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



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

Community Board No. 2, Manhattan

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

FULL BOARD MINUTES

DATE: March 24, 2022
TIME: 6:30 P.M.
PLACE: Via Video Conference

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

BOARD MEMBERS ABSENT WITH NOTIFICATION: John Deverna, Mostafa Osman, Eugene Yoo

BOARD MEMBERS ABSENT: Akeela Azcuy

BOARD MEMBERS PRESENT/ARRIVED LATE: None

BOARD MEMBERS PRESENT/LEFT EARLY: Richard Caccappolo

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

GUESTS: Marissa Mavrich-Burtch, Congresswoman Carolyn Maloney's office; Ling Xia Ye, Congresswoman Nydia Velazquez; Senator Brad Hoylman; Emily Leung, Senator Brian Kavanagh's office; Andrew Chang, Manhattan Borough President Mark Levine's office; Assembly Member Yuh-Line Niou; Charlie Anderson, Assembly Member Deborah Glick's office, Nicole Barth, Council Member Erik Bottcher's office; Council Member Carlina Rivera; Ian Wang, Council Member Christopher Marte's office

MEETING SUMMARY

Meeting Date – March 24, 2022
Board Members Present – 44
Board Members Absent with Notification – 3
Board Members Absent - 1
Board Members Present/Arrived Late - None
Board Members Present/Left Early – 1

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II. PUBLIC SESSION

Reopening Working Group

Leslie Clark – Reopening Working Group resolution on POR.
Elizabeth Sabo - Reopening Working Group Letter.

Discussion on Permanent Open Restaurants: Rulemaking

Dash Kupper, Kyle Sklerov, Kate Hilliard and John Grimes – In Opposition to permanent outdoor dining in CB2; Noise; Should not be located within 50 ft. from group floor residences.

Keif Arntzen – About the 115 active liquor licenses within 750 ft. area.

Kathryn B. Quinn – Open Restaurants Program; prohibit outdoor music, platforms should be removable; 311 should include problems with Open Restaurants.

Micki McGee – Permanent Outdoor Dining; against propane use.

Augustine Hope – from the West Village Residents Association spoke about the Open Restaurants Program.

231 Grand Street Shelter

FOR: Charles King, Corinne Low

AGAINST: Emma Li, Michele Li, Elise Lam, David Qiu, Lucas Duong, Saoreace Johnson, Sierra Johnson, Michael Chen, Susan Lee, Dr. Andrea Jue, Dr. Rene Eng, Keri Flaherty, Dorina Yuen, Yi Law Chan, Virginia Buchanan, Jacky Wong, Dr. Lucy Leung, David J. Zilenziger, Dr. Angie Eng, Brian Chin, Jane Lok, Pastor Austin Woo, Waivian Lam, Thomas Lee, Doris Ling, Ada Ko, Pam Yang, Joanie Gong, Ernest Lepore, Teimour Solomon, Winnie Cheung, Yim Lee, Alan Huie, Grace Solomon, Peggy Ng, Norina Li, Mei Wong, Dr. Amy Wu, Henry Chen, Yolanda Tun-Chiong, Thomas Leung, Regina Chan, Jennie Ma, Irving Lee, Yiu Leung, Jan Chan, Dr. Herman Lam, Emily DePalo, Jenny Low, Dr. Anli, Liu, Dr. Stephan Wan, Ling Lai, Vicky DiDonato, Herman Lau, Billie Cohen, Cheryl Wu

Non-Agenda Items

Lynn Pacifico – Want the Water Tunnel Site added to the JJ Walker Park.

Doris Diether Bench

Lois Rakoff – Doris Diether Bench.

Sheryl Woodruff – Doris Diether Bench and Washington Square Park.

Darlene Lutz – from the 1st Precinct Community Council

Sane Energy Project

Judith Canepa – Sane Energy Project.

Gigi Nieson – Sane Energy Project and No North Brooklyn Pipeline Coalition.

Morton Williams Bleecker

Carmela Piazza – Supermarket near the site of the present Morton Williams on Bleecker St.

Morton Sloan – Morton Williams Supermarket

Regina Schwartz – Construction at 107 Bank Street where construction is visible from the street.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Marissa Mavrich-Burtch, Congresswoman Carolyn Maloney’s office

Ling Xia Ye, Congresswoman Nydia Velazquez

Senator Brad Hoylman

Emily Leung, Senator Brian Kavanagh’s office

Andrew Chang, Manhattan Borough President Mark Levine’s office

Assembly Member Yuh-Line Niou

Charlie Anderson, Assembly Member Deborah Glick's office

Nicole Barth, Council Member Erik Bottcher’s office

Council Member Carlina Rivera

Ian Wang, Council Member Christopher Marte’s office

IV. ADOPTION OF MINUTES

Adoption of March 2022 Full Board minutes.

V. BUSINESS SESSION

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

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

STANDING COMMITTEE REPORTS

ARTS & INSTITUTIONS

1. RESOLUTION REGARDING NEW YORK UNIVERSITY (NYU) COMMITTING SPACE AT 181 MERCER OR OTHER SUBSTANTIVE RESOURCES IN SUPPORT OF THE RELOCATION OF THE MORTON WILLIAMS SUPERMARKET

WHEREAS 181 Mercer, NYU’s new multi-use building located on the block between Bleecker Street and Houston Street, began construction in 2016 and is scheduled to be completed in the late fall of 2022, and

WHEREAS 181 Mercer is a 23-story, large-scale development comprised of 750,000-square-foot and a cornerstone of NYU’s “Core Plan” (formerly known as “NYU 2031 Plan”), and

WHEREAS NYU’s Core Plan went through the Universal Land Use Review Procedure (ULURP) in 2012, where the City Planning Commission (CPC) and the City Council approved construction of 181 Mercer, and

WHEREAS the original Core Plan allowed for the development of four buildings, but NYU has scaled back its plans, with no additional construction currently contemplated as part of this plan beyond 181 Mercer, and

WHEREAS the 181 Mercer building will house new classrooms, dining areas, rehearsal spaces, offices, student and faculty housing, a 556-person theater, an athletic facility with a swimming pool, track and four basketball courts, approximately 60 general-purpose classrooms, 7,500-square-foot ground floor community room, and 25,000 square feet of green roofs, and

WHEREAS a joint letter was sent on February 28, 2022 by local elected officials to Department of Buildings (DOB) Commissioner Melanie LaRocca stating that DOB approved significant changes to the zoning initially approved by the [CPC in 2012 \(NYU Core special permit application dated June 6, 2012 \(ULURP No. C120124ZSM\) that required the 29,000 square foot ground floor to be zoned for commercial uses](#), but DOB approved a design plan in 2018 that showed the entirety of 181 Mercer would be community facility uses, which is in violation of the 2012 CPC approval, and

WHEREAS NYU originally planned to construct a building on the Morton Williams site, at Bleecker Street and LaGuardia Place, and promised to provide space for a public school in the base of the building as part of the Restrictive Declaration, and

WHEREAS NYU no longer has plans to build on the Morton Williams site as part of its Core Plan, and

WHEREAS the New York City School Construction Authority (SCA) had an option to build a public school at the Morton Williams site as part of NYU’s Restrictive Declaration (School Option), and

WHEREAS the deadline for the SCA to confirm its intentions to build a public school was extended by NYU twice from its original December 31, 2014 to a final deadline of December 31, 2021, and

WHEREAS the School Construction Authority (SCA) agreed in December 2021 to build a stand-alone public school on the Morton Williams site, and

WHEREAS NYU provided a further extension to SCA until December 31, 2023 to decide whether to proceed with the design process of a public school and commence actual construction by December 31, 2025 and SCA accepted the offer of the extension, and

WHEREAS NYU acknowledges that the Morton Williams market has been an upstanding tenant, and

WHEREAS NYU has been in conversations with Morton Williams, during which NYU stated that 181 Mercer could be an option if SCA planned to use the Morton Williams site for a public school, and

WHEREAS NYU states that SCA did not indicate their intention to build a public school on the Morton Williams site before the design of 181 Mercer was completed, and which now does not include a supermarket in the design plans, and

WHEREAS in January 2012, the CB2 Social Services and Education committee sent questions to NYU regarding their expansion plans and in response the question: “How will seniors in 505 LaGuardia as well as SoHo and the Central Village for whom Morton Williams is the closest supermarket get food independently?” NYU responded: “Local residents will be served by the relocated grocery store in the Zipper building.” which was later renamed 181 Mercer, and

WHEREAS NYU presumed there was no reason that the Morton Williams could not continue at its current location, and

WHEREAS NYU states that they have pressing academic needs for 181 Mercer, a building that was already reduced in size due to ULURP, and, therefore, did not want include an unoccupied commercial space in the 181 Mercer development plan, and

WHEREAS NYU renewed the Morton Williams lease for 20 years, in 2021, at its current location, even though NYU knew that the SCA had until December 31, 2021 to exercise its School Option, and **WHEREAS** NYU states that 181 Mercer is now fully earmarked for academic and athletic facilities, residences, and performing arts facilities and so there is no more capacity or infrastructure remaining to provide space for the Morton Williams in the building, and

WHEREAS Morton Sloan, third generation owner and CEO of Morton Williams, and his son-in-law and co-owner Avi Kaner, attended the Arts & Institutions committee meeting to advocate for the relocation of the supermarket to another Greenwich Village location, and

WHEREAS Morton Williams is a family business that owns 16 supermarkets in New York City of which 14 are in Manhattan, and

WHEREAS the location in Greenwich Village has been in existence for over 21 years and is currently the only full-service supermarket in this area of Greenwich Village, and

WHEREAS the supermarket remained open 24/7 during the pandemic, even while the NYU campus was shut down, and

WHEREAS in May 2021 the Morton Williams owners signed a new 20-year lease with NYU and the owners committed to a multi-million-dollar renovation as a part of that lease renewal, and

WHEREAS up to 3,000 people, including students, faculty, senior citizens, among other demographics, shop at the Morton Williams at 130 Bleeker daily, and

WHEREAS the Morton Williams team says the relocation space needs to be confirmed so they can have eight months to a year to build a new supermarket while the current supermarket is still in operation, and then demolish the current supermarket once the new supermarket is ready so there is no gap, and

WHEREAS NYU and Morton Williams agreed to form a committee to find a viable solution for the relocation, and

WHEREAS Community Board 2 calls for local elected officials, CB2 members and members of the community to have representation on this committee, and

WHEREAS local elected and other stakeholders have written op-eds¹ in support of the relocation of the Morton Williams supermarket near its current site, and

WHEREAS Borough President Scott Stringer assembled a task force in 2010 where the Morton Williams supermarket was deemed “an essential community service and needs to be maintained in continuous operation and replaced prior to the existing building being demolished.”²

WHEREAS the Fall 2010 Issue #15 edition of NYU Alumni Magazine in describing the 2031 Plan stated, “The plans see a large new playground where the Morton Williams grocery store stands today (a new supermarket would open nearby...Another move would be to raze the Jerome S. Coles Sports and Recreation Center. In its place would rise a large structure made of interlocking rectangles—hence its nickname, the “Zipper Building.” It would house classrooms on the lower floors, students above, and a new athletic facility below ground. An active, retail-oriented ground floor, including a supermarket, would enliven Bleecker, Mercer, and Houston streets,”³ and

WHEREAS despite NYU no longer constructing a building at 130 Bleecker, the construction of the school that the School Construction Authority (SCA) has agreed to build on the site does not, and should not, preclude the relocation of the Morton Williams supermarket, and

WHEREAS local unions that represent fifty essential workers employed at Morton Williams sent a letter to NYU reminding the university of its commitment that “the Morton Williams supermarket currently operating on Bleecker Street would be relocated along Mercer Street in the New York City Council-approved design plans,” and calls upon NYU to live up to its commitment and work with Morton Williams and the community to relocate this “critical neighborhood business.”

¹ DAILY NEWS, *The truth about NYU, a public school and a neighborhood supermarket*, by Jerrold Nadler, Brad Hoylman, Brian Kavanaugh, Deborah Glick and Christopher Marte <https://www.nydailynews.com/opinion/ny-oped-nyu-neighborhood-supermarket-20220112-6qsrecgzefohkjkjq2gyfmm-story.html>

² Community Task Force on NYU Development Findings and Recommendations, March 2010. Section III, Par. B, Item 3: https://www1.nyc.gov/html/mancb2/downloads/pdf/task_force_recommendations.1.pdf

³ NYU Announces An Ambitious Plan To Add As Much As Six Million Feet Across New York City – By Its Bicentennial in 2013: https://alumnimagazine.nyu.edu/issue15/15_feature_2031.html

THEREFORE BE IT RESOLVED that Community Board #2, Manhattan urges NYU to allocate space at 181 Mercer to the Morton Williams supermarket as part of its original commitment to the CPC and the community, and

THEREFORE BE IT FURTHER RESOLVED that if space cannot be allocated at 181 Mercer, CB2 strongly supports coordinated efforts that include local elected officials, NYU, CB2 and other community stakeholders to relocate this neighborhood necessity to a nearby location and calls upon our local elected officials to hold NYU accountable to allocate substantive resources in support of this relocation.

Vote: Unanimous, with 39 Board members in favor.

2. RESOLUTION REGARDING THE ENFORCEMENT OF NYU’S COMMUNITY COMMITMENTS SURROUNDING THE PRIVATELY OWNED PUBLIC SPACES (POPS) WITHIN AND ADJACENT TO 181 MERCER AND RELATED QUALITY OF LIFE AND COMMUNITY ACCESS CONCERNS

WHEREAS NYU entered into a Restrictive Declaration in 2012 where the institution committed to the following:

1. The Zipper Building shall contain a public atrium on the ground floor level, accessible to pedestrians from the Greene Street Walkway, and space for a third-party conforming community facility use, including but not limited to a community center providing services to the elderly, having an aggregate total floor area of not less than 7,500 square feet. (p.80)
2. The atrium shall be open to the public from 8:00 a.m. until 10:00 p.m., Friday and Saturday and from 8:00 a.m. until 8:00 p.m. all other days (p/80)
3. The Public Access Areas shall remain open and accessible to the public pursuant to the Public Access Easement, from 6:00 AM to 12:00 AM (except for Greene Street Walk, which shall be open at all times, and playgrounds, which shall be open from dawn to dusk) (pp.88-89)
4. Operating Rules for Public Access Areas (Exhibit H)
5. Maintenance and Repair of Public Access Areas (Exhibit I)

WHEREAS the Greene Street Walk is a privately-owned public space, which was part of the original ULURP to expand NYU’s footprint, and

WHEREAS NYU has posted Greene Street Walk hours of dawn to dusk to comply with POPS rules, and

WHEREAS NYU has compared the Greene Street Walk to Washington Square Park, which has hours of 6am to midnight, and which are more realistic hours for Greene Street than dawn to dusk, as this is a key walkway, and

WHEREAS NYU does not yet have plans for enforcing the hours for the Greene Street Walk, which will undermine quality of life and safety issues, and

WHEREAS there are concerns about how NYU will protect the Bust of Sylvette and maintain other quality of life aspects in the space surrounding the statue once the Greene Street Walk is open to wider pedestrian usage, and

WHEREAS residents of the CB2 catchment area will be able to apply for key fobs to access the Greene Street Playgarden space; however, NYU should also post information at the park entrance for how to access a key fob, and

WHEREAS NYU asserts that it will allow the community membership access to the new gymnasium and pool and follow the same commitments it made to the community in relation to Coles Gym, and

WHEREAS NYU has not yet specified how it will advertise the gym membership to the CB2 catchment area, and

WHEREAS there is no specific information yet available as to how NYU plans to advertise and book the community facility space, what community groups fall within the scope, hours of operation, etc., and

WHEREAS if the 130 Bleecker site is developed as a public school neither SCA nor NYU is bound by the Restrictive Declaration to relocate the LaGuardia Corner Gardens, a community treasure, but NYU states that it will ask SCA to make reasonable best efforts to relocate the gardens, and

THEREFORE BE IT RESOLVED that Community Board #2, Manhattan calls on our local elected officials to hold NYU accountable for working with the community board and other community stakeholders to address these and other concerns surrounding the advertising of membership to the NYU gym and clarifying hours of operation, access, signage, marketing plans and safety measures in relation to all of the open spaces that the institution has designated for community use as part of its commitments in the 2012 Restrictive Declaration, and

THEREFORE BE IT FURTHER RESOLVED that Community Board #2, Manhattan urges NYU to stand by its statement that it will make best efforts to work with the community and SCA to make sure that the LaGuardia Corner Gardens are preserved.

Vote: Unanimous, with 39 Board members in favor.

EQUITY, RACE & JUSTICE

Resolution to Mark Land of The Blacks

1. **Whereas**, In October 2020, Community Board 2 (CB2M) unanimously passed the *Resolution to Commemorate African Lands*, acknowledging the existence and historical significance of the Land of The Blacks community that encompassed the neighborhoods now known as Chinatown, Little Italy, SoHo, NoHo, and Greenwich Village, and to support the marking of those lands to broaden public memory of NYC's African past; and

2. **Whereas**, in February 2022, CB2M invited [Black Gotham Experience](#) (BGX) to present historical information regarding the 17th century African presence in its district; and
3. **Whereas**, BGX, an expert on the Black and African history of New Netherland, New Amsterdam and early New York City, identified numerous unmarked sites within CB2M that hold tremendous historical significance; and
4. **Whereas**, by the 1640s, the “Land of The Blacks” encompassed over 130 acres of CB2M’s district in a strong and vibrant community made up of twenty-eight parcels owned by free Black men and women; and
5. **Whereas**, Anthony Portuguese owned much of the land now occupied by Washington Square Park and NYU, and Catelina Antony owned part of what is now Chinatown, including Hester Street and the intersection of the Bowery and Canal Street; Manuel Gerrit de Reus, owned eight acres bounded to the north near Cooper Square, Bond Street to the south, and between the blocks of Bowery and Lafayette (see attached map); and
6. **Whereas**, processes to fund *Commemorative Structures to Mark Land of the Blacks* sites in [Council District 1](#) and [Council District 3](#) have been submitted to [Participatory Budgeting](#) for FY 2023; and
7. **Whereas**, in August 2020, the Washington Square Park Conservancy (WSPC) began work to establish a partnership with Black Gotham Experience in developing signage/markers/public art to acknowledge Washington Square Park’s place as part of NYC’s Black history; and
8. **Whereas**, last year, proclamations were issued by Manhattan Borough President, Gale Brewer and Senator Brad Hoylman declaring July 13th, *Black Vision Day* in recognition of that day in 1643, Catelina Antony and Domingo Antony became the first two landowners of African descent in the Dutch territories known as New Netherland; and
9. **Whereas**, there has been much progress and community buy-in since CB2 passed its first resolution in support; and
10. **Whereas**, the [Andrew W. Mellon Foundation](#) has granted \$300,000 to Kamau Studios LLC, including its flagship storytelling project, the Black Gotham Experience to create a visual body of original artifacts called the BGX Collection that traces the impact of the African Diaspora on New York and the world; and
11. **Whereas**, Black Gotham Experience presented a plan to mark the sites by method of 28 flags and flagstaff; and

Therefore be it Resolved, that Community Board 2 Manhattan reaffirms its call to permanently mark Land of The Blacks, including the sites of the 28 African-owned parcels, and to mark those sites by flag and flagstaff as presented by Black Gotham Experience.

videoconference; over 400 attended the Full Board. More than 60 people spoke in opposition at the Full Board videoconference; two people spoke in support. Tribeca resident Susan Lee, identifying herself as New Yorkers for Downtown Recovery, delivered to CB2's office over 3,600 petitions signed by "residents, merchants, patrons and visitors of Chinatown" expressing "outrage" at this proposal. CB2 also received approximately 30 emails in opposition, as well as two expressions of support.

Principal Concerns and Suggestions

- Most concerns centered around the siting of an additional homeless shelter in a neighborhood that already has several.
- Many pointed out that, while it was true that Community District 2 has zero shelters (although three others are in various stages of development), this is not true for the neighborhood of Chinatown. ultimately attract more homeless individuals to the neighborhood and increase nuisance behavior.
- Objections were raised about the proximity of the Drop-In Center to facilities serving children. Quality of life impacts of concern included safety, trash, open drug use, public urination and defecation, and more. These nuisances were present during the period when this building was used as a temporary non-congregate shelter during the Covid-19 pandemic.
- Language barriers in Chinatown stress a need for translation services for all communications about this project.

As a result of these concerns, CB2 urges agency and elected officials to consider the following:

Any Fair Share evaluation must be particularly sensitive to concentrations by radius and not only by Community District, and to planned development as well as existing infrastructure.

The City's Fair Share analysis should be mindful of the distinction between the administrative boundary of Community District 2 (CD2) and the neighborhood boundary of Chinatown. Chinatown is a large neighborhood that straddles Community Districts 1, 2, and 3 in Manhattan. As of this writing the number of shelters currently operating in CD2 is zero.¹ However, the number of shelters in Chinatown – spread over CDs 1, 2 and 3 – is higher.

Additionally, the plans to demolish a jail in Chinatown and build a new one must be included in the analysis even though this development has yet to occur.

as just the latest incident of many: a rise in anti-Asian hate crimes; a Covid-19 lockdown period that crushed businesses, heightened unemployment, strained school children; a sense that crime and homelessness and reduced sanitation services are heightened as the neighborhood wobbles its way back from the pandemic.

¹ The Housing Works project would follow three others in the pipeline in CD2: a Drop-in Center at 112-114 West 14th St that will also include 24 Safe Haven beds for adult men and women; a shelter for 90 adult women at 27 West 11th St; a shelter for 200 adult men at 349 Canal Street. The total number of beds, including those at 231 Grand Street, would be 290 plus 118 beds targeted to traditionally unsheltered homeless individuals.

The need for additional homeless shelters in New York City has been well-established and the need for social services in this area is confirmed by the presence of unsheltered homeless individuals on sidewalks and in local parks. Housing Works has a reputation as a compassionate operator that is sensitive to community concerns. However, finding acceptance for this plan will be difficult in the absence of compensatory measures to increase safety, improve the economy, and enhance quality of life in this neighborhood.

To view CB2's full report and a video from our February 24, 2022 Human Services meeting, please visit <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/03/2-February-2022-Human-Services.pdf>

To view a video from from our March 24, 2022 Full Board meeting, please visit <https://youtu.be/j5UD0-LTASM>

Agenda: Presentation by NYC Department of Social Services/Department of Homeless Services (DSS/DHS) and the not-for-profit organization Housing Works (HW) regarding plans to establish a Drop-In Facility with Stabilization Beds at 231 Grand Street, between Elizabeth Street and the Bowery, to provide medical and behavioral health care, case management, housingplacement, and other social services to individuals experiencing unsheltered homelessness.

REPORT:

Our committee heard a presentation from Charles King, Chief Executive Officer and Co-Founder of Housing Works, who was accompanied by representatives from the NYC Department of Social Services: Joslyn Carter, Administrator; Shane Cox, Associate Commissioner; Erin Drinkwater, Deputy Commissioner Intergovernmental and Legislative Affairs; and Leilani Irvin, Borough Director.

Over 200 members of the public attended the videoconference. The meeting sign-up sheet indicated both residents and non-residents of Community District 2, while many others who registered to attend did not provide home addresses.

A written copy of the presentation by Housing Works can be accessed here:

- **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>

Contact for Charles King, CEO of Housing Works: king@housingworks.org, (917) 747-0102

BACKGROUND ON HOUSING WORKS¹

- Founded 1990 to address homeless among people living with HIV.
- The first organization in the United States to house homeless people without regard to their use of drugs in a supportive housing environment.
- -Now serves over 15,000 low-income New Yorkers annually, including 2,000 people with HIV.
- Federally Qualified Health Center (FWHC) operating five clinics in Brooklyn and Manhattan.
- Over 700 units of supportive housing operated under harm reduction principles that do not prohibit possession of drugs or alcohol.
- Provider of supportive services: case management, substance abuse treatment, mental healthcare, job retraining, etc.
- Client base is 51% Black, 21% Hispanic, nearly all at or below poverty line.
- 1 in 3 have history of incarceration.
- 1 in 3 identify as LGBTQ.
- 51% have diagnosed mental health issues.
- 26% are active substance abusers (20% of these dually diagnosed with mental health issues).

THE PROJECT:

- 231 Grand Street, on the corner of Bowery, is the former Best Western Hanbee Hotel, recently used for non-congregant housing for the homeless during the Covid-19 pandemic. It is currently vacant.
- The 8-story building is zoned C6-1G and has an estimated gross floor area of 48,911 sf.²
- HW will lease the building but intends to purchase it over a period of several years.
- Pending approval of the budget and contract by NYC, HW hopes to open this facility by late Spring, 2022, the building having been recently renovated and in good condition.
- The program, which was presented to us as the first facility of its kind in NYC, will be known as a Drop-in Center and Stabilization Shelter for unsheltered homeless adult men and women. It will house 94 stabilization beds and over 50 “drop-in” chairs. The facility will include an outdoor deck for smoking.
- The model is considered a pilot program and will be evaluated by DSS for outcomes.

¹ <https://www.housingworks.org>

² <http://maps.nyc.gov/doitt/nycitymap/>

- The Drop-In Center will be a walk-in facility providing meals, shower, changing rooms, laundry facilities 24 hours a day, 365 days a year, to homeless adult men and women. Clients will be allowed to rest in one of 50-or-so lounge chairs but will not be provided beds.
- The facility will follow a “harm-reduction” model, which means that visitors will not undergo checks for illegal substances. This “low-threshold” program is intended to reduce barriers to entry and to entice individuals toward receiving social services. The use of drugs or alcohol will not be prohibited. Narcan and clean syringes will be available to prevent death by overdose and the spread of disease.
- In addition, the center will offer a host of services aimed at long-term wellness. The staff will include a housing placement specialist, social workers, medical and psychiatric nurse practitioners, and access to telehealth.
- Staff will speak English, Mandarin, Cantonese, and Spanish.
- Residential aides will be on site 24 hours per day to assist residents in daily activities, provide security, monitor hallways and building exterior, and provide access to services. They will not wear uniforms or carry weapons and are meant to engage and befriend clients to interest them in accepting services.
- HW will hire peer outreach workers, including from Chinatown, to conduct street outreach in the area.
- **Additional note per notification of Public Hearing of March 10, 2022: “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.”

STABILIZATION BEDS

- The facility will also house 94 “stabilization” beds. These are 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. Candidates will be referred to HW from outreach teams working in a catchment area that will include Sara Roosevelt Park to the east and Washington Square Park to the west but that will seek to cover all nearby areas of need.
- In addition to receiving referrals from the Manhattan Outreach Consortium,³ HW will employ trained peer outreach workers to do its own canvassing.
- Stabilization beds will be prioritized for clients who access the drop-in services.
- Unlike in traditional NYC congregant shelters, clients will reside in individual bedrooms. They will not have a curfew. If they fail to return for a night or two, their bed will be held for them.
- Housing Works will be expected, by contract with NYC DSS, to transition these clients to permanent housing within a period of twelve months.

³ <https://goddard.org/programs/fighting-homelessness/homelessoutreach/>

- The distinction between “stabilization beds” and the Safe Haven model⁴ that will be employed at Paul’s Place – a drop-in center and Safe Haven expected to open imminently at 112-114 West 14th Street⁵ - is that Safe Havens are designed for individuals who face more entrenched and chronic homelessness. The baseline criteria for eligibility to a stabilization bed is living on the street. The model is intended to be flexible and low-threshold.

ADDITIONAL DETAILS ABOUT THE PROJECT

Is this project a “done deal”? Is there any way to stop it other than litigation?

Erin Drinkwater: Because of the combination of our legal obligation to provide shelter, and the fact that DHS buildings are not subject to ULURP, there wouldn’t be a ULURP application here.⁶

Will you pay property taxes?

Charles King: As long as the hotel is owned by the current owner, that owner pays taxes. Once we take ownership we would petition for tax exemption, as is typical for nonprofit ownership.

What are the rental terms?

Charles King: The goal would be within the first two years of this contract to sign a purchase agreement with the landlord and then negotiate an extended contract with DHS that would allow us to pay off the acquisition and HW would own the building permanently.

How much is paid to your organization?

Charles King: We are not paid by person who comes in. We operate on a cost-reimbursement service contract. But there are expectations from DHS. If someone comes to stay in our facility there’s an expectation that within twelve months we’re going to move that person into permanent housing. That has been made easier by a change in policy that will now allow us to lease apartments in the community for people at up to 110% of fair market rent.

Would registered sex offenders with living restrictions be allowed to stay here?

Erin Drinkwater: For the drop-in center, individuals are not spending the night, so there are no restrictions. For the overnight beds, an individual who is a Level Three offender or otherwise has a residency restriction would not be able to be placed at this location.⁷

⁴ <https://www1.nyc.gov/site/dhs/outreach/street-outreach.page>

⁵ [For more information on this project, see reports of previous CB2 meetings on this topic, <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/02/Report-2018.11.29-Safe-Haven.pdf> <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/02/Report-2020.10.29-Safe-Haven-ii.pdf>

⁶ For an explanation of ULURP, see <https://citylimits.org/zonein/ulurp-explained/>. For a brief description of the process, see <https://www1.nyc.gov/assets/planning/download/pdf/applicants/applicant-portal/lur.pdf>

⁷ For more information on the sex offender registry, see CB2 Human Services report of September 30, 2021 <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2021/10/09-September-2021-Human-Services-Minutes-on-Sex-Offenders.pdf>

Is this model of care more expensive than other models of homeless shelter?

Erin Drinkwater: The ultimate goal here is non-profit ownership of the building. That is important for the work being done, where there is a long-term resource for those being served, and reaching a stage where it's not necessary to have this type of program in this location – being able to look at a transition to housing models, for example.

Charles King: Offering an integrated model of care is going to be more expensive than traditional congregate shelter. But just today I had a conversation with DSS Commissioner Gary Jenkins, and he's assured me that he wants this to be a richly staffed program and believes that we can prove – to the NYC Office of Management and Budget (OMB) and to everyone else – that the return on investment will be worth this additional expense.

What is the time frame for opening this facility?

Charles King: We are now in the process of negotiating the budget with OMB. My experience is that there are about 30 days or so for an approved budget to be turned into a contract. The Comptroller must approve that contract, and our new Comptroller has promised he is going to accelerate contract approvals for not-for-profit organizations. We haven't started recruiting staff, but we are working towards an opening date of late this spring.

How many will there be in staff at the facility?

Charles King: We will have roughly 20 in staff on-site 24 hours a day. These include residential aides, medical and behavioral health providers and other social service staff. RAs are trained in de-escalation and engagement and we deliberately don't put them in security uniforms. We will have a telephone number for neighbors to call us if there are any problems at the facility -- or if there is anyone in the neighborhood who is *not* a client and is engaging in nuisance behavior, because we can send a member of our outreach team to engage that person.

What if someone needs a bed and all your beds are filled?

Charles King: That person can either rest on our lounge chairs at the drop-in center, which is open 24 hours a day, or we would reach out to DHS and ask them to place that person.

Shane Cox: We have shelters and drop-in centers and stabilization beds and Safe Havens throughout the city and we can find another appropriate place.

Joslyn Carter: Individuals have a legal right to shelter in New York City so we cannot return people to the street if somebody needs a bed.

So if there's no vetting process, does that mean anyone can come from anywhere, like New Jersey or Connecticut, and get a bed?

Erin Drinkwater: There is a misperception that the NYC shelter system is sheltering people from other states or other parts of New York state. The vast majority of people are in fact from New York City and have ties to the city.

Would any additional facilities similar to this be located elsewhere within Community District 2, such as in the Central or Western portions?

Erin Drinkwater: If there are providers interested in responding to our open RFP to open a facility in that location, the agency would certainly welcome it.⁸

Shane Cox: And the facility at 231 Grand Street would serve individuals throughout the area. We have outreach workers in the field 24 hours a day, including in Washington Square Park.

Joslyn Carter: Outreach teams work above and below ground, so they will enter the subway stations, as well.

THE HARM REDUCTION MODEL

What is meant by “harm reduction”?

Charles King: It’s educating clients about drug use; providing clean needles to prevent disease; if you’re taking opioids, there may be a dangerous amount of fentanyl in the drug, so don’t be alone when using, and have Narcan in case someone has an overdose; it’s offering buprenorphine to replace opioids. HW was one of the first operators to have a syringe exchange program in New York City, and now these are the leading source of voluntary referrals for people into drug treatment.

You won’t screen for drugs or alcohol. What about for weapons?

Charles King: If we identify that somebody has a weapon we’re going to take appropriate action, including the police if we need to, but... What is one person’s weapon is another person’s utility tool, so we want to be sensitive and thoughtful.

Are people permitted to leave the facility after consuming drugs or alcohol?

Charles King: We don’t have the ability to detain people - but that’s not what people do. They don’t move very far from where they injected. We see homeless people doing it in the street because they have no place to do it.

Will you distinguish between drugs permitted? Because marijuana is very different than psychedelics.

Charles King: We are not making people empty their pockets. However, generally, when somebody is in our program for any length of time, we know exactly what their drug habits are. Obviously, if somebody comes out of their room and they’re clearly high or disruptive, we’re going to take intervention steps, and we’re not going to hesitate to call the police if they create a problem for us, so I don’t think we’re going to see a scenario where, for example, someone takes K2 and goes out on a rampage.

⁸ A Drop-in Center and Safe Haven – a model similar to this – is planned for 112-114 West 14th St. For more information on this project, see reports of previous CB2 meetings on this topic, <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/02/Report-2018.11.29-Safe-Haven.pdf> <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/02/Report-2020.10.29-Safe-Haven-ii.pdf>

What drugs do you deem safe to use?

Charles King: The reason we use the term “harm reduction” is that any drug, including tobacco and alcohol, can cause serious harm and even death. We are just saying that “just say no” doesn’t keep people from using drugs, so our goal is to reduce the harm that it causes to themselves and to others.

NEIGHBORHOOD IMPACT

Charles King: I’m well aware of the concerns that have arisen around the various violent incidents that have taken place, both on the subway and the recent incident in Chinatown and what we’re talking about is people who have serious behavioral health issues, who are disconnected from care... We’re not going to be able to coerce homeless people who are in the subways and on the street. We can only entice them into care... Part of what this facility does is it addresses the mental health issues in the moment that is most critical not only to the people we’re serving but to the community.

The other point that I would make is that if you live in a congregate housing setting in New York – that is, a building with ten or more apartments – I guarantee you that you have neighbors who are using substances that you’re not aware of -- and we don’t find that to be problematic to ourselves if it’s not causing a nuisance to us, right? I think that’s the approach that we’re taking – we’re reducing nuisance behaviors and then leveraging our ability to engage people to help them take steps to improve their lives.

We’ve proven that harm reduction allows us to engage people who would otherwise resist... Syringe exchange programs are the number one referral source for voluntary commitment to drug treatment.

How will you prevent dealers from gathering outside your site to sell drugs to the clients who are allowed to use those drugs inside?

Charles King: One of the things that we are very good at doing at all of our facilities is patrolling the outskirts of our facilities, including ensuring that the people we’re serving aren’t loitering outside the facility, and also encouraging people, if they’re going to engage in nuisance behaviors, not to do it around where they’re getting services

Is the idea here that this facility was chosen in part because it’s serving those who are already deemed present? So, in regard to concerns expressed by the community that this would be a magnet for trouble, it is that the people are *already* there?

Charles King: People who come to drop-in centers are coming from nearby neighborhoods, places that are in walking distance to them. I fully anticipate that the drop-in center is going to be largely populated by homeless people who are basically living in the neighborhood, whether in the subway or in areas such as Sara Roosevelt Park.

Erin Drinkwater: We know from experience of operating programs like these, these low-threshold models, that location is key.

How is this facility going to be better for neighbors than what may have been there before?

Charles King: Someone tonight wrote in the Chat that they had lived next to a shelter and had to talk to their children about drug use because people were injecting drugs in the street. That's how we're different: people are not going to be doing that in the street because we're not stopping them from doing that in the room. So that is a major change in behavior on the street. When we operated an isolation hotel in Queens I insisted that we provide clients with cigarettes, because that was a way to keep them inside the property rather than out in the neighborhood where they might cause a nuisance. I'd like to offer anyone who is interested a visit to HW facility to see how we operate in ways that enhance neighborhoods.

When there is someone who refuses mental health services and is clearly unstable, what specific steps will you take to protect the community?

Charles King: If somebody came in who we considered disruptive to the facility or to the neighborhood and a problem for us to serve, we would be reaching out to Shane [Cox of DSS] and asking for alternative arrangements for that person.

When you say HW has a good "track record," can you tell us what that means?

Charles King: We have one of the lowest eviction rates of the city in supportive housing. We bring action against probably less than 1% of the people we house. That means we are successful in keeping them in care and have more than a 98% success rate in moving them from transitional settings into permanent housing. And a large number of people who enter our facilities as homeless go through our vocational training and end up on our staff.

What measures are you taking to address safety concerns, given that there are two daycare centers nearby?

Charles King: I don't know of a neighborhood that wouldn't have proximity to a daycare center, a school, or some other activity, so that is why we work hard to ensure that we're patrolling the areas around our facility so ensure people are not loitering outside

The New York State penal code makes it a felony to sell drugs within 1000 feet of any child or educational facility. How will you enforce this?

Charles King: We will absolutely prohibit the sale of drugs in our facility, and we will involve the police if we have to. We work hard to ensure that people who are using our services aren't out on the street in the immediate vicinity of the facility.

What is the impact of these programs on the crime rate in the area?

Erin Drinkwater: I'm not familiar with any particular studies of this. But we do have security models. At HW, Charles talked about residential aides. At our shelters we have a combination of contracted security officers and DHS peace officers, as well as cameras. We encourage security to do perimeter patrols outside. And what is important is the relationship that our provider creates with the community

Shane Cox: Being a good neighbor is an essential part of the work.

Charles King: With DHS, we will be meeting with the local precinct. It's important to have a good open line of communication with the NYPD precinct.

Neighbors have reported that, when 231 Grand Street was recently used to house the homeless, they experienced all manner of harm to quality of life: public urination and defecation, piled up trash, public drug use, harassment. Are you willing to promise that you will keep the area around your shelter free of the nuisances that neighbors witnessed when this building recently served as a homeless shelter?

Charles King: Yes.

What about the new mayor's plan for reducing homelessness in the city's subways?

Charles King: I want to note that the invocation of involuntary commitment to psychiatric care is of limited utility. You have to be able to demonstrate that a person is a danger to themselves or to others. That is a fairly high barrier. There are many people with serious behavioral issues who are not going to meet that threshold. And there are those who might go to an inpatient facility and then be discharged after two weeks. If there is no solution around that discharge that might easily be back on the street again.

Why have psychiatric beds in the New York State been reduced?

Erin Drinkwater: Our agency can't speak to those decisions.

Charles King: This is an issue HW has been concerned about since its founding. New York had a history of putting people in psychiatric institutions and basically keeping them there. Then litigation that started in the 1960s fought to move people into communities rather than locking them away. Up until now we haven't had state government that was willing to invest in community facilities to serve as an alternative. Very-low-income people have little access to high-quality mental health services.

DISTRIBUTION OF SHELTERS

While the *administrative boundary of Community District 2, Manhattan, currently has no homeless shelters, the neighborhood of Chinatown – which is divided among three different Community Districts - has several.*⁹ Will this project undergo a Fair Share analysis as required by the City Charter¹⁰, and what will determine fair distribution?¹¹

Erin Drinkwater: Yes, the agency will provide a Fair Share [evaluation] prior to the location opening. There are chartered mandates. The Community Board [CB2] will receive a copy of the Fair Share prior to the location opening.

Because it is a right-to-shelter city and demand for shelter is high, [there is pressure on NYC to increase the number of shelters, and hence] NYC has an open-ended Request for Proposals for shelter development to bring new facilities online. The agency does go through its formal vetting process, but what we're really looking at is the location where a proposal is being offered.

⁹ For a 2021 map of DHS homeless shelters by Community District, see <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2021/05/DHS-Map.pdf>. In the interest of privacy, DHS does not provide exact locations.

¹⁰ <https://nyccharter.readthedocs.io/c08/#section-203>

¹¹ Appendix A to Title 62 of the Rules of New York City: Criteria for the Location of Facilities. See <https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCrules/0-0-0-125279>

Having these resources in neighborhoods where we know that individuals are congregating on the street, we know they will benefit from coming inside.

Chinatown seems to have a disproportionate share of shelters. Can you speak to that?

Erin Drinkwater: Chinatown is indeed split into three Community Districts. Community District 2 currently has zero shelters, though there are a number in the pipeline that were announced under the prior administration. Community District 1 has one location and there is one in the pipeline. Community District 3 currently has 11 – however, three of these are what we refer to as “stopgap measures” to meet capacity needs. That is, because of our legal obligation to provide shelter, for a very long time the agency has used hotels to meet capacity needs. Under the prior administration [ie, DeBlasio] there was a commitment to get out of hotels.¹²

Currently, the agency has zero families with children in commercial hotels, and we continue to bring down the number of single adults in hotels. The shelter we are talking about tonight is a different model than those other numbers, so it is additive to those numbers. It serves a very different purpose.

I know there is concern around people coming to this facility from other neighborhoods. That is not the case. It is the people already bedding down in the nearby subway stations or Sarah Roosevelt Park – those are the locations from which people will come.

Can we assume that Fair Share goes across administrative boundaries and does radius studies, and that it takes into consideration facilities such as the Bowery Mission, which does not have a DHS contract?

Erin Drinkwater: It looks at similar types of facilities, yes, but also things like rail yards and commercial parking – so a wastewater treatment center, as someone suggested, would also be taken into account.

How many shelters is too many? We have a LOT of shelters in Chinatown, and let’s add in the mega jail, whose demolition and construction is going to destroy the west side of Chinatown. Your program sounds wonderful if there were just one shelter in Chinatown. But there are many of them.

Erin Drinkwater: I should mention the caseload of the Manhattan Outreach Consortium in lower Manhattan. There are more than 150 people on the caseload in Community District 3. I don’t have the numbers offhand for CDs 1 or 2 but I’m happy to get them for you. This does not include people who are sleeping in Safe Haven beds. These are people who are known to be street homeless. These are the people who will be served.

¹² <https://www1.nyc.gov/site/dhs/about/tide.page>

The plan for this shelter strikes a raw nerve in our community, given the recent murder of Christina Yuna Lee in her apartment on Chrystie Street. When this hotel was used as a shelter during Covid the quality of life impacts were serious: urination, trash, public defecation, pedestrians being cursed at. You say you will do patrols, but I don't know how you can enforce the behavior of your residents.

Charles King: The individual who has been accused of this murder was, to my understanding, a homeless person with serious behavioral issues, including substance abuse disorder, who was disconnected from care. You're not going to reduce the problems that are associated with severe mental illness or substance use disorder without making connections to care. Leaving them on the streets, without connections, creates a far greater risk to the community.

If you visit the HW facility at 9th Street and Avenue D, we have 36 studio apartments and a day center that serves hundreds of folks. You will not find people loitering on the streets or drug dealers hanging out in the neighborhood, because we engage people in a way that encourages positive behaviors.

Erin Drinkwater: I want to acknowledge the tragedy that occurred a couple of weeks ago. This HW project predates that. DSS notified CB2 in December; for two other sites mentioned for Chinatown, DSS gave notice in October. The pipeline for development can be quite lengthy. I wouldn't want there to be the perception that there is insensitivity to recent events.

Joslyn Carter: The fact that the murder happened is hard for all of us. We recognize the loss and the difficulty of coping with that loss.

Erin Drinkwater: Unfortunately, in the last three years 1000 state psychiatric beds closed, 600 of which are in New York City. We're seeing the implication of those decisions, and having a resource-rich environment like the one HW is planning will benefit individuals who are otherwise disconnected to care.

COMMENTS:

- In about 20 public comments and scores of remarks by people using the Chat function in Zoom the committee heard a high level of anger and fear. Some typical comments are here:
- This location is close to schools with young children and centers for the elderly. This is a threat to people's well-being.
- It's great to say that you offer services, and no one will argue that it is needed, but what are your numbers in terms of getting a mentally ill homeless person to agree to be committed?
- How can you keep talking of mental health care when these services can be refused? The police can be engaged but they shrug their shoulders and say, what can we do?
- The block where Christina Yuna Lee was murdered is just one block from 231 Grand Street.
- Who will be responsible should similar tragedies happen again?
- How will we hold your team accountable for safety of the neighborhood when things do not work out?
- I close down my office early to let people go home before sundown because I fear for their safety.
- People forget that there is a lot of pediatric population in that area, there is a Head Start program on Chrystie Street, there is PS 130, there is daycare. Parents and children are afraid.

- We had a man come into our loft in the middle of the day. He broke through the door, and my daughter was home alone. I've lived here 45 years and I wasn't scared before, but it's getting scary.
- What would you do to prevent another Christina Yuna Lee in Chinatown?
- I don't see that many homeless people walking around Chinatown, but I have seen thousands of elderly people living in poor conditions. If we have the money, why can't we use it to improve the living environment of those senior disabled people right here?
- How many seniors and disabled people live in the second floor and above in Chinatown without an elevator?
- This neighborhood has many non-native-English speakers and yet your notification for this meeting was only in English.
- 70% of elder Asians don't know how to log into these meetings. Their voices are not heard.
- What about your outreach to the community? Because this meeting is a farce.
- I'm distressed because I feel like we are just having a show here and you are talking down to us and you are not responding
- Don't make money off our community. We all care about homeless people, but the real issue is, you cannot place any more homeless shelters in Chinatown.
- Why can't the shelter go uptown? Between 34th and 79th St. there are almost no shelters.
- 231 Grand Street should be a hotel, not a shelter. Family associations and organizations need hotels. This will be key to visitors and to the revitalization of New York City and Chinatown. Chinatown has already suffered from offshoring of the manufacturing industry, and the Covid-19 lockdown, and anti-Asian hate crimes, and the small businesses have suffered enough. This is not the time or the place to add this burden.
- This program sounds great, but nobody's helped people down here even since the riots. The small businesses are getting creamed.
- What about OUR rights? My 12-year-old son's rights? My daughter's? Every night they have nightmares. Our people have been under attack for the last three years.
- I am a physician and I work in Chinatown. I don't see any homeless shelters in areas that are wealthy. You are picking on people that are low-income, that maybe don't speak English as a first language.
- No doubt Housing Works has a tremendous mission with success. But why 231 Grand St?
- I work in harm reduction. I think this is a great program but not in that area.
- The Grand Street D train station is the true shelter.
- The Bowery station of the J/Z train is a true shelter.
- 231 Grand Street is on a major artery.
- Why not have things like a van with mental health services, medical services, showers, and getting it to people instead of trying to shove them in another neighborhood?
- We don't trust DHS's so-called "Good Neighbor" policy.
- Here's what will happen: they will sleep in the shelter, hang out on the streets during the daytime in Roosevelt Park, drinking, doing drugs, causing chaos, and go back to the hotel when the sun goes down.
- If I need drugs or alcohol, I will visit these shelters.

- Isn't it possible that the reason this is a high-impact area is because there are multiple shelters there already?
- What was the exact methodology in choosing Chinatown over other neighborhoods?
- No one in Asian families allows any member to take drugs or become an addict. Chinatown needs affordable housing.
- The community you're helping is not the Chinese community.
- On average, how long does an individual stay in a "stabilization" bed? How many days or weeks or months?
- Do individuals have to leave the premises during the day?
- Can we have access to the contract that Housing Works will have with the city?
- Are the outreach teams the same as those that Mayor Adams has promised to roll out?
- Where are these people from and why are they entitled to housing here?
- The anger and confusion you're hearing is from people who've noticed that this population has exploded in this neighborhood very quickly, with no explanation from DSS.
- Hate crimes against Asians are up several hundred percent.
- Crimes are committed in front of NYPD but not prosecuted.

ANALYSIS

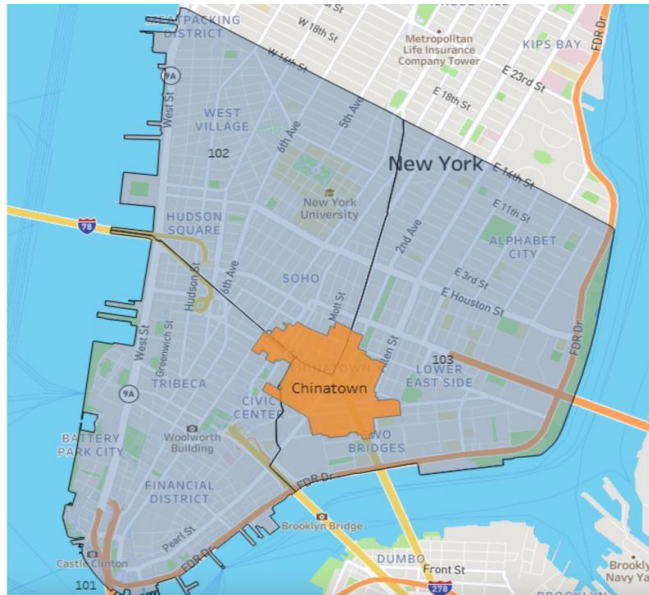
We heard few concerns at our meeting about the operator, Housing Works. The focus of attention was the decision to site an additional shelter in Chinatown.

In evaluating this proposal, the question of "Fair Share" is complicated by a distinction between the administrative boundary of Community District 2 and the neighborhood boundary of Chinatown. Chinatown is a large neighborhood whose perimeter is generally viewed as stretching from Broome Street on the north to Worth and Madison Streets on the south; from Broadway on the west to Allen and Pike Streets on the east.¹³ It straddles three Community Districts: Manhattan 1, 2, and 3. As of this writing the number of shelters in CD2 is zero.¹⁴ However, the number of shelters in Chinatown – spread over CDs 1, 2 and 3 – is higher. Many of these are in CD3, for example.¹⁵ Any Fair Share evaluation must be particularly sensitive to concentrations by radius and not only by Community District

¹³ From Chinatown Partnership, <http://www.chinatownpartnership.org/Gui/Content.aspx-Page=ServiceArea.htm>

¹⁴ The Housing Works project would follow three others in the pipeline in CD2: a Drop-in Center at 112-114 West 14th St that will also include 24 Safe Haven beds for adult men and women; a shelter for 90 adult women at 27 West 11th St; a shelter for 200 adult men at 349 Canal Street. The total number of beds, including those at 231 Grand Street, would be 290 plus 118 beds targeted to traditionally unsheltered homeless individuals.

¹⁵ <https://www.arcgis.com/home/webmap/viewer.html?webmap=79466db6a70f4600b94c32bbac601ebb&extent=-74.0178,40.7075,-73.9605,40.731>



The neighborhood of Chinatown straddles Community Districts 1 (south), 2 (northwest), and 3 (northeast)

The public expressed strong *opposition* to this plan. Chinatown Citizens of East Broadway distributed a flyer in advance of the meeting, encouraging people to attend. Maps of shelter sites in Chinatown were distributed during a vigil honoring Christina Yuna Lee. The committee's videoconference was attended by more than 200 people. CB2 also received several expressions of opposition by email. Susan Lee, identifying herself as New Yorkers for Downtown Recovery, delivered to CB2's office 970 postcards signed by "residents, merchants, patrons and visitors of Chinatown" expressing "outrage" at this proposal. At our meeting she said these were collected in a 48-hour time span.

CB2 also received two emails in support of the shelter.

The public expressed distrust of the *logic model* of this program. While HW and DSS posit that the siting of this shelter will serve toward clearing streets of *existing* nuisance behavior, many expressed fear that the presence of the facility will increase nuisance behavior by *attracting* more homeless individuals into the area.

The concern over *saturation* was expressed by many people as an unfair blow to a neighborhood that has *suffered* greatly over the last few years. The murder of Christina Yuna Lee is felt as just the latest incident, after anti-Asian hate crimes in response to a virus that travelled from China; a lockdown period that crushed businesses, heightened unemployment, strained school children; a sense that crime and homelessness and filth are heightened as the neighborhood wobbles its way back from the pandemic.

NEXT STEPS

- Housing Works and its CEO, Charles King, expressed willingness to collaborate with DSS to meet with any local block association that has further questions and concerns. They also expressed willingness to offer visits to other HW facilities.
- Mr. King shared his email address and cell phone number and promised to answer questions and discuss concerns: king@housingworks.org, (917) 747-0102
- Once the site opens, HW will form a Community Advisory Board, made up of local residents and business owners, that will meet regularly to monitor the performance of the program and its impact on the community.

LANDMARKS AND PUBLIC AESTHETICS

1. *Gansevoort St., Little West 12th St., and W. 13th St. – Application to secure enhanced planter barricades to improve open street operation.

(withdrawn)

2. *107 Spring St. - Application is to legalize the existing sign and to establish a Master Plan for painted wall signs

Whereas:

- A. The application is to legalize the existing wall sign and to establish a master plan for the building for a sign of the same size; and
- B. Historic photographs showed modest signs advertising the businesses in the premises, however all were above the ground floor and in a size typical to the size of the era and the building and none were painted on the building itself; and
- C. The applicant represented that the existing sign conforms to regulations for signs on a wall of this size for the district; and
- D. The regulation upon which the application depends, while it may be appropriate for a sign on a secondary façade height above the street level, becomes overwhelming in this instance and reduces the building to a backdrop for the sign; and
- E. The applicant suggested that the sign would deter spray painting of the façade and there is no evidence that this would be the case; and
- F. The existing non-matching lighting fixtures above the sign detract from the building and the appearance would be enhanced by their removal; now

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

- A. **Denial** of the sign as far too large for the building with its position at street level; and
- B. That a smaller sign or multiple small signs be permitted in the designated space; and
- C. That the lighting fixtures be eliminated or replaced with matching fixtures appropriate to the building.

Vote: Passed, with 34 Board members in favor, 4 in opposition (C. Dignes, R. Kessler, Z. Roberts, A. Zeldin) and 1 abstention (M. Metzger).

3. *459 W. Broadway - Application is to legalize the existing sign and to establish a Master Plan for painted wall signs.

- A. The sign is located on a secondary facade and was represented by the applicant as conforming to regulations for signs on this building and the district; and
- B. The sign, in the context of the amount of wall visible is too dominant for the space; and
- C. The tag for the sign company is far too large and draws undue attention to itself; now

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

Approval of the sign provided that its size is reduced by a modest amount and that the tag be as small as possible to remain legible from the street.

Vote: Unanimous, with 39 Board members in favor.

4. *445 6th Ave. – Application is to construct a 1-story rear addition on top of an existing 1-story rear addition and rebuild the rear façade.

(Reviewed at LPC Staff Level).

5. *65 Spring St. – Application is to construct a 1-story rear yard addition.

Whereas:

- A. The design of the addition, its positioning, and the reconfiguring of the fire escape raise multiple questions about its conforming to building and to fire codes and none of these questions were satisfactorily addressed by the applicant; and
- B. The drawings are vague and lack dimensions - the yellow tape markings on an adjacent

building and lack of a rendering give scant indication of the visual impact from a public thoroughfare.

C. The applicant was unable to provide detailed information about the drawings, the connection to the existing building and especially the visual impact and the egress path for the rooftop; and

D. The one-story addition completely fills the rear garden and an easement behind an adjacent gate is egress to Lafayette Street; and

E. The drawing shows that the gate to Lafayette Street cannot open fully for egress; and

F. The stairs in the back garden are relocated inside the addition and a tunnel excavation to the cellar, not shown in the drawings, was represented by the applicant as not impacting adjacent properties with no illustration that this is the case; and

G. The roof of the addition has assorted safety railings, fences and privacy divisions for the two private terraces that present a clearly visible jumbled view to Layette Street; and

H. The drop ladder to the garden is replaced by a fixed ladder to the rooftop of the addition and a new drop ladder, some distance across the rooftop from the fixed ladder, extends to the ground; and

I. The applicant represented, though it is unclear from the drawings, that a clear path, conforming to code, across the rooftop from the fixed ladder to the drop ladder does not pass-through private areas of the roof; and

J. Residents of the building and members of the public provided written and oral testimony opposing the application for assorted fire, safety, and habitability concerns that, though not necessarily landmark questions, may require a solution that would alter the proposed design; and

K. With lack of clear and complete drawings, no rendering of the addition as seen from a public thoroughfare, and multiple unanswered questions, this is an incomplete application; now

Therefore, be it resolved that CB2, Man. recommends that the incomplete application be revised and, when it is assured that multiple code regulations have been addressed, that a complete application be reviewed at a public hearing before being heard by the Landmarks Commission.

Vote: Unanimous, with 39 Board members in favor.

6. *22 E. 10th St. – Application is to construct a rear addition and perform rear yard excavation.

Whereas:

A. The proposal is for restoration of the stoop and entry, modification of parts of the front fenestration, removal of existing rear addition, construction of a new rear addition, lowering grade

of garden and adding windows in the “L” of the joining building at the new grade level:

B. The parlor floor front window will be restored to the early 20th century design which brings unity to the façade and is clearly shown in a historic photograph and restoring pilasters, adding transom and door to restore the stoop and entry to early 20th century condition; and

C. The window above the entry is thought to be original and will be reproduced in kind.

D. Examples were shown of existing additions throughout the doughnut of various sizes and configurations; and

E. The existing rear extension is to be demolished and a modest new extension with long tripartite divided pane windows will replace it and fire escapes are to be removed; and

F. The garden will be excavated approximately 4’ and a door and two windows will be added to the extension: and

G. The garden extension lowers the grade approximately 4’; and

H. Two windows and a door are to be added to extension of the next-door extension: now

Therefore be it resolved that CB2, Man. recommends **approval** of this application and takes special note of the careful restoration of the façade to the early 20th century configuration and the historically referenced large windows in the rear façade

Vote: Unanimous, with 39 Board members in favor.

7. *131 Charles St. – Application is to install a dormer at the rear of the pitched roof, alter the rear façade, excavate to the rear lot line, and to connect the house to the back house that stands at the rear of the lot underground, and to enlarge openings at the back house.

Whereas:

A. The property is an individual landmark and is distinctive for its proportions, third floor dormers, an intact interior horse walk, and a rear house presumably modified from a stable; and

A. As an individual landmark, it is afforded careful consideration that any alterations do not significantly alter its appearance; and

B. The front façade is in the original condition and an oval window above the horse walk door will be restored; and

C. The horse walk is one of few remaining in the village and it is visible through a window in the door from the sidewalk and the proposal to incorporate it into the living area and obstruct the historic

view with opaque glass would significantly harm the appearance and character of the house; and

D. The cellar level is to be excavated beneath the house, garden and rear house to 5' from the rear property line and the rear yard is lowered 6' adjacent to the house and 4' in front of the back house; and

E. A basement extension, 5'-6" deep extends the full width of the house and a rear dormer 20' wide and 5' above the existing roof is generally in the style of the front dormer; and

F. The windows in the rear facade and the dormer are non-historic metal and extend nearly the entire width of the house, destroying both any reference to punched, tripartite design and historic material, and introduce a modern design which forever harms the original historic appearance and the character of the house; and

G. The rear house deck and stair bulkhead do not harm the appearance of the house and are not visible from any public thoroughfare; now

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

A. Approval of the excavation provide that all regulations are followed to prevent harm to the property and to neighboring properties; and

B. Approval of the rear dormer structure and the rooftop; and

C. Denial of the windows in the rear façade, the rear dormer and in the rear house ground floor and recommends that they instead be wooden, historically referenced with small panes and that in the parlor and second floors of the main house the punched, tripartite design remains.

D. Denial of the change of the window in the horse walk door and of the proposed alterations to the horse walk that is an integral part of the character of the house, and which is visible through the window from the sidewalk and is of special importance to this individual landmark.

Vote: Unanimous, with 39 Board members in favor.

QUALITY OF LIFE

- 1. Thursday-Monday, May 5-9, 2022 – Kate Spade Mother's Day: 1) Gansevoort/13 Gansevoort Pedestrian Plaza [pedestrian plaza], 2) Greenwich St. between Gansevoort St. and Horatio St. [curb lane only]**

Whereas, the applicant wishes to host a plaza activation in the Gansevoort Pedestrian Plaza, centered around the Mother's Day holiday; and

Whereas, the event will feature a potted plant giveaway of around 5,500 plants and the opportunity for attendees of all ages to decorate the pots with paint pens and other decorative materials; and

Whereas, no merchandise will be sold or marketed at the event; and

Whereas, signage and branding will be minimal, with 2 signs consisting of a simple logo, and the design of the signs following the aesthetic of the space; and

Whereas, the event will consist of two days' setup, 1.5 days activation, and half a day of take-down; and

Whereas, activation will entail the creation of three greenhouse / garden shed style structures, inside which attendees will have the opportunity to obtain and decorate the potted plants, as well as outdoor bench seating; and

Whereas, the plaza will remain open for pedestrian access during both the set-up and activation phases of the event; and

Whereas, the event will include security guards to be stationed in the plaza overnight; and

Whereas, the Quality of Life committee reviewed a previously discussed rubric for the evaluation of plaza events and determined that this event met many of the criteria laid out in such rubric; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of Kate Spade Mother's Day: 1) Gansevoort/13 Gansevoort Pedestrian Plaza [pedestrian plaza], 2) Greenwich St. between Gansevoort St. and Horatio St. [curb lane only], **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Passed unanimously with 39 Board members in favor.

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

Whereas, the applicant re-appeared before the Quality of Life committee following an appearance in February, during which the committee asked the applicant to conduct further community engagement and to consider a range of locations for the event; and

Whereas, this event has previously been held for many years in Chelsea, with the prior support of Community Board 4, and with no major issues reported across the many years of the event being held;

Whereas, the event will feature amplified sound and DJs in compliance with decibel limits set by SAPO, and will serve beer, but will not be serving food; and

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

Whereas, the sponsors of the event did consider other possible locations for the event, but concluded that due to their intended partnership for the event with Rockbar, a longstanding local bar on the corner of Christopher St. and Weehawken St., that no other location would be suitable for them to achieve their stated goals for the event; and

Whereas, the owner of Rockbar appeared to speak in support of the event, citing Rockbar's presence at the current location for 14 years and as a partner of Fulson East for 5 years, as well as the ability for such events to aid in the recovery of small businesses from the COVID-19 pandemic; and

Whereas, the organizers of the event and the owner of Rockbar reached out to approximately 15 local businesses in the area, many of whom expressed support for the event and none speaking out against the event, and noted the fact that the event would not be selling food in competition with local restaurants or blocking the entryway to any local restaurants; and

Whereas, the organizers conducted outreach to approximately 40 neighbors in the vicinity of the event, including one local resident who appeared in support of the event, though the Quality of Life committee indicated that more extensive outreach should be conducted ahead of the event; and

Whereas, the organizers understand that a permit from the State Liquor Authority ("SLA") will be required for the intended alcohol sales at the event, and the organizer plans to check the IDs of attendees both at the entry to the event as well as at the point of sale; and

Whereas, the organizers intend to engage with NYPD to provide security for the event, and presented map of the proposed event with proposed 6-foot tall barriers to provide security and prevent the entry of underage attendees into the event; and

Whereas, the event will include 35-40 portable toilets for use by the event attendees within the confines of the barriers; and

Whereas, the organizers of the event committed to the proceeds of the event going to a local LGBTQ organization based in Community District 2, such as The Center or the South Asian Lesbian and Gay Association of New York ("SALGA") which is a sub-organization under the umbrella of The Center; and

Whereas, a resident of Christopher St. appeared at the committee meeting and expressed opposition to the event and referred to an event which had taken place in 2007 but was actually a separate event put on by a different organization; and

Whereas, the Quality of Life committee expressed concern at the proposed 5:30 AM set-up time, but

recognized that given the extensive security barriers included in the event plan, that such an early set up time may be necessary in order to maximize security for the event; and

Whereas, the organizers of the event offered to remain available to speak with residents throughout the day of the event to address any concerns expressed during set-up or the event itself; and

Whereas, the Quality of Life committee appreciated the outreach that had been conducted to neighbors thus far, but emphasized that a more detailed and documented outreach program must be conducted ahead of the event itself; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of Folsom Street East (Street Fair) (Sponsor: Folsom Steet East): 1) Weehawken St. between Christopher St. and West 10th St. [full street closure]; 2) Christopher St. between Weehawken St. and Washington St. [sidewalk and street closure], **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 organizers conduct more extensive and documented outreach to residents ahead of the event and make a best-effort attempt to address any residents’ concerns ahead of and during the event.

Vote: Passed unanimously with 39 Board members in favor.

3. Sunday, 6/19/22 – Juneteenth with Joe’s Pub (Village Alliance): Astor Place Plaza (South) [pedestrian plaza]

Whereas, the applicant did not appear on behalf of this application and the committee was unable to hear the particulars of this event; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of Juneteenth with Joe’s Pub (Village Alliance): Astor Place Plaza (South) [pedestrian plaza].

Vote: Passed unanimously with 39 Board members in favor.

4. Saturday, 6/25/22 – Little West 12th St. PopUp (Sponsor: Stonewall Democratic Club): Little West 12th St. between 9th Ave. Washington St. [full street closure]

Whereas, the applicant wishes to hold a street fair on Little West 12th Street, put on by Clearview Productions with the proceeds going to benefit the Stonewall Democratic Club, and with the support of the Meatpacking BID; and

Whereas, the event was previously held in 2019, though was not held in 2020 and 2021 due to the COVID-19 pandemic; and

Whereas, the event will not feature amplified sound, though may feature music from an “acoustic

duo”; and

Whereas, the event will feature both food stands and food trucks, with an aim to feature more “artisanal” food vendors than in a traditional street fair; and

Whereas, the food trucks will not be idling during the event but will require generators, which should generate sound of no more than 60 decibels; and

Whereas, all local businesses on the block will be invited to participate in the street fair on the complementary basis, a practice which was applauded by the Quality of Life Committee and which the Committee believes should become the standard for any street fair in the future; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of Little West 12th St. PopUp (Sponsor: Stonewall Democratic Club): Little West 12th St. between 9th Ave. Washington 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: Passed unanimously with 39 Board members in favor.

- 5. Sunday, 6/26/22 – Pridefest 2022 (Street Fair) (Sponsor – Heritage of Pride): 1) 4th Ave. between East 13th St. and East 10th St., 2) East 13th St. between 4th Ave. and Broadway, 3) East 12th St. between 4th Ave. and Broadway, 4) East 11th St. between 4th Ave. and 3rd Ave., 5) East 10th St. between 4th Ave. and Broadway [sidewalk and street closure]**

Sunday, 6/26/22 – Stagefest at Pridefest 2022 (Street Fair) (Sponsor – Heritage of Pride): 4th Ave. between East 10th St. and East 9th St. [sidewalk and street closure]

Sunday, 6/26/22 – Familyfest at Pridefest 2022 (Street Fair) (Sponsor – Heritage of Pride): Astor Place Plaza (South)

Whereas, Pridefest, entering its 29th year as a street festival, is one of the largest LGBTQIA street fairs in the world, combining various events in the name of equality; and

Whereas, the event will take place on Sunday, June 26th, the same day as the NYC pride march which is returning after a hiatus due to COVID-19, and as such, is expected to attract a substantial number of attendees, in the vicinity of 200,000; and

Whereas, the event will consist of several components, including the Pridefest street fair with exhibitors, Stagefest which will feature a stage and various performances, and Familyfest which will feature programming geared towards families and children; and

Whereas, setup for the event will begin at 4 AM with towing and dumpster dropping, with stage and exhibitor setup beginning at 6 AM, and shut-down for the event beginning at 6 PM, with all exhibitors expected to be off site by 7 PM, and all elements removed by 8 PM; and

Whereas, the Pridefest street fair will take place along 4th avenue between 10th and 13th streets, as well as some of the adjacent side street blocks, with the final side street blocks still being determined in coordination with SAPO and the NYPD, and will feature around 115 exhibitors; and

Whereas, a portion of the Pridefest street fair will feature food vendors and will be deemed “Foodfest”, and will also feature an adjacent seating area; and

Whereas, the Stagefest component of the event will take place on 4th avenue between 9th and 10th streets, and will feature performances with amplified sound and music from 11:30 AM to 5:45 PM; and

Whereas, the Familyfest component of the event will take place in the Astor Place plaza, with the intention of having this component being geographically separate from the rest of the Pridfest programming; and

Whereas, the event will feature an extensive security presence, including both NYPD officers and private security, with NYPD dictating the amount of coverage for the event they deem necessary as well as recommending the amount of private security for the event; and

Whereas, given the size of the event, the organizers are required to obtain a special permit from the New York State Department of Health, which will dictate the number of ambulances and roving medical personnel to be on site; and

Whereas, the event will feature golf carts circulating and providing first aid when needed; and

Whereas, the event will feature a “wellness tent”, a setup which has been used successfully at previous Pride events, and will function as a “safe haven” for those who wish to unwind and/or who are experiencing anxiety or other conditions that do not require first aid or immediate medical care; and

Whereas, the organizers are partnering with Paradox and New York Presbyterian for further guidance around medical care and safety for the event; and

Whereas, the organizers discussed the types of medical/safety issues and emergencies that had occurred most commonly in past events, and the robust planning and practices being put in place for this year’s event in order to mitigate the likelihood and occurrence of such issues; and

Whereas, the Quality of Life committee expressed enthusiasm and pride for the ability to continue hosting this important event in the Village, which was the birthplace of Pride in the 1960s; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of:

- Pridefest 2022 (Street Fair) (Sponsor – Heritage of Pride): 4th Ave. between East 13th St. and East 10th St., 2) East 13th St. between 4th Ave. and Broadway, 3) East 12th St. between 4th Ave. and Broadway, 4) East 11th St. between 4th Ave. and 3rd

- Ave., 5) East 10th St. between 4th Ave. and Broadway [sidewalk and street closure]
- Stagefest at Pridefest 2022 (Street Fair) (Sponsor – Heritage of Pride): 4th Ave. between East 10th St. and East 9th St. [sidewalk and street closure]
- Familyfest at Pridefest 2022 (Street Fair) (Sponsor – Heritage of Pride): Astor Place Plaza (South)

provided that the applications conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Passed unanimously with 39 Board members in favor.

6. 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, this event is an FYI/renewal which has been held for many years in the past with no known recent complaints; and

Whereas, the Quality of Life committee believes that Broadway between Waverly and East 14th may not be the ideal location for such event; 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 by the Quality

Street Activity Application FYI/Renewals

7. **5/07/22 – PS 130 Family Wellness Day (PS 130 Parents Association): Hester St. between Baxter St. and Mulberry St. [sidewalk and street closure]**
8. **6/18/22 – Bleecker Street Festival (Sponsor: Bleecker Area Merchants and Residents Association): Bleecker St. between Broadway and Sixth Ave. [full street closure]**
9. **7/09/22 – Bleecker Street Fair (Our Lady of Pompeii Church): 1) Bleecker St. between 6th Ave. and 7th Ave., 2) Carmine St. between 6th Ave. and Bedford St. [full street closure]**

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

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

Vote: Passed unanimously with 39 Board members in favor.

REOPENING WORKING GROUP

Hon. Erik Bottcher
250 Broadway, Suite 1785
New York, NY 10007

Hon. Christopher Marte
250 Broadway, Suite 1815
New York, NY 10007

Hon. Carlina Rivera
250 Broadway, Suite
1820 New York, NY
10007

I. RE: PRIORITY CONSIDERATIONS FOR PERMANENT OPEN RESTAURANTS RULEMAKING

Dear Councilmember Bottcher, Councilmember Marte, and Councilmember Rivera:

While the ramifications are unclear of the Court's decision in *Kathryn Arntzen et al vs. City of New York* to grant the petition requesting an Environmental Impact Study, we are writing to you to express our concern with the one-size-fits-all approach to the Permanent Open Restaurants (POR) Program. Although we agree that the Permanent Open Restaurants program will help achieve equity for restaurant operators in the outer borough neighborhoods by allowing the geographic expansion of sidewalk and roadway dining as-of-right, we believe that increasing the density of outdoor dining citywide comes at high cost to your council districts, which already have more than 30% of all outdoor dining across the city.

Manhattan Community Board 2 voted almost unanimously – by a vote of 40-1-1 – against the Permanent Open Restaurants Zoning Text Amendment and the expansion of outdoor dining to residential districts. Manhattan Community Board 2 has over 10% of all open restaurants across all five boroughs (59 community boards) and 20% of all open restaurants in Manhattan.

The vision for an equitable economic recovery through the Permanent Open Restaurants program is achieved through the geographic expansion of allowable areas, which will allow outdoor dining to expand significantly into the outer borough neighborhoods where outdoor dining was not previously allowed. However, the equitable economic recovery is not achieved in our community by significantly increasing the total number of tables and chairs for restaurants in outdoor dining on sidewalks and roadways that overwhelms the balance of our community and that allows outdoor dining in residential neighborhoods, as has been overwhelmingly expressed by residents including complaints concerning noise, trash, blocking clear path, and significant restaurant density.

Before the Permanent Open Restaurants applications open up, an equitable economic recovery should also take into consideration that Manhattan Community Board 2 has had a nearly 500% increase in number of eating and drinking establishments participating in outdoor dining to over 1,000

establishments, and parts of lower Manhattan have already achieved an over 200% increase in the number of participating eating and drinking establishments. An expansion of outdoor dining in our already-saturated area and in lower Manhattan disincentivizes expansion of outdoor dining into the outer borough neighborhoods.

Manhattan Community Board 2 has thoroughly reviewed the proposed Permanent Open Restaurants rules presented to City Planning Commission (CPC) in October 2021, the proposed Permanent Open Restaurants rules presented in a February 2022 sworn affidavit from the NYC Department of Transportation's Julie Schipper (Director of Open Restaurants) in response to open litigation, the Temporary Open Restaurants rules, the pre-pandemic Sidewalk Café rules, and the pre-pandemic Sidewalk Café Design Guidelines. Based on our review and analysis, we urge you to review the 10 critical points, in the enclosed document, that should be considered when shaping the POR legislation and developing the rules during the rulemaking process at this early stage. We anticipate further recommendations as the rulemaking process proceeds.

We appreciate your support.

Vote: Passed, with 35 Board Members in favor.

7 Against (C. Dignes, R. Kessler, J. Liff, M. Metzger, Z. Roberts, R. Sanz, A. Zeldin),
1 Abstain (R. Rothstein)

PRIORITY CONSIDERATIONS FOR PERMANENT OPEN RESTAURANTS RULEMAKING

1. While Manhattan Community Board 2 has received overwhelming testimony against outdoor dining in residential areas and has a standing position against outdoor dining in residential neighborhoods, if there are going to be exceptions for any type of expansion into residentially-zoned neighborhoods and specifically prohibited areas, the following items must be considered:
 - a. Hours limited to no later than 9pm Sunday-Thursday and 10pm Friday-Saturday in residential-only zoned areas and previously specifically prohibited areas;
 - b. Hours limited to no later than 10pm Sunday-Thursday and 11pm Friday-Saturday in mixed-use residential/commercial zones; any permitted hours after 11pm would be reserved for areas zoned commercial-only without any residential;
 - c. Residential-only zones and previously specifically prohibited areas should be exempt from roadway dining;
 - d. Roadway dining is only eligible in areas where parking is expressly permitted.
 - e. A review of the list of streets and areas in CB2 that were previously specifically prohibited in the Zoning Text under *14-41 Locations Where Certain Sidewalk Cafés Are Not Permitted* and a determination if the conditions that led to their prohibition still exist should be required.

2. Only one outdoor dining use should be allowed in mixed use residential/commercial zones: sidewalk cafés only or roadway cafés only – not both uses together.

3. Streets and sidewalks that are eligible for outdoor dining should meet the following criteria:
 - a. Sidewalks should be at least twelve-feet (12') wide, which was the requirement in the pre-pandemic Sidewalk Café Program, to allow adequate pedestrian movement including a three-foot (3') service aisle;
 - b. Roadways should be at least thirty-two feet (32') curb to curb that includes a sixteen-foot (16') travel/emergency lane and eight feet (8') on each side.
4. Sidewalk and roadway dining should be seasonal (April 1 to November 1). Seasonal waivers for outdoor dining should not be considered for CB2.
5. Increase the Community Board Review period from 30 days to 45 days as it existed originally in the pre-pandemic Sidewalk Café program; this allows for consideration of all applications under the Community Board calendar review periods. The Community Board Review should include both sidewalk and roadway café applications. Delays in obtaining sidewalk café licenses are not caused by the Community Board Review process. There are 80+ days of optional review phases (DCWP public hearing, City Council call-up and/or City Council review) after the Community Board Review is completed.
6. Safety for restaurant workers, patrons, bikers, and pedestrians should be ensured by prohibiting roadway dining and service across DOT bike lanes and prohibiting roadway dining in floating parking lanes. There is no safe ADA access with service across a bike lane.
7. All Permanent Open Restaurants applicants should provide new diagrams for sidewalk seating and roadway seating clearly outlining the eight-foot (8') clear path for pedestrian passage and separately, the three feet (3') for the service aisle, both of which were standard requirements in the pre-pandemic Sidewalk Café Program, in addition to providing the location and dimensions of all tables, chairs, and sidewalk obstructions.
8. Create a specific dimensional clearance to protect ground-floor residents. Any outdoor dining setup should be twenty-five feet (25') from all ground-floor residential windows or entryways. No service should occur across a residential entryway. No one should have to have their life impacted or on display to strangers eating directly outside the windows to their homes or be subjected to excessive noise of diners directly outside their windows.
9. There should be a patron bathroom available (indoors) for all outdoor seating.
10. While platforms have been identified as a tool to achieve ADA compliance in roadway dining setups, we ask that design guidelines address standing water and drainage issues as well as mitigate rat and vermin infestation. The Department of Health and Mental Hygiene (DOHMH) and the Department of Sanitation (DSNY) have continuously pointed out that excess trash and platforms in roadway dining setups are the number one cause of rat and vermin. We also ask that clear design guidelines and regulations be implemented to assure that roadway dining setups are removable to address routine roadway needs such as street cleaning with adequate frequency and any access needed by utility and city services and annual road paving.

II. Resolution Objecting to the Permanent Authorization of Liquefied Petroleum Gas in Propane Tanks for Outdoor Dining: Intro 0029-2022 Outdoor gas fueled heating devices

Whereas liquefied petroleum gas, known as propane, is illegal to possess, use, or store in a cylinder or container per New York City Fire Code;

Whereas the use of liquefied petroleum gas in portable outdoor heating devices, known as propane heaters, for outdoor dining setups is not currently authorized under the New York City Fire Code;

Whereas, currently, only two forms of portable heating devices are allowed in outdoor dining setups: Piped natural gas is allowed for use in portable heating devices used in outdoor dining setups and electric heaters,
Electric heaters are allowed for use as portable heating devices used in outdoor dining setups;

Whereas Intro 00229-2022 seeks to permanently amend the New York City Fire Code to authorize the permanent use, possession, and storage of liquefied petroleum gas in portable outdoor heating devices;

Whereas in its testimony to Manhattan Community Board 2 (CB2) on December 7, 2020, FDNY recommended that restaurants participating in the Temporary Open Restaurants program should stick to electric heat or piped natural gas heat as allowed during the pre-pandemic Sidewalk Café program;
Whereas in its previous testimony to CB2 on December 7, 2020, FDNY testified that a portable heating device fueled by liquefied petroleum should be a minimum of ten feet (10') from any building entrance, window, or ventilation, and the proposed legislation only calls for a five-foot (5') clearance from buildings/structures and exits with no mention of clearances for windows and/or ventilation;

Whereas in its previous testimony to CB2 on December 7, 2020, FDNY also testified that if chairs and tables were made of combustible materials that a five-foot (5') clearance should be maintained between the portable heating device filled with liquefied petroleum gas and the combustible-material chairs and tables, however, the proposed legislation only calls for a five-foot (5') clearance to combustible decorations, combustible overhangs, combustible awnings, combustible sun-control devices, and/or combustible attachments to materials or structures;

Whereas in its previous testimony to CB2 on December 7, 2020, FDNY further testified that one portable heating device filled with liquefied petroleum gas should have a five-foot (5') clearance from another separate portable heating device filled with liquefied petroleum gas, however, the proposed legislation does not include any language to designate clearances between portable heating devices;

Whereas the Environmental Protection Agency (EPA) estimates that a single eighteen-pound (18 lbs.) propane tank emits .024 metric tons of carbon dioxide¹, which is equivalent to driving 60 miles in a car or charging a smartphone 3,061 times, which would excessively contribute to environmental pollution and accelerate climate change;

Whereas climate change is a critical issue for Manhattan Community Board 2;

Whereas there are buildings that are not up to fire code, due to their existence prior to the creation of the New York City Fire Code, that would be adjacent to propane heaters;

Whereas the volatility of liquified petroleum gas on the streets of the city presents a danger to public safety and was attested to by FDNY at both the October 27, 2021, and December 7, 2020 CB2 Reopening Working Group meetings on outdoor dining;

Whereas the temporary use of liquified petroleum gas last winter, per Mayoral Executive Order 153, resulted in illegal on-premise storage of propane tanks in cages directly adjacent to residential entrances within buildings and in basements and also illegal use of propane heaters in roadway dining setups, creating a hazardous environment;

Whereas, on Thursday, October 21, 2021, the previous New York City Administration, based on their consultation with FDNY, commented that the FDNY is the expert on health and safety when it comes to propane and expressed agreement with FDNY's strong position that propane needs to be phased out.²

Therefore, Be It Resolved, Manhattan CB2 strongly opposes Intro 0029-2022 Outdoor gas fueled heating devices which would authorize the use, storage, and possession of liquified petroleum gas by amending the New York City Fire Code;

Vote: Passed, with 36 Board Members in favor.

1 Against (R. Sanz)

1 Abstain (R. Kessler, K. Shea)

SCHOOLS & EDUCATION

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

Whereas:

1. The Department of Education (DOE) has an option — valued at approximately \$65 million — to build the Bleecker School — a 100,000 sq. ft., K-8 DOE public school on New York

¹ [Outdoor Heaters and Climate Change, New York Times, November 27, 2020.](#)

² [NYC to reinstate ban on propane heaters, NY1, October 21, 2021](#)

University-owned land — the DOE must either fund the cost of the construction of a school before the option expires on December 31, 2023.⁴;

- a. The Bleecker School was a key component of NYU’s community giveback as part of its 2012 rezoning⁵;
 - b. **If the Bleecker School option expires on December 31, 2023, the Bleecker School site and development rights revert to NYU.** Based on the average price per buildable square foot in Manhattan, and the lack of vacant land in Greenwich Village, NYU will collect a windfall of over \$65 million in taxpayer funded value transfers, which will not be utilized to increase much needed public-school seats in CB 2.
 - c. From 2014 to 2021, CB 2 has passed **seven resolutions** in support of funding and building the Bleecker School, including our September 2019 resolution: *Dyslexia Education: A Critical Equity Issue for NYC Students – in support of 1) implementation of early screening, curriculum development, teacher training, programs and schools to support and teach children with dyslexia in NYC public schools and 2) the creation of a DOE public school program for dyslexic students at the Bleecker School Site* and our July 2020 resolution: *Resolution In Support of New York University and Trinity Real Estate Commitments to NYC for the Bleecker School and Hudson Square School and Public Recreation Space*.
2. December 2019, downtown elected officials sent a letter to the DOE in support of exploring the “possibility of creating a DOE public school program for dyslexic students” at the Bleecker School site⁶;
 3. In November 2019 and February 2020⁷, the DOE Capital Plan included language that the DOE “intends to exercise” its option;
 4. In February 2021⁸, the DOE Capital Plan included revised language that “the DOE has been working with NYU to extend the period to exercise the option to develop a school at Bleecker Street and LaGuardia Place;”
 5. On October 7, 2021, elected officials once again urged the School Construction Authority (SCA) and DOE to intervene to meet the extended deadline that NYU has offered and would like to meet and discuss how they can commit to building a school at 130 Bleecker Street.

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

⁵NYU 2012 Restrictive Declaration: <https://www.nyu.edu/content/CommunityAffairs/documents/core-plan-commitments/2012-7-24-NYU-Core-Restrictive-Declaration-Final.pdf>

⁶Letter and Restrictive Document available on CB 2 website at: <https://www1.nyc.gov/html/mancb2/html/newpublicschools/trinityschool.shtml>.

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

⁸SCA and DOE, FY 2020 - 2024 Five-Year Capital Plan, Proposed Amendment, February 2021. For Bleecker School, see page 16: <https://FY 2020-2024 Five-Year Capital Plan, Proposed Amendment.pdf>

6. On December 27, 2021, Letter from NYU to SCA offering an extension to December 31, 2023 for the SCA to provide notice of intent and until December 31, 2025 to commence actual construction was sent to elected officials⁹.
7. On January 24, 2022 Letter from SCA to NYU accepting NYU's offer on an extension of the deadline to December 31, 2023 to provide notice of intent and until December 31, 2025 to commence construction¹⁰.
8. In February 2022, SCA extended the option on the period of time to exercise the opportunity to develop a school at Bleecker Street and LaGuardia Place, secured as part of the large-scale rezoning of the NYU Core. The City will work with community representatives to identify capital funding and anticipates this building would be built in the next Five-Year Capital Plan; it is possible that design will begin in this capital plan if funding were to be identified¹¹.
9. In February 2022, elected officials urged the Department of Building (DOB) to file a stop work order regarding the construction at 181 Mercer Street by New York University ("NYU"). Known as the Zipper Building, this site is part of the NYU Core special permit application dated June 6, 2012 (ULURP No. C120124ZSM), which facilitated an expansion of the NYU campus within two superblocks in the Washington Square area¹².

Therefore Be It Resolved that Community Board 2 urges the School Construction Authority and Department of Education to:

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

Votes: Unanimous, with 39 Board Members in favor.

⁹Letter from NYU to SCA Offering Extension: [12/27/21 Letter from NYU to SCA](#)

¹⁰Letter from SCA to NYU Accepting Extension: [1/24/22 Letter from SCA to NYU](#)

¹¹SCA and DOE, FY 2020-2024 Five-Year Capital Plan, Proposed Amendment, February 2021. For Bleecker School see page 19: <https://FY 2020-2024 Five-Year Capital Plan, Proposed Amendment.pdf>

¹²<https://Joint Letter to DOB from Electeds on use of 181 Mercer Street.pdf>

2. Resolution in support of the Peer Defense Project

1. **Whereas** nearly seventy years after the landmark and unanimous United States Supreme Court ruling in *Brown vs. Board of Education of Topeka*, New York City has one of the most segregated school systems in the nation;
2. **Whereas** despite Culturally Responsive Sustaining Education (CRSE) frameworks by the New York State Department of Education (NYSED), and adoption of the School Diversity Advisory Group recommendations by the New York City Department of Education (DOE), policies and practices that perpetuate racism at all levels (internalized, interpersonal, institutional and structural) remain in place in NYC schools;
3. **Whereas** such policies and practices include but are not limited to:
 - a. Gifted & Talented programs that categorize students based on a narrow definition of “gifts and talents” and actively segregate students;
 - b. Middle school and high school admissions processes that act as gatekeepers, denying Black and Hispanic students, students with disabilities, students in temporary housing or foster homes, and English Language Learners equitable access to high quality schools;
 - c. Curriculum that is Euro-centric, normalizing white experiences and marginalizing the experiences of Black, Indigenous, and People of Color (BIPOC);
 - d. Teaching force that is majority white and female, depriving BIPOC students of mentors and role models who can better relate to their experiences; and
 - e. Student discipline practices that criminalize Black students, perpetuating the school-to-prison pipeline.
4. **Whereas** BIPOC students continue to experience racial animosity racial insensitivity, which often go unaddressed by the school;
5. **Whereas** the DOE has not provided sufficient professional development and training to equip school staff (including but not limited to: administration, teaching, support, and security personnel) with tools to address racial incidents appropriately, thereby leaving BIPOC students, who are harmed, to suffer without support;

6. **Whereas** a group of high school students in NYC public high schools and [IntegrateNYC](#), a youth-led organization, filed a complaint against the DOE, NYSED, the Mayor, the Chancellor, the Governor and the Commissioner on March 9th, 2021¹³;
7. **Whereas** the complaint claims that because of discriminatory and racist policies and practices within the DOE and its schools, plaintiff students were denied a sound basic education, which is a constitutional right for all students in NYS;
8. **Whereas** the complaint seeks injunctive relief through elimination of the G&T and middle and high school admissions screens currently in use, and prohibition of such screens in the future to the extent that they have been shown to operate in a racially discriminatory manner;
 - a. adoption of evidence-based programs to improve recruitment and retention of school leaders, administrators, teachers, social workers, and guidance counselors of color;
 - b. monitoring and enforcement of schools' compliance with the New York State Culturally Responsive-Sustaining Education Framework;
 - c. establishment of a system of accountability whereby Defendants:
 - d. Monitor conditions that deny students a sound basic education, such as segregated schools and programs; disproportionately low numbers of school leaders, administrators, teachers, social workers, and guidance counselors of color; and failure to provide sufficient mental health supports to students, including failure to implement trauma-informed practices; and
 - e. Intervene in a timely manner to address identified conditions that deny students a sound basic education.
9. **Whereas** many BIPOC students in public schools in Manhattan Community District 2 experience the same racial animosity and insensitivities within their schools;
10. **Whereas** while many schools are actively engaged in creating an inclusive and anti-racist school culture, there remains a clear need for more professional development and supports as well as for prioritizing this work in all schools;

Therefore be it resolved that Manhattan Community Board 2 supports efforts to desegregate New York City schools through steps such as those outlined in the legal complaint filed by IntegrateNYC.

¹³https://iapps.courts.state.ny.us/nyscef/ViewDocument?docIndex=jHAVRjM/0VBF2bxhnEz7aA==&link_id=7&can_id=5b2d0a9f37e91a08eccf05f58a403ad1&source=email-support-youth-movements-to-dismantle-systemic-racism&email_referrer=email_1480276&email_subject=support-youth-movements-to-dismantle-systemic-racism

Be it further resolved that Manhattan Community Board 2 supports the actions called for under the injunctive relief sought by the plaintiffs.

Votes: Passed, with 34 Board Members in favor.

5 Abstain (S. Aaron, D. Raftery, R. Sanz, K. Shea, F. Sigel)

SLA LICENSING

- i. PSSP NY, Inc. d/b/a Sofia's Little Italy, 143 Mulberry St. 10013** (Corporate Change, OP – Restaurant, SN#1250613)
 - 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 to the NYS Liquor Authority for a Corporate Change to an existing On-Premises Liquor License (SN#1250613) to operate a full-service Italian restaurant in the ground floor of a C6-2G-zoned seven-story, mixed-use building (c. 2003) on Mulberry Street between Hester and Grand Streets (Block #236/Lot #24), the building falls within the Special Little Italy District; and
 - ii. Whereas**, the proposed Corporate Change is to change the ownership from the son to his father, the father having held the original license since 2004, transferring the license to his son in approximately 2010; there will be no change in the method of operation; and
 - iii. Whereas**, the premises is approximately 2,126 sq. ft. (1,575 sq. ft. on the ground floor connected by an interior staircase to 556 sq. ft. in the basement), the basement being used for storage and additional bathrooms with no patron service to the basement; there are 19 tables and 63 seats and one (1) bar with four (4) seats for a total patron seating capacity of 67; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom on the first floor and two (2) bathrooms in the basement; and
 - iv. Whereas**, the Applicant's agreed upon hours of operation are from 10:00AM to 2:00AM Sundays through Saturdays (7 days a week); there is a sidewalk café with two (2) tables and eight (8) seats and roadbed seating with seven (7) tables and 14 seats operating under the temporary Open Restaurants program, all outdoor seating closes at 11:00PM nightly; music is quiet background only consisting of music from iPod/CDs; there is no: dancing, DJs, live music, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers; 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 On-Premises Liquor License, with those stipulations as follows:
 1. Premises will be advertised and operated as a full-service restaurant, specifically an Italian restaurant with the kitchen open and full menu items available until closing every night.

2. The hours of operation will be 10:00AM to 2:00AM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café and roadbed seating operating under the temporary Open Restaurants program on Mulberry Street. Sidewalk café is located immediately adjacent to the storefront with no more than two (2) tables and four (4) patron seats and roadbed seating not exceeding the business frontage of licensed premises with seven (7) tables and fourteen (14) patron seats.
5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
6. Will not have any televisions.
7. Will close all doors and windows at 9:00PM every night, allowing only for patron ingress and egress.
8. No patron occupancy/service to any portion of the basement of licensed premises aside from use of bathrooms.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/ security personnel.
15. Any sidewalk and roadbed seating operating under the temporary Open Restaurants program ends by 11:00PM (all patrons will be cleared by this hour and area closed); no exterior music, speakers or TVs.
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 Corporate Change to the On-Premises Liquor License in the name of **PSSP NY, Inc. d/b/a Sofia's Little Italy, 143 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, with 39 Board Members in favor.

- 2. 55 Bond Street, LLC d/b/a Fish Cheeks, 55 Bond St. 10012** (OP-Restaurant, Alteration to add adjoining storefront)
 - 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 alteration application to the NYS Liquor Authority to add the adjoining storefront premises to the existing On-Premises Liquor License (SN#1296058) which has been in operation as a Thai seafood restaurant since late 2016 on the ground floor and basement of a M1-5B-zoned, two (2)-story commercial building (c. 1950) on Bond Street between Lafayette Street and Bowery (Block #529/Lot #35); and
 - ii. Whereas**, the instant application is to add the adjacent (Eastern side) ground floor and basement storefront premises onto this license; the adjacent storefront is approximately 1,822 sq. ft. with 1,062 sq. ft. on the ground floor and approximately 760 sq. ft. in the basement connected by an interior stairway with no patron use of the basement (and is approximately the same square footage as the existing restaurant which also has no patron use of the basement); the new combined space will have 26 tables with 56 seats and one (1) bar with 15 seats (14 tables/28 seats and 11 seats at the bar in the 55 Bond Street side, 12 tables/28 seats and 4 seats at the bar in the 53 Bond Street side), for a total patron occupancy of 71 seats; the premises has one (1) door which will serve as patron ingress and egress and two (2) patron bathrooms; and
 - iii. Whereas**, the method of operation will remain the same with hours of operation Sundays to Thursdays from 11:00AM to 12:00AM and Fridays and Saturdays from 11:00AM to 1:00AM, music will be quiet background only consisting of music from iPod/CDs, all doors and windows will be closed at 10:00PM except for patron ingress and egress, there will be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes and no TVs; and
 - iv. Whereas**, the Applicant having originally appeared before this Committee in February/2022 at which time the committee and residents raised concerns about outdoor seating that was taking place in the roadbed as part of the temporary Open Restaurants program, the original application having no outdoor seating; concerns raised were focused on the lack of a seating diagram and cleanliness of outdoor seating and venting issues around the odor from cooking of fish; the Applicant agreeing to lay over the application to do further outreach with area residents and provide detailed seating diagrams for both the interior and exterior premises; and

- v. **Whereas**, the Applicant returned to CB2, Man. this month with a list of outdoor cleaning procedures that they shared with area residents and agreed to incorporate into stipulations, also agreeing to work with the community in an effort to solve any venting issues; and
- vi. **Whereas**, there will be outdoor seating operating under the temporary Open Restaurants program in the roadbed not exceeding the business frontage on Bond Street, seating will consist of four (4) tables and 16 patron seats enclosed in a protective barrier following the temporary Open Restaurants guidelines with additional roadbed seating of seven (7) tables and 14 seats outside of the protective barrier but not exceeding the business frontage operating as part of the Open Streets program during the hours that program remains in effect on Bond Street with all outdoor seating ending no later than 11:00PM nightly and no seating taking place on the sidewalk; 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 On-Premises Liquor License, with those stipulations as follows:
1. Premises will be advertised and operated as a full-service Thai seafood restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be 11:00AM to 12:00PM Sundays through Thursdays and 11:00AM to 1:00AM Fridays and 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 premises to be operated in that manner
 4. Will not operate a backyard garden or any outdoor area for commercial purposes except for roadbed seating operating under the temporary Open Restaurants program on Bond Street. Roadbed seating not exceeding the business frontage of licensed premises consists of four (4) tables and 16 patron seats enclosed in a protective barrier following the temporary Open Restaurants guidelines. Additional roadbed seating of seven (7) tables and 14 seats not exceeding the business frontage operating as part of the Open Streets program during the hours that program remains in effect on Bond Street.
 5. Roadbed seating will close no later than 11:00PM (all patrons will be cleared by this hour and area closed). All tables, chairs and planters in the roadbed as part of the Open Streets program will be removed at this hour. No exterior music, speakers or TVs. No sidewalk seating.
 6. Will take appropriate steps to ensure there is no occupancy of the roadbed structure after 11:00PM.
 7. There will be no sidewalk café.
 8. Will work with the community to resolve any venting issues and remain in compliance with all NYC Mechanical Codes.

9. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
10. Will not have televisions.
11. Will close all doors and windows at 10:00PM every night, allowing only for patron ingress and egress.
12. No patron occupancy/service to any portion of the basement of licensed premises.
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 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 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.
18. There will be 14 tables and 28 seats and one (1) bar with 11 seats in the 55 Bond Street premises and 12 tables with 28 seats and one (1) bar with four (4) seats in the adjoining 53 Bond Street premises for a total of 71 patron seats combined.
19. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
20. Will follow the opening and closing outdoor cleaning procedures supplied by the Applicant and listed below.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a Alteration application to the On-Premises Liquor License in the name of **55 Bond Street, LLC d/b/a Fish Cheeks, 55 Bond St. 10012**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA On-Premises Liquor License.

Vote: Unanimous, with 39 Board Members in favor.

3. **Dobra Café Soho, Inc. d/b/a Despaña Fine Foods & Tapas Café, 199 Lafayette St., Store H, aka 408 Broome St. 10013 (TW–Bar/Tavern)**

- i. **Whereas**, the Applicant 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 facilitate new ownership from the same family of an existing, previously licensed (SN# 1254391) grocery store and tapas café specializing in food from Spain located in a C6-zoned, seven (7)-story, mixed-used building (c. 1900) on Broome Street between Cleveland Place and Lafayette Streets (Block #482/Lot #7501), the building falling within the designated SoHo-Cast Iron Historic District; and
- ii. **Whereas**, the two (2)-story premises includes a ground floor of 1,300 sq. ft. as well as a staff-only basement inaccessible to patrons; there are four (4) tables with 18 seats and there is no bar; there is roadbed seating on Broome Street operating under the temporary Open Restaurants program with seven (7) tables and 14 seats; and
- iii. **Whereas**, the hours of operation will be from 11:00AM to 7:00PM Sundays through Wednesdays and 11:00AM to 10:00PM Thursdays through Saturdays inclusive of outdoor seating; all doors and windows will be closed at the earlier of closing time or 9:00 PM nightly; 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**, the Applicant had appeared before CB2, Man. in July/2019 and was approved for the same application but then failed to move forward at that time due to the Covid-19 pandemic; 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 Tavern Wine License, with those stipulations as follows:
 1. Premises will be advertised and operated as a family-owned grocery store and café specializing in foods from Spain with the full food menu available during all hours of operation.
 2. The hours of operation will be 11:00AM to 7:00PM Sundays through Wednesdays and 11:00AM to 10:00PM Thursdays 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 premises to be operated in that manner
 4. Will not operate a backyard garden or any outdoor area for commercial purposes except for roadbed seating operating under the temporary Open Restaurants program on Broome Street. Roadbed seating not exceeding the business frontage of licensed premises with 7 tables and 14 patron seats. No sidewalk café/seating.

5. Roadbed seating will close no later than 7:00PM Sundays through Wednesdays and 10:00PM Thursdays through Saturdays. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs. No sidewalk seating
6. Will not have a sidewalk café now or in the future.
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 9:00PM every night, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have 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.
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 **Dobra Café Soho, Inc. d/b/a Despaña Fine Foods & Tapas Café, 199 Lafayette St., Store H, aka 408 Broome 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 Tavern Wine Liquor License.

Vote: Unanimous, with 39 Board Members in favor.

- 4. MA.GE.GA Food, LLC d/b/a Coppola Café, 171 W. 4th St. 10014** (New TW–Bar/Tavern)
(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 new Tavern Wine Liquor License to operate an Italian sandwich shop and dessert café in the ground floor and of a R6 with a C1-5 overlay-zoned, six (6)-story, mixed-use building (c. 1903, renovated 1986) on West 4th Street between 6th Avenue and Jones Street (Block #592/Lot #32), the building falling within the designated Greenwich Village Historic District; and
 - ii. Whereas,** the ground floor storefront is approximately 650 sq. ft., there are seven (7) tables and 19 seats and no bar or food counters for a total seated occupancy of 19 persons, there will be no patron use of the basement which is not part of the license, 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 7:00AM to 11:00PM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs with the exception of Fridays from 5:00PM–7:00PM when live acoustic music is permitted (no brass or percussion); there will be no dancing, DJs, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
 - iv. Whereas,** the premises is a previously unlicensed location, the Applicant having opened The Coppola Café without a liquor license in Spring/2019 and has remained open throughout the Covid-19 pandemic, prior to that the premises had been occupied since 2017 as Sweet Time Dessert Café; and
 - v. Whereas,** there is a sidewalk café operating under the temporary Open Restaurants with four (4) tables and eight (8) chairs located adjacent to the building, the Applicant previously having had tables next to the curbside and has since removed them from that location agreeing to keep all tables adjacent to the building allowing for an 8' pedestrian clear path; and
 - vi. Whereas,** members of the public including those representing the Central Village Block Association and the Carmine Street Block Association appeared in opposition to a Tavern Wine license at this location due to the oversaturation of liquor licenses in this immediate area with 49 On-Premises Liquor Licenses and 32 Beer/Wine Liquor Licenses within 750', this application being for the service of Beer and Wine only and thus not subject to the 500 ft. rule and there being no other objection to the instant application; and
 - iv. 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 an Italian sandwich shop and dessert café with less than a full service kitchen but will operate with the full during all hours of operation.
2. The hours of operation will be 7:00AM to 11:00PM 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 certified 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. No roadbed seating.
5. 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.
6. Will play quiet ambient recorded background music only with the exception of Fridays from 5:00PM–7:00PM when live acoustic music is permitted (no brass or percussion). 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 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 any changes to any stipulation agreed to herein
15. Will not have any of the following: dancing, DJs, 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 Tavern Wine License in the name **MA.GE.GA Food, LLC d/b/a Coppola Café, 171 W. 4th St. 10014**, **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, with 39 Board Members in favor.

5. King Jade Garden, Inc. d/b/a Lady Chow’s Kitchen, 171 Hester St. 10013 (OP–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 an On-Premises Liquor License for a local Chinese restaurant located on the ground floor of a C6-2G zoned, six (6)-story mixed-use building (c. 1900) on Hester Street between Elizabeth and Mott Streets (Block #238 / Lot #38), the building falling within the designated Special Little Italy District; and
- ii. Whereas**, the premises is roughly 1,600 sq. ft. comprised of the ground floor restaurant connected by an interior staircase to the basement, basement used for storage and patron bathroom access, there will be no service to patrons in the basement (no breakdown of square footage was provided with the floor diagram); there will be 11 tables with 53 seats and one service bar with no seats for a total patron occupancy of 53 seats; there is one (1) entryway serving as both patron ingress and egress and one (1) bathroom; there will be no sidewalk café or roadbed seating; and
- iii. Whereas**, the hours of operation will be from 9:00AM to 11:00PM 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, no live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. Whereas**, the premises had been operating without a liquor license as a Chinese restaurant under the name of Canton Kitchen since approximately 2017 and prior to that as House Special since at least 2009, the application indicating the location had been previously licensed under SN#1236565, that SN# corresponding to a restaurant in midtown Manhattan and no other license at this location being found on the NYS LAMP system; there are currently 32 liquor licenses within 500' of this location; and
- v. Whereas**, it appears clear that the Applicant’s premises is within 200 feet of the Oversea Chinese Mission located across the street on the southwest corner of Hester and Elizabeth Streets, the primary address being 154 Hester Street, with its main entrance on Elizabeth Street and delivery entrance across the street on Hester Street just east of the instant application; the Church measuring

111' from the center of the Hester Street church façade to the center of the proposed premises, and 150' from the center of the Elizabeth street church façade to the center of the proposed premises using Google maps; 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 Chinese restaurant.
2. The hours of operation will be 9:00AM 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 Chinese 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 other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
7. Will not have televisions.
8. Will close all doors and windows at 10:00PM every night, allowing only for patron ingress and egress.
9. Patron use of basement is for bathroom only. There will be no patron service in basement.
10. Will not install or have French doors, operable windows or open façades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will provide a Letter of No Objection permitting eating and drinking for store front premises proposed to be licensed prior to issuance of license.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.”
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.

16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will not have dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.
18. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the application for a new On-Premises Liquor License for **King Jade Garden, Inc. d/b/a Lady Chow's Kitchen, 171 Hester 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.

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. recommends the State Liquor Authority measure and calculate the distance between 171 Hester Street to the Oversea Chinese Mission to determine whether the distance between the applicant's premises and the church violates the 200 ft. rule and CB2, Man. requests that the Oversea Chinese Mission be added to the NYS LAMP database; and

THEREFORE BE IT FURTHER RESOLVED that should the NYSLA find that the premises does violate the 200 ft. rule, CB2, Man. recommends approval of a Restaurant Wine license at this location with the above-mentioned stipulations.

Vote: Unanimous, with 39 Board Members in favor.

6. LSMC, LLC d/b/a C. DiPalo, 151 Mott St. 10013 (New OP-Bar/Tavern: Class Change)

- 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 upgrade from a Tavern Wine License (SN# 130528) to an On-Premises Bar/Tavern License for an Italian Food Market with seating offering panini's and Italian small bites with educational classes conducted frequently on the ground floor of a C6-2G zoned, six (6)-story mixed-use building (c. 1910) on Mott Street between Grand and Broome Streets (Block #471/Lot #52), the building falling within the designated Special Little Italy District; and
- ii. Whereas**, the premises is roughly 1,360 sq. ft. with 16 tables with 38 seats and one (1) bar with 9 seats for a total seated patron occupancy of 47; there is one (1) entryway serving as both patron ingress and egress and two (2) bathrooms; and
- iii. Whereas**, the hours of operation will be from 9:00AM to 12:00AM Sundays through Thursday and 9:00AM to 1:00AM Fridays and Saturdays, music will be quiet background only consisting of

music from iPod/CDs); there will be no dancing, no DJs, no live music, no 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 with no more than six (6) tables and 12 chairs located adjacent to the building on Mott Street, the sidewalk café will close no later than 11:00PM nightly; and

- v. **Whereas**, this application being subject to the 500 ft. rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being 87 liquor licenses within 750' of the premises, the Applicant providing assurances to the committee that the educational component of their method of operation will begin again as Covid restrictions are lifted and will consist of frequent seminars on Italian food and wine, the Applicant agreeing to and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the license, limiting its method of operation of the On-Premises License for this purpose, as follows:
 - 1. Premises will be advertised and operated as an Italian Food Market with seating for paninis and Italian small bites.
 - 2. The hours of operation will be 9:00AM to 12:00AM Sundays through Thursdays and 9:00AM to 1:00AM Fridays and Saturdays. All patrons will be cleared, and no patrons will remain after stated closing time.
 - 3. Will operate with less than a full-service kitchen but will serve full food menu during all hours of operation.
 - 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 on Mott Street with no more than six (6) tables and 12 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.
 - 7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
 - 8. Will have no more than two (2) television(s) no larger than 46". There will be no projectors.
 - 9. Will close all doors and windows at 9:00PM every night, allowing only for patron ingress and egress.
 - 10. Will not install or have French doors, operable windows or open façades.

11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: dancing, DJs, live, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.
17. There will be 19 tables and 42 seats and one (1) standup bar with nine (9) seats, the maximum occupancy is 74 people.
18. There will be frequent seminars on Italian food and wine/educational component.
19. There may be cover charges for educational events and seminars.
20. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Liquor License application for **LSMC, LLC d/b/a C. DiPalo, 151 Mott 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, with 39 Board Members in favor.

7. **Sunshine Kitchens NY, LLC d/b/a KYU New York, 324 Lafayette St. 10012** (OP–Restaurant: Expansion into Municipal Property)
 - 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 the Expansion into Municipal Property of their pending On-Premises Liquor License (SN# 1337720) for a full-service, wood-fired Asian-inspired restaurant on the ground floor of a M1-5B-zoned, eight (8)-story commercial building (c. 1897) on Lafayette Street between West Houston and Bleecker Streets (Block #522/Lot #28) in the NoHo Historic District; and

- ii. **Whereas**, the Applicant appeared before CB2, Man.'s SLA Committee in June/2021 to present their application for an On-Premises Liquor License which included a sidewalk café and was unanimously approved for their license by the full board at its June/2021 meeting; and
- iii. **Whereas**, the storefront is approximately 5,111 sq. ft. (3,339 sq. ft. on the ground floor and 1,772 sq. ft. in the basement connected by an interior staircase), there are approximately 46 tables with 148 seats and one (1) bar with 10 seats for a total seated patron occupancy of 158 persons; the basement is used for storage and office purposes only, there is no patron use of the basement; there is one (1) entryway on Lafayette Street used for patron egress and ingress; one (1) entryway used for emergency exit only on Crosby Street and three (3) patron bathrooms; and
- iv. **Whereas**, the agreed to hours of operation are 10:00AM to 1:00AM Sundays through Wednesdays and 10:00AM 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 10:00PM every night; 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 is currently open, the instant application seeking to operate a sidewalk café immediately adjacent to the building under the temporary Open Restaurants program consisting of five (5) tables and ten (10) seats no later than 10:00PM Sundays through Saturdays (7 days a week) which is consistent with the method of operation presented in June/2021; 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 Asian-inspired full-service restaurant.
 - 2. The hours of operation will be 10:00AM to 1:0AM Sundays through Wednesdays and 10:00AM to 2:00AM Thursdays through Saturdays. All patrons will be cleared, and no patrons will remain after stated closing time.
 - 3. Will operate full-service restaurant, specifically a wood-fired, Asian inspired fine dining restaurant with the kitchen open and full menu items available until closing every night.
 - 4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 - 5. Will not have televisions.
 - 6. Will not operate a backyard garden or 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 five (5) tables and ten (10) seats no later than

10:00PM Sundays through Saturdays (7 days a week). All tables and chairs will be removed at 10:00PM and there will be no patrons in the sidewalk café after 10:00PM. No roadbed seating.

7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.
8. Will add additional soundproofing to the premises including but not limited to replacing the flooring.
9. Will close all doors and windows at 10:00PM every night, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open façades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will use Lafayette Street for patron ingress and egress with Crosby Street being used for emergencies only.
13. 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.
14. Will store all refuse in a refrigerated room in the interior until it is picked up by third-party haulers.
15. Will add motion-sensing lighting to the Crosby Street side of the restaurant to ensure the area is well lit whenever people are present.
16. 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.
17. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
18. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
19. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
20. 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.
21. Any sidewalk seating operating under the temporary Open Restaurants program ends by 10:00 PM (all patrons will be cleared by this hour and area closed); no exterior music, speakers or TVs.

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 CB2, Man. recommends **denial** of the application for a Municipal Extension to the pending On-Premises Liquor License for **Sunshine Kitchens NY, LLC d/b/a KYU New York, 324 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, with 39 Board Members in favor.

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

8. Waverly Restaurant-Diner, Ltd. 385 6th Ave. 10014 (RW–Restaurant) (failed to appear)

Whereas, at month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on March 1, 2022 the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2 Manhattan; 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 **Waverly Restaurant-Diner, Ltd. 385 6th Ave. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

9. Skybird Hospitality Partners, LLC d/b/a Pending, 109 Mulberry St. 10013 (RW–Restaurant) (Live Music–Various Genres) (Security Personnel) (Temporary Retail Permit)

Whereas, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on March 1, 2022 the Applicant requested **to lay over** this application for a Alteration to an existing On-Premises Liquor License application to April/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 Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Skybird Hospitality Partners, LLC d/b/a Pending, 109 Mulberry St. 10013**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to

CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

10. XEO Cantina, Inc. d/b/a TBD, 334 Bowery 10012 (OP–Restaurant) (Transfer) (Sidewalk Café) (Open Restaurant Seating–Roadbed)

Whereas, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on March 1, 2022 the Applicant requested **to lay over** this application for a Alteration to an existing On-Premises Liquor License application to April/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 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 **XEO Cantina, Inc. d/b/a TBD, 334 Bowery 10012, until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

11. Sum Yung Gai, LLC d/b/a Char’d, 17 E. 13th St., 1st & 2nd Floors 10003 (OP–Restaurant & Bar)

Whereas, following this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on March 1, 2022 the Applicant requested **to lay over** this application for a Alteration to an existing On-Premises Liquor License application to April/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 Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Sum Yung Gai, LLC d/b/a Char’d, 17 E. 13th St., 1st & 2nd Fl. 10003, until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

12. 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, at this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on March 1, 2022 the Applicant requested **to lay over** this application for a Alteration to an existing On-Premises Liquor License application to April/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 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 **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, with 39 Board Members in favor.

13. Emmy Squared Bedford, LLC d/b/a Emily, 31-33 Bedford St. aka 35 Downing St. 10014 (Corporate Change—On Premise)

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee for a change of corporate structure for an existing On premise license to continue to operate a restaurant which specializes in Detroit style pizza within a six story tenement style residential (c.1900) building on the Northwest corner of Bedford St. and Downing St., this building falling within NYC LPC’s designated Greenwich Village Historic District; and,
- ii. Whereas**, this particular restaurant was initially licensed in 2017, with three of the original owners/operators selling their stake in the business, including Emily and Matthew Hyland, as well as Kenneth Levitan, with Howard Greenstone, the current Manager being elevated to President along with new investors, taking over ownership of the licensed premise, the Applicant indicating that the current method of operation as a restaurant remaining the same; and,
- iii. Whereas**, this application is seeking to change the structure of the corporation holding the liquor license, the Applicant will remain the primary owner/operator of the licensed premises and the method of operation is not changing, with the exception of the temporary use of sidewalk seating on a temporary basis pursuant to NYC’s open restaurant’s program following the onset of the Covid Pandemic; and,
- iv. Whereas**, the interior restaurant is roughly 1,800 sq. ft premise (ground floor 600 sq ft, cellar 1,200 sq ft); on the first floor there are 12 tables and 24 table seats, 1 standup bar with 4 seats, in the basement there is a kitchen, a dining room with 8 tables and 29 seats and a separate room

with 1 table and 8 seats for a grand total of 65 seats, with the total occupancy being less than 74 persons, with 1 entrance, 1 exit, three bathroom, no TVs, the hours of operation will continue to be from 11AM to 12AM Sunday to Thursday and 11AM to 1AM Friday and Saturday (no patrons will remain after closing time), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

- v. **Whereas**, the local Block Association (Bedford/Downing Street) sent in correspondence and a representative appeared with photos demonstrating that the Applicant was not following the temporary open restaurant guidelines and rules requiring a 8 foot clear path on the sidewalk, the Applicant having placed four tables with 16 seats along the Downing Street sidewalk, blocking the sidewalk and providing less than a 5 foot path, with servers required to walk into that limited pathway to serve patrons on the exterior, further exacerbating the narrow sidewalk passage; and,
- vi. **Whereas**, when confronted with the licensee's failure to abide by the existing, albeit temporary program requirements for clear passage, the Applicant and his Attorney agreed to reduce the number of patron seats on the sidewalk to insure the proper width of 8 feet for pedestrians, and further agreed that the exterior seating, albeit on a temporary basis, will close by 10 PM every night, this location being zoned residential where sidewalk cafes were prohibited, the roadways and sidewalks at this intersection being very narrow, surrounded by residential buildings, the Applicant further agreeing that there would be no exterior speakers and no exterior TVs; and,
- vii. **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 of the existing On Premise License, with those stipulations as follows:
 1. The premises will be advertised and operated as a full-service restaurant focusing on Detroit style pizza with the kitchen open and full menu items available until closing every night.
 2. The interior hours of operation will be from 11AM to 12AM Sunday to Thursday and 11AM to 1AM Friday and Saturday.
 3. Will not operate a backyard garden or any outdoor area for commercial purposes except for except for sidewalk café seating operating under the temporary Open Restaurants program located immediately adjacent to the storefront on Downing Street providing an eight-foot clear passage for pedestrians. No roadbed seating.
 4. Exterior café for dining purposes only and will close no later than 10:00 PM every night. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs
 5. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
 6. Will not install French doors, operable windows, or open façades.

7. Will close all doors & windows at all times.
8. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
9. There will be no TVs.
10. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
12. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
13. The premises will not permit dancing.
14. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
15. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a corporate change for its existing on premise license to **Emmy Squared Bedford, LLC d/b/a Emily, 31-33 Bedford St. aka 35 Downing 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 continue to be incorporated into the Method of Operation on the SLA On Premise License.

Vote: Unanimous, with 39 Board Members in favor.

- 14. W & J Café, Inc., d/b/a Luna Café, 628 Hudson St. 10014** (Corporate Change—Tavern Wine)
 - i. Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee for a change of corporate structure for an existing Tavern Wine license to continue to operate a small café serving classic sandwiches, small plates, salads and desserts within a ground floor storefront located in a four story townhouse (circa 1846) with residential above, located on Hudson Street between Horatio Street and Jane Street, this townhouse building falling within NYC LPC's designated Greenwich Village Historic District; and,
 - ii. Whereas**, this particular licensed premise being initially heard and licensed in 2021, with one of the original owners/operators selling their stake in the business to the Applicant, who will now have 100% ownership of the business moving forward, the Applicant indicating that the current method of operation as a café and sandwich shop will remain the same; and,

- iii. **Whereas**, the storefront premise will continue to have fixed facades, the interior premise being roughly 1,359 sq. ft on two floors with 459 sq. ft. on the ground floor and 900 sq. ft. in the basement, with accessory use in the basement including customer bathrooms and convection ovens and there are 11 tables and 22 seats and 1 service bar without any patron seats on the ground floor, for a grand total of 22 interior seats; and,
- iv. **Whereas**, the hours of operation remain from Sunday to Thursday from 7 a.m. to 10 p.m. and Friday to Saturday from 7 am to 11 pm (all patrons will be cleared and no patrons will remain after stated closing times), music is quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,
- v. **Whereas**, the Applicant has not been following the temporary open restaurant guidelines and rules requiring a 8 foot clear path on the sidewalk, the Applicant having placed tables on the sidewalk along the curb area on Hudson Street, in addition to installing a roadbed structure separated by a bike land, inviting patrons to cross the bike path, in an unsafe manner, to access the roadbed structure, the Applicant indicating that there is no service of alcohol to any exterior areas, including the sidewalk and roadbed; and,
- vi. **Whereas**, when confronted with the licensee's failure to abide by the existing, albeit temporary program requirements for clear passage, the Applicant and his Attorney agreed to remove the tables and seats running along the curb line of the sidewalk, the Applicant further indicating that he will be utilizing no more than 4 tables and 8 patron seats on the sidewalk located immediately adjacent to storefront, and because there is no wait staff to the business there will be no service of alcohol to any outdoor area, with the outside areas closing at the same time as the interior business at 10 PM Sunday to Thursday and by 11 PM Fridays and Saturdays; and,
- vii. **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 of the existing Tavern Wine License, with those stipulations as follows:
 - 1. The premises will be advertised and operated as a as a sandwich shop and small café with full menu items available until closing every night.
 - 2. The interior and exterior hours of operation will be Sunday to Thursday from 7AM to 10PM and Fridays and Saturdays from 7AM to 11PM.
 - 3. There will be 4 tables and 8 patron seats on sidewalk located immediately adjacent to storefront. No service of alcohol to any outdoor area.
 - 4. Exterior café for dinning purposes only and will close no later than 10:00 PM Sunday to Thursday and 11 PM Fridays and Saturdays. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a corporate change for its existing on premise license to **W & J Café, Inc., d/b/a Luna Café, 628 Hudson 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 continue to be incorporated into the Method of Operation on the SLA Tavern Wine License.

Vote: Unanimous, with 39 Board Members in favor.

15. Murray's Cheese, LLC d/b/a Murray's Cheese, 250-254 Bleecker St. 10014 (Existing TW—Alteration To Combine Adjacent Licensed Space)

- i. Whereas**, the Applicant and the Applicants' Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an alteration application for an existing tavern wine license to combine an adjacent storefront, previously operated by the licensee as Murray's Mac & Cheese, with its existing specialty cheese shop located next door, the specialty cheese shop being located in the adjacent storefront on ground floor with cellar for ticketed events, classes, reserved lunches or dinners only operating under the name of Murray's Cheese Shop, both storefronts being located on Bleecker St. at its northeast corner with Leroy St in Greenwich Village, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

- ii. **Whereas**, the corner storefront sought to be added (250 Bleecker Street) is roughly 561 sq. ft. and the existing specialty cheese shop is roughly 6077 sq. ft. on the ground floor and basement (3,697 sq ft ground floor and 2.380sq ft cellar), with 3 counters and 8 counter stools and 1 standup bar with no seats; there is an existing temporary certificate of occupancy which indicates patron use of the ground floor and basement; there is no sidewalk café or other outdoor seating areas and there are no French doors or operable windows; and,
- iii. **Whereas**, the hours of operation for the ground floor retail area will end at 9PM 7 days a week, the cellar may operate with ticketed events or classes and/or reserved lunch or dinners from 8AM to 12AM 7 days a week (no patrons shall remain at closing), music will be ambient 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 dj, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,
- iv. **Whereas**, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated into the method of operation on the Tavern Wine License stating that:
1. Premise will be advertised and operated as a specialty cheese shop on ground floor with cellar for ticketed events or classes and/or reserved lunch or dinners only.
 2. The hours of operation for the ground floor retail area will end at 9PM 7 days a week. The cellar may operate with ticketed events or classes and/or reserved lunch or dinners from 8AM to 12AM 7 days a week. 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 premise will not have televisions except for ancillary use in conjunction with educational/class use.
 5. The premises will not permit dancing.
 6. The premises will not operate a backyard garden or any outdoor area for commercial purposes including roadbed or sidewalk café.
 7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
 8. The premises will not have DJ's, live music, cover charges (cover charges ok for classes/educational events) or promoted events.
 9. All doors and windows will be closed at all times except for patron ingress and egress. There will only be a fixed façade, which will remain unchanged.
 10. Will play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
 11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
 12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an alteration

application for an existing Tavern Wine License for **Murray’s Cheese, LLC, d/b/a Murray’s Cheese Shop, 250-254 Bleecker 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 Tavern Wine License.

Vote: Unanimous, with 39 Board Members in favor.

16. Chez Group, Inc. d/b/a TBD, 395 West St. 10014 (New OP—Restaurant)

- i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee for a new On-Premises liquor license to operate a full-service restaurant serving French-Caribbean fare within a ground floor storefront on the corner of West Street and West 10th Street within a three-story brick residential building (circa 1910) in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,
- ii. Whereas**, the ground floor storefront sought to be licensed was previously operated as Bongo, a seafood restaurant with an on premise liquor license, the interior storefront being roughly 1200 sq. ft., with 24 tables and 48 seats, two bathrooms, a full service kitchen, the storefront’s infills being fixed, and not being operable to the exterior sidewalk; and,
- iii. Whereas**, the proposed hours of operation for the interior are Sunday to Thursday from 11:00 AM to 12:00 AM, Fridays and Saturdays from 11:00 AM to 2:00 AM, there will be no exterior areas for the service of alcohol, one 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 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-Premises License, with those stipulations as follows:
 - 1. The premises will be advertised and operated as a full-service restaurant serving French Caribbean fare with the kitchen open and full menu items available until closing every night.
 - 2. The interior hours of operation will be Sunday to Thursday from 11:00 AM to 12:00 AM, Fridays and Saturdays from 11:00 AM to 2:00 AM.
 - 3. Will not operate a backyard garden or any 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 all 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 one TV.
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.

- v. **Whereas**, this application being subject to the 500 foot rule and public interest standard, there being five active and two pending on premise liquor licenses within its geographical radius, the Applicant being a chef having a similar business with a similar method of operation in the East Village, the agreed-upon stipulations and method of operation proposed establishing the public interest standard; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new on premise liquor license to **Chez Group, Inc. d/b/a TBD, 395 West 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 continue to be incorporated into the Method of Operation on the SLA On Premise License.

Vote: Unanimous, with 39 Board Members in favor.

17. Ruaysabay, Inc. d/b/a Pranakhon, 88 University Pl. a/k/a 24 E. 12th Street, 1st Fl. 10003 (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 traditional Thai dishes within a ground floor storefront, with small mezzanine, within a eleven-story building (circa 1906) in Greenwich Village on University Place between East 11th and 12th Streets, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

- ii. Whereas**, the ground floor storefront sought to be licensed was previously operated as a restaurant Scarpina in 2011 but has more recently been used and occupied by We Works, an lessor of office space that has gone out of business, with the interior storefront being roughly 4785 sq. ft. (2300 sq. ft. ground floor, 2145 sq. ft. basement and 340 sq. feet mezzanine), the basement having a full service kitchen and storage facilities but it will not be used for patron service/occupancy), with the ground floor and mezzanine having 22 tables with 56 patron seats, 1 stand up bar with 10 additional seats for a total patron seating occupancy of 66, three bathrooms, the storefront's infills being fixed, and not being operable to the exterior sidewalk; and,
- iii. Whereas**, the proposed hours of operation for the interior are Sunday through Saturday from 12:00 PM to 11:00 PM, 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 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 dishes of Thailand 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 12:00 PM to 11:00 PM.
 3. Will not operate a backyard garden or any 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 all 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.
- v. **Whereas**, this application being subject to the 500 foot rule and public interest standard, there being 41 active and 8 pending on premise liquor licenses within 750 feet of its geographical radius, the Applicant being a husband and wife team, they have a similar business with a similar method of operation in the Upper Manhattan, the local block association appearing and after hearing the applicant demonstrated their support, the agreed-upon stipulations and method of operation proposed, in combination with their experience and history establishing the public interest standard; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new on premise liquor license to **Ruaysabay, Inc. d/b/a Pranakhon, 88 University Pl., 1st Fl. 10003** **unless** the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the Method of Operation on the SLA On Premise License.

Vote: Unanimous, with 39 Board Members in favor.

18. RH NY Guesthouse F&B, LLC d/b/a RH, 55 Gansevoort St. 10014 (Existing OP—Change in method of operation to add alcohol service to temporary Open Restaurant Program sidewalk seating)

- 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 change in method to its existing Hotel liquor license to extend the service of alcohol to the public sidewalk immediately in front of the Hotel located in a recently altered five story brick building (circa 1887) on Gansevoort Street between Ninth Avenue and Washington Streets, the building falling within the Gansevoort Market Historic District; and,
- ii. **Whereas**, the existing licensed premise includes all five floors of the building, with rooftop restaurant, the building being approximately 79,000 Sq. ft., this application relating only to the service of alcohol from the interior to the public sidewalk; and,
- iii. **Whereas**, the sidewalk seating on the public sidewalk will consist of 14 tables and 40 patron seats located and sited immediately adjacent to the Hotel building on Gansevoort Street and will

follow all open restaurant program guidelines, closing by 10:00 PM Monday through Thursday and by 11:00 PM Friday through Sunday night; and,

- iv. **Whereas**, there will be 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 Hotel License, in combination with those conditions set by the Full Board of the NYSLA on May 16, 2019 for this license, including the following:
 - 1. Premise will be advertised and operated as a 10-room guest house hotel with basement wine lounge, ground floor restaurant, in-room dining for hotel rooms and rooftop accessible for hotel guests only.
 - 2. The hours of operation will be:
Basement Wine Lounge: Sunday–Wednesday 6pm-2am, Thursday–Saturday 6pm-4am;
Ground Floor Restaurant: Sunday–Wednesday 7am-12am and Thursday–Saturday 7am-2am
Rooftop Hotel Guest Pool Area: 6am-10pm every day/evening.
 - 3. The Basement Wine Lounge will have approximately 9 tables and 36 table seats and 1 stand up bar with 6 bar seats for a total of 42 seats. The Ground floor restaurant will approximately 28 tables and 96 seats in the interior, 1 stand up bar and 2 service bars. The Rooftop Hotel Guest Pool Area will have approximately 6 tables and 44 seats. All tables will remain in a fixed position at all times. A full food menu will be available during all hours of operation in the ground floor restaurant and to registered hotel guests using the rooftop, a limited menu will be available in the basement wine lounge.
 - 4. No portion of the premises may operate as a bar, tavern or sports bar other than the basement area, which may operate as a Wine Lounge as described in submissions.
 - 5. The basement wine lounge, ground floor restaurant and rooftop area of the premises will not have televisions. There may be screens during private full buyout events of the entire premises as described below only on the ground floor and basement. There will be televisions in hotel guest rooms. There will never be televisions or projectors or similar on the rooftop.
 - 6. There will be no DJ's or live music in the premises at any time except during private events as noted below.
 - 7. There will be no dancing in any portion of the premises at any time.
 - 8. The premises will play ambient-recorded background music only. Music will not be played at entertainment levels. All music levels and volumes will at all times comply with all New York City Laws and Regulations.
 - 9. There will be no music on the rooftop area at any time.
 - 10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. There will be no bottle service other than bottles of beer and/or wine products.
 - 11. There will be no advertising or promotion of any type of boozy or tipsy brunch service.
 - 12. All doors and windows on the ground floor will be closed no later than Sunday to Thursday at

10PM and Friday and Saturday at 11PM.

13. At no time will there be more than 56 guests on the roof. A full food menu will be available in the rooftop area from the restaurant. Food ordered on the roof will be billed directly to hotel rooms. No catered events on the rooftop pool area outside of the private events listed below.
14. There will be no ropes, no security at entrance, and no lines at the entrance in keeping with the restaurant and hotel character of the premises. Premises will not allow waiting patrons to congregate in front of the premises at any time, especially not for the basement wine lounge. An electronic notification system will be utilized if needed to prevent patrons from waiting outside the premises.
15. There may only be private events at the premises a maximum of nine (9) times (24 hour periods) per calendar year. A private event constitutes only of a full buyout of the entire Hotel and all areas of the hotel including basement, ground floor and all hotel rooms. All events during any buyout on the roof will end at 10:00 PM. During full buyout private events, a DJ and amplified live music may be used in the basement only. During private events, there may be acoustic live music only on the ground floor; amplification may be used for voice only. If there is a dj or amplified live music in the basement or live acoustic music on the ground floor, all doors and windows will remain closed.
16. Outside promoters will never be used.
17. Sidewalk café seating operating under the temporary Open Restaurants program will be no more than 14 tables and 40 patron seats. Sidewalk seating will be located immediately adjacent to the storefront on Gansevoort Street and will follow all open restaurant program guidelines. No roadbed seating.
18. Sidewalk seating will close no later than 10:00 PM Sundays through Thursdays and 11:00 PM Fridays and Saturdays. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
19. All Department of Building permits and including any Place of Assembly Permits or temporary Certificates of Occupancy will be kept current at all times.
20. Contact information for a manager will be available to residents at all times.
21. Applicant will not apply for any alteration to the method of operation or changes to any stipulations indicated here without first notifying and appearing before CB2.
22. A copy of the stipulations/conditions will be kept in immediate proximity to the license on the premises.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a change in its existing method of operation to add the service of alcohol to the public sidewalk in front of the existing licensed Hotel to **RH NY Guesthouse F&B, LLC d/b/a RH, 55 Gansevoort 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 continue to be incorporated into the Method of Operation on the SLA Hotel On Premise License.

Vote: Unanimous, with 39 Board Members in favor.

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

19. PTO3, Inc., 137 7th Ave. So. 10014 (OP-Restaurant) (Failed to Appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on March 8, 2022 the Applicant **failed to appear** and gave no reason to explain such non-appearance; 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 **PTO3, Inc., 137 7th Ave. So. 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

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

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on March 8, 2022 the Applicant agreed **to lay over** this application to April/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 concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

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

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on March 8, 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 **LLC to be Formed by Christopher Reda and Harry Sasho, d/b/a TBD, 271 Bleecker 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 concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

22. Maizon New York, LLC d/b/a Pending, 651-667 Hudson St. (Gansevoort Hotel) 10014 (New OP- Restaurant) (DJ) (Live Music-Assorted Variety) (Patio or Deck) (laid over)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on March 8, 2022 the Applicant requested **to layover** this application to April/2022 affirming that they will not submit this alteration application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license to **Maizon New York, LLC d/b/a Pending, 651-667 Hudson St. (Gansevoort Hotel) 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

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

Whereas, after this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on March 8, 2022 the Applicant requested **to layover** this application to April/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 to **Barbuto West, LLC d/b/a Barbuto, 521 West St. aka 113 Horatio St. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

24. Jane St. Social Club, Inc. d/b/a SVB NYC, 113 Jane St. 10014 (New OP-Club/Members Only) (Basement, 1st, Mezzanine, 2nd, 3rd, 5th Flrs.) (DJs) (Live Music-Piano, Light Jazz, Small Group Live Bands) (Patron Dancing) (Security Personnel) (Rooftop)

Whereas, after to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on March 8, 2022 the Applicant requested **to layover** this application to April/2022 affirming that they will not submit this alteration application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license to **Jane St. Social Club, Inc. d/b/a SVB NYC, 113 Jane St. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board Members in favor.

TRAFFIC AND TRANSPORTATION

Resolution in response to proposal by DOT to install a protected bike lane on Centre St./Cleveland Pl. and to upgrade the existing bike lane on Lafayette St., from Canal St. to Prince St.

Whereas the NYC Dept. of Transportation (DOT) presented a proposal for protected bicycle lanes on both Centre (continuing on Cleveland Pl.) and Lafayette Sts. going from Canal St. to Prince St. This would be a continuation of protected bike lanes already established btw. the Brooklyn Bridge and Worth St. and approved but not yet installed from Worth to Canal Sts., with plans to continue this network up to Union Sq. The need for a protected bike lane directly north from the Brooklyn Bridge has long been recognized, and with a new 2-way bike lane on the Brooklyn Bridge, bicycle traffic from the bridge into Manhattan has increased, which DOT is looking to safely accommodate along with current unprotected bicyclists along those Lafayette and Centre St. corridors; and

Whereas the DOT plan proposes:

Centre St. from Canal St. north to Broome St

- Installation of a parking-protected bike lane along the west curb. (6 ft. bike lane, 3 ft. buffer, 10 ft. floating parking), with one 11 ft. travel lane, and a 9 ft. parking lane along the east curb.
- Installation of pedestrian refuge islands at each intersection to reduce e-w, w-e crossing distances.

Cleveland Pl. from Broome St. north to Spring St.

- Installation of a 6 ft. bike lane along the west curb (alongside Petrosino Sq. from Kenmare to Spring) with a 3 ft. buffer, then a 10 ft. travel lane and a 10-foot turn/parking lane.

- Maintain open restaurants on the east curb.

Lafayette St. from Canal St. north to Spring St.

- Installation of a 6 ft. parking-protected bike lane along the east curb (alongside Petrosino Sq. from Kenmare to Spring), replacing the existing buffered bike lane, with a 3 ft. buffer, 8 ft. floating parking, with two 10 ft. travel lanes, and a 9 ft. parking lane along the west curb.
- Installation of pedestrian refuge islands at each intersection to reduce e-w, w-e crossing distances.

Lafayette St. from Spring St. to Prince St.

- Upgrade the existing buffered bike lane (currently one-way northbound) to a two-way protected lane on the west curb.
- The northbound protected bike lane from Cleveland Pl. to Spring St. would continue to the existing protected bike lane on Lafayette north to Prince St.
- A new southbound protected bike lane from Prince to Spring St. would connect to the Lafayette St. protected lane south of Spring St. allowing for east to west crosstown bicyclists on Prince to head south on Lafayette (while west to east bicyclists on Spring already can head south).
- Dimensions: Two 4 ft. (floating) parking protected bike lanes, a 3 ft. buffer, one 10 ft. travel lane, and an 18 ft. travel/parking lane.
- Installation of pedestrian refuge islands facilitated by removing 3 parking spaces that also allows for left turn treatments.

Whereas there's a great deal of variation from block to block among the streets addressed by the DOT proposal, such as in dimensions, uses, character, activities, modal split, movements, parking and people. No one size fits all, and a more extensive, in-depth look at these settings is required to determine the needs and challenges of each of them beyond the very necessary protected bicycle lanes, to provide safety not only for bicyclists but for all others using these streets, including pedestrians and the physically challenged, office workers and laborers, residents, tourists, children at play and people doing everyday chores, as well as all types of motorists, to avoid piecemeal solutions that produce more dangerous outcomes than before and instead work to create a balanced environment that safely serves all users; and

Whereas community members all recognize the importance of having protected bike lanes and they support their installation, but also have identified conditions that must be considered and resolved before these lanes can be installed successfully on Centre, Lafayette and Cleveland, among them:

- Centre St. btw. Canal and Grand Sts. has several wholesale food purveyors: a meat market at 208 Centre btw. Hester and Grand, a seafood one at 206 Centre, and one for vegetables at 216 Centre, all doing extensive trucking, loading and unloading much of the day, starting at 5 am at least through mid-afternoon. There is also a UPS Store located at 217 Centre St., that picks up packages several times a day until 7 pm on weekdays and 5 pm Saturdays. With one lane, this heavy truck traffic, lacking spaces to park or double-park, will back up along with other plentiful truck traffic going through there, hindering the advance of all northbound vehicles, including traffic turning east on Kenmare St., already problematic. Trucks also will tend to circle the blocks looking for parking, causing additional air pollution.
- On Centre St. btw. Canal and Broome Sts. outdoor dining sheds operate curbside that it was

conveyed might need to relocate to the floating parking area with the proposed single lane configuration. *Community Board 2 Manhattan (CB2) opposes roadway dining in a floating parking lane separated from the curb by a bike lane, because of, as stated in its Permanent Open Restaurants Resolution, Sept. 2021: "...the dangerous conditions posed by service lanes that cross bike lanes and other dangers resulting from crossings through such bike lanes. Allowing roadway cafes to exist across bike lanes severely impedes not only bicyclist safety, but also pedestrian and worker safety...."

- On Cleveland Pl. btw. Broome and Spring Sts. the street becomes exceptionally narrow. Btw. Kenmare and Spring there are several dining sheds at the eastern curb that jut out in the roadbed beyond their legal boundaries, further narrowing the street width and disrupting passage of oncoming traffic that includes not only cars but also the M1 bus and the NYU shuttle bus (both of which stop there at the Spring St. end and are forced to drop off and pick up passengers in the middle of the street) as well as trucks making deliveries (having to double park) and all manner of other vehicles including FHVs, limousines, e-bikes, mopeds and electric scooters (many often illegally taking up curb space for parking that never was allowed) that further congest the shed-constricted street. Dining sheds and unenforced illegal parking now take up the curb space previously used for loading and unloading activities. Current available roadbed widths btw. the edges of the dining sheds (on the east) and the west curb alongside Petrosino Sq., measured by the local community, are 21 ft. at 19 Cleveland Pl., 20 ft. at 21 Cleveland Pl. and 23 ft. at 23 Cleveland Pl., in contrast to the DOT measurement of 29 ft. which fails to reflect the reality of actual street conditions. Turning conflicts on Kenmare St. also need to be worked out to provide adequate space for maneuvering turns into Cleveland Pl.
- On Lafayette St. btw. Kenmare and Spring St. dining sheds line almost the entire western curb, often protruding into the roadbed outside their legal limits. If this outdoor dining were moved to the proposed floating parking lane on the east side of the street, it would present the same hazardous conditions as outdoor dining in a floating parking lane on Centre St., an action CB2 opposes in its Permanent Open Restaurants Resolution, Sept. 2021, as cited above.* An Open Street is designated to operate on Lafayette every day from noon to 11 pm, however, hours are sporadic and not posted, nor are barriers consistently put out. The sponsor, Restaurant Osteria Morini, fails to manage the space, and it is dominated by skateboarders, eliminating any possibility of use by pedestrians, who feel at risk; and

Whereas the community has observed that given existing conditions, there is insufficient space to accommodate both parking-protected bicycle lanes and street bed dining sheds without seriously endangering users of these streets, constricting movement and creating conflicts that would overwhelm and damage the street environment. The majority favor removing the dining sheds now rather than at some later date when a permanent outdoor dining program with a different format is planned, so that space for protected bike lanes can be claimed now; and

Whereas the dining sheds at the eastern curb of Cleveland Pl. btw Kenmare and Spring are located in a No Standing zone where Temporary Open Restaurant rules (along with the proposed Permanent Open Restaurant rules) disallow them, but enforcement has been lax like it has been for other infractions such as taking up unallowed street space, also on Lafayette and Centre Sts. The Temporary Outdoor Dining Siting Requirements provide for revoking or suspending authorization if an establishment is not

compliant. With these outdoor dining structures expected to be phased out, and since full indoor dining is now restored, the original need for these temporary areas is disappearing. They were required to be easily moved, and if not, those responsible for their construction should be obliged to remove them as quickly as possible; and

Whereas the Worth St. to Canal St. segment of this project was approved in Sept. 2021 (six months ago), with installation not expected until Spring or Summer 2022, giving leeway to allow for devoting more of the very much needed time to study the proposed Canal to Prince St. segment in a comprehensive manner that takes into account the varied and at times conflicting activities on the different areas of Cleveland Pl., Centre and Lafayette Sts., such as trucking, loading, unloading, roadbed dining, parking, buses, and all types of vehicular traffic including emergency and crosstown, and how they can co-exist (or not) with protected bike lanes while also sufficiently accommodating pedestrians;

Therefore be it resolved that CB2 supports the installation of a protected bicycle lane on Centre St./Cleveland Pl. and upgrading the existing bike lane on Lafayette St. to a protected lane, from Canal St. to Prince St., including the proposed two-way protected lane on Lafayette St. btw. Spring and Prince and the pedestrian refuge islands at each intersection to reduce e-w, w-e crossing distances if used in conjunction with floating parking. We urge DOT to thoroughly examine the varying conditions and activities on these streets from block to block and analyze in detail the most effective way to protect the bike lane in relation to these conditions and activities, including changes in design and uses; and

Be it further resolved that CB2 cautions that the study area needs to be observed holistically to serve all uses and needs rather than hastily installing a bike lane before considering how it can work in concert with these other activities to create a well-functioning environment for all; and

Be it further resolved that CB2 is aware that DOT has indicated that it will "have to deal with a lot of outdoor structures" and urges DOT to consider removing at least some of these dining structures right now to provide the space needed for the desired protected bike lane in conjunction with serving the other needs and uses on the affected streets; and

Be it further resolved that CB2 recommends that DOT explore other approaches to bike lane protection should shed removal be delayed, such as strong vertical elements like tall metal bollards or a narrow raised curb or (if there's room) a concrete barrier (perhaps with a painted design as has been done before by DOT's public art program) or planters, to allow the room needed for the many other movements on the street. CB2 also advocates sturdy bollards to separate the proposed curbside bike lane on Cleveland Pl. from vehicular traffic and on narrower parts of Centre St.; and

Be it further resolved that should the proposed pedestrian refuge islands be built rather than painted, CB2 would welcome plots with soil in them created by DOT for community gardeners to plant and maintain, similar to those on 6th Ave. above W. 8th St.; and

Be it further resolved that CB2 advises that DOT consult with the many businesses in the study area to determine their needs and get input on their ideas; and

Be it further resolved that CB2 asks that DOT consider paving the Lafayette St. Open Street area (aside from the bike lane) with epoxy gravel or a comparable surface (similar to the shared street surface in the Flatiron District) to supply friction that deters skateboarding; and

Be it finally resolved that CB2 requests that DOT prepare detailed recommendations based on their in-depth findings for overall improvements in concert with the protected bike lane on Cleveland Pl., Lafayette and Centre Sts., including consideration of different block-to-block conditions, and present them at the May meeting of CB2's Traffic and Transportation Committee or as quickly as possible.

Vote: Passed, with 31 Board Members in favor.

5 Against (C. Booth, C. Dignes, D. Raftery, A. Wong);

3 Abstain (R. Kessler, M. Metzger, A. Zeldin)

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

ELECTION OF OFFICERS 2022

At the Manhattan Community Board 2 Full Board meeting on Thursday, March 24, 2022, the Election of Officers was held. The election was conducted electronically. The votes were tabulated by District Manager Bob Gormley, CB2 Member Robin Rothstein, Borough President Levine's representative Andrew Chang and Council Member Erik Bottcher's representative Nicole Barth.

All candidates ran unopposed. The results were as follows:

1. **CHAIR** – Jeannine Kiely (43 YES votes)
2. **1st VICE CHAIR** – Susan Kent (42 YES votes, 1 Abstention)
3. **2nd VICE CHAIR**– Valerie De La Rosa (40 YES votes, 3 Abstention)
4. **Treasurer** – Antony Wong (43 YES votes)
5. **Secretary** – Eugene Yoo (43 YES votes)
6. **Assistant Secretary** – Ritu Chattree (42 YES votes, 1 Abstention)

Respectfully submitted,

Bob Gormely
District Manager
Community Board #2, Manhattan