol ending at 10:00PM Sundays through Saturdays with events occurring on the 2nd floor only; the cellar and ground floor will be operated primarily as ticketed exhibit spaces with alcohol permitted in the delineated ground floor 44 seat café/lounge on a regular basis, but not being permitted in the exhibit spaces; and

viii. **Whereas,** despite the Applicant not doing any outreach to the community prior to appearing before CB2, Man. despite many of the community leaders being known to the Applicant's attorney, nor did the Applicant conduct a sound study of the premises, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Tavern Wine License thus mitigating many of the concerns of the Committee and the Community, with those stipulations as follows:

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1. Premises will be advertised and operated as a space dedicated to empowering women to define what it means to be a woman on their own terms with accessory café on the ground floor and 2nd story space for related events limited to 50 guests.
2. The hours of operation will be 9:00AM to 11:00PM with the service of alcohol ending at 10:00PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
3. Will operate with less than a full service kitchen, but will serve food during all hours of operation and during all events.
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 inclusive of all private parties or events.
7. Will work with an acoustic engineer to put a sound limiter in place and tested prior to opening to ensure music is at background levels only and that no unreasonable music or noise will be audible in any adjacent residences at any time.
8. Will not have televisions or projectors outside of the exhibit spaces on the ground and cellar floors and the event space on the 2nd floor.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Escalators will be used by employees and/or patrons for passage between all occupied floors (sub-cellar to 2nd floor) aside from any emergency situation.
11. No patron occupancy/service to any portion of the sub-cellar of licensed premises.
12. All events will take place on the 2nd floor with a maximum of 50 seated guests.
13. Alcohol service ends at 10:00PM nightly, inclusive of all events.
14. Will not serve or permit patrons to bring alcohol into the exhibit space on the ground or cellar floors. All food and alcohol consumption outside of events on the 2nd floor will take place at the seats in the bar/café area on the ground floor
15. Will stagger ticket entry times as needed to prevent any lines or crowds from forming outside on the sidewalk..
16. Will not install or have French doors, operable windows or open facades.
17. Will not make changes to the existing façade except to change signage or awning.
18. Will comply with NYC Department of Buildings Regulations and required Permits and Certificates.
19. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
20. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
21. Will not have any of the following: dancing, DJs, live music, scheduled performances outside of 2nd floor events, exterior velvet ropes or barricades.
22. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a Tavern Wine License in the name **DOUP Partners, LLC d/b/a Museum of Women, 480 Broadway 10013**, **unless** the statements presented by the Applicant are accurate and

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complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the NYSLA Tavern Wine Liquor License.

Vote: Unanimous in favor (9–0)

5. XEO Cantina, Inc. d/b/a TBD, 334 Bowery 10012 (OP – Restaurant) (Transfer)

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committees #1 via video conference to present an application for an On-Premises Liquor License to operate a modern Asian restaurant in the ground floor of a C4-5 zoned, eight (8)-story, mixed-use building (c. 1832) on Bowery between Great Jones and Bond Streets (Block # 530/Lot #38); and

ii. Whereas, the storefront premises is approximately 2,800 sq. ft. (2,200 sq. ft. ground floor restaurant and 800 sq. ft. basement, the basement not being for patron uses); the premises will have 16 tables with 44 seats, one (1) bar with eight (8) seats and one (1) noodle bar with two (2) seats for a total patron occupancy of 54 seats; there is one (1) entrance and two (2) exits and two (2) patron bathrooms; and

iii. Whereas, there is a sidewalk café and roadbed seating operating under the temporary Open Restaurants, the sidewalk café located adjacent to the building and consisting of four (4) tables and ten (10 seats) on Bowery; the roadbed seating consisting of seven (7) tables and twenty (20) seats not extending past the business frontage; all sidewalk and roadbed seating will end at 10:00PM; and

iv. Whereas, the Applicant's agreed to hours of operation are 12:00PM to 12:00AM Sundays through Thursdays and 12:00PM to 1:00AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CDs, there are no televisions, there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and

v. Whereas, the premises had been operated for the past year as a pizza restaurant known as Gia (SN#1333595), the operators of that restaurant being the landlord and a resident of the building, having opened the restaurant during the Covid-19 pandemic after the previous tenant, a pizza restaurant known as Sorbillo closed; the instant Application being a transfer of the restaurant assets with no substantive change in method of operation; and

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

1. Premise will be advertised and operated as a full service, modern Asian restaurant with the kitchen open and full menu items available until losing every night.
2. The hours of operation will be 12:00AM to 12:00PM Sundays through Thursdays and 12:00AM to 1:00AM Fridays and Saturdays. Premises will open no later than stated opening time and no patrons will remain after stated closing time.

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3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for a certified sidewalk café and roadbed seating operating under the temporary Open Restaurants program on Bowery. Sidewalk café is located immediately adjacent to the storefront with no more than four (4) tables and ten (10) patron seats and roadbed seating not exceeding the business frontage of licensed premises with seven (7) tables and ten (20) patron seats.
5. Sidewalk café will close no later than 10:00PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
7. Will not have televisions.
8. Will close all doors and windows at 10:00PM every night, allowing only for patron ingress and egress.
9. Will not make changes to the existing façade except to change signage or awning.
10. No patron occupancy/service to any portion of the basement of licensed premises.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein
15. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/ security personnel.
16. 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 restaurant On-Premises Liquor License for **XEO Cantina, Inc. d/b/a TBD, 334 Bowery 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 Liquor License.

Vote: Unanimous in favor (9– 0)

6. Capri Holdings Group, LLC d/b/a Mr. Capri, 33 W. 8th St. 10011 (OP–Restaurant) (Transfer)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a full-service Italian restaurant on the ground floor of a C4-5-zoned, five (5)-story mixed-use building (c. 1832) in the NYC Zoning designated Special

Limited Commercial District on West 8th Street between Fifth and Sixth Avenues (Block #572/Lot #60) in the Greenwich Village Historic District, and subject to special regulation on both counts; and

ii. Whereas, the 2,360 sq. ft. premises consists of 1,600 sq. ft ground floor storefront and a 730 sq. ft. basement connected by an interior staircase, patron use of the basement is for access to the one (1) patron bathroom, there is no additional patron seating in the basement, the basement being for storage, office and one (1) additional staff bathroom; there will be approximately 14 tables with 34 seats, one (1) bar with ten (10) seats and one (1) counter with five (5) seats for a total seated patron occupancy of approximately 49 patron seats; there is one (1) entrance serving as patron ingress and egress and one (1) additional patron bathroom on the ground floor; and

iii. Whereas, the agreed to hours of operation are 5:00PM to 11:00PM Sundays through Thursdays and 5:00PM to 1:00AM Thursdays through Saturdays; music will be quiet background only consisting of music from iPod/CDs, no music will be audible in any adjacent residences at any time; all doors and windows will be closed at all times; there will be no: dancing, DJs, live music, scheduled performances, cover fees or promoted events, televisions, velvet ropes or metal barricades, security personnel / door staff; and

iv. Whereas, despite the location's long-standing zoning restrictions precluding sidewalk cafés, there is a proposed sidewalk café operating under the temporary Open Restaurants located adjacent to the building and consisting of not more than three (3) tables and six (6) seats; there is also a small backyard that the operator has expressly stipulated will not be used for commercial purposes or other uses by either employees or patrons at any time; all sidewalk seating will end at 9:00PM Sundays through Thursdays and 10:00PM Fridays and Saturdays; and

v. Whereas, the Applicant met with the 8th Street Block Association prior to appearing at CB2 Man.'s SLA Committee meeting and reached an agreement on closing hours, a representative from the Block Association also speaking in support of the Application and the hours; and

vi. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Liquor License, with those stipulations as follows:

1. Premises will be advertised and operated as an Italian restaurant.
2. The hours of operation will be 5:00PM to 11:00PM Sundays through Thursdays and 5:00PM to 1:00AM Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically an Italian restaurant with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open

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Restaurants program located immediately adjacent to the storefront with no more than three (3) tables and six (6) patron seats. No roadbed seating

6. Sidewalk café will close no later than 9:00PM Sundays through Thursdays and 10:00PM on Fridays and Saturdays. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
7. Will keep door to back yard closed at all times. There will be no patron or employee use of the backyard at any time.
8. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.
9. Will not have televisions.
10. Patron use of basement is for bathroom access only. There will be no patron service in basement.
11. Will close all doors and windows at all times, allowing only for patron ingress and egress.
12. Will not install or have French doors, operable windows or open façades.
13. Will not make changes to the existing façade except to change signage or awning.
14. 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.
15. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
16. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
18. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.
19. Will abide by all stipulations agreed to between the applicant and West 8th Street Block Association.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a restaurant On-Premises Liquor License for **Capri Holdings Group, LLC d/b/a Mr. Capri, 33 W. 8th St. 10011 unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the NYSLA On-Premises Liquor License.

Vote: Unanimous in favor (9– 0)

7. Maison Close NYC, LLC d/b/a Pending, 15 Watts St., 10013 (OP–Restaurant) (Transfer)

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, 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 French restaurant located on the ground floor of a M1-5B-zoned, seven (7)-story mixed-use building (c. 1928) on Watts Street between Broome and Thompson Streets (Block #476 / Lot #62); and

ii. **Whereas,** the ground floor premises is roughly 2,000 sq. ft.; there will be 35 tables with 120 seats and one (1) bar with eight (8) seats for a total patron occupancy of 120 seats; there are two (2) entrances and three (3) exits and four (4) patron bathrooms; and

iii. **Whereas,** there is a sidewalk café operating under the temporary Open Restaurants located adjacent to the building consisting of 12 tables and 24 patron seats; all sidewalk seating will end at 11:00PM; and

iv **Whereas,** the agreed to hours of operation are 11:00AM to 12:00AM Sundays through Wednesdays and 11:00AM to 2:00AM Thursdays through Saturdays; music will be quiet background only consisting of music from iPod/CDs, no music will be audible in any adjacent residences at any time; all doors and windows will be closed at all times; there will be no dancing, DJs, live music, scheduled performances, cover fees or promoted events, televisions, velvet ropes or metal barricades, security personnel / door staff; and

v. **Whereas,** the premises being operated as Bice Cucina (SN#1322289) since 2019, the instant Application being a transfer of the restaurant assets with no substantive change in method of operation, the hours remaining the same, the interior seating being somewhat reduced and the exterior seating being the same number of seats; and

vi. **Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan 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 French restaurant.
2. The hours of operation will be 11:00AM to 12:00AM Sundays through Wednesdays and 11:00AM to 2:00AM Thursdays through Saturdays. All patrons will be cleared and no patrons will remain after stated closing time.
3. Will operate a full-service French restaurant with the kitchen open and full menu items available until closing every night
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront with no more than 12 tables and 24 patron seats. No roadbed seating.
6. Sidewalk café will close no later than 11:00PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs. No roadbed seating.
7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will not have televisions.
9. Will close all doors and windows at 11:00PM every night, allowing only for patron ingress and egress.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.

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12. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches."
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.
16. 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 **Maison Close NYC, LLC d/b/a Pending, 15 Watts 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 NYSLA On-Premises License.

Vote: Unanimous in favor (9–0)

8. Sum Yung Gai, LLC d/b/a Char'd, 17 E. 13th St., 1st & 2nd Fl. 10003 (New OP – Restaurant, pending SN#1336813)

i. Whereas, after circumventing Community Board 2's process for reviewing liquor license applications in order to provide a recommendation to the Liquor Authority, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #1 via video conference for a final time to present an application to the NYS Liquor Authority for an On-Premises Liquor License for a restaurant serving Asian cuisine with high-end cocktails located on the first and second floors of a C6-1-zoned, two (2)-story commercial building (c. 1910,altered 1985) on 13th Street between 5th Avenue and University Place (Block #571 / Lot #30); and

ii. Whereas, the premises encompasses the entirety of the building and is roughly 760 sq. ft. comprised of approximately 473 sq. ft. on the ground floor connected by an interior staircase to approximately 288 sq. ft. on the 2nd floor; on the ground floor there is a full-service kitchen, one (1) food counter with five (5) seats and on the 2nd floor there will be four (4) tables with eight (8) seats and one (1) bar with five (5) seats for a total patron occupancy of 18 seats; there is one entry serving as patron ingress and egress and one bathroom on the ground floor; there will be no sidewalk café or roadbed seating; and

iii. Whereas, the agreed upon hours of operation will be from 11:00AM to 12:00AM Sundays through Saturdays (7 days a week); 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 will be no dancing, DJs, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

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iv. **Whereas,** the premises previously operated as a French gourmet sandwich shop known as La Mansion du Croque Monsieur from 2012 to 2019 with a Restaurant Wine license (#1265139) and closing hours of 12:00 AM, 7 days a week; and

v. **Whereas,** the Applicant provided CB2, Man. with a 30-day notice in February/2021 for an On-Premises Liquor License, was placed on CB2's March/2021 agenda and after much follow up from CB2 Man. provided their questionnaire describing the operation as a family restaurant focused on Asian cuisine with operating hours of 11:00AM to 11:00PM, 7 days a week; the Applicant requesting to layover the Application until April/2021, the Application being placed on CB2, Man.'s April/2021 agenda at which time the Applicant failed to appear providing no notice or reason to CB2 despite outreach from CB2, Man., therefore CB2, Man. unanimously voted to recommend denial of the Application at its April/2021 Full Board meeting due to the Applicant's failure to appear; and

vi. **Whereas**, despite not appearing before CB2, Man. the Applicant filed an Application with the NYSLA for an On-Premises Liquor License on June 24, 2021 with notice of a 500' hearing received by CB2 Man. on July 6, 2021 that resulted in a favorable determination for the Application being made by the Administrative Law Judge; the questionnaire being supplied for that hearing by the Applicant incorrectly stating that the Applicant had met with the Municipality (CB2, Man.) and listing their hours of operation from 11:00AM to 11:00PM, 7 days a week; due to a clerical issue relating to email, CB2 Man.'s denial recommendation was not included in the 500' materials; and

vii. **Whereas**, CB2, Man. received notification of the scheduled February 16, 2022 NYSLA Full Board hearing for this Application on January 31, 2022, prompting CB2, Man. to again do significant outreach to the Applicant's representative in an effort to have the NYSLA Full Board hearing adjourned until CB2, Man. was afforded the opportunity to have a position on the Application; the Applicant being placed on the March/2022 agenda as CB2, Man.'s February SLA meetings were scheduled for 1st and 3rd of the month and the Applicant could not be added to the agenda at the very last minute; and

viii. **Whereas**, the Applicant and their Representative appeared before CB2, Man.'s SLA Committee in March/2022, apologizing for its prior actions and not paying attention to the liquor licensing process, the instant application having hours of operation now extending from the original 11:00PM closing presented at the 500 ft hearing, to a 2:00AM closing 7 days a week with a focus on high end cocktails paired with the food, the Committee having concerns that the instant Application differed in hours and concept from what was presented to the NYSLA for the 500' hearing, the 500' hearing being the opportunity to determine the facts in relation to the public interest portion of the 500' law, that the Applicant provided no explanation for their failure to appear in March or April/2021 despite extensive outreach from CB2, the premises having never had an On-Premises license before, the prior operation being for Restaurant Wine License with a predominately lunch and early dinner operation closing at midnight, concerns being raised that the proposed later hours, combined with the focus on high end cocktails, would lead the establishment to operate as a bar scene later in the evening, the block being quiet in the evenings with many surrounding residences, the Applicant having other restaurants in Manhattan with earlier closing hours, having appeared before other community boards following their procedures and agreeing to stipulations, but being

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unwilling to reduce the hours at this location to those presented at the 500' hearing or consider a Restaurant Wine instead of an On-Premises license, the Applicant having signed a lease for the premises in January/2021, recently having opened the location for takeout; and

ix. **Whereas**, following the March/2022 meeting, the Applicant requested to return to CB2, Man. this month (April/2022) with new representation again apologizing for their prior actions, not paying attention to the liquor licensing process and for the actions of its former representative; the instant Application again describing the method of operation as a restaurant focused on Asian cuisine with high end cocktails and the hours remaining 11:00AM to 2:00AM, 7 days a week, again not consistent with the facts provided at the 500ft hearing; petitions were supplied in support of the application but the majority of those petitions did not list the hours and were not dated and included two letters of support listing the hours as being from 11:00AM to 11:00PM with no targeted outreach to immediate neighbors; the same concerns being raised again by the Committee, the Applicant after hearing the Committee's concerns again, agreeing to closing hours of Midnight Sundays through Wednesdays and 1:00AM Thursdays through Saturdays, those hours remaining later than what was supplied to the NYSLA and to the Administrative Law Judge conducting the 500 ft hearing in consideration of the public interest standard; and

x. **Whereas**, this Application being subject to the 500' rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location; CB2 Man.'s SLA Committee voted to recommend denial of the Application as presented, reasons including that the application differed significantly from what was presented at the 500' hearing and that the statements presented in the 500 ft hearing questionnaire were inconsistent with the facts and method of operation presented to CB2 and to those who signed petitions; *the Committee also offered a pathway to CB2's support of the Applicant* if the Applicant would agree to closing hours of 12:00AM Sundays through Saturdays (7 days a week), which is one hour later than the hours presented at the 500' hearing but in alignment with other nearby restaurant hours, and other stipulations; the Applicant accepting that pathway with closing hours of 12:00AM 7 days after the committee meeting; and,

xi. **Whereas,** the Applicant subsequently executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan 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 an Asian restaurant.
2. The hours of operation will be 11:00AM to 12:00AM Sundays through Saturdays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will operate a full service restaurant, specifically a family restaurant with a focus on Asian cuisine and serving specialty high end cocktails 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.

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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, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime..
7. Will not have televisions
8. Will close all doors and windows at 8:00PM, allowing only for patron ingress and egress.
9. Will not install or have French doors, operable windows or open facades aside from the existing 2nd floor operable windows.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

xii. Whereas, subject to the Authority's concurring to those later hours and that the other executed stipulations would meet with the Authority's approval in establishing public interest despite the discrepancy presented by the applicant at the 500 ft. hearing, the hearing established to explicitly review those significant elements for 500 ft. cases; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Liquor License application for **Sum Yung Gai, LLC d/b/a Char'd, 17 E. 13th St., 1st & 2nd Fl. 10003, unless** the stipulations agreement the Applicant has executed is incorporated in the "Method of Operation" on the NYSLA On-Premises License and that the Authority agree to those stipulations despite the discrepancy in facts at the 500 ft hearing.

Vote: Unanimous in favor (9–0)

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

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for new Bottle Club License to provide complimentary drinks to retail customers while operating a high-end Italian brand retail clothing store on the ground floor of

a M1-5B-zoned, eight (8)-story mixed-use building (c. 1910) on Lafayette Street between Houston and Bleecker Streets (Block #522/Lot #7501) in the NoHo Historic District; and

ii. **Whereas,** the ground floor retail store, previously licensed from approximately 1985–2017 as the restaurant NoHo Star (SN#1025133) is approximately 2,000 sq. ft. (1,000 sq. ft. on the ground floor connected by an interior staircase to a 1,000 sq. ft. basement, there is no patron use of the basement) there are three (3) tables with ten (10) seats and one (1) patron bathrooms; there will be one (1) television in the rear of the store which is not visible from the street; and

iii. **Whereas,** the storefront premise does not have French doors or operable windows, the Applicant will be replacing the existing glass and window frames but all historic details will remain; there is no sidewalk café or temporary outdoor seating; and

iv. **Whereas,** the method of operation will be as a retail store selling apparel and other home goods, the service of alcoholic beverages being complimentary during store hours of operation from 12:00PM to 7:00PM Sundays and 11:00AM to 8:00PM Mondays through Saturdays, the Applicant limiting its alcohol service to two (2) drinks maximum per customer; and

v. **Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of their Bottle Club License, with those stipulations as follows:

1. Premises will be advertised and operated as an Italian brand clothing store.
2. The hours of operation will be 12:00PM to 7:00PM Sundays and 11:00AM to 8:00PM Mondays through Saturdays.
3. Service of alcohol will be limited to a two drink maximum per guest.
4. 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.
5. Will have no more than one (1) television no larger than 65" located in the rear of the premises so as not to be visible on the street. There will be no projectors and TV will operate in "closed caption" mode only without sound).
6. No patron occupancy/service to any portion of the basement of licensed premises.
7. Will close <u>all</u> doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open façades.
9. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
10. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
11. 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.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **<u>denial</u>** of the application for a Bottle Club License for **Slowear New York, Ltd. d/b/a Slowear, 330 Lafayette St. 10012, <u>unless</u>**

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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 NYSLA Bottle Club License.

Vote: Unanimous in favor (9–0)

10. Slowear New York, Ltd. d/b/a Slowear, 116 Prince 10012 (New Bottle Club – Beer and Wine Only) *(previously unlicensed)*

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for new Bottle Club License limited to beer, wine and cider only to provide complimentary drinks to retail customers while operating a high-end Italian brand retail clothing store on the ground floor of a M1-5A-zoned, four (4)-story mixed-use building (c. 1877) on Prince Street between Greene and Wooster Streets (Block #500/Lot #18) in the SoHo Cast Iron Historic District; and

ii. Whereas, the ground floor retail store is approximately 2,250 sq. ft. (1,250 sq. ft. on the ground floor connected by an interior staircase to a 1,000 sq. ft. basement), there is no patron use of the basement) there is one (1) table with two (2) seats and four (4) couch seats and one (1) patron bathrooms; there are no televisions; and

iii. Whereas, the storefront premise does not have French doors or operable windows, there is no sidewalk café or other outdoor area for the service of alcohol; and

iv. Whereas, the method of operation will be as a retail store selling apparel and other home goods, the service of alcoholic beverages being complimentary during store hours of operation from 12:00PM to 6:00PM Sundays and 11:00AM to 7:00PM Mondays through Saturdays, the Applicant limiting its alcohol service to beer, wine and cider only with a two (2) drink maximum per customer, no spirits; and

v. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of their Bottle Club License for beer and wine only, with those stipulations as follows:

1. Premises will be advertised and operated as an Italian brand clothing store.
2. The hours of operation will be 12:00PM to 6:00PM Sundays and 11:00AM to 7:00PM Mondays through Saturdays.
3. Service of alcohol will be limited to a beer and wine only with a two drink maximum per guest.
4. 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.
5. Will not have televisions.
6. No patron occupancy/service to any portion of the basement of licensed premises.

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7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open façades.
9. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
10. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
11. 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.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a Bottle Club License for beer and wine only for **Slowear New York, Ltd. d/b/a Slowear, 116 Prince 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 NYSLA Bottle Club License.

Vote: Unanimous in favor (9–0)

11. Inday 224, LLC d/b/a Pending, 224 Lafayette St. 10012 (OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Liquor License for an all-day neighborhood Indian restaurant located on the ground floor of a M1-5B-zoned six (6)-story mixed-use building (c. 1900) on Lafayette Street between Kenmare and Spring Streets (Block #482 / Lot #24) in the SoHo neighborhood; and

ii. Whereas, the licensed premises is roughly 900 sq. ft.; there will be 12 tables and 34 seats and one (1) bar with no seats for a total interior seated patron occupancy of 32 seats; there is one (1) entryway serving as patron ingress and egress and two (2) patron bathrooms; and

iii. Whereas, there will be a sidewalk café and roadbed seating operating under the temporary Open Restaurants program, the sidewalk café located adjacent to the building and consisting of two (2) tables and eight (8) seats on Lafayette Street; the roadbed seating consisting of five (5) tables and ten (10) seats not extending past the business frontage; all sidewalk and roadbed seating will end at 10:00PM; and

iv. Whereas, the hours of operation will be from 9:00AM to 11:00PM Saturdays through Sundays (7 days a week); all doors and windows will be closed by 10PM nightly; 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, the premises had been operated for approximately 10 years as Jack's Wife Freda (SN#1268274), the instant Application being a transfer of the restaurant's assets with no

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substantive change in method of operation; the previous operator Jack's Wife Freda having already moved to a separate corner location on the same block; and

vi. Whereas, members of the community expressed their concerns about the outdoor seating, the immediate block consisting of many restaurants with extensive sidewalk seating, the Applicant hearing the concerns and willing to stipulate to leaving the required clear path for pedestrians; and

vii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan 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 an Indian restaurant.
2. The hours of operation will be 11:00AM to 11:00PM Sundays through Saturdays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will operate a full-service neighborhood Indian restaurant with the kitchen open and full menu items available until closing every night
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for a certified sidewalk café and roadbed seating operating under the temporary Open Restaurants program on Lafayette Street, sidewalk café is located immediately adjacent to the storefront with no more than two (2) tables and eight (8) patron seats, leaving a minimum clearance of 8' to the curbside for pedestrian passage, and roadbed seating not exceeding the business frontage of licensed premises with no more than five (5) tables and ten (10) patron seats.
6. Sidewalk café and roadbed seating will close no later than 10:00PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will not have televisions.
9. Will close all doors and windows at 11:00PM every night, allowing only for patron ingress and egress.
10. Will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
11. Will close all doors and windows at 10:00PM every night, allowing only for patron ingress and egress.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches."
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.

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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 for **Inday 224, LLC d/b/a Pending, 224 Lafayette St. 10012, unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the NYSLA On-Premises License.

Vote: Unanimous in favor (9–0)

12. Skybird Hospitality Partners, LLC d/b/a Pending, 109 Mulberry St. 10013 (New RW– Restaurant) *(previously unlicensed)*

i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for a Restaurant Wine License to operate an all-day, multi-room restaurant serving American, Italian and Asian cuisine located on the ground floor and cellar of a C6-2G-zoned seven (7)-story mixed-use building (c. 2019) on Mulberry Street between Canal and Hester Streets (Block #206 / Lot #24) in the Special Little Italy District; and

ii. **Whereas,** the licensed premises is approximately 9,800 sq. ft. with 4,900 sq. ft. on the ground floor and 4,900 sq. ft. in the cellar connected by an interior staircase); the ground floor premises will have 18 tables and 66 seats, one (1) bar with twelve (12) seats and one (1) sushi counter with seven (7) seats for a ground floor seated occupancy of 85 seats, the cellar premises will have 15 tables with 86 seats and one (1) bar with nine (9) seats, there is a mezzanine with nine (9) tables and 40 seats for a total overall patron occupancy of 42 tables with 192 seats, two (2) bars with 21 seats and one (1) sushi counter with 7 seats for a total seated occupancy of 220 patrons total; there are two (2) entries each having a double vestibule serving as patron ingress and egress and three (3) exits and five (5) patron bathrooms; there is no sidewalk or roadbed seating operating under the temporary Open Restaurants program; and

iii. **Whereas**, the hours of operation will be from 7:00AM to 11:00PM Saturdays through Thursdays and 7:00AM through 12:00AM 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 with the exception that the cellar floor may have piano or acoustic jazz with no more than three (3) instruments Thursdays through Sundays from 6:00PM to 10:00PM and Saturdays and Sundays from 10:00AM to 2:00PM; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

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iv. **Whereas,** the Applicant first appeared before CB2, Man. in January/2022 with a similar application at the same location, that application being broader in scope and including karaoke, live music, dancing, DJs, game tables, photography booth, live jazz and candle lit dinner experience; the Committee having concerns that the concept was too broad in scope with it being unclear how the premises would be operated; the Applicant deciding to lay over to further refine the Application; the Applicant returning this month to present the instant application with further details and clarity on the method of operation for the multi-level premises; and

v. **Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan 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, all-day restaurant serving American, Italian and Asian fare with the kitchen open and full menu items available until closing every night..
2. The hours of operation will be 7:00AM to 11:00PM Sundays through Thursdays and 7:00AM to 12:00AM Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
5. Will play quiet ambient recorded background music only, inclusive of any private parties or events on the first floor. The cellar floor may have piano or acoustic jazz with no more than three (3) instruments Thursdays through Sundays from 6:00PM to 10:00PM and Saturdays and Sundays from 10:00AM to 2:00PM. At all other times music in the cellar will be quiet recorded background music. No music will be audible in any adjacent residences at any time.
6. Will have no more than four (4) televisions no larger than 45". There will be no projectors and TV will operate in “closed caption” mode only without sound.
7. Will close all doors and windows at all times, 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.”
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: dancing, DJs, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.

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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 License for **Skybird Hospitality Partners, LLC d/b/a Pending, 109 Mulberry St. 10013, unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the NYSLA Restaurant Wine License.

Vote: Unanimous in favor (9–0)

13. 3 of Cups, LLC d/b/a Three of Cups, 150 Sullivan St. 10012 (Municipal Extension RW–Restaurant)

i. Whereas, the applicant notified Manhattan Community Board 2 via a "Standardized Notice Form for Providing 30-Day Notice to a Local Municipality or Community Board for Expansion onto Municipal Property" dated March 2, 2022 and received by CB2 on March 3, 2022 of their intent to apply to the NYSLA for an extension of their licensed premises onto municipal property covered under New York City's Temporary Open Restaurants Program; and,

ii. Whereas, upon receiving the notice form, CB2 calendared the item to be heard on the next CB2 SLA Licensing Committee Meeting on April 5, 2022 and informed the applicant's attorney of the meeting with active confirmation that both the Applicant and Attorney were aware of the meeting; and

iii. Whereas, the Applicant was informed several days prior to the scheduled meeting that requested materials were not submitted; and

iv. Whereas, the Applicant **failed to appear** before Community Board 2, Manhattan's SLA Licensing Committee Meeting on April 5, 2022 despite having been requested to appear, and did not provide information or explanation as to such non-appearance despite CB2 Manhattan reaching out multiple times to request documents for the Municipal Extension and contacting the Attorney prior to the meeting to inquire as to whether or not the Applicant would be appearing; and

v. Whereas, at its September/2021 Full Board meeting, CB2, Man. had unanimously recommended denial of the Restaurant Wine Application for 3 of Cups d/b/a Three of Cups; and

vi. Whereas, at the February 16, 2022 NYSLA Full Board hearing the Commissioners approved the Applicant's Restaurant Wine License over CB2's objection with the explicit condition included on their liquor license that there would be no outdoor service of alcohol under the temporary Open Restaurant program in their already permitted outdoor space under the temporary Open Restaurant program that is part of the restaurant; and,

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vii. **Whereas,** the applicant was clear on Feb 16 that the restaurant was already open and operating, that the temporary outdoor dining area in the roadbed already had a permit and was open and operating without alcohol and that they had removed the outdoor area from the application for the service of alcohol despite it being part of the restaurant already and that they would amend their license in the future should they chose to extend alcohol service to the area through the temporary Open Restaurant program; and

viii. **Whereas**, on Feb 16th Commissioner Fan voted to support the application as presented without outdoor alcohol service, Commissioner Ford voted to support explicitly stating no outdoor alcohol service and Chairman Bradley voted to support also explicitly stating no outdoor alcohol service, Chairman Bradley responded further to the Applicant's statement that they were not seeking to license the already permitted temporary outdoor seating open restaurant area for alcohol and that they would submit an alteration in the future should that change, stating "So [if] you are going to come back for outdoor service. Please go to them [CB2, Man.] first, just so we don't have to send you back there even if they don't agree with you. At least we'll have it all in writing." [https://youtu.be/1gaVIDLFdBI?t=3920]; and

ix. Whereas, complaints have been submitted to CB2 and Members of CB2 have observed directly with photographic evidence that alcohol service is occurring in the outdoor area and on the at the licensed premises despite the condition on the license and lack of submission of any alteration application; and

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that if the SLA has not done so already, that it actively notify the Applicant that the "standard notice" submitted to CB2 and then to the Authority with additional materials, and any lack of response by the Authority as indicated in the instructions related to the "Standard Notice," "Licensees should wait for 5 calendar days for a response to their application from the SLA, if an email disapproval is not issued within such 5 day period, your application is deemed approved" in this specific case does not constitute approval to serve alcohol on the sidewalk or roadbed seating under the temporary Open Restaurant program because of the conditions on the license and that the outdoor area was already known to the Authority at that time of the issuance of the license and of their statements to and the directions from the Members of the Authority be adhered to including submitting an alteration application; and

THEREFORE, BE IT FURTHER RESOLVED, that CB2, Man. requests that should the SLA decide to not send any active notification to the applicant regarding their submission of materials related to the outdoor dining that is the subject of this resolution, that the Authority conduct an onsite compliance check during dinner hours to ascertain if alcohol service is available in the outdoor areas contrary to the conditions of the license and if so to educate the Licensee of the conditions on their license and and/or issue appropriate violations.

THEREFORE BE IT FINALLY RESOLVED THAT the SLA **deny** any type of Municipal Extension to the existing Restaurant Wine 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 as per the conditions of their Restaurant Wine License and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 to present their application, in order that this important step not be avoided and that the concerns of the Community be fully heard.

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Vote: Unanimous in favor (9–0)

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

14. Pen and Frog Social Club, LLC fka L. Johnson on Behalf of an Entity TBD d/b/a Froggy's, 86 Bedford St. 10014 (OP–Restaurant)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on April 5, 2022 the Applicant requested **to lay over** this application for an On-Premises License application to May/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; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed On-Premises 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 **Pen and Frog Social Club, LLC fka 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 in favor

15. Timoni, Inc. d/b/a Tre Giovani, 548 LaGuardia Pl. 10012 (OP–Restaurant)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on April 5, 2022 the Applicant requested **to lay over** this application for an On-Premises License application to May/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; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed On-Premises 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 **Timoni, Inc. d/b/a Tre Giovani, 548 LaGuardia Pl. 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.

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Vote: Unanimous in favor

16. **28 Seventh Avenue South, LLC d/b/a Castamar fka Sassy, 28 7th Ave. So. 10014** (OP–Restaurant)

    Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on April 5, 2022 the Applicant requested **to lay over** this application for an On-Premises License application to May/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; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed On-Premises License, Tavern Wine License, Restaurant Wine License, any other beer **28 Seventh Avenue South, LLC d/b/a Castamar fka Sassy, 28 7th Ave. So. 10014, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

17. **Astor Entertainment, LLC d/b/a TBD, 163 Bleecker St. 10012** (OP–Restaurant)

    Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on April 5, 2022 the Applicant requested **to lay over** this application for an On-Premises License application to May/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; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed On-Premises License, Tavern Wine License, Restaurant Wine License, any other **Astor Entertainment, LLC 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 in favor

Respectfully submitted,

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

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

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

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SLA LICENSING COMMITTEE 2

The SLA Licensing Committee #2 of Community Board 2, Manhattan, held a meeting at 6:30 PM on Thursday April 7, 2022, via Zoom Conferencing.

Committee Board Members Present: R. Ely (Co-Chair), D. Raftery (Co-Chair), K. Bordonaro, Dr. S. Smith, C. Flynn and S. Kent.
Committee Board Members absent with notice: M. Fitzgerald.
Other Board Members Present: J. Kiely, C. Booth and Valerie De La Rosa.

RESOLUTIONS:

1. 67G, LLC d/b/a Krewe 67 Gansevoort St. 10014 (Tavern Wine -Eyewear Retail with Optometry)

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee for a new Tavern Wine liquor license to operate a retail eyewear store in a ground floor storefront within a three-story brick mixed use townhouse (c.1877) building on Gansevoort Street between Greenwich and Washington Streets, this building falling within the Gansevoort Market Historic District; and,

ii. Whereas, the ground floor storefront has never previously been licensed for the service of alcohol, the Applicant being a national retail chain of stores selling optical products, prescription glasses with optometry services, the Applicant's other retail locations in NYC or elsewhere not providing for the service of alcohol, the Applicant seeking a method of operation as a wine bar in combination with its retail products and services; and,

iii. Whereas, the interior storefront is roughly 3,500 sq. ft premise (ground floor 1500 sq ft, cellar 2,000 sq ft); there will be lounge seating in the rear with 4 small tables, a couch and lounge chairs, a point of sale counter that will double for the sale of eye wear products, one bathroom that may only be accessible by walking through a food prep area, there will be no TVs, no kitchen, with 1 patron entrance, the hours of operation will be 10AM to 8PM Sunday to Saturday, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. **Whereas**, the Applicant intends to apply for pandemic-related temporary sidewalk seating located on Gansevoort Street for the flagship eyewear store with 4 tables and 16 patron seats; and,

v. **Whereas**, there was significant opposition to this license, this area and block being greatly saturated with liquor licenses, concerns being raised about the service of alcohol and operation of a wine bar being inconsistent with the retail products and services being proposed, there being no designated café area within the retail premise, the license being sought not consistent with the method of operation intended, a more appropriate license being a bottle club license where alcoholic products may be provided on a complementary basis, the bottle club license being typical and designed for this purpose; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a new application for a Tavern Wine liquor license for **67G, LLC d/b/a Krewe 67 Gansevoort St. 10014**; and

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

Vote: Unanimous in favor (6-0)

2. Maizon New York, LLC d/b/a Pending, 651-667 Hudson St. a/k/a 18 Ninth Avenue 10014 (New OP- Restaurant)

i. **Whereas,** the Applicants and their Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new on premise liquor license to operate an upscale, full-service restaurant focusing on Mediterranean cuisine within the thirteen story (c.2003) Gansevoort Hotel extending out to and facing Hudson Street between Little West 12th / Gansevoort Street and 13th Streets in the Gansevoort Market Historic District; and,

ii. **Whereas,** the proposed ground floor and mezzanine premises to be licensed is an extension of the Gansevoort Hotel, with direct access from the interior Hotel, but which will also operate with its frontage and primary entrance running primarily along Hudson Street, the roughly 8,600 sq. ft. footprint (7,800 sq. ft. first floor and 800 sq. ft. Mezzanine) having previously operated as the Provocateur nightclub (God Save the King LLC SN#1234694) generating significant complaints and problems spanning two decades, with the complaints and problems stemming from amplified, entertainment level music using DJs drawing excessively large crowds, coupled with the use of the mechanical glass rooftop at the premise, ultimately resulting in numerous disciplinary proceedings and fines levied by the NYSLA; and,

iii. **Whereas**, the Applicants are the operators of Noble 33, which operates luxury full service restaurants in Southern California and Arizona including Tocaya Organica and Toca Madera, the Applicants further approaching and meeting with local neighbors and community groups, working in-kind with those neighbors, coming to an amicable agreement on stipulations designed to prevent

the unwelcome noise and quality of life intrusions encountered at this location in the past, the Applicant creating trust with its neighbors during such meetings; and,

iv. **Whereas**, the premises to be licensed will have 18 tables with 60 seats and1 circular bar with 21 seats in the dining room, 45 tables with 128 seats and 1 raw bar with 11 seats in an enclosed patio, and 5 tables with 22 seats and 1 bar with 6 seats on the mezzanine level, for a total interior patron seating of 237 seats, there will be no backyard garden or other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating on Hudson Street operating under the Open Restaurants program; all doors and windows will be closed by 10 PM every night, there will continue to be a retractable roof over the enclosed patio space on the southern portion of restaurant, with that retractable roof being closed, without exception, every night by 10 PM; and,

v. **Whereas,** the hours of operation will be Sunday to Saturday from 11:00 AM to 1:00 AM, music will be background levels only, recorded music, live acoustic music consisting of and limited to one or two instruments, or will have a DJ programming music in an alcove located in the interior dining room, ie. not performing for patrons; curated DJ and live music will plug into the existing tested sound system at background levels at all times, there will be no promoted events, no dancing, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. Will operate full service, upscale restaurant that will serve Mediterranean cuisine with kitchen open and full menu items available until closing every night.
2. The hours of operation are Sunday to Saturday from 11:00 AM to 1:00 AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.
4. The premises will have not have televisions or projectors.
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 not have a licensed Sidewalk café now or in the future.
7. Will play recorded music, live acoustic music consisting of one or two instruments or will have a DJ programming music. At all times all music will be at background levels only. DJ and live music will plug into the existing tested sound system and be at background levels. DJ will be located off to the side in the interior of the restaurant and is not there to perform but strictly to curate music. No subwoofer speakers. These conditions are inclusive of any private parties or events. No music or noise will be audible from any point 20 feet from the Restaurant's boundaries, the top of the retractable roof being the uppermost boundary.
8. Will close retractable rooftop by 10 PM every night.
9. All doors will be closed by 10 PM every night except for patron ingress and egress.
10. There will be no more than six (6) buyouts per year that include the atrium or patio dining area identified on submitted plans.

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11. Will employ security or front of house staff to keep cars and/or patrons from congregating at Hudson Street entrance.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
14. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
15. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. The premises will not have dancing, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades.
18. Will engage an acoustical engineer to advise on soundproofing methods and measures and will consult with nearby residents.
19. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a new restaurant on-premise liquor license for **Maizon New York, LLC d/b/a Pending, 651-667 Hudson St. a/k/a 18 Ninth Avenue 10014 unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous in favor (6-0)

3. Barbuto West, LLC d/b/a Barbuto, 521 West St. aka 113 Horatio St. 10014 (New OP-Restaurant)

i. Whereas, the Applicant and his Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a transfer of an existing on-premise liquor license to continue to operate a full-service restaurant serving breakfast, lunch and dinner in a mixed-use building (circa 1930) located on the corner of Horatio St., West St. and 10th Avenue for a roughly 5400 sq. ft premise (located on the ground floor (3200 sq. ft.), basement (2200 sq. ft.) and exterior loading dock connected to the first floor along West Street in Greenwich Village, the building falling within NYC LPC's designated Gansevoort Historic District; and,

ii. Whereas, the Applicant previously operated the Barbuto Restaurant on Washington Street in Community Board 2 (2006-2019) and in 2019 moved its restaurant operations to the instant location at 521 West Street a/k/a 113 Horatio Street; and,

iii. Whereas, the Applicant originally applied for an OP license at this same location in 2019, at which time the Applicant appeared before CB2 Man. for its existing on premise license, the recommendation from CB2 Man. being "deny unless" after the Applicant agreed to and executed

a stipulations agreement with CB2 Man. to establish the public interest standard, and those stipulations are as follows:

1. The establishment will be advertised and operated as a full-service restaurant serving breakfast, lunch and dinner.
2. There will be a maximum interior occupancy of 74 with maximum exterior occupancy of 14 at the loading dock. The hours of operation of the ground floor interior of the premises will be Sunday to Wednesday from 8AM to 1AM and Thursday to Saturday from 8AM to 2AM. All patrons will be cleared from the premises and no patrons will remain after stated closing time.
3. There is an exterior area for patron seating located on an old loading dock. There will be a maximum of 14 seats for licensed sidewalk café on the loading dock. The hours of operation of the exterior seating on the loading dock will be Sunday to Thursday from 8AM to 11PM and Friday to Saturday from 8AM to 12AM. All patrons will be cleared from the loading dock area and no patrons will remain after stated closing time.
4. Other than a licensed sidewalk café, the premises will not operate a backyard garden or any outdoor area except for the seating on the loading dock for commercial purposes.
5. 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.
6. The premises will not permit dancing in any portion of the premises.
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 DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Licensee will obtain all required certificates, permits and related documents including a Certificate of Occupancy prior to opening and will keep current all certificates, permits and related documents.
10. Licensee will move the main entrance to the space from Horatio Street to West Street/10th Ave and will make good faith effort to obtain a new address for premises on West St./10th Avenue. Subject to availability, licensee will use, publicize and advertise the West St/10th Avenue address as the official address of the restaurant and will make best efforts to promote vehicle traffic to West St./10th Avenue for mapping or eating and dining applications. The Horatio entrance will be used only for deliveries, ADA and other special needs patrons, and emergency egress use.
11. There will be no French doors or operable windows on the Horatio Street side of the licensed premises.
12. All doors will remain closed after 10 pm except for patron ingress and egress.
13. The kitchen will remain open and the full food menu available until 30 minutes before closing time.
14. The premises and all mechanicals will comply with all NYC Noise Codes.
15. There will be no "bottle service" other than typical restaurant beer/wine by the bottle.
16. There will be no velvet ropes or barricades used to control patrons.

iv. Whereas, the instant transfer application differs from the prior application in 2019 to the extent that the Applicant seeks to nearly quadruple its patron capacity—after recently obtaining the requisite certificate of occupancy permitting eating and drinking use/occupancy in the basement—from 74 to 270 patrons, while also adding 6 additional exterior seats on a former

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loading dock, for a total of 20 seats on the loading dock, the loading dock being adjacent to and connected by operable doorways from the licensed interior premise, the loading dock being elevated above the sidewalk on West Street; and,

v. **Whereas**, in addition to increasing its patron capacity, the Applicant also sought to operate on the public sidewalk directly in front of the loading dock, but due to concerns voiced that the sidewalk seating proposed would block and not provide clear passage for pedestrians and strollers, the sidewalk in question being a vital and significant throughfare for all those seeking to cross the West Side Highway to safely access the Hudson River Park, Little Island Park, the Gansevoort Peninsula and its new sports field, a children's playground known as Pirate Park, and its many other attractions and piers, there being no other access points for this purpose in the immediate area, the sidewalk also being a throughfare for those seeking to continue up 10th Avenue along from the South to enter the Meatpacking District, the Applicant in response to such concerns providing an amended diagram for such seating and reducing its sidewalk seating to four (4) tables and eight (8) patron seats located immediately adjacent to loading dock on its south end so as to not block the sidewalk; and,

vi. **Whereas**, in light of the significant increase and patron occupancy being proposed, the Applicant in good faith met with the local block association and residents living on Horatio and Jane Streets because the front entrance to the licensed premise is located on Horatio Street, where significant concerns were raised relating to a significant increase of traffic, taxis/ubers/private cars posed by the proposed change in occupancy, with both and Horatio and Jane Streets existing as a one-way single driving lane "loop" connecting the two blocks, surrounded by residential buildings, with no outlet or access to the West Side Highway, requiring all traffic on Jane Street to circle back onto Horatio Street to access the front entrance drop off/pick up location of the restaurant on Horatio, this particular restaurant having a significant reputation, being a very popular destination location for tourists and others coming into this residential neighborhood to enjoy its offerings; and,

vii. **Whereas**, there also a second on premise liquor license application pending with the NYSLA to be sited on the same Horatio to Jane Street loop—The Jane St. Social Club, Inc. d/b/a SVB NYC, at 113 Jane St.—a Members Only Club on five floors and rooftop with a patron capacity of 750 and hours of operation until 4 AM), another destination location with a significant occupancy proposed, further exacerbating the existing traffic concerns for the instant application, where there is no public transportation hub within close proximity to/from the immediate area, insufficient available parking to help alleviate the inevitable increase of noise and traffic congestion in the area generated by the new liquor licenses to be issued on the same roadway loop; and,

viii. **Whereas**, as a result of meeting in good faith with residents and the local block association, the Applicant and the residential community sought to work out an agreement on stipulations, based on concessions advanced by both sides, in an attempt to ameliorate the significant, known impacts the issuance of the license will have on the existing residential community; and,

ix. **Whereas**, in light of the significant impacts posed by this proposed license on the surrounding community, an agreement was reached in compromise and to limit the anticipated impacts on the Community, the Applicant executing a stipulations agreement with CB2 that they

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agreed would be attached and incorporated into the method of operation on the new restaurant on-premise liquor license stating that:

1. The establishment will be advertised and operated as a full-service restaurant serving breakfast, lunch and dinner.
2. There will be a maximum of 140 seats on the ground floor level exclusive of the 20 seats on the exterior loading dock and patrons waiting to be seated. The hours of operation of the ground floor interior of the premises will be Sunday to Wednesday from 8AM to 1AM and Thursday to Saturday from 8AM to 2AM. All patrons will be cleared from the premises and no patrons will remain after stated closing time.
3. The basement floor level will be used for private events. There will be no more than 60 seats in the basement and patron occupancy standing or seated will not exceed 60 at anytime. The hours of operation of the basement of the premises will be 8AM to 12AM Sunday through Wednesday and 8AM to 1 AM Thursday to Saturday. All patrons will be cleared from the basement and no patrons will remain after stated basement closing time.
4. There is an exterior area for patron seating located on an old loading dock on the West Street side. There will be a maximum of 10 tables and 20 seats on the loading dock. There will also be 4 tables with 8 seats located immediately adjacent to loading dock on its south end so as to not block the sidewalk. The hours of operation of the exterior seating on the loading dock and immediately adjacent sidewalk area to loading dock platform will be Sunday to Saturday from 8AM to 12AM. All patrons will be cleared from the loading dock area and no patrons will remain after stated closing time.
5. The premises will not operate a backyard garden or any outdoor area except for the seating on the loading dock for commercial purposes.
6. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
7. The premises will not permit dancing in any portion of the premises.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. Licensee will make their best efforts to have guests drop off and pick up via motor vehicle on West Street and/or 10th Avenue and not on Horatio Street due to traffic concerns on Horatio Street. Licensee will publicize to promote vehicle traffic to West St./10th Avenue as a primary drop off/pick up location on social media and via the internet/Google maps and other mapping or eating and dining applications.
11. There will be no French doors or operable windows on the Horatio Street side of the licensed premises.
12. All doors at loading dock on West Street will close after 10 pm every night.
13. The kitchen will remain open and the full food menu available until 30 minutes before closing time.
14. The premises and all mechanicals will comply with all NYC Noise Codes.
15. There will be no "bottle service" other than typical restaurant beer/wine by the bottle.
16. There will be no velvet ropes or barricades used to control patrons.

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THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a new restaurant on-premise liquor license for **Barbuto West, LLC d/b/a Barbuto, 521 West St. aka 113 Horatio St. 10014 unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous in favor (6-0)

4. Nat's on Bleecker, LLC d/b/a TBD, 170 Bleecker St. 10012 (New OP—Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee for a new On Premise liquor license to operate a full-service restaurant serving nostalgic American classic fare within a ground floor storefront on the corner of Bleecker and Sullivan Streets within a six-story brick residential building (circa 1910) in Greenwich Village, this building having a rich history, originally being the American Seaman's Friend Society Sailors Home and Institute, and a designated New York City Landmark; and,

ii. Whereas, the ground floor storefront sought to be licensed was previously operated as Junzi Kitchen, a fast causal restaurant serving Asian food with a restaurant wine liquor license, the interior storefront being roughly 2450 sq. ft., 1700 sq. ft. First Floor and 750 sq. ft. basement, with the basement not for patron service), with 15 tables and 35 seats, 1 bar with 11 seats and 3 counter seats for a total patron capacity of 49, a full service kitchen, the storefront's infills being fixed along Sullivan Street, with operable doors already installed on Bleecker Street; and,

iii. Whereas, the proposed hours of operation for the interior are Sunday to Wednesday from 11:00 AM to 12:00 AM, Thursday through Saturday from 11:00 AM to 1:00 AM, no TVs, music on the interior will be quiet background consisting of music from ipod/cd's; there will be no d.j.s, no promoted events, no dancing, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

iv. Whereas, the Applicant intends to apply for pandemic-related temporary sidewalk seating located on Sullivan Street only with no more than 12 tables and 20 patron seats, there will be no sidewalk seating on Bleecker Street and no roadbed seating; and,

v. Whereas, the Applicant executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan which should continue to be incorporated into the Method of Operation for the On Premise License, with those stipulations as follows:

1. The premises will be advertised and operated as a full-service restaurant serving nostalgic American classic fare with the kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday to Wednesday from 11:00 AM to 12:00 AM, Thursday through Saturday from 11:00 AM to 1:00 AM.
3. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk café seating operating under the temporary Open Restaurants program.

Sidewalk café seating will be located on Sullivan Street only with no more than 12 tables and 20 patron seats. No sidewalk seating on Bleecker Street. No roadbed seating.

4. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
5. Will not install French doors, operable windows, or open façades on Sullivan Street.
6. Will close all doors & windows by 10 PM every night.
7. 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.
8. Will not have TVs.
9. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
14. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new on premise liquor license to **Nat's on Bleecker, LLC d/b/a TBD, 170 Bleecker St. 10012 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 in favor (6-0)

5. Robillo Holdings, LLC d/b/a Choy Filipino Restaurant, 90 W. Houston St. 10012
(New OP—Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, 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 cellar 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 to be licensed 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; with 13 tables and 15 seats, one (1) bar with 12 seats and 13 additional banquette seats for a total patron seating capacity of 42; and,

iii. **Whereas**, the proposed hours of operation for the interior are Sunday through Saturday from 11:00 AM to 1:00 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/cd's; there will be no d.j.s, no promoted events, no dancing, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

iv. **Whereas**, the Applicant executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan which should continue to be incorporated into the Method of Operation for the On Premise License, with those stipulations as follows:

1. The premises will be advertised and operated as a full-service restaurant serving traditional Filipino cuisine with its full-service kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday through Saturday from 11:00 AM to 1:00 AM.
3. Will not operate a backyard garden or <u>any</u> outdoor area for commercial purposes including sidewalk and roadbed seating pursuant to the temporary Open Restaurants program.
4. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
5. Will not install French doors, operable windows, or open façades.
6. Will close <u>all</u> doors & windows at all times.
7. 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.
8. There will be no TVs.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The premises will not permit dancing.
13. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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 Community Board 2, Manhattan recommends **<u>denial</u>** of the application for a new on premise liquor license to **Robillo Holdings, LLC d/b/a Choy Filipino Restaurant, 90 W. Houston St. 10012 <u>unless</u>** 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 in favor (6-0)

6. Jane St. Social Club, Inc. d/b/a SVB NYC, 115 Jane St. 10014 (New OP-Private Member Club)

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application for a new club license to operate a private members club ("SVB") located in a six-story brick building (circa 1908) on Jane Street at West Street, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the six-story premise to be licensed for the private membership club is roughly 19,000 sq. ft. and was previously operated and occupied as the Jane Hotel; and,

iii. Whereas, with the exception of the 4th floor, the new private members club will be occupying a large portion of the spaces on each floor previously occupied by the Hotel, but will operate independently, in contiguous but physically separate spaces, with a separate entrance on Jane Street while the Hotel will continue to operate with a smaller footprint and a smaller number of single occupancy rooms next door, many of which house and are occupied by long-term tenants, protected by law; and,

iv. Whereas, the new membership only club will also operate in the basement, the basement having a roughly 1,900 sq. ft. kitchen servicing all floors of the membership club, the basement also containing the Music Room space, the Music Room space being 725 sq. ft. where there will be 6 tables and counter seating for a total of 30 seats; the eastern side of the ground floor containing the 3,284 sq. ft. private membership's Main Dining Room, where there will be 150 patron table seats, 1 stand up bar with 17 additional seats for a total seating capacity of 167, and on the western side, the 1,063 sq. ft. Library space, a separate room with an additional seating capacity of 42, there also being a 946 sq. ft. Bar located on the mezzanine level directly above the main dining room, with a second stand up bar with 9 bar seats and an additional 27 table seats for a total seating capacity of 36, the second floor consisting of nine (9) Suites for overnight accommodations, five of which also have exterior terraces facing north, the third floor consisting of two Screening Rooms (each roughly 550 sq. ft.) for watching movies and other visual screen experiences, and 730 sq. ft. pre-function breakout space, the fifth floor consisting of a 1412 sq. ft. Member's Event Space with seating capacity of 118, and the sixth or Penthouse floor with ancillary exterior rooftop, consisting of a 565 sq, ft. interior rooftop bar located within the building's westerly turret space, with 15 bar and 18 counter seats for a total seating capacity of 33, there being two doorways leading from the interior turret bar space to two outdoor rooftop spaces, the first being the 1,455 sq. ft. Outdoor Garden South, facing Jane Street, with a seating capacity of 58, the second being the 665 sq. ft. Outdoor Space West, facing West Street, with 49 table seats; and,

v. Whereas, there will be also be an enclosed 500 sq. ft. private dining room to be built on the rooftop, which will be a permanent structural addition to the rooftop, without operable windows, where there will be one table with 22 seats; and,

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vi. **Whereas**, the total occupancy levels for new membership club will increase and exceed what levels existed at the Jane Hotel, from roughly 350 patrons throughout all the event spaces operated by the Hotel, to a patron occupancy of 750 when combining all the multiple, designated eating and drinking venues within the new membership club, this increase in capacity being a significant concern for the surrounding community, triggering the potential for a significant increase of traffic, including for-hire taxis/Ubers/private cars, due to the proposed change in occupancy levels, with Jane Street existing as a one-way, cobble stone roadway with a single driving lane, that has no outlet or access to the West Side Highway, requiring all traffic on Jane Street to then circle or loop around West Street to Horatio Street when accessing the entrance drop off/pick up location of the private members club, with both Jane and Horatio Streets being connected, the two blocks being occupied and surrounding by residential buildings, with the private membership club being a popular destination location with no facilities for parking in the immediate area, without close access to a public transportation hub to help alleviate the inevitable increase of noise and traffic congestion in the area generated by the new liquor license; and,

vii. **Whereas**, in light of the significant increase and patron occupancy being proposed, the Applicant in good faith met with the local block association and residents living on Horatio and Jane Streets, with the assistance and encouragement of Community Board 2 Manhattan, those discussions taking place over three months, with the principal and operator of the private members club directly involved in those discussions, with the immediately surrounding community organized and opposed to this application, the owner/operator of the Jane Hotel having a significant and well documented history since the inception of its license in 2008 for creating unreasonable disturbances and noise impacts on its residential neighbors over many years by operating a night club at the Hotel, with dancing and DJs, leading to its forced, temporary closure by the City of New York Department of Building for failing to operate with the proper permits due to excessive patron occupancy levels, triggering fines levied by the NYSLA, with the Hotel upon its initial application with Community Board 2 Manhattan in December/2007, falsely presenting its method of operation to this Community Board as a Hotel operating with background music only; and,

viii. **Whereas**, after extensive discussions were held between the Community and principal operator of SVB, with SVB agreeing and executing a notarized Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the Method of Operation for the Private Members Club liquor License, as follows:

HOURS:
The premises will have a hard closing time (all patrons off premises) of 2:00 AM seven days a week, except for the Music Room and Library which will have a hard closing time of 2:00AM Sunday - Wednesday and 4:00 AM Thursday - Saturday.

The Restaurant will have a "last reservation" time of 10:30 PM seven days a week. No more than 60 walk ins will be allowed after 10:30 PM. The purpose of this restrictions is to minimize the number of people exiting onto Jane Street late at night, and thereby reduce noise and traffic issues on the Jane/Horatio Street loop.

The roof exterior spaces will close at 11:00 PM seven days a week. Rooftop service will be for seated patrons only. All patrons will be cleared at this hour and area closed.

SVB will not permit occupancy/use 2nd floor balconies after 11:00 PM every night and will inform patrons/members and their guests of this club policy.

EVENTS:
"Events" are defined as occasions for which there is a scheduled reservation for an *entire* space with more than 40 people attending. This includes both events organized by SVB and events for which members are renting a space. The purpose of the following restrictions on Events is to minimize the number of people exiting onto Jane Street at any one time, and thereby reduce noise and traffic issues on the Jane/Horatio street loop.

There will be a maximum of 10 Events in the first floor, eastside Dining Room Restaurant space per year.

The end times for Events with 40 or more people will be staggered by at least 30 minutes - ie, no Event with 40 or more people can be scheduled to end within 30 minutes of another Event with 40 or more people. There can be 20 exceptions to this per year.

MUSIC:
All spaces will be "quiet background music only" (no DJs, no live music) except during Events. The two exceptions are the Restaurant, where there can be live *acoustic* music (no brass instruments, no drum sets), and the basement Music Room where there can be DJs and live music at any time. The live acoustic music in the Restaurant will end no later than Midnight (this does not apply to Events).

There will be no music at any time on the rooftop exterior spaces, no exceptions for Events.

There will be "quiet background music only" in the interior roof spaces, no exceptions for Events.

There will be "quiet background music only" on the second floor, no exceptions for Events.

SVB will not permit music on the 2nd floor balconies and will inform members and their guests of this policy, no exceptions for Events.

There will be "quiet background music only" in the Library when it is open after 2:00 AM, no exceptions for Events.

The restaurant will have a sound system tested by Al Fierstein, with multiple small speakers and a volume limiter so that music will not be audible in surrounding residences so as to cause a disturbance. In addition, SVB will have a house sound system tested by Al Fierstein with a volume limiter so that music will not be audible in surrounding residences so as to cause a disturbance. All DJs and live music groups will be required to plug into the house (or restaurant) system, and volume limiter settings must remain unchanged from the level established by Al Fierstein. DJs and live music groups will not be permitted to bring their own sound systems.

No subwoofers will be allowed at any time, except in the Music Room and the two Screening Rooms (3rd Floor). The Screening Rooms sound systems will be used only when showing movies.

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Al Fierstein will test the soundproofing in the finished Music Room and Screening Room to prevent deep bass frequencies from escaping and will test to ensure that the containment of deep bass frequencies is effective.

SVB will not use the rear terrace adjoining the restaurant until it is enclosed; the sound insulating properties of the enclosure will be tested by Al Fierstein before it goes into operation to ensure that it complies with his specifications.

Al Fierstein will test the sound insulating properties of the enclosure for the rooftop "Indoor Space North" planned on diagram submitted to ensure that it complies with his specifications.

TRANSPORTATION:
SVB will designate a Traffic Management Liaison who will be responsible for managing the entrance including the sidewalk and curb lane and ensure continual pedestrian and emergency services access. The Liaison would serve as the single point of contact and be accessible to the community and local police precinct should any issue arise, so they are documented and addressed immediately. The community will be given a phone number for the manager on duty.

SVB will direct security or other hotel staff to monitor pick up/drop off activity during the weekdays and weekends. During Events, as defined above, the security or other hotel staff will have a visible outdoor presence and be responsible for discouraging vehicle drop-off and picks-ups in the middle of Jane Street, keeping the adjacent sidewalk clear, trash-free and keeping noise-levels at a minimum.

SVB will work with membership and Uber/Lyft and other taxi services to identify a location away from Jane Street for “For-Hire” vehicle pick up and drop off.

SANITATION:
SVB will internally cold-store organic waste and only take bags out as close to the time of carter’s expected arrival as reasonably possible. This should reduce the presence of pests.

SVB will use the carter already serving this location, provided the cater is available, so as not to add any additional traffic to the street.

SVB will also place both organics and recyclables on the eastern sidewalk of West Street and not along Jane Street not only to keep waste as far away from residents as possible but also to keep the sidewalks along Jane Street clear.

SECURITY:
SVB will have a 24-hour full time staff, and will have security generally between 10 pm and 6 am on days the club is open.

SVB will direct security personnel or other hotel staff members to do perimeter sweeps every other hour to use best efforts to ensure no loitering or blockage of sidewalks and their immediate neighbors’ property.

MISCELLANEOUS:

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SVB will not use outside third party promoters to operate in or run events or functions. SVB's use of marketing and PR staff and people, in house and third party, shall not be considered use of a promoter under this section..

There will be no velvet ropes and SVB will use best efforts to not cause a line to form outside of the premises.

SVB will make best efforts to schedule deliveries between 7:00 AM and 5:00 PM.

ix. **Whereas**, despite the stipulation agreement brokered between the Community and the Applicant, legitimate questions still remain as to whether the Applicant has satisfied the statutory elements of a Club License, and other NYS regulations governing not-for-profit entities or organizations, where such license may only be issued to an organization operated solely for recreational, social, patriotic, political, benevolent or athletic purposes, and which may not be issued where the intent is to traffic in alcoholic beverages for profit or for pecuniary gain; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan requests the Licensing Division of the NYSLA review and determine whether the membership club operated by the Applicant properly qualifies for the class of liquor license being sought; and

THEREFORE BE IT FURTHER RESOLVED that if the Applicant does qualify for such license, Community Board 2, Manhattan recommends **denial** of the application for a new Club liquor license to **Jane St. Social Club, Inc. d/b/a SVB NYC, 115 Jane St. 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 are incorporated into the Method of Operation on its Liquor License.

Vote: Unanimous in favor (6-0)

7. Uncle Biagio, LLC d/b/a TBD, 235 West 12th Street 10014 (New OP – Restaurant)

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

ii. **Whereas,** this is the second time the Applicant has appeared before Community Board 2, Manhattan, the Applicant previously appearing in February/2022 but did not move forward with its application at the NYSLA, this application being identical to the one heard in February/2022; and,

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

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

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

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

1. The premises will be advertised and will operate as an Italian restaurant.
2. The hours of operation will be from 11:00 AM to 12:00 AM, Sundays through Wednesdays and 11:00 AM to 1:00 AM, Thursdays through Saturdays. The premises will open no later than the stated opening time and **no** patrons shall remain after the stated closing time.
3. The premises will operate as a full-service restaurant with its kitchen open and full menu items available until closing every night.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. It will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes except for a certified sidewalk café and roadbed seating operating under the temporary Open Restaurants program on West 12th Street. Sidewalk café is located immediately adjacent to the storefront with no more than four (4) tables and eight (8) patron seats, leaving a minimum clearance of 8' to the curbside for pedestrian passage, and roadbed seating not exceeding the business frontage of licensed premises with no more than six (6) tables and twelve (12) patron seats.
7. Sidewalk café and roadbed seating will close no later than 11 PM. All tables and chairs will be removed at this hour. No exterior music, speakers, or TVs.
8. The Applicant will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
9. It will not install or utilize French doors, operable windows or open facades.
10. It will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
11. It will not make changes to the existing façade except to change signage or awning.
12. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
13. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.

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

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

Vote: Unanimous in favor (6-0)

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

8. Manuel Ramirez/The Village Sand Bar, LLC, 64 Greenwich Ave. 10013 (RW-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 7, 2022 the Applicant agreed **to lay over** this application to May/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Manuel Ramirez/The Village Sand Bar, LLC, 64 Greenwich Ave. 10013 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous in favor

9. Members Only Experience, LLC d/b/a Members Only, 53 W. 8th St. 10011 (TW-Bar/Tavern

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 7, 2022 the Applicant agreed **to lay over** this application to May/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Members Only Experience, LLC d/b/a Members Only, 53 W. 8th St. 10011 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous in favor

10. Pyramid Effect Corp. d/b/a Sakai Sushi, 176-180 7th Ave. So. 10014 (New OP-Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 7, 2022 the Applicant **withdrew** this application from consideration and did not appear; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Pyramid Effect Corp. d/b/a Sakai Sushi, 176-180 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 in favor

11. 239 West 4th Street Restaurant, LLC d/b/a Pending, 239 W. 4th St. 10014 (New OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 7, 2022 the Applicant agreed **to lay over** this application to May/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license,

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any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **239 West 4th Street Restaurant, LLC d/b/a Pending, 239 W. 4th St. 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous in favor

12. NGN West Village, LLC fka Negroni West Village, LLC d/b/a Negroni, 117 7th Ave. So. 10014 (New OP-Restaurant)(laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 7, 2022 the Applicant agreed **to lay over** this application to May/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **NGN West Village, LLC fka Negroni West Village, LLC d/b/a Negroni, 117 7th Ave. So. 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous in favor

13. Gansevoort Market Coffee Shop, Inc. d/b/a Hector's Place, 44 Little W. 12th St. 10014 (New OP-Restaurant)(laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 7, 2022 the Applicant agreed **to lay over** this application to May/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Gansevoort Market Coffee Shop, Inc. d/b/a Hector's Place, 44 Little W. 12th St. 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous in favor

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Respectfully submitted,

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

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

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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QUALITY OF LIFE COMMITTEE

April 2022

The Quality of Life Committee of Community Board #2, Manhattan held its monthly meeting on Monday, April 4, 2022, at 6:30 p.m. via Zoom.

Committee Board Members Present: William Benesh (Chair), Rocio Sanz, Wayne Kawadler, Susan Kent, Brian Pape, Michael Levine, Ed Ma

Public Members Present: Karen Eckhoff

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

Street Activity Applications:

1. **Thursday-Monday, May 5-9, 2022 – HypeGolf Pro Shop: Mercer St. between Grand St. and Canal St. [full sidewalk closure – west side]**

Whereas, the applicant is a clothing company which plans to open a pop-up store at 25-27 Mercer Street which will operate from May-July 2022; and

Whereas, the pop-up is expected to open on May 5th, with a significant amount of foot traffic expected for the opening weekend, with an expected attendance of up to 200; and

Whereas, the applicant is seeking a partial sidewalk closure to accommodate the line of customers awaiting entry into the store; and

Whereas, the applicant intends to employ fence barriers for the line which is expected to take up approximately 30 feet of sidewalk space, crossing in front of an adjacent vacant storefront; and

Whereas, there will be no amplified sound or music outside the store; and

Whereas, the applicant intends to employ 2-4 security guards during peak hours; and

Whereas, residents and board members expressed concern that given the applicant's social media presence, there would be more attendees than included in the application, and that prior

pop-ups and store openings for other brands had generated lines around the block, and expressed the view that virtual registration and/or timed entry could cut down on the lines; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of HypeGolf Pro Shop: Mercer St. between Grand St. and Canal St. [full sidewalk closure – west side], **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, and **further provided that** the applicant ensures that they employ adequate security all time and have a contingency plan in place for security should more customers show up than initially expected.

Therefore Be it Further Resolved that CB2 Manhattan intends to establish a set of "best practices" around store openings and pop-ups to be posted on the CB2 website, which will recommend, among other things, online registration and/or timed entry.

Vote: Adopted unanimously.

2. **Thursday-Tuesday, May 26-31, 2022 – LV Glass Box (Louis Vuitton): Gansevoort Plaza [full closure]**

Whereas, the applicant wishes to stage an activation of the Gansevoort Plaza, in support of a larger city-wide campaign which will serve as a retrospective of the work of Virgil Abloh, a designer who previously served as artistic director for Louis Vuitton, and who passed away in November 2021; and

Whereas, the plaza activation will consist of a static display of a single structure, consisting of an 8' x 8' x 12' acrylic box with a sphere inside, and the Louis Vuitton logo; and

Whereas, the event will not feature any amplified sound or any other type of activity, with seating in the plaza to be maintained and no closure of the plaza; and

Whereas, there will be a security guard at the activation 24 hours a day; and

Whereas, there was some opposition amongst the board members and the community members present to the plaza being used for advertising purposes; and

Whereas, there was the belief amongst committee and board members that the activation presented an education opportunity on the life of Virgil Abloh, who broke ground as the first African-American artistic director at a French fashion house, and who developed his own label which included a store in SoHo; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of LV Glass Box (Louis Vuitton): Gansevoort Plaza [full closure], **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

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Therefore Be It Further Resolved that CB2 Manhattan recommends that the applicant consider additional content within the activation in order to further educate the community on Virgil Abloh and his work.

Vote: 6-1 in favor (R. Sanz opposed)

3. **Sunday, June 5, 2022 – LREI Centennial Street Fair: Charlton St. between Sixth Ave. and Varick St. [full street closure]**

Whereas, the applicant wishes to hold a single-block festival in order to celebrate the 100th anniversary of LREI, which was founded in 1921; and

Whereas, the street fair will focus on family activities including carnival games and a scavenger hunt, and will be open to the whole community, and with the majority of the events free of charge; and

Whereas, the event will feature amplified sound, though the applicant stated that they would strive to keep noise to a minimum; and

Whereas, the event will feature food cooked by the school's chef, and will also feature coffee from Think Coffee; and

Whereas, there will be two security guards present at the event; and

Whereas, the applicant intends only to close the street and keep the sidewalks clear; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of LREI Centennial Street Fair: Charlton St. between Sixth Ave. and Varick St. [full street closure], **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Adopted unanimously.

4. **Friday-Sunday, June 10-12, 2022 – LEAF Festival of Flowers (Sponsor: Meatpacking District Management Association): 1) Gansevoort Pedestrian Plaza, 2) Gansevoort Pedestrian Plaza (Chelsea Plaza), 3) Gansevoort/Gansevoort Pedestrian Plaza, 4) Greenwich St. between Horatio St. and Gansevoort St., 5) 9th Ave. between Gansevoort St. and W. 13th St., 6) 9th Ave. between W. 13th St. and West 15th St., 7) Washington St. between W. 14th St. and Horatio St., 8) Horatio St. between W. 4th St. and 8th Ave., 9) Gansevoort St. between Hudson St. and 10th Ave., 10) Little W. 12th St. between 10th Ave. and 9th Ave., 11) W. 13th St. between Hudson St. and 10th Ave.**

Whereas, the applicant wishes to hold the 2nd Annual LEAF festival in the Meatpacking District, following a successful first-time event in 2021; and

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Whereas, the event is planned to take place on Friday-Sunday, June 10-12, with setup planned to start on June 8th and strike completed by June 14th; and

Whereas, the event in 2021 was well received according to board members and community members present at the meeting; and

Whereas, similar to the 2021 event, the 2022 event is planned to consist of large public floral displays, seating areas, games, storefront activations, and a flower market; and

Whereas, the proposed event for 2022 is on a significantly larger scale than the 2021 event, and would an entail a partial or full closing of the majority of blocks within the Meatpacking District, effectively creating a large pedestrianized district for the duration of the event; and

Whereas, similar to the 2021 event, activations would take place on public plazas within the Meatpacking District, but certain activations for the 2022 event would also take place on the streets themselves, including the flower market which will be located on Washington Street and would require a 29-day concession from DoT to allow for vending and sales to take place on the street itself; and

Whereas, the applicant expressed the intention to employ VMS message boards in order to inform drivers of the street closures and which streets to avoid and/or re-routing information; and

Whereas, the intended street closures would require the re-routing of the M-11 bus; and

Whereas, the applicant intends to employ traffic and pedestrian management staff in order to enforce the street closures and manage traffic; and

Whereas, numerous questions and concerns were raised by committee members, board members and community members around the traffic impact of such a significant closure as is being proposed by the applicant, including:

- Impact on traffic in the residential areas south of the Meatpacking District; and
- Potential confusion of drivers, especially given the non-grid alignment and existing traffic patterns in and around Meatpacking District, which could lead to increased congestion; and
- The need for a plan for rideshare pick-ups and drop-offs, which are expected to be numerous on Friday and Saturday night; and
- Impact on residents of the re-routing of the M-11 bus, including requiring residents to walk a longer distance in order to catch the bus; now

Therefore Be It Resolved that CB2 Manhattan recommends that LEAF Festival of Flowers (Sponsor: Meatpacking District Management Association) be **laid over** pending the completion of a detailed traffic study and mitigation plan for the proposed event, which would cover, among other things the concerns and questions raised by the board and community.

Therefore Be It Further Resolved that CB2 Manhattan recommends that the applicant seek input from CB2's Traffic and Transportation committee for the creation of such plan.

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Vote: Adopted unanimously.

5. **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, the applicant was unable to attend and requested that the application be laid over to next month; now

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** for review next month.

Vote: Adopted unanimously

FYI/Renewals:

6. **5/5/22 – New School 25th Annual Block Party: East 13th St. between 5th Ave. and University Pl. [full street closure]**
7. **5/6/22 – NYU Strawberry Festival (New York University Center for Student Life): West 3rd St. between Mercer St. and LaGuardia Pl. [full street closure]**
8. **5/12/22 – Heermance Farm Party in NYC: Weehawken St. between Christopher St. and West 10th St. [sidewalk and curb lane closure – both sides]**
9. **6/6/22 – Spring Fling 2022 (P.S. 3): Grove St. between Bedford St. and Hudson St. [full street closure]**
10. **6/12/22 – Pride on Astor Fair (Pride Democrats): Astor Pl. between Broadway and Lafayette 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: Adopted unanimously

Respectfully submitted,

William Benesh

William Benesh, Chair

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

Antony Wong, *Treasurer*
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LAND USE & HOUSING COMMITTEE

April 13, 2022

Community Board 2, Manhattan's Land Use & Housing Committee held its monthly meeting on Wednesday, April 13, 2022 @ 6:30PM–Meeting Access via Video Conferencing.

Land Use committee members present via Zoom: Frederica Sigel (Chair), David Gruber, Katy Bordonaro, Anita Brandt, Michael Levine, Susan Wittenberg, Donna Raftery, John Paul DeVerna, Sean Sweeney (public member)

Land Use committee members absent with notice: Eugene Yoo (Vice Chair)

CB2 members present via Zoom: Jeannine Kiely (CB2 chair), Carter Booth, Bo Riccobono, Brian Pape

Representatives of electeds: Nicole Barth, CM Erik Bottcher's office; Charlie Anderson, Community Affairs Dir. and Charles LeDuc, Legislative Dir., AM Deborah Glick's office; Tevin Williams, Legislative Aide and Constituent Liaison, State Senator Brad Hoylman's office; Ian Wang, Legislative Director, CM Chris Marte's office

NY State Assembly Bill Number A9675 (NY State Senate Bill Number S8793), an act to amend the Interim Multiple Dwelling law in relation to occupancy of joint living-work quarters for artists.

1. The purpose of the bill is to permit residents who live in JLWQA units and were in residence prior to December 31, 2021 to continue to occupy such units regardless of their status as certified artists.

2. It would amend Article 7B of the Multiple Dwelling Law regarding Joint Live-Work Quarters for Artists (JLWQA), not to be confused with the New York State Loft Law, which created New York City's Loft Board.

3. The bill was introduced to the NY State Assembly by Assemblymember Deborah Glick on March 28, 2022 and it would be effective immediately upon passage. It is co-sponsored in the NYS Senate by State Sen. Brian Kavanagh (S8793).

4. The bill would cover units in manufacturing buildings converted to JLWQA that have either a temporary or permanent Certificate of Occupancy (C of O) or who have applied for a JLWQA C of O as of December 31, 2021.

5. Charlie Anderson, Assemblymember Glick's director of community affairs and Charles LeDuc, her legislative director, made a presentation regarding the intent and process of the bill.

6. More than 150 people registered for the meeting and no one spoke against this bill. Speakers urged CB2 to approve it quickly and they addressed the following concerns:

    - How further modifications not covered in the proposed bill will be handled in future legislation and the need to differentiate between what is within the purview of New York State v. New York City
    - Plans to protect the artists and the artistic character of the neighborhood
    - Issues of inheritance
    - The need to update the definition of artist and reinvigorate the artist certification process
    - Preservation of JLWQA units as a form of affordable housing
    - The ramifications of this bill for coop and condo owners
    - Reconciling the difference in code requirements to obtain a Certificate of Occupancy between JLWQA and residential units in the same building
    - How occupancy of JLWQA units after Dec. 31, 2021 will be handled
    - Responsibility for conversion costs
    - The role of the NYC Arts Fund

Therefore, be it resolved that CB2M wholeheartedly recommends approval of this bill and applauds Assemblymember Deborah Glick for taking the first step on a matter of utmost concern to our community.

Be it further resolved that CB2M urges the New York State Senate and the New York State Assembly to advance this bill to the floor of both houses as quickly as possible so it can be passed during this legislative session.

Vote: Unanimous (9-0)

Sincerely,

Frederica Sigel

Frederica Sigel
Chair, CB2 Land Use and Housing Committee

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

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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TRAFFIC AND TRANSPORTATION COMMITTEE

April 2022

The Traffic and Transportation Committee of Community Board #2, Manhattan held its monthly meeting on Thursday, April 7, 2022, at 5:30 p.m. via Video Conference.

Board Members Present: Shirley Secunda (Chair), Janet Liff, Ed Ma, Daniel Miller (Vice Chair), Antony Wong, Adam Zeldin.

Board Members Absent with notification: Amy Brenna, Ritu Chattree, Lois Rakoff.

Board Members Absent:

Public Members Present: George Haikalis, Joseph Flahaven.

Public Members Absent with notification:

Public Members Absent:

Other Board Members Present: Carter Booth, Michael Levine, Bob Gormley (CB2 DM).

Guests: Council Member Christopher Marte, Tevin Williams (State Senator Brad Hoylman), Nicole Barth (Council Member Erik Bottcher), Judith Kasen-Windsor, Pete Davies, Darlene Lutz, Jeffrey Rowland, Renee Monrose, Andrew Cohen, David Chang, Eric Dickson, Matt Richman.

RESOLUTIONS:

1. Resolution in support of co-naming the n.w. corner of 5th Ave. and Washington Sq. N. Edie Windsor and Thea Spyer Way.

Whereas a request was presented to co-name the n.w. corner of 5th Ave. and Washington Sq. N. Edie Windsor and Thea Spyer Way in recognition of their role in establishing a long-denied civil right of the LGBTQ+ community, a group that has had a large, significant and enduring presence in Greenwich Village for over 100 years and that has played a vital role in helping shape the Village's unique, innovative and artistic character and its open-minded, progressive, humanistic values; and

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Whereas Edie Windsor and Thea Spyer were married in Canada in 2007, and although their same-sex marriage was legally recognized by New York State in 2008, it wasn't recognized in federal law. The Defense of Marriage Act (DOMA) Section 3 held that the term "spouse" applied only to marrage between a man and woman. A lawsuit brought by Edie Windsor claiming spouses' rights in relation to hers and Thea Spyer's marriage led to the recognition of the legality of same-sex marriages throughout the United States; and

Whereas in 2013, in the landmark case of *United States v Windsor,* in response to Edie Windsor's lawsuit, the U.S. Supreme Court struck down Section 3 of DOMA as unconstitutional and "a deprivation of the liberty of the person protected by the Fifth Amendment" and its guarantee that no person shall be "deprived of life, liberty or property without due process of law." This gave same-sex married couples rights to federal benefits that only heterosexual married couples were allowed previously; and

Whereas Edie Windsor and Thea Spyer lived together in Greenwich Village for over 43 years, and during that time were actively engaged in championing and pursuing LGBTQ+ rights and civil liberties within the community and serving people's special needs:

- They were founding members of the LGBT Center at 208 W. 13th St., as well as of SAGE, New York's oldest advocacy group for LGBTQ+ elders (originally located in the 208 W. 13th St. building too), and the Callen-Lourde Health Center (originally located nextdoor to 208 W. 13th), which provides medical services to members of the local community, including at risk youth.
- They volunteered their services at these and other community institutions on a steady basis. Edie Windsor, who was a Senior Systems Programmer at IBM (the organization's highest rank) brought in and set up all the technology for the LGBT Center, SAGE and Callen-Lourde and aided in the learning of how to run these systems. Thea Spyer, a dedicated clinical psychologist in private practice, voluntarily counseled patients at Callen-Lorde and treated AIDS patients at St. Vincent's Hospital when no one else would.
- They supported and were involved in the activities of Congregation Beit Simchat Torah, New York City's LGBTQ+ synagogue, at the time located at 56 Bethune St. in the West Village.
- They devoted their entire lives to advocating for LGBTQ+ rights, by volunteering, organizing, contributing support, and participatng in numerous initiatives, marches, demonstrations and other events throughout Greenwich Village, such as the Gay Pride Parade and Stonewall commemoration.; and

Whereas a petition supporting the co-naming of the n.w. corner of 5th Ave. and Washington Sq. N. Edie Windsor and Thea Spyer Way was submitted with almost 200 signatures, including signatures from NY State Senator Brad Hoylman and NY State Assembly Member Deborah Glick, both of who live in and represent Greenwich Village and include Community Board # 2, Manhattan in their districts, with close to 100 of the signatures from the building located at that proposed 5th Ave. and Washington Sq. N. corner; and

Whereas letters of support for the co-naming were received from the LGBT Center, Callen-Lorde Health Center and Judson Memorial Church; and

Whereas co-naming the corner of 5th Ave. and Washington Sq. N. after Windsor and Spyer is fitting both because they lived there (at 2 5th Ave.), directly across from Washington Sq. Park, and because the Park itself has been the site of so many happenings in the LGBTQ+ rights movement, among them a rally that began there to protest the police's actions at Stonewall, gatherings after the Pride Parade, the wrap up of the Dyke March, and celebration of the Trans Day of Action;

Therefore be it resolved that CB2 fully supports co-naming the n.w. corner of 5th Ave. and Washington Sq. N. Edie Windsor and Thea Spyer Way.

Vote: In Favor: 6 Full Board Members, 2 Public Members.
Abstain: 1 Full Board Member.

Respectfully submitted,

Shirley Secunda

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

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

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

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SCHOOLS & EDUCATION COMMITTEE MEETING
April 2022

The Schools & Education Committee held a meeting on Monday, April 11th at 6:30PM via Video Conference.

CB 2 Schools & Education Members Present: Patricia Laraia (Chair), Mar Fitzgerald (Vice Chair), Keen Berger, Rich Caccappolo, Matthew Metzger and Georgia Silvera Seamans

CB 2 Schools & Education Members Absent with Notice: Akeela Azcuy and Amy Brenna

CB 2 Schools & Education Public Board Members Present: Michael Markowitz

CB 2 Schools & Education Public Board Members Absent with Notice: Barbara Glassman

Other CB 2 Members Present: Bob Gormley (District Manager) and Jeannine Kiely (CB 2 Chair)

Guests: Eishika Ahmed, Rachel Hutt, Darlene Lutz, Jeffrey Rowland and Marie Zinn

Agenda:

- School Budget Cuts: What it means for you and your school with **Yolanda Smith, NYC Independent Budget Office**
- Presentation by iMentor, with **Rachel Hutt**, Senior Volunteer Recruitment Manager
- Follow-up discussion of Food Service Bonuses with **Amalaa Somwaru**, School Food Service Manager, of P.S. 130 Hernando De Soto for school food service workers who worked throughout the pandemic providing meals to students and the community at large

The meeting was called to order at 6:35PM

The meeting started with a discussion by Yolanda Smith about school budgets and enrollment changes as it relates to her article on, Fewer Students, Fewer Dollars: DOE Savings Plan Phases Out School Budget Cut Forgiveness Available During the Pandemic.

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Educators and researchers attribute the declines during the pandemic to a variety of factors, including increased home-schooling, enrollment shifts into local charter and private schools, and migration of families out of the city. The federal stimulus money helps to offset some of these declines; however, schools will feel the fiscal impact of their enrollment losses sometime after 2024 when federal support ends.

iMentor: Calling all Mentors: Mentor a NYC High School Student!

iMentor is an education non-profit and youth mentoring program working to empower first-generation college students to graduate high school, succeed in college, and achieve their ambitions through one-on-one mentorships. 98% of iMentor students identify as people of color, are international students, or speak languages other than English. When students meet their mentors, it is important that they see successful working professionals who are as diverse and unique as they are. *iMentor NYC operates in 13 partner high schools located in Manhattan, Brooklyn, Bronx, and Queens!*

- *About iMentor NYC*
- *iMentor Flyer*
- *iMentor QR code Flyer*

Mentor Requirements:

- Mentors commit to writing mentee once per week and meeting once per month during the school year

This program is looking for volunteers to give back by taking the next step to becoming a mentor: https://imentor.org/get-involved/become-a-mentor

School Food Bonuses: Revisited this topic and invited Samalaa Somwaru, School Food Service Manager of P.S. 130 Hernando De Soto, to give background on this topic. An invitation was extended to Local Union Rep from DC 37, but was declined. Samalaa said that the school food workers haven't received any type of hazard pay, despite working throughout the COVID pandemic to provide meals to community members in need, and wanted to advocate for her employees.

Business session: Schools & Education Committee met and discussed writing a resolution for the school service workers. Resolution to follow.

Meeting was adjourned at 8:40

Resolution in support of Food Service Bonuses for School Food Service Workers who Worked Throughout the Pandemic Providing Meals to Students and the Community at Large

1. **Whereas**, it has come to the attention of the CB2 Schools & Education Committee that local school food service workers worked throughout the pandemic providing meals to students and the community at large; and

2. **Whereas**, some schools in CB2 were designated as "Grab'n'Go" sites serving food for not only students but members of the community during the pandemic school closure, requiring school food service workers to report to work physically every day in the midst of the pandemic; and

DRAFT

3. **Whereas**, these school food service workers have not been compensated for their work with hazard pay; and

4. **Whereas**, CB2 Schools & Education Committee invited Amalaa Somwaru, School Food Service Manager of P.S. 130 Hernando De Soto, to give background on this topic on Monday, April 11, 2022; and

5. **Whereas**, New York City's Department of Education (DOE) has been one of the school districts most adversely affected by COVID-19. But through the shutdowns, reopenings and continued uncertainty, wholesome meals to students—and the community at large—has remained a constant; and

6. **Whereas**, the Office of Food and Nutrition Services has produced nearly 100 million meals over the last 13 months, serving an average of 300,000 to 500,000 students and adults per day[1]; and

7. **Whereas**, as only an example, in August of 2020, food service workers at P.S. 130 Hernando De Soto served over 14,000 meals in a single day to Community Board 2 families and neighbors; and

8. **Whereas**, workers ensuring the food security of our children and neighbors are certainly essential workers, without whom many thousands across the city would have gone hungry; and

9. **Whereas**, during the school year 2020-2021, roughly 45% of meals were served to students in person and 35% to remote learners. The remaining 20% of meals were served to the general public[2]; and

Therefore be it resolved Community Board 2 urges the city and state to utilize COVID-19 relief funds, such as the Coronavirus Aid Relief, and Economic Security (CARES)[3] and American Rescue Plan (ARPA)[4] Acts, to provide retroactive hazard pay to our essential, local school food service workers that served our families during the pandemic.

Vote: Unanimous

Respectfully Submitted,

Patricia Laraia
Chair, Schools & Education Committee
Community Board 2, Manhattan

[1] https://www.food-management.com/k-12-schools/how-new-york-city-public-schools-have-kept-students-and-city-residents-fed-during

[2] https://www.food-management.com/k-12-schools/how-new-york-city-public-schools-have-kept-students-and-city-residents-fed-during

[3] https://home.treasury.gov/policy-issues/coronavirus

[4] https://www.congress.gov/bill/117th-congress/house-bill/1319/text

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ARTS & INSTITUTIONS COMMITTEE

The Arts & Institutions Committee of Community Board #2, Manhattan held a meeting on Monday, March 28 at 6:30 P.M. via Zoom.

Arts & Institutions Committee:
Board Members Present: Robin Rothstein, Chair; Coral Dawson; Chris Dignes; Susan Gammie; Rocio Sanz; Georgia Silvera Seamans
Board Members Absent with notification: Dan Miller
Board Members Absent without notification: Ivy Kwan-Arce
Public Members Present: Stacey Goergen; Kristin Marting
Public Members Absent with Notification: Jonathan Slaff
Other Board Members Present: Michael Levine

There were three items on the agenda. There were two resolutions.

1. Presentation by representatives of Village Preservation regarding the organization's upcoming community programs and special events.
2. *CB2's Equity, Race & Justice Committee will present a resolution in support of naming NYU's new 556-person theater at 181 Mercer in honor of The African Grove Theatre that was located at the site from 1821 until 1826.
3. *New app. for revocable consent to construct, maintain and use overhead building projection (Triangle Fire Memorial) on 23-29 Washington Place (for NYU).

Meeting Commenced: 6:35pm

1. Village Preservation update

Village Preservation representatives, **Lannyl Stevens**, Director of Development and Special Events, **Leanne G-Bowley**, Director of Programming, and **Hew Evans,** Administrative and Programs Assistant, presented to the committee on the organization's recent and upcoming work.

Most Village Preservation programs are free and open to the public and they were excited to report that in April they will have their first hybrid program as they come back to in-person events cautiously.

Village Preservation is starting a new series on building advocacy and preservation skills. They are also continuing to reflect the preservation history of our community, working on a banned book series that will come out in May or June. They will continue to plan more events and series where they document the wonderful things that have happened in our community through history and reflecting on how that intersects with how we're dealing with things today.

They are also focused on building community and talking a lot about coming back together as communities and how they can build that community celebrate culture and the arts. They will also continue sharing their preservation and advocacy efforts. So when Village Preservation is doing something around advocacy or preservation, they will highlight it with their programming as well. In addition, they are amplifying the history of BIPOC and LGBTQ communities in our region, which Village Preservation has already done quite a bit of work around in the past. Now, they are moving it forward even more to build community trusts to make sure that they are making programs that are not only helping to amplify but also actually representing the communities that are being talked about in their programs.

One cornerstone of Village Preservation's programming is their **Oral History Project.** Historians speak to community members, take down their oral history, and then share it in a number of ways, including through programs. They recently had a program with Barbara Kahn – a longtime playwright based in the East Village – and they are now working on something to celebrate playwright John Guare's oral history in the coming months. They previously interviewed CB2's own Michael Levine for this program. Village Preservation is collecting more oral histories, so if the community has people in mind that would be great candidates, they are especially interested in expanding their coverage of women to balance out the oral histories they already have of men, Village Preservation is happy to hear any ideas.

As far as advocacy and preservation workshops that help community members, Village Preservation is interested in talking to community board members in the area about how Village Preservation can raise awareness about the work of community boards, how you join a CB, how you develop District Need Statements, or any other ideas. Village Preservation would like to collaborate to amplify the work community board members do and help people understand what the role is in their work with the community boards.

After stopping in-person programs to protect the community, Village Preservation returns to in-person programming in April with a lecture at the Salmagundi Club by Executive Director Andrew Berman. His talk is about the artistic traditions of Greenwich Village, East Village, and NoHo to see what sort of artistic and creative contributions that communities have had within Manhattan and within American and Western art and large. The event is an in-person and live-streamed event.

Village Preservation also recently hosted a tour of the New York Studio School, which previously used to be Gertrude Vanderbilt Whitney's studio. They are also hosting a plaque dedication, dedicating the 1966 "Sip In" at Julius's bar on April 21 at 6pm and that has unlimited attendance. They will be documenting these programs and will also post videos and photos on their social media pages so that if you're unable to attend the events, you can still enjoy on your own time. They are also continuing their online lecture series. These will include highlighting our Community Land Trust, conducting a workshop with them to learn about what a land trust is and how it can affect change within your own community. They are also hosting a lecture and workshop on Ukrainian pysanky, the Ukrainian art equivalent to what we know as Easter eggs. In addition, they are collaborating with Printed Matter on St. Mark's, Book Club Bar on Third Street and the Unoppressive Non-Imperialist Bargain Books at 34 Carmine Street to talk about the independent bookstores

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that we have in our neighborhoods and how they collaborate and stick together in the age of Amazon. They are also partnering with author and illustrator Joan Melnick to talk about the evolution of NoHo as a neighborhood.

In 2021, for the first time, Village Preservation created a brand new outdoor public exhibition called **Village Voices**. It was devised to increase public awareness about the vast history of the Village, the East Village and NoHo. The exhibition dates this past year were September 12 through October 31, 2021, which extended by several weeks out of popular demand. It was created to be an engaging installation of 21 interactive exhibit boxes displayed throughout all of our neighborhoods. They featured photographs, artifacts, and recordings that provided illuminating insight into the momentous heritage of our neighborhoods. The exhibition was essentially a tribute to New Yorkers, to our resilience and to our neighborhoods. Visitors from all over the world came to discover learn and enjoy the exhibition, which had a digital component that allowed the exhibit to be experienced further through QR codes that were on the boxes and provided audio content to enhance the exhibit. Graphic designer Penny Hardy, a villager and founder of PS New York largely designed each of the 21 boxes. One box was the memorial to the victims of the Triangle Shirtwaist Factory Fire, which had a replica of a small shirt shirtwaist dress that was hand-embroidered with all 146 names of the victims of that fire. It was a moving tribute to the workers that perished that day. The New York Times covered the exhibit, which allowed more people to come to see and understand more about our village. The 21 honorees, or subjects, that Village Preservation highlighted were a variety of villagers from artists, visual artists, writers, poets, activists, and scientists – people who made our neighborhoods what they are today. They will be doing this project again in 2022. The 2021 season also had an augmented reality component. Two were exhibits that you could only see in an augmented reality way and they will probably be doing that again this year, as it was an interesting way to sort move into the future here in our neighborhoods.

For more information on Village Preservation's latest programs, workshops, and events, please contact lannyl@gvshp.org or visit: https://www.villagepreservation.org/

2. Background on the African Grove Theatre that was located at the site in 1821 and is believed to have remained in this location up until 1826

New York University's (NYU) 181 Mercer project, a 20-story building that, among other types of programming, will include one or more performing arts venues, is near completion.

To that end, the committee voted on a draft resolution that originated in **CB2's Equity, Race & Justice Committee** urging NYU to name one of these performing arts venues after the **African Grove Theatre**. **Professor Michael Dinwiddie**, a playwright and composer and associate professor at the Gallatin School of Individualized Study at New York University, came to speak to the committee to provide background on the history of this historic theatre.

Prof. Dinwiddie discovered many years ago that a theatre called the African Grove Theatre, the first theatre built and managed by people of color, had been at the site of Bleecker and Mercer. The first Black professor at NYU, James Weldon Johnson, wrote about the theatre in his book, *Black Manhattan*. The company performed Shakespeare, plays about Black revolution, plays depicting Native Americans in a respectful light, musicales, and more.[1] Prof. Dinwiddie noted that, had this model lasted, we would not have the segregated

[1] *A Black Theater Flourished in New York. 200 Years Ago*. https://www.nytimes.com/2021/09/22/theater/african-grove-theater.html (New York Times).

issues we have in theatre today (i.e., which communities do and do not have access.) The theatre only lasted for a short period; White audiences were critical of African Americans performing Shakespeare and performing revolutionary plays. As a result, the theatre was destroyed and closed down and law enforcement made the actors swear that they would no longer perform Shakespeare.

Two years ago, Prof. Dinwiddie began a letter-writing campaign to NYU notifying the institution that it was building on what had been the African Grove Theatre and urging NYU to name one of the five performing arts spaces the African Grove Theatre. Following the letter-writing campaign, Prof. Dinwiddie put together a fascinating exhibit at the Gallatin Gallery called ***Transformation***, which covered 100 years of African American theatre from 1821 to 1921 – from the African Grove Theatre to *Shuffle Along* – which had a direct influence on Broadway and American theatre as we know it today.

Prof. Dinwiddie also pointed out that prior to the African Grove Theatre coming on the scene, this section of downtown of Manhattan – Greenwich Village, Washington Square Park, NoHo, SoHo, and Chinatown – was known already known for 175 years as "the Land of the Blacks," an area where people of African descent settled after negotiating their freedom in the colony of New Netherland in the 1600s.[2]

Prof. Dinwiddie says his next step will be making a public announcement at the end of April regarding advocating for the naming one of the performing arts venues at 181 Mercer after the African Grove Theatre.

For more information on the African Grove Theatre, please visit:
https://wp.nyu.edu/gallatingalleries/transformation-events/

3. Background on the new application for revocable consent to construct, maintain and use overhead building projection (Triangle Fire Memorial) on 23-29 Washington Place

Charles Lauster (lausterarchitect.com), the architect of record for the memorial being created for the 146 victims of the Triangle Shirtwaist Factory fire on March 25, 1911, came to speak on an application for revocable consent. The designers of the memorial are Uri Wegman and Richard Joon Yoo, who were named winners of a competition in 2013. NYU owns the building at Greene Street and Washington Place (formerly the Asch Building, now The Brown Building.) Currently, there is a plaque on the side of the building; however it is not clear from the plaque where the fire actually occurred in the building. This memorial will provide a greater sense of meaning and context.

The memorial will be a stainless steel sculpture that runs from the ninth floor, where the fire locked in the victims, down the corner of the building to roughly the second floor, and then spreads along the two street sides. The band that is 12 feet up has the names of all146 people who perished and their ages cut into it so the light goes through that band and is reflected on the band located at waist height. The design leads people to look up at where the fire took place and then to look down and see the names.

The project is expected to be unveiled on March 25, 2023.

White People Do Not Know How to Behave at Entertainments Designed for Ladies and Gentlemen of Colour: William Brown's African and American Theater by Marvin McAlllister. https://www.amazon.com/People-Behave-Entertainments-Designed-Gentlemen/dp/0807854506

[2] Land of the Blacks digital exhibition. http://blackgotham.com/landoftheblacks/ (Black Gotham)

For more information please visit http://rememberthetrianglefire.org/memorial/

Executive

Our next meeting will be on Monday, April 25th. There are currently two presenters scheduled: Member of a new coalition called the West Side Cultural Network (WSCN) will introduce themselves and their mission and we will also hear from the new executive director of the New York City Fire Museum on the museum's upcoming programming.

As our May meeting will fall on Memorial Day, it will be rescheduled to another date that month. We are hoping to hear from representatives of the Jackie Robinson Museum sometime in the middle or second half of May.

The committee voted conditional approval of the two resolutions pending final language.

No new business.

Meeting Adjourned: 7:44pm

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RESOLUTION IN SUPPORT OF NAMING AN NYU THEATER AT 181 MERCER IN HONOR OF THE AFRICAN GROVE THEATRE

Resolution in Support of Naming an NYU Theater at 181 Mercer in Honor of The African Grove Theatre

1. **Whereas**, in 1821, at the intersection of Mercer and Bleecker streets, a retired West Indian steward named William Brown founded the African Grove Theatre, the first known Black theater in the United States; and

2. **Whereas,** the African Grove began in 1818 in the backyard of the William Brown's house on Thomas Street as a Black-owned "pleasure garden" or "pleasure ground" at a time when public open space was scarce, and pleasure gardens were reserved for white people only[3] [4] [5] ; and

3. **Whereas**, the African Grove Theatre opened six years before the abolition of slavery in New York State, and almost forty years before the start of the Civil War; and

4. **Whereas**, the 300 seat theater was built of wood and its auditorium consisted of a pit below stage level, tiered house seating not partitioned into boxes so as to enhance the flow of air, and a gallery whose ceiling was too low to permit hats and bonnets to be worn by spectators; and

5. **Whereas**, the first performance staged by the African Company, possibly the first professional African American theater production ever, was a Shakespeare play; "*After several nightly caucuses, they resolved to set up a play, and the upper apartments of the neglected African Grove were pitched upon for the purpose. Richard the Third, after mature deliberation, was agreed on…*[6]"; and

6. **Whereas**, the most popular plays were *Richard III* and *Othello*. James Hewlett was the first black man of record to play the leading role in *Othello*; and

7. **Whereas,** the performances of the African Grove Theatre company were a hit and were so popular that William Brown moved out of the little room on Thomas Street, where they'd been performing, and 11 blocks north[7], and rented out the bar next door to an established theater, the Park at the intersection of Mercer and Bleecker streets[8]; and

8. **Whereas**, the owner of the Park was not happy about the competition and, because he was well connected, when he called the police to complain about the noise next door causing all the actors to be hauled off to prison and put in prison overnight[9]; and

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[3] https://publicpleasuregarden.blogspot.com/search?q=african+american
[4] https://maap.columbia.edu/place/23.html
[5] https://aaregistry.org/story/the-african-grove-theater-begins/
[6] https://www.folger.edu/shakespeare-unlimited/african-americans-shakespeare
[7] https://maap.columbia.edu/place/then.html#map=CU070096003&z=8.764&cx=0.52&cy=0.367&view=map_marks
[8] https://www.folger.edu/shakespeare-unlimited/african-americans-shakespeare
[9] https://www.folger.edu/shakespeare-unlimited/african-americans-shakespeare

9. **Whereas**, the African Grove Theatre actors were released from jail on one condition, they had to promise never to perform Shakespeare again[10]; and

10. **Whereas**, in addition to Shakespeare, the African Company performed original plays and skits that dealt with slavery and the plight of Native Americans, which included William A. Brown's now-lost play, *The Drama of King Shotaway* about a 1795 Caribbean revolt against British Navy forces on the island of Saint Vincent. Also produced by the African Company in 1823, *Drama* is believed to have been the first full-length play by a black American performed in the United States, and a ballet which featured Native Americans as dignified characters; and

11. **Whereas**, in 1823, The African Grove Theatre was ransacked by a white mob which, aided by police, was responsible for the theater's closure; and

12. **Whereas**,*Transformation!* An exhibition that looks at 100 years of African American theatre was shown at NYU Gallatin and included images and artifacts of the African Grove Theatre, its actors and productions[11];

Therefore be it resolved that Community Board 2, Manhattan urges New York University (NYU) to name one of the three theaters that will sit on the historical home of the African Grove Theatre at 181 Mercer Street in honor of the The African Grove Theatre, and its significant role in NYC and American history.

Vote: Unanimous in favor.

Respectfully submitted,

Robin Rothstein
Chair, Arts & Institutions Committee
Community Board 2, Manhattan

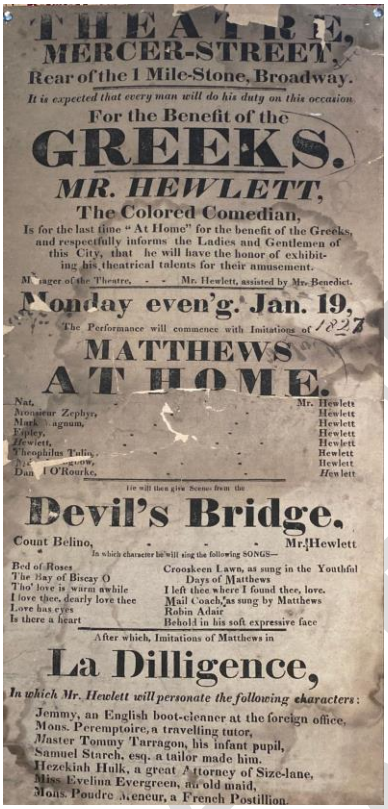
Mar Fitzgerald
Equity, Race & Justice Committee
Community Board 2, Manhattan

DRAFT

[10] https://www.folger.edu/shakespeare-unlimited/african-americans-shakespeare

[11] https://wp.nyu.edu/gallatingalleries/transformation/

PLAYBILL, NEGRO THEATRE, 1821



THEATRE,
MERCER-STREET,
Rear of the 1 Mile-Stone, Broadway.

It is expected that every man will do his duty on this occasion

For the Benefit of the

GREEKS.

MR. HEWLETT,

The Colored Comedian,

Is for the last time "At Home" for the benefit of the Greeks, and respectfully informs the Ladies and Gentlemen of this City, that he will have the honor of exhibiting his theatrical talents for their amusement.

Manager of the Theatre, - - Mr. Hewlett, assisted by Mr. Benedict.

Monday even'g. Jan. 19,

The Performance will commence with Imitations of 1827

MATTHEWS AT HOME.

Nat,	Mr. Hewlett
Monsieur Zephyr,	Hewlett
Mark Lagoum,	Hewlett
Eppley,	Hewlett
Hewlett,	Hewlett
Theophilus Tatlin,	Hewlett
[illegible]	Hewlett
Dan'l O'Rourke,	Hewlett

He will then give Scenes from the

Devil's Bridge.

Count Belino, - - - - Mr. Hewlett

In which character he will sing the following SONGS—

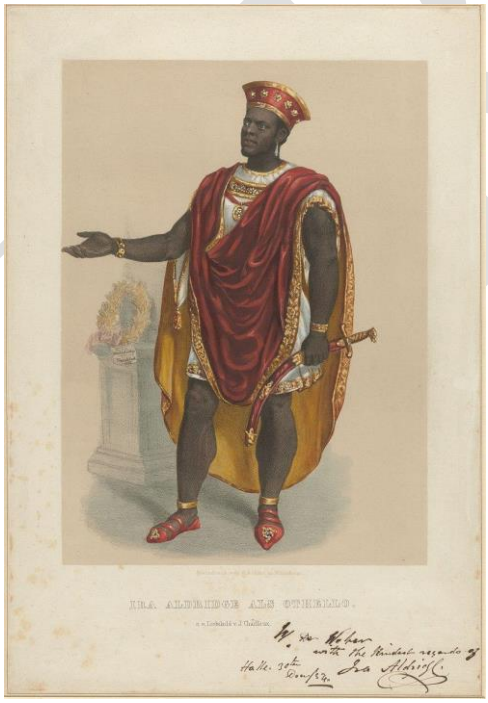
Bed of Roses	Crookskeen Lawn, as sung in the Youthful Days of Matthews
The Bay of Biscay O	I left thee where I found thee, love.
Tho' love is warm awhile	Mail Coach, as sung by Matthews
I love thee, dearly love thee	Robin Adair
Love has eyes	Behold in his soft expressive face
Is there a heart	

After which, Imitations of Matthews in

La Dilligence,

In which Mr. Hewlett will personate the following characters:

Jemmy, an English boot-cleaner at the foreign office,
Mons. Peremptoire, a travelling tutor,
Master Tommy Tarragon, his infant pupil,
Samuel Starch, esq. a tailor made him,
Hezekiah Hulk, a great Attorney of Size-lane,
Miss Evelina Evergreen, an old maid,
Mons. Poudre Meneur, a French Postillion.



MR. ALDRIDGE ALS OTHELLO.

Mr. Kean
as Richard the third in imitation of
Mr. Kean
Off with his head so much for Buckingham
I am myself alone.

DRAFT

NEW APPLICATION FOR REVOCABLE CONSENT TO CONSTRUCT, MAINTAIN AND USE AN OVERHEAD BUILDING PROJECTION (TRIANGLE FIRE MEMORIAL) ON 23-29 WASHINGTON PLACE (FOR NYU)

Whereas the deadly fire at The Triangle Shirtwaist Factory killed 146 victims on March 25, 1911 in the Asch Building (now The Brown Building), and

Whereas Remember the Triangle Fire Coalition, a 501c3 nonprofit organization, is erecting a permanent public memorial on the façade of the building where the fire took place, and

Whereas CB2 approved the project in December 2018, the Landmark Preservation Commission (LPC) approved the project in March 2019, and the Department of Buildings (DOB) approved the project in August 2019, and

Whereas the project needs the Department of Transportation (DOT) to give revocable consent because the memorial overhangs the public sidewalk by 18 inches and needs to undergo a series of hearings before the memorial can be fully installed.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **approval** for revocable consent to construct, maintain and use an overhead building projection on 23-29 Washington Place, provided that the application conforms with all applicable laws, rules, and regulations, and/or restrictions, and clearance requirements.

Vote: Unanimous in favor.

Respectfully submitted,

Robin Rothstein
Chair, Arts & Institutions Committee
Community Board 2, Manhattan

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