

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*



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

Executive Committee Minutes

August 22, 2022

Community Board 2 Zoom Call

Elected Officers Present:

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

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

Committee Chairs Present:

Ivy Kwan Arce, *Arts & Institutions*
Valerie De La Rosa, *Econ Dev & Small
Business and Reopening Working Grp*
Mar Fitzgerald, *Equity, Race & Justice*
Frederica Sigel, *Land Use & Housing*
Chenault Spence, *Landmarks*
Donna Raftery, *SLA Licensing*

Robert Ely, *SLA Licensing*
Rich Caccappolo, *Parks & Waterfront*
William Benesch, *Quality of Life*
Patricia Laraia, *Schools & Education*
Shirley Secunda, *Traffic & Transportation*
Susan Kent, *Bylaws Working Group*
Carter Booth, *immediately prior Chair*

Committee Chairs and Officers Absent with Notification:

Eugene Yoo, *Secretary*, Susanna Aaron, *Human Services*

Committee Chairs and Officers Absent:

Board Members Present: Chris Dignes, Dr. Shirley Smith, Susan Wittenberg, Brian Pape

Board Staff Present:

Other:

6:32pm - A quorum being present, the meeting was called to order by Chair, Jeannine Kiely.

Chair's Report – Jeannine Kiely

1. Virtual Meetings extended by Governor through September 12th. Full board in-person meeting to be held on Sept 22nd.

2. Borough Board meeting last week. Community grant available for small funding of \$500-750. More information on MBP's Community Award Grants is available at: <https://www.manhattanbp.nyc.gov/funding/community-grants/>
3. Chair joined MBP Levine to promote bike Lane on West Side Hghwy adjacent to HRP.
4. Schools reopening on Sept 8th. Many districts do not enough funds or a proper budget to reopen.
5. District Manager posting

Review of Draft September Calendars

- Discussion of special meeting for floor nominations for Secretary at next Exec Comm meeting on Sept 20th.

COMMITTEE REPORTS

Arts & Institutions Committee – *Ivy Kwan Arce*

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Economic Development & Small Business Committee - *Valerie De La Rosa*

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Equity, Race & Justice Committee – *Mar Fitzgerald*

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Human Services Committee – *Susanna Aaron*

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Landmarks Committee – *Chenault Spence*

- **133 W. 4th St.** – Application is to add a decorative gate to the front stoop
Vote: Approved. Unanimous
- **421-425 W. 13th St.** – Application is to replace a sidewalk landing and step with a new, landing, stair and railings.
Vote: Approved. 7 in Favor, 1 Opposed: Albert Bennett, 1 Recusal: Anita Brandt
- **429 West Broadway** – Application is to replace storefront doors and lock system
Vote: Approved in part/Denied in part. Unanimous
- **104 Grand St.** – Application is to install mirrors in the windows.
Vote: Approved in part/Denied in part. Unanimous
- **65 Spring St.** – Application is to install a new storefront infill, relocate entry doors, and lower first floor to sidewalk level for barrier-free access.
Vote: Approved in part/Denied in part. 6 in favor, 3 Opposed: Valerie De La Rosa, Brian Pape, Albert Bennett

Proposed Amendment for 65 Spring Street

1. Whereas CB2 has significant concerns that this proposal for reconfiguring the storefront facade, which will results in changes to the interior building staircase, may result in displacement of long time existing rent regulated tenants through loopholes in the 2019 revisions to the rent stabilization laws with no discussion thereof; and tenant displacement was a key area of concern for CB2 during the recent rezoning of SoHo and NoHo of which this building is a part and CB2 has a long history of opposing actions which result in displacement of rent regulated tenants; and

Vote: Passes. Unanimous

- **526 Hudson St.** – Application is to construct a new elevator at the rear of the building as a horizontal and vertical enlargement and construct a new stair bulkhead on the roof.
Vote: Unanimous
- **565 Broadway** – Application is for limited replacement of marble with precast GFRC (glass fiber reinforced concrete) on the North (Prince St.) and East (Broadway) façades in connection with required Local Law 11 work.
Vote: Denied. 8 in favor, 1 Abstention: Valerie De La Rosa
- **73 Perry St.** – Application is to restore the original façade, arched windows, and previous stoop location to its original configuration, excavate the rear yard from basement to cellar level.
Vote: Approved in part/Denied in part. Unanimous
- **138 Waverly Pl.** – Application is to install an areaway fence and replace a lamp.
Vote: Approved in part/Denied in part. Unanimous
- **39 Commerce St.** – Application is to add a visible skylight at the roof and three further small skylights and mechanical equipment at the rear of the building.
Vote: Approved. Unanimous
- **1 Bond St.** – Application is to install 3 transoms double hung wood windows at the mezzanine level above existing double hung wood windows.
The applicant did not appear.
- **613 Hudson St.** – Application is to install a guardrail along the front rooftop.
Vote: Denied. Unanimous.
- **72 Mercer St.** – Application is to remove exterior perforated panels (cladding) from both street facades – on Mercer and Broadway.
Vote: Approved. Unanimous

Land Use & Housing Committee – *Frederica Siegal*

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Parks & Waterfront Committee - *Rich Caccappolo*

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Quality of Life – *William Benesch*

9 Street Activity applications

1. 8/22/22 – Ketchup or Makeup Launch (sponsor: MSCHF Product Studio Inc.): East 14th St. between University Place and Broadway [partial sidewalk closure]
Vote: Approval. Adopted unanimously.
2. 8/20/22 – 8/24/22 – New Store Pop Up for Welcome Weekend (sponsor: New School University): 5th Ave. between E. 13th St. and E. 14th St. [partial sidewalk closure]
Vote: Approval. Adopted unanimously?
3. 8/25/22 – Howard Block Party (Moose Knuckles): Howard St. between Broadway and Lafayette St. [full street closure]
Vote: Denial. Adopted unanimously.
4. 8/27/22 – Promotional Event (sponsor: OutCold): Astor Place Plaza (North [Pedestrian Plaza]
Vote: Approval. Adopted unanimously.
5. 9/03/22 – The First of New York Chinese Food and Cultural Festival (sponsor: Chinese Radio Network): Washington Place between Washington Square East and Broadway [full street closure]

Vote: Denial. Adopted unanimously.
6. 9/10/22 – MUVA (sponsor: YEMA Calif): Mercer St. between Grand St. and Canal St. [full sidewalk closure]

Vote: Denial. Adopted unanimously.

7. 9/13/22 – Ferrero Rocher Bar Runway (sponsor: Abel McCallister Abel): Gansevoort Pedestrian Plaza [pedestrian plaza]

Vote: Denial. Adopted unanimously.

8. 9/14/22 - Nguyen Inc. – NYFW Fashion Show (sponsor: Starkman and Associate): Centre Market Place between Broome St. and Grand St. [sidewalk and curb lane closure]

Vote: Approval. Adopted unanimously.

9. 10/01/22 - Let Us Worship: Fifth Ave. between West 8th St. and Washington Square North [full street closure]

Vote: Denial. Adopted unanimously.

FYI/Renewals:

10. 9/10/22 – Washington Square Arch Fair (sponsor: 6th Police Precinct Explorers): Washington Square North between University Place and Fifth Ave. [full street closure]

11. 10/19/22 – Treats in the Streets (sponsor: Meatpacking BID): Gansevoort Pedestrian Plaza [pedestrian plaza]

Schools & Education - Patricia Laraia

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SLA 1 – Bob Ely and Donna Raftery

- Applications: 14
- Resos: 5 All Unanimous.
 - Deny Unless: 4
 - Deny: 1
- Deny Until: 7
- Laid Over or Withdrawn: 2

SLA 2 – Bob Ely and Donna Raftery

- Applications: 15
- Resos: 10 All Unanimous.
 - Deny Unless: 7
 - Deny: 3
- Deny Until: 1
- Laid Over or Withdrawn: 4

Traffic and Transportation Committee – Shirley Secunda

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Reopening Working Group - Valerie De La Rosa

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Bylaws Working Group – Susan Kent

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New Business

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VOTES

Voting undertaken in lieu of full board meeting this month.

Omnibus Vote:

Landmarks 1: 1-4, 6-8

Landmarks 2: 1-2, 4-5

SLA1: 1-5 6-14
SLA2: 1-10, 11-15
QoL: 1-9, 10-12
Vote: Unanimous

Call-Out Vote: Landmarks 1

Only one call-out which supercedes proposed amendment.

5. ***65 Spring St.** – Application is to install a new storefront infill, relocate entry doors, and lower first floor to sidewalk level for barrier-free access.
- Whereas:
- A. The central residential entrance and the two cast iron columns flanking this entrance are to be relocated to the west opposite the subway entrance; and
 - B. There is to be a large central window with the apartment entrance on the left and the shop entrance on the right; and
 - C. The proposal to relocate the central cast iron columns/pilasters toward the outside edges of the building destroys the intact, historical design of a central residential doorway flanked by two storefronts; and
 - D. “The entrance to the upper floors is awkwardly placed behind a subway entrance railing;
 - E. A bracket sign is proposed that the applicant represented as being according to regulations; and
 - F. There are LED lights on the cornice that are non-historic and detract from the historic character of the building; and
 - G. The currently existing commemorative plaque over the residential entrance is significant to the community and, while acknowledged by the applicant, has not been relocated in the proposal; and
 - H. “The proposed design was represented by the applicant as serving the commercial purpose of the building over and against the historic preservation of the façade; and
 - I. There was written and oral testimony from the public, principally tenants in the building, opposed to the application as moving the residential entrance opposite the subway railing where there is less sidewalk room for easy egress especially with respect to the disabled and will result in changes to the interior residential staircase which will displace tenants; and
 - J. CB2 has significant concerns that this proposal for reconfiguring the storefront facade, which will result in changes to the interior building staircase, may result in displacement of long time existing rent regulated tenants through loopholes in the 2019 revisions to the rent stabilization laws with no discussion thereof; and
 - K. CB2 has strong concerns with tenant displacement and this was a key area of concern for CB2 during the recent rezoning of SoHo and NoHo of which this building is a part and CB2 has a long history of opposing actions which result in displacement of rent-regulated tenants.

Therefore be it resolved that CB2 recommends:

- 1. Denial of removal and relocation of the historic cast iron pilasters from their present, original location, denial of the cornice lighting, and that the central entrance remain; and,
- 2. Denial over concerns that the dismantling and restructuring of the building, as evidenced in the applicant’s proposal, will result in permanent residential rent-protected tenant displacement.
- 3. That the commemorative plaque remain in place over the central residential doorway.

Vote: Unanimous

8:29pm - **Adjournment**

Respectfully Submitted,
Ritu Chattree
Assistant Secretary, Community Board 2

Kiely
Kent
De La Rosa
Wong
Chattree
Arce
Fitzgerald
Sigel
Spence
Raftery
Ely
Caccappolo
Benesch
Laraia
Secunda
Booth

AUGUST RESOLUTIONS

LANDMARKS

1ST LANDMARKS MEETING

1. *133 W. 4th St. – Application is to add a decorative gate to the front stoop

Whereas:

- A. The existing original iron work is intact and the proposed gate’s design is patterned after the areaway railing; and
- B. The design of the gate does not detract from the historic character of the building; now

Therefore be it resolved that CB2, Man. recommends **approval** of the stoop gate.

Vote: Unanimous, with 16 Executive Committee members in favor.

2. *421-425 W. 13th St. – Application is to replace a sidewalk landing and step with a new landing, stair and railings.

Whereas:

- A. The proposed stair, landing, and railing are in keeping with the building and similar to other approved designs in the district; and
- B. The ramp approved by Landmarks Commission staff is a considerable improvement over the existing ramp and less intrusive to the historic character of the building; now

Therefore be it resolved that CB2, Man. recommends **approval** of the stair, landing, and railing.

Vote: Unanimous, with 16 Executive Committee members in favor.

3. ***429 West Broadway** – Application is to replace storefront doors and lock system.

Whereas:

- A. The proposal is for a single entrance door painted to match the existing cast iron; and
- B. The double security gates proposed in perforated stainless steel are opaque, out of character for the building and the historic district, and other appropriate designs are readily available that would better serve security the purpose in the historic district; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the entrance door; and
- B. **Denial** of the security gates unless it is of a material and design in harmony with the building and the historic district.

Vote: Unanimous, with 16 Executive Committee members in favor.

4. ***104 Grand St.** – Application is to install mirrors in the windows.

Whereas:

- A. The addition of adjustable angled mirrors the full height of the window is proposed for a large window on the corner; and
- B. Three smaller windows are to have solid mirrors filling the window openings and angled to reflect passersby; and
- C. Two windows and the front door are to have medium size red logos; and
- D. The applicant gave contradictory testimony concerning the positioning of the adjustable mirrors and whether they would be fixed or can pivot to reflect into the showroom or to reflect passersby on the sidewalk; and

- E. The use of the mirrors in this manner is out of keeping with the building and the neighborhood and

detracts and distracts from the historic character of the district; and

F. Red logos are to be attached to the door and two of the mirrors; and

G. The renderings show marked differences from the existing condition of the street level facade and the applicant represented that there no changes apart from the mirrors and logos; now

Therefore be it resolved that CB2, Man. recommends:

A. **Approval** of the logo on the front door; and

B. **Denial** of the large movable angled mirrors and the mirrors covering three other windows as out of character with the building and the historic district.

Vote: Unanimous, with 16 Executive Committee members in favor.

5. *65 Spring St. – Application is to install a new storefront infill, relocate entry doors, and lower first floor to sidewalk level for barrier-free access.

Whereas:

A. The central residential entrance and the two cast iron columns flanking this entrance are to be relocated to the west opposite the subway entrance; and

B. There is to be a large central window with the apartment entrance on the left and the shop entrance on the right; and

C. The proposal to relocate the central cast iron columns/pilasters toward the outside edges of the building destroys the intact, historical design of a central residential doorway flanked by two storefronts; and

D. The entrance to the upper floors is awkwardly placed behind a subway entrance railing; and

E. A bracket sign is proposed that the applicant represented as being according to regulations; and

F. There are LED lights on the cornice that are non-historic and detract from the historic character of the building; and

G. The currently existing commemorative plaque over the residential entrance is significant to the community and, while acknowledged by the applicant, has not been relocated in the proposal; and

H. The proposed design was represented by the applicant as serving the commercial purpose of the building over and against the historic preservation of the façade; and

I. There was written and oral testimony from the public, principally tenants in the building, opposed to the application as moving the residential entrance opposite the subway railing where there is less sidewalk room for easy egress especially with respect to the disabled and will result in changes to the interior residential staircase which will displace tenants; and

J. CB2, Man. has significant concerns that this proposal for reconfiguring the storefront facade, which will result in changes to the interior building staircase, may result in displacement of long-time existing rent regulated tenants through loopholes in the 2019 revisions to the rent stabilization laws with no discussion thereof; and

K. CB2, Man. has strong concerns with tenant displacement, and this was a key area of concern for CB2 during the recent rezoning of SoHo and NoHo of which this building is a part and CB2, Man. has a long history of opposing actions which result in displacement of rent regulated tenants.

Therefore be it resolved that CB, Man. recommends:

A. **Denial** of removal and relocation of the historic cast iron pilasters from their present, original location, denial of the cornice lighting, and that the central entrance remain; and,

B. **Denial** over concerns that the dismantling and restructuring of the building, as evidenced in the applicant's proposal, will result in permanent residential rent-protected tenant displacement.

C. That the commemorative plaque remains in place over the central residential doorway.

Vote: Unanimous, with 16 Executive Committee members in favor.

6. *565 Broadway – Application is for limited replacement of marble with precast GFRC (glass fiber reinforced concrete) on the North (Prince St.) and East (Broadway) façades in connection with required Local Law 11 work.

A. There is considerable deterioration of areas of marble throughout the facade that must be addressed on account of safety issues; and

B. The materials used for the repairs resembles the existing marble in texture and color and the applicant represented that, while not marble, the difference will not be noticeable from the street once installed; and

C. The applicant represented that the products being used will eliminate the need for mortar joints and that they will not harm the existing marble; and

D. The applicant was unable to confirm that the proposed materials were compatible with the marble with respect to expansion and chemical reaction, retention of color and texture over time, and offered no tests or record of experience with the material when used in similar repair; and

E. The applicant represented that it had not been possible to find matching marble from a search that was made by one contractor from a limited number of sources; and

F. There is a clear policy in place that repairs of this nature be made with original materials; and

F. There was testimony from a knowledgeable member of the community that repairs of this kind to a marble facade in the neighborhood had changed color and texture with weathering and are now plainly visible as patches with a non-original material; now

Therefore be it resolved that CB2, Man. recommends **denial** of this application unless the original material (marble) be used for the repair of this architecturally important building.

Vote: Unanimous, with 16 Executive Committee members in favor.

7. ***565 Broadway** – Application is for limited replacement of marble with precast GFRC (glass fiber reinforced concrete) on the North (Prince St.) and East (Broadway) façades in connection with required Local Law 11 work.

G. There is considerable deterioration of areas of marble throughout the facade that must be addressed on account of safety issues; and

H. The materials used for the repairs resembles the existing marble in texture and color and the applicant represented that, while not marble, the difference will not be noticeable from the street once installed; and

I. The applicant represented that the products being used will eliminate the need for mortar joints and that they will not harm the existing marble; and

J. The applicant was unable to confirm that the proposed materials were compatible with the marble with respect to expansion and chemical reaction, retention of color and texture over time, and offered no tests or record of experience with the material when used in similar repair; and

K. The applicant represented that it had not been possible to find matching marble from a search that was made by one contractor from a limited number of sources; and

L. There is a clear policy in place that repairs of this nature be made with original materials; and

F. There was testimony from a knowledgeable member of the community that repairs of this kind to a marble facade in the neighborhood had changed color and texture with weathering and are now plainly visible as patches with a non-original material; now

Therefore be it resolved that CB2, Man. recommends **denial** of this application unless the original material (marble) be used for the repair of this architecturally important building.

Vote: Unanimous, with 16 Executive Committee members in favor.

QUALITY OF LIFE

Street Activity Applications:

1. **8/22/22 – Ketchup or Makeup Launch (sponsor: MSCHF Product Studio Inc.): East 14th St. between University Place and Broadway [partial sidewalk closure]**

Whereas, Brooklyn-based art collective MSCHF is planning a collaboration with cosmetics brand Fenty, called “Ketchup or Makeup”, in which participants will receive either packets of ketchup or makeup with a 50/50 probability; and

Whereas, in order to launch this collaboration, the applicant wishes to set up a food cart on the southeast corner of 14th Street and University Place, from which the “ketchup or makeup” packets will be handed out alongside hot dogs; and

Whereas, the applicant plans to set up the food cart on the morning of August 22nd with operating hours of 11 AM to 6 PM, and;

Whereas, the applicant has invited 300-400 people to participate in the launch, with timed invitations in order to attempt to reduce crowding at any given time; and

Whereas, the event will still be open to passers-by who were not invited to the event, and both the “ketchup and makeup” packets as well as the hot dogs will be given away for free; and

Whereas, the event will not feature music, speakers or performances of any kind, with the goal being not to provide participants any reason to linger around the food cart; and

Whereas, there will be two private security guards on site for the entire day; and

Whereas, the applicant has agreed to provide trash bags in order to minimize the flow of waste into nearby corner bins; and

Whereas, the applicant agreed to speak to nearby existing food cart vendors about the plan to set up the hot dog cart, and believes that the flow of attendees may benefit nearby vendors wishing to buy drinks and other items; and

Whereas, while committee members noted the crowded nature of the corner of 14th and University, there was general agreement that given the existing crowding, the location could absorb such an event with minimal additional impact on the community; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **Ketchup or Makeup Launch (sponsor: MSCHF Product Studio Inc.)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 16 Executive Committee members in favor.

2. 8/20/22 – 8/24/22 – New Store Pop Up for Welcome Weekend (sponsor: New School University): 5th Ave. between E. 13th St. and E. 14th St. [partial sidewalk closure]

Whereas, the New School is looking to create a pop-up store selling branded clothing, accessories, and other items to parents, students, or anyone else with an interest in purchasing said items; and

Whereas, hours for the pop-up will be from 9:30 AM to 5 PM, from August 20th to August 24th; and

Whereas, the applicant intends to set up small tents, leaving more than 8 feet of clearance from the curb to the edge of the tents; and

Whereas, the event will not feature food or amplified sound; and

Whereas, the applicant ran a similar pop-up in 2021 with no major issuers reported; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **New Store Pop Up for Welcome Weekend (sponsor: New School University)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 16 Executive Committee members in favor.

3. 8/25/22 – Howard Block Party (Moose Knuckles): Howard St. between Broadway and Lafayette St. [full street closure]

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

Whereas, residents from Howard street and the surrounding area expressed opposition to the event, noting that the closure of the proposed block of Howard Street would cut off access to the block of Crosby Street between Grand and Howard; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of **Howard Block Party (Moose Knuckles)**.

Vote: Unanimous, with 16 Executive Committee members in favor.

4. 8/27/22 – Promotional Event (sponsor: OutCold): Astor Place Plaza (North [Pedestrian Plaza])

Whereas, the sponsor seeks to hold a promotional event in the Astor Place Plaza for Lumify, a brand of eye drops created by Bausch and Lomb; and

Whereas, the promotional event will include the placement on the plaza of a shipping container-like structure of approximately 20 feet in length with a small fold-out stage, as well as a small tent that will be placed beside the structure; and

Whereas, the promotional event will feature giveaways of single-use eye drop samples as well as other branded merchandise; and

Whereas, in addition to the merchandise giveaway, the sponsor is planning several other activities including makeup tutorials led by influencers and Q&A sessions; and

Whereas, amplified sound will be limited to a small speaker within the structure during the day; and

Whereas, the structure will have security guards present during the day and overnight; and

Whereas, the applicant intends to have trash cans inside and outside the structure in order to manage waste; and

Whereas, the event will run from 11 AM – 5 PM on Saturday 8/27 and Sunday 8/28, and the applicant mentioned that they had amended the SAPO application for a 2-day instead of a single-day event; and

Whereas, committee members felt that while the event is promotional, the footprint will be minimal and that the product might appeal to local community members; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **Promotional Event (sponsor: OutCold)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 16 Executive Committee members in favor.

5. 9/03/22 – The First of New York Chinese Food and Cultural Festival (sponsor: Chinese Radio Network): Washington Place between Washington Square East and Broadway [full street closure]

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

Whereas, residents from Washington Place and the surrounding area expressed opposition to the event, noting that the block was subject to numerous NYU-related events, and that planned construction in the area was causing further disruption to the block; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of **The First of New York Chinese Food and Cultural Festival (sponsor: Chinese Radio Network)**.

Vote: Unanimous, with 16 Executive Committee members in favor.

6. 9/10/22 – MUVA (sponsor: YEMA Calif): Mercer St. between Grand St. and Canal St. [full sidewalk closure]

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

Whereas, residents from the surrounding area expressed opposition to the event and felt that the event would be disruptive; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of **MUVA (sponsor: YEMA Calif)**.

Vote: Unanimous, with 16 Executive Committee members in favor.

7. 9/13/22 – Ferrero Rocher Bar Runway (sponsor: Abel McCallister Abel): Gansevoort Pedestrian Plaza [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; and

Whereas, while no members of the public spoke in opposition to the event, board members noted that it seemed to be the type of commercial plaza event which had previously been questioned by the board; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of **Ferrero Rocher Bar Runway (sponsor: Abel McCallister Abel)**.

Vote: Unanimous, with 16 Executive Committee members in favor.

8. 9/14/22 - Nguyen Inc. – NYFW Fashion Show (sponsor: Starkman and Associate): Centre Market Place between Broome St. and Grand St. [sidewalk and curb lane closure]

Whereas, the applicant wishes to hold a fashion show during New York Fashion Week featuring the work a Chinatown-based, Asian-American fashion designer; and

Whereas, the show will run for 15 minutes, from 3 PM to 3:15 PM, on Centre Street between Broome and Grand Streets; and

Whereas, the applicant has been working with NYPD, who has told them that the entire street should be closed off for safety reasons, despite the applicant initially applying for a sidewalk and curb lane closure only; and

Whereas, the event will feature amplified sound during the 15 minute show but will not be louder than allowed decibel levels; and

Whereas, the show will be an invitation event but will be open for viewing by members of the community and passers-by; and

Whereas, no scenic elements will be added to the street other than speakers and barricades, which will allow for a quick set-up and tear-down; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **Nguyen Inc. – NYFW Fashion Show (sponsor: Starkman and Associate)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 16 Executive Committee members in favor.

9. 10/01/22 - Let Us Worship: Fifth Ave. between West 8th St. and Washington Square North [full street closure]

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

Whereas, residents and community members expressed significant opposition to the event, noting that the proposed event would seek to draw thousands of people into a predominantly residential area and would cause significant disruption as well as being a drain on resources for the NYPD and other agencies; and

Whereas, any event of this scale would require significant, in-depth planning and coordination with multiple agencies and community groups over the course of many months, none of which the committee believed had taken place; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of **Let Us Worship**.

Vote: Unanimous, with 16 Executive Committee members in favor.

FYI/Renewals:

- 10. 9/10/22 – Washington Square Arch Fair (sponsor: 6th Police Precinct Explorers): Washington Square North between University Place and Fifth Ave. [full street closure]**
- 11. 10/19/22 – Treats in the Streets (sponsor: Meatpacking BID): Gansevoort Pedestrian Plaza [pedestrian plaza]**

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

Therefore Be It Resolved that CB2, Man. 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: Unanimous, with 16 Executive Committee members in favor.

SLA

1. Take Me to the River 22, LLC, d/b/a Next Door, 22 Greenwich Ave. 10011 (New TW–Bar/Tavern) (previously unlicensed)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate a raw bar focused restaurant and wine bar on the ground floor of a C1-6-zoned, three (3)-story mixed-use building (c. 1839, altered 2011) on Greenwich Avenue between West 10th and Charles Streets (Block #606/Lot #6) the building falling within NYC LPC’s designated Greenwich Village Historic District; and

ii. Whereas, the ground floor premises is approximately 1,300 sq. ft. consisting of 650 sq. ft. on the ground floor connected by both an interior and exterior stairway to 650 sq. ft. in the basement, there will be no patron use of the basement, the basement being for storage and office use only; there will be one (1) food counter with 13 seats for an interior seated occupancy of 13 persons, there are no additional tables or stand-up bars; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom; and

- iii. Whereas,** the hours of operation will be from 11 AM to 11 PM Sundays through Wednesdays and 11 AM to 12 AM Thursdays through Saturdays; there are no operable doors or windows; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. Whereas,** there will be sidewalk seating operating under the temporary Open Streets program with no more than six (6) tables and 12 patron seats located adjacent to the business frontage and leaving at least 8' of clear space, all outdoor seating closes at 11 PM nightly; and
- v. Whereas,** the Applicant is the principal of the restaurant directly next door (Naive Melody 24, LLC d/b/a Marian's, SN# 1337574) which opened in 2021, concerns were raised that the instant application would be run in conjunction with the existing establishment and not as an independent entity, the Applicant stating that the only relationship he foresaw was that patrons may grab a drink and enjoy the raw bar before heading next door for a full dinner, there being no co-mingling of checks or receipts between the two establishments, the instant application having its own separate basement for the storage of food and alcohol for the instant application thereby keeping the service of food and drinks separate, the corporate structure being separate and distinct with different investors; the premises being located on an two-way Avenue in a commercial zone as opposed to a narrow residential street thereby minimizing the impact of any patrons that might go from one restaurant to the other; and
- vi. Whereas,** the premises is a previously unlicensed location, the immediate past tenant was a gourmet South African grocer and prior to that a clothing store, this application being for the service of Beer and Wine only and thus not subject to the 500-foot rule; the Applicant did outreach to the local block association (West 10th Street and Greenwich Avenue Neighbors) and signed stipulations with them; and
- vii. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Tavern Wine License, with those stipulations as follows:
1. Premises will be advertised and operated as a raw bar focused restaurant and wine bar operating with less than a full-service kitchen but will serve food during all hours of operation and at all times operate in the spirit of a raw bar restaurant.
 2. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 3. Will not have televisions.
 4. The hours of operation will be 11 AM to 11 PM Sundays through Wednesdays and 11 AM to 12 AM Thursdays through Saturdays. No patrons will remain after stated closing time.
 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 leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than six (6) tables and twelve (12) patron seats and no shed-like enclosure. No roadbed seating.
 6. Sidewalk café will close no later than 11 PM. All tables and chairs will be removed at this hour.

7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Any planters placed in front of the premises will be removed upon closing each night.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
11. Will not install or have French doors, operable windows or open facades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to opening.
15. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
16. Will operate independently from their “sister” restaurant Marian’s (SN# 1337574) located next door at 24 Greenwich Avenue. Will ensure that tabs are not shared between the two restaurants and that liquor is purchased and stored separately.
17. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
18. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
19. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
20. Will abide by all stipulations agreed to and signed between Take Me To The River LLC and West 10th Street and Greenwich Avenue Neighbors.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Tavern Wine License in the name of **Take Me to the River 22, LLC, d/b/a Next Door, 22 Greenwich Ave. 10011**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Tavern Wine License.

Vote: Unanimous, with 16 Executive Committee members in favor.

2. La Residence, LLC d/b/a Pending, 598 Broadway aka 132 Crosby St., 12th Fl. 10012 (New OP-Catering Facility) (*previously unlicensed*)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a On-Premises Catering License to operate a catering establishment and tasting kitchen in the 12th floor of a M1-5/R9X-zoned, 12-story, mixed-use building (c. 1898, altered 1988) on Broadway between East Houston and Prince Streets (Block #511/Lot #15), the building falling within the designated SoHo Cast Iron Historic District; and

ii. Whereas, the 12th floor location is approximately 2,300 sq. ft. accessed by both a passenger elevator shared with other commercial and residential tenants of the building as well as a freight elevator, there will be four (4) tables and 37 seats and one (1) food counter with 13 seats and one bar

cart with no seats for a total interior seated occupancy of 50 seats; there are two (2) entries and two (2) exits and three (3) bathrooms; and

iii. Whereas, the Applicant's agreed to hours of operation will be from 9 AM to 12 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, promoted events, scheduled performances or cover fees, there will be security Thursdays through Saturdays and other times as need; and

iv. Whereas, the premises was previously used as a Joint Live Work Quarters for Artists (JLWQA) loft, the Applicant having a pending Certificate of Occupancy changing the use to eating and drinking establishment with a maximum occupancy of 55, a catering license requiring that businesses must be able to accommodate at least 50 patrons to qualify for the license, concerns being raised that the Applicant is minimally meeting that requirement, the Applicant explaining the premises will mainly serve as a tasting kitchen for their catering business with the primary use of the license being for off-site events with not more than two (2) events a month planned for the licensed premises; and

v. Whereas, the Applicant did extensive outreach with the residents in the building in order to hear and address their concerns, the situation being unique in that the licensed premises is on the top floor of a mixed-use building with a residential unit directly below, the Applicant's business (and guests) sharing an elevator with the residential tenants of the building; and

vi. Whereas, this application being subject to the 500 foot rule, requiring the Applicant to establish public interest for the license to be issued at its inception, there being 46 active licensed premises within 750 feet of the subject premises, in addition to 3 pending licenses, the Applicant agreeing to, and executing, a stipulations agreement with CB2, Man. for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the license, limiting its method of operation on the On-Premises License for this purpose, as follows:

1. Premises will be advertised and operated as a catering establishment and taste kitchen.
2. The hours of operation will be 9 AM to 12 AM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
3. Will only operate a catering establishment and tasting kitchen.
4. Will play quiet recorded background music only, inclusive of any events. No music will be audible in any adjacent residence at any time including apartment on floor below.
5. Will not have televisions.
6. The premises will be able to accommodate 50 guests and will hold not more than two (2) events per month. At other times the premises will be used for tastings and as the corporate headquarters/office.
7. Food preparation for large scale off-site catering events will be done at an off-site commercial kitchen.
8. Daily trash is discarded via the freight elevator at a time mutually agreed upon with residents of the building with additional pickups to be scheduled immediately following an event but not later than 1:00 AM.
9. A professional doorman, staff member or licensed security personnel will be present on the ground floor of the building entrance at 132 Crosby Street to greet all guests. Guests will always be escorted in the elevator to and from the 12th floor as this elevator is shared with residents of the building.

10. Clients will be required to provide guest lists prior to their events for use by the professional doorman to limit uninvited guests and the general public from entering into the building.
11. A licensed security person will be hired for any event that has 15 people or more.
12. The downstairs door will be kept locked any time a doorman /security is not present.
13. Deliveries will take place between 9 AM and 2 PM approximately 2x/week. All deliveries will utilize the freight elevator.
14. An acoustical engineer will be hired to minimize noise issues, including noise from foot traffic impacting the residential apartment directly below, and tenants will be included in the discussion about soundproofing.
15. Cleaning crews will arrive during normal business hours and cleaning will be done the day after an event during to avoid any late-night disturbance to residents.
16. Pest elimination will be done on a proactive schedule.
17. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
18. Will provide Certificate of Occupancy permitting eating and drinking for the premises proposed to be licensed prior to opening.
19. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
20. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, or velvet ropes or barricades.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Catering license in the name of **La Residence, LLC d/b/a Pending, 598 Broadway aka 132 Crosby St., 12th Fl. 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 Catering License.

Vote: Unanimous, with 16 Executive Committee members in favor.

3. DBNB, LLC d/b/a TBD, 58A Greenwich Ave. 10011 (New OP–Restaurant) (previously unlicensed)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate a restaurant focused on comfort food on the ground floor of a C1-6-zoned, four (4)-story, mixed-use building (c. 1861) on Greenwich Avenue between West 11th and West 10th Streets (Block #606 / Lot #144), the building falling within the designated Greenwich Village Historic District; and

ii. Whereas, the ground floor premises is approximately 1,000 sq. ft., there will be five (5) tables and 18 seats and one (1) stand up bar with 11 seats for a total interior seating occupancy of 29 seats; there is one (1) entry used for patron egress and ingress and there is one (1) bathroom, the store front infill being fixed without operable doors or windows; and

iii. Whereas, the proposed hours of operation will be from 5 PM to 2 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs; there is existing soundproofing from the previous tenant; there is no outdoor dining as part of this application, there being a sidewalk hatch and fire hydrant in front of the premises; and

iv. Whereas, the previous tenant at this location for almost 40 years (1983 – April/2021) was The Original Sandwich of NY operating without any type of liquor license throughout that time with closing hours not later than 9:00 PM; and

v. Whereas, the Applicant has been the owner of the adjacent restaurant located in the same building, Fiddlesticks (SN# 1134074), since 2002 as well as another tavern in CB2, Man. (Carabean, LLC d/b/a Downtown Galway Hooker SN# 1224977) since 2009, there being numerous 311 complaints regarding among other things loud music at both establishments over the years, the Applicant stating they were approached by the landlord to rent this space, the instant application will target an older crowd with high price points for specialty cocktails, the higher prices purportedly dissuading patrons from getting drunk, along with a mature environment and a full kitchen, the application including a menu that appeared roughly thrown together and lacking a cohesive theme, the Applicant additionally stating the premises would serve the local neighborhood and that IDs would be checked to show patrons live in the Village, the Applicant is willing to consider earlier closing times of 12AM Sundays through Wednesdays; and

vi. Whereas, there were no detailed diagrams or description of the kitchen/cooking equipment supplied with the application nor any photographs of the interior premises, the premises never having had a full kitchen in the past, questions being raised as to how the venting would be handled, the Applicant stating that the venting would need to go through the operating staircase of the Applicant's adjacent leased and licensed business establishment in order to properly vent to the roof, the viability of the instant application being dependent upon using the space in the adjacent licensed business and the applicant stating that they would not allow a competitor to use that adjacent space, this raising questions as to both the legality of sharing a venting system, the limitations of that venting system being dependent on a separate lease for another business and whether the businesses would truly be operating as separate and distinct establishments, there being no basement associated with the instant application for food storage or prep or alcohol storage, the supplied diagram indicating all liquor storage for the instant application being solely behind the bar; and

vii. Whereas, additional concerns were raised as to a pattern by the Applicant at their other two licensed premises in CB2, Man., of disregard for the local community due to the numerous noise complaints regarding music emanating from open doors and windows as well as not abiding by the siting guidelines of the temporary Open Restaurants programs, there being tables and chairs on the curbside of the sidewalk at both locations which impede pedestrian flow on the sidewalk and give the feeling one is walking through the restaurant itself as they pass; and

viii. Whereas, this application being subject to the 500-foot rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a liquor license in this area and at this location, the immediate adjacent area being already saturated with multiple liquor licenses and late night drinking establishments, with there being 51 active licensed premises within 750 feet of the subject premises, in addition to 10 pending licenses, the Applicant unwilling to consider instead a restaurant wine license at the location, the previous business at this location closing at 9pm, there being an ongoing pattern of noise complaints at the Applicants other licensed premises, the business model being dependent on a full liquor license to be successful, there being significant objections raised in this application that cannot be resolved in a reasonable manner;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Restaurant license in the name of **DBNB, LLC d/b/a TBD, 58A Greenwich Ave. 10011**; and

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

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

THEREFORE, BE IT FURTHER RESOLVED, that if despite CB2, Man.'s objections to this Application including the issues raised regarding the shared kitchen venting, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the license granted for **DBNB, LLC d/b/a TBD, 58A Greenwich Ave. 10011** be a Restaurant Wine license with closing hours of 12:00 AM nightly and background music only.

Vote: Unanimous, with 16 Executive Committee members in favor.

4. An Entity to be Formed by Nick Granato d/b/a TBD, 21 University Pl. aka 30 East 9th Street aka 27-49 8th Street 10003 (OP-Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Restaurant Liquor License to operate a family-friendly, casual Italian restaurant on the ground floor of a C1-7 with an R7-2 overlay-zoned, six (6)-story, mixed-use building (c. 1955) on University Place between 8th and 9th Streets (Block #560 / Lot #7501; and

ii. Whereas, the storefront premises is roughly 3,562 sq. ft., there will be 36 tables with 122 seats, one (1) bar with seven (7) seats for a total seated occupancy of 129, there will be one (1) TV, there is one (1) entrance and three (3) exits and two (2) bathrooms; and

iii. Whereas, the hours of operation will be 11 AM to 11 PM Sundays through Thursdays and 11 AM to 12 AM Fridays and Saturdays; 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; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; and

iv. Whereas, since approximately 2011 the premises had been operated as Capital One Bank, prior to that it was a restaurant called BBQ; and

v. Whereas, there will be both sidewalk and roadbed seating operating under the temporary Open Restaurants program on University Place, there is a sidewalk café with eight (8) tables and 20 seats located mostly within the property line and adjacent to the business frontage leaving at least 8' of clear space and roadbed seating not exceeding the business frontage of licensed premises with 11 tables and 24 seats, all outdoor seating closes at 10 PM nightly; in addition, there is a pre-existing enclosed

sidewalk café that the Applicant was told is within the property line and therefore does not appear on NYC Sidewalk Café Mapper as it is not operating under the revocable consent of NYC; and

vi. Whereas, this application being subject to the 500-foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being 28 active licensed premises within 750 feet of the subject premises, in addition to four (4) pending licenses, the Applicant providing a petition showing support from some residents of this and surrounding buildings but had not yet obtained a letter from the condo board of the building or adjacent buildings due to it being August with many people out of town, the Applicant agreeing to supply additional letters obtaining their support with the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee receiving the letters of support and abiding by those agreed upon stipulations; and

vii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new On-Premises Restaurant License, with those stipulations as follows:

1. Premises will be advertised and operated as a family friend, casual Italian restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 11 AM to 11 PM Sundays through Thursdays and 11 AM to 12 AM Wednesdays through Saturdays. No patrons will remain after stated closing time.
3. Will not operate a backyard garden or any outdoor area for commercial purposes except for a certified sidewalk café and roadbed seating operating under the temporary Open Restaurants program on University Place. Sidewalk café is located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than eight (8) tables and twenty (20) patron seats and roadbed seating not exceeding the business frontage of licensed premises with eleven (11) tables and twenty-four (24) patron seats.
4. Sidewalk café and roadbed seating will close no later than 10 PM. All tables and chairs will be removed from sidewalk and all tables and chairs in roadbed will be secured with no patrons remaining outside at this hour. No exterior music, speakers or TVs.
5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
6. Will have no more than one (1) television no larger than 55".
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” 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 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 or velvet ropes or barricades.

15. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Restaurant License in the name **An Entity to be Formed by Nick Granato d/b/a TBD, 21 University Pl. 10003** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA On-Premises Restaurant license.

Vote: Unanimous, with 16 Executive Committee members in favor.

5. 337B West Broadway LLC d/b/a Mezcal and Amaro, 337B West Broadway 10013 (TW–Coffee & Cocktail Lounge)

- i. Whereas**, the Applicant and the Applicant’s Attorney originally appeared before CB2, Manhattan’s SLA Committee #1 via video conference in December/2021 to present an application to the NYS Liquor Authority for an On-Premises license for a coffee shop and cocktail lounge located on the ground floor of a M1-5A zoned, two (2)-story commercial building (c. 1910) on West Broadway between Grand and Broome Streets (Block #475 / Lot #1) located in the SoHo-Cast Iron Historic District; and
- ii. Whereas**, at its December/2021 full board meeting CB2, Man. unanimously recommended approval of the On-Premises license; and
- iii. Whereas**, the premises not having been licensed in the past two years and therefore ineligible for a temporary On-Premises permit for the service of alcohol, in July/2022 the Applicant notified CB2, Man. that it would like to amend its application to a Tavern Wine license, the Tavern Wine license not having the same restrictions for a temporary permit; there being no other changes to the application aside from the change in licensing class, the Applicant agreeing to and signing the same stipulations as December/2021 prior to CB2, Manhattan’s August/2022 SLA Committee #1 meeting, therefore the Committee waiving the requirement of an additional appearance by the Applicant; and
- iv. Whereas**, the premises is roughly 1,070 sq. ft.; there will be 11 tables with 26 seats and one (1) bar with 10 seats for a total patron occupancy of 36 seats; there is one (1) entryway which serves as patron ingress and egress and two (2) patron bathrooms; there will be no sidewalk café or roadbed seating; and
- v. Whereas**, the hours of operation will be from 7AM to 2AM Sundays through Saturdays (7 days a week); all doors and windows will be closed by 10PM nightly; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- vi. Whereas**, the instant Application also includes both sidewalk and roadbed seating as part of the temporary Open Restaurants program, there being a roadbed structure already in front of the premises; there will be two (2) tables and four (4) seats adjacent to the building and seven (7) tables and 14 seats in the roadbed located directly in front of and not exceeding the licensed premises; all outdoor seating will end at 11PM and all patrons will be cleared from the area by this time; and

vii. Whereas, there premises has operable doors across the entirety of the front of the premises and concerns were raised about the impact the open doors will have on nearby residents, including those directly across the street, that noise being compounded by the additional outdoor seating; the Applicant agreeing to close the doors by 10PM nightly; and

viii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new Tavern Wine license, with those stipulations as follows:

1. Premises will be advertised and operated as a coffee shop and cocktail lounge
2. The hours of operation will be 7AM to 2AM Sundays through Saturdays (7 days a week). 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 food during all hours of operation.
4. Will not operate as a 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 except for sidewalk café and roadbed seating operating under the temporary Open Restaurants program on West Broadway. 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.
6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No speakers will be positioned on the interior facing the sidewalk and none placed directly adjacent to the operable front façade. No music will be audible in any adjacent residences anytime.
7. Will not have televisions.
8. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
9. Will not make changes to the existing façade except to change signage or awning.
10. 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: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.
15. Any sidewalk or roadbed seating operating under the temporary Open Restaurants program ends by 11PM (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.

ix. **Whereas**, due to the change in license class to a tavern wine license, any future changes to the license will require the applicant to reappear before CB2; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Tavern Wine license in the name of **337B West Broadway LLC d/b/a Mezcal and Amaro, 337B West Broadway 10013** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Tavern Wine license.

Vote: Unanimous, with 16 Executive Committee members in favor.

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

6. **A Peaceful Corner, Inc., 393 Canal St. 10013** (OP–Bar/Tavern, Change in Method of Operation) (Karaoke) (To Include Live Music–Acoustic Quartets on Sundays 5–7pm)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested to **withdraw** their application for an On-Premises Bar/Tavern Liquor License and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **A Peaceful Corner, Inc., 393 Canal 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 NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

7. **Astor Place Kiosk Corp. d/b/a Astor Plate, 26 Astor Pl. 10013** (TW–Bar/Tavern) (DOT Open Restaurant Program–Sidewalk) (Temporary Retail Permit)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested to **withdraw** their application for a Tavern Wine License and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Astor Place Kiosk Corp. d/b/a Astor Plate, 26 Astor Pl. 10013**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

8. Cui Ping Huang, Eggcellent New York, Inc. d/b/a Ja Moy, 208 Thompson St. 10012 (RW–Restaurant) (Freestanding Covered Structure)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a Restaurant Wine License to September/2022 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **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 **Cui Ping Huang, Eggcellent New York, Inc. d/b/a Ja Moy, 208 Thompson St. 10012, until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

9. Two Mex Bros., Inc. d/b/a El Gallo Taqueria, 369 Broome St. 10013 (RW–Restaurant) (Vestibule Part of Building Property) (Temporary Retail Permit) (*previously unlicensed*) (failed to appear)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 9, 2022, the Applicant **failed to appear** and provided no further information regarding this application despite repeated inquiries;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **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 **Two Mex Bros., Inc. d/b/a El Gallo Taqueria, 369 Broome St. 10013 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

10. Westside Museum, LLC d/b/a To Be Determined, 427 Broadway 10013 (OP–Amended to Restaurant from Bar/Tavern)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

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

wine license, corporate change, alteration, transfer or other changes to any existing license for **Westside Museum, LLC d/b/a To Be Determined, 427 Broadway 10013, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA 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 16 Executive Committee members in favor.

11. Double J Operations, LLC d/b/a Kung Fu Rasta, 406 Broome St. 10013 (OP–Restaurant) (DJ) (Patron Dancing) (Employee Dancing) (Security Personnel) (DOT Open Restaurant Program–Sidewalk) (Temp. Retail Permit)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **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 **Double J Operations, LLC d/b/a Kung Fu Rasta, 406 Broome St. 10013, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

12. Hiro Nishida d/b/a Sushidelic, 177 Lafayette St. 10013 (OP–Restaurant) (DOT Open Restaurant Program–Sidewalk) (*previously unlicensed*)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **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 **Hiro Nishida d/b/a Sushidelic, 177 Lafayette 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 NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

13. 357 W. Broadway, LLC, 357 W. Broadway, Ground, 2nd & 3rd Flrs. 10013 (OP–Restaurant) (Patio or Deck) (DOT Open Restaurant Program–Sidewalk)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **357 W. Broadway, LLC, 357 W. Broadway, Ground, 2nd & 3rd Flrs. 10013**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

14. EVOL Management, LLC d/b/a Evol, 393 Canal St., 2nd Fl. 10013 (OP–Restaurant) (DJ) (Karaoke) (Live Music) (Restaurant with Karaoke Serving Liquor, Wine, Cider & Beer) (Temporary Retail Permit) (**failed to appear**)

Whereas, following this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 and will submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **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 **EVOL Management, LLC d/b/a Evol, 393 Canal St., 2nd Fl. 10013**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

15. DM 31 Hospitality, LLC d/b/a Bombay Bistro, 31 Cornelia St. 10014 (OP- Change in Ownership)

i. Whereas, the Applicant and his Attorney appeared before CB2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a change in corporate ownership holding an on premise liquor license to continue to operate a full service restaurant specializing in Indian food in a ground floor storefront located within a four-story, Federal style residential townhouse building (circa 1900) on Cornelia Street between West 3rd and Bleecker Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, one of the existing owners is buying all the shares of the corporation that holds the liquor license from another existing owner, the method of operation as an Indian Restaurant remaining the same; and

iii. Whereas, the interior storefront is approximately 1,800 sq. ft (1,450 sq. ft. ground floor and 350 sq. ft. basement with the basement being for storage purposes only), there is a full-service kitchen, 18 tables with 38 patron seats, 1 bar with 8 additional seats for a total indoor seated patron occupancy of 46 persons, there is one (1) entry and one (1) exit and one (1) patron bathroom; the store front infill being fixed without operable doors or windows that open out to the sidewalk, the Applicant presenting a Letter of No Objection from the NYC Building permitting eating and drinking for the licensed premise; and,

iv. Whereas, the hours of operation for the interior will continue to be Sunday to Saturday from 11 AM to 12 AM, music in the interior will be background only, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no operable windows or French doors; there will be no exterior area for the service of alcohol on the sidewalk or roadbed, the sidewalk at this location being too narrow, the Applicant having already removed its temporary sidewalk seating used during the Pandemic when no service was permitted on the interior; and,

v. Whereas, the local Block Association submitted opposition to the sidewalk seating now that Pandemic has waned and indoor dining returned at 100%, but the Applicant's decision to remove those tables, seats, benches and umbrellas from the sidewalk have made that issue moot; and,

vi. Whereas, the Applicant executed and had notarized a Stipulations Agreement with CB2, Man. which will 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, specifically a restaurant specializing in Indian fare with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday to Saturday from 11 AM to 12 AM.
3. Will not operate a backyard garden or any outdoor area for commercial purposes, including sidewalk and roadbed seating operating under the temporary Open Restaurants program.
4. Will close all doors & windows by 10:00 PM.
5. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
6. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
7. Will have 1 TVs.
8. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
10. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

12. 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, Manhattan recommends **denial** of the application for a corporate change to an existing on premise liquor license to **DM 31 Hospitality, LLC d/b/a Bombay Bistro, 31 Cornelia 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 16 Executive Committee members in favor.

16. Waverly Restaurant-Diner Ltd., 385 6th Ave. (Transfer RW-Restaurant)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new restaurant wine license to operate an existing family style diner restaurant in a ground floor storefront located within a four-story residential townhouse (circa 1910) at the corner of Sixth Avenue and Waverly Place, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed has previously operated for years as the Waverly Restaurant, a diner serving the community, with a long-time manager of the business seeking to purchase the assets from its current owner, the method of operation as a diner remaining the same; and

iii. Whereas, the interior corner storefront is approximately 1,700 sq. ft. (850 sq. ft. ground floor and 850 sq. ft. basement with the basement being for storage purposes only), there is a full-service kitchen, 22 tables with 68 patron seats for a total indoor seated patron occupancy of 68 persons, there is one (1) entry and two (2) exits and two (2) patron bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

iv. Whereas, the hours of operation for the service of alcohol will be Sunday to Saturday from 6 AM to 12 AM, music in the interior will be background only, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no operable windows or French doors; and,

v. Whereas, objections were raised as to a structure made out of wood and plastic attached to the front façade, the structure blocking the iconic storefront façade of the restaurant on Sixth Avenue, the shanty having been built during the now waning pandemic, with the interior capacity of the restaurant being at 100%, the Applicant not willing to remove the temporary structure; and,

vi. Whereas, the Applicant also executed/had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation for the Restaurant Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a family style diner restaurant with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be for the service of alcohol will be Sunday to Saturday from 6 AM to 12 AM

3. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk seating on Sixth avenue and roadbed seating on Waverly Place operating under the temporary Open Restaurants program. Sidewalk seating will be located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 8 tables and 16 patron seats. Roadbed seating not exceeding the business frontage of licensed premises consists of 10 tables and 20 patron seats.
4. Will comply with all applicable terms and conditions of temporary open restaurant program as to structures on the sidewalk.
5. Will not install or have French doors, operable windows or open façades.
6. Will keep closed all doors & windows at all times.
7. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
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. Will have 1 TV.
10. The premises will not have DJs, dancing, 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. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine liquor license to **Waverly Restaurant-Diner Ltd., 385 6th Ave.** **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 Restaurant Wine License.

Vote: Unanimous, with 16 Executive Committee members in favor.

17. Film Forum, Inc., 209 W. Houston St. 10014 (New TW – Movie Theater)

i. Whereas, the Applicant appeared before CB2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new tavern wine liquor license to continue operate a movie theater in a twelve-story commercial building (circa 1926) on Houston Street near its corner with Varick Street, this building bordering NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the Applicant has been operating for years as a movie theater and the method of operation as movie theater remains the same; and,

iii. Whereas, there are multiple interior theaters located on multiple floors, with 469 seats in a combined 10,000 sq. ft. space, the Applicant seeking to add beer and wine service to its customers, who will consume all alcoholic drinks in their seats; and

iv. Whereas, the hours of operation for the service of alcohol to customers will be Sunday to Saturday from 11:00 AM to 12:00 AM, there is professionally designed soundproofing, already

existing, there will not be DJs, no promoted events, no cover fees, no operable windows or French doors and no exterior area for the service of alcohol on the sidewalk or elsewhere; and,

v. **Whereas**, the Applicant met with the local West Houston St. Block Association in attention of the instant license application and received the support of the Block Association; and,

vi. **Whereas**, the Applicant also executed/had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation for the Beer and Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a movie theater.
2. The interior hours of operation will be the service of alcohol to customers will be Sunday to Saturday from 11:00 AM to 12:00 AM.
3. Will not operate a backyard garden or any outdoor area for commercial purposes, including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
4. Will not install or have French doors, operable windows or open façades.
5. Will keep closed all doors & windows at all times.
6. There will be no alcohol for take-out or delivery.
7. The premise is an existing movie theatre that already has professionally designed soundproofing.
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. The premises will not have DJ's, dancing, promoted events, or any event where a cover fee is charged.
10. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

THEREFORE BE IT RESOLVED that CB2, Man recommends **denial** of the application for a new Tavern Wine liquor license to **Film Forum, Inc., 209 W. Houston 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 16 Executive Committee members in favor.

18. Shake Shack New York, LLC d/b/a Shake Shack, 820 Washington St. (New RW – Fast Casual Restaurant)

i. **Whereas**, the Applicant appeared before CB2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a new Restaurant Wine License; the Applicant will operate a fast-casual restaurant as part of its chain of restaurants serving American cuisine in an M1-5-zoned, four-story mixed-use building constructed in 2011 on Washington St. between Gansevoort and Little West 12th Sts. (Block #644/Lot #10); and

ii. **Whereas**, the Applicant will operate in a previously-licensed premises totaling approximately 3,175 sq. ft., comprised of an interior ground floor space of approximately 1,600 sq. ft. and an outdoor

patio of approximately 1,575 sq. ft.; the proposed occupancy will be approximately 112 persons, with 8 interior tables with 46 seats and 9 patio tables with 36 seats for a total of 82 patron seats; there will be 1 stand-up bar with no (0) seats and 1 service counter at which patrons can pick up their orders; the premises has 1 entrance, 4 exits, and 2 bathrooms; and

iii. Whereas, the Applicant's agreed-to hours of operation will be 11:00 AM to 11:00 PM seven days a week; music will be quiet recorded background only; there will be no DJs, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; the Applicant has presented a plan to address vehicular traffic and provide crowd control on the sidewalk; and

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the "Method of Operation" of the Restaurant Wine License, with those stipulations as follows:

1. The premises will be advertised and will operate as a fast-casual restaurant.
2. The hours of operation will be from 11:00 AM to 11:00 PM seven days a week. The premises will open no later than the stated opening time and no patrons will remain after the stated closing time.
3. The Applicant will operate a fast-casual restaurant with menu items available until closing every night.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. There will be no televisions.
6. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. It will not operate a backyard garden or any outdoor area for commercial purposes except for patio seating within the property line, which shall consist of no more than 9 tables with 36 patron seats. There will be no sidewalk cafe and/or roadbed seating operated under the temporary Open Restaurants program.
9. The sidewalk café and roadbed seating will close by 11:00 PM every night, with all chairs and tables removed at this hour. There will be no exterior music, speakers, or TVs.
10. The Applicant will not make changes to the existing façade, except to change the signage or awning.
11. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
13. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.
14. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. It will not change any of the business' principals prior to submission of the original application to the SLA.
16. It will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.

17. It will appear before CB2, Manhattan for an alteration to its license prior to submitting plans for permanent sidewalk or roadbed dining.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License in the name of **Shake Shack New York LLC d/b/a Shake Shack, 820 Washington Street 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 SLA Restaurant Wine License.

Vote: Unanimous, with 16 Executive Committee members in favor.

19. Bleecker Enterprises LLC, d/b/a Little Charli, 271 Bleecker Street 10014 (RW—Restaurant)

Whereas, the Applicant appeared before CB2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license to operate a “small restaurant serving pizza (pies only) and varied Italian specialties” within an R7-2/C1-5 zoned 1836 three-story mixed-use building (block 590, lot 8) on Bleecker Street, between Jones and Cornelia Streets in the NYC Landmarks Commission designated Greenwich Village Historic District; and,

Whereas, the location to be licensed is approx. 1,300 sq. ft., with an 850 sq. ft. storefront and a 450 sq. ft. basement; and, there will be 10 tables and 26 chairs, all on the ground floor level; and, 1 table and four chairs of immediately adjacent sidewalk seating under the temporary Open Restaurants program; and, there will be no patron use of the basement level; and, applicant has a LNO from NYC Department of Buildings for this use; and,

Whereas, the applicant stipulated that interior hours of operation from 12 PM to 12 AM, Sunday to Wednesday, and 12 PM to 1 AM Thursday, Friday, and Saturday; and, doors and windows will be closed by 10 PM; and, entertainment would be background music only not audible outside the premises; and, that there would be no television; and,

Whereas, the sidewalk café will close at by 10 PM Sunday to Saturday, 7 days a week; and, all exterior tables and chairs will be withdrawn by this hour; and, there will be no exterior music, speakers, or televisions; and,

Whereas, the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will advertised and operated as restaurant specializing in pizza and Italian dishes.
2. Premise hours of operations will be 12 PM to 12 AM, Sunday to Wednesday, and 12 PM to 1 AM Thursday, Friday, and Saturday. Premises will open no later than stated opening time and **NO** patrons will remain after stated closing times.
3. Premise will operated as a full-service restaurant, specifically a restaurant serving pizza and other traditional Italian dishes, with the kitchen open and full menu items available until closing every night.
4. Premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premise to be operated in that manner.
5. Premises will not have televisions.

6. Premises will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk seating operating under the temporary Open Restaurants program. Sidewalk seating will be located immediately adjacent to the storefront, leaving a minimum clearance of 8' (eight feet) to the curbside for pedestrian passage with no more than 1 table and 4 patron seats. No roadbed seating.
7. Sidewalk café will close no later than 10 PM every evening. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
8. Premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. Premises will close all doors and windows at 10 PM every evening.
10. Operators will take reasonable steps to prevent lines from forming on the sidewalk, using a notification system to alert customers when seating is available on the interior.
11. There will be no patron use of the basement.
12. Premises will comply with all NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
13. Premises 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 sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Premises will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
17. Applicant or successors will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine license for **Bleecker Enterprises LLC, d/b/a Little Charli, 271 Bleecker Street 10014** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the "Method of Operation" on its Restaurant Wine License.

Vote: Unanimous, with 16 Executive Committee members in favor.

20. De Molinari Seventh Avenue, Inc. d/b/a Saint George, 74 7th Ave. So. 10014 (New RW – Restaurant)

i. Whereas, the Applicant appeared before CB2, Manhattan's SLA Licensing committee to present an application for a new Restaurant Wine license to operate a "food establishment that will focus on freshly made food and breads with coffee and beverages" within a C2-6 zoned 1910 three-story mixed-use building (block 587, lot 56) on Seventh Avenue South, between Barrow and Commerce Street in the NYC Landmarks Commission designated Greenwich Village Historic District; and,

ii. Whereas, the location to be licensed is 2,822 sq. ft., with 1,040 sq. ft. on the ground floor, 891 sq. ft. on the second floor, and an additional 891 sq. ft. in the basement; and, there will be 16 tables with a total of 70 seats and one (1) bar/food pick-up counter with no seats; and applicant has a valid C of O from NYC Department of Buildings for this use; and,

iii. Whereas, the applicant stipulated that hours of operation from 7:30 AM to 11 PM, Sunday to Saturday, seven days a week; and, that all doors and windows facing Seventh Avenue South and will be closed by 10 PM every evening; and, that all doors and windows facing Barrow Street will remain closed at all times; and, entertainment would be background music only not audible outside the premises; and, that there would be no televisions; and,

iv. Whereas, the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will be advertised and operated as a restaurant.
2. Premise hours of operations will be 7:30 AM to 11 PM, Sunday-Saturday (7 days a week). Premises will open no later than stated opening time and NO patrons will remain after stated closing times.
3. Premise will operate as a full-service restaurant with the kitchen open and full menu items available until closing every night.
4. Premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premise to be operated in that manner.
5. Premises will not have televisions.
6. Premises will not operate a backyard garden or any outdoor area for commercial purposes, including any sidewalk café and/or roadbed seating under the Open Restaurants program.
7. Premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. A reservation system will be in use at all times; all patrons will wait in designated areas inside the licensed premise.
9. Premises will close all doors and windows facing Seventh Avenue South at 10 PM every night. All doors and windows facing Barrow Street will be closed at all times.
10. Premises' sidewalk hatch on Barrow Street will remain closed at all times except when deliveries are taking place.
11. Premises will not make changes to the existing façade except to change signage or awning.
12. Premises will comply with all NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
13. Premises 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 sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Premises will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant Wine license for **DeMolinari Seventh Avenue Inc. d/b/a Saint George, 74 Seventh Avenue South 10014** unless the statements presented by the Applicant are accurate and complete, and that the above-stated

conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on its Restaurant Wine License.

Vote: Unanimous, with 16 Executive Committee members in favor.

21. Lil Santino, Inc. d/b/a Daddie’s Pizza, 446-448-450 Hudson St. 10014 (New Restaurant Wine—previously Unlicensed location)

i. Whereas, the Applicant appeared before CB2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new Restaurant Wine license to operate an Italian family-style pizzeria restaurant by combining two commercial storefronts located within a six-story residential apartment building (circa 1925) on Hudson Street between Morton and Barrow Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, neither storefront has ever been licensed for the service of alcohol, the first storefront (450 Hudson Street) having previously operated for over a decade as a pizzeria, the pizzeria having closed due to the Covid Pandemic; the second storefront being the King Deli (448 Hudson Street) which served the local community for the last 30 years, the owners of the Deli remaining open throughout the Pandemic but losing revenue and not being able to make their monthly rent on a timely basis; and,

iii. Whereas, the Applicant recently renovated and opened his business, as of July/2022 within the storefront at 450 Hudson while 448 Hudson remains vacant and not connected to 450 Hudson, the Deli having been evicted and forced out of the space as of June/2022 due to an inability to pay its arrears of rent; and,

iv. Whereas, the interior storefront at 450 Hudson is roughly 400 sq. ft. interior, there is a large pizza oven and kitchen area, with 4 tables with 10 patron seats for a total interior seating capacity of 10 persons, 1 entrance/exit, 1 bathroom located in the rear requiring patrons to walk through the kitchen to access it, the store front infill being fixed without operable doors or windows, with no certificate of occupancy and/or letter of no objection being presented with the application permitting eating and drinking in either storefront sought to be licensed; and

v. Whereas, the vacant interior storefront at 448 Hudson is roughly 400 sq. ft. in size, has a separate entrance/exit to the sidewalk, but is not connected on the interior storefront at 450 Hudson, with a diagram presented showing that there will be 5 tables and 20 patron seats, and 1 bar with 4 additional seats for a total interior seating capacity for 24 persons; and,

vi. Whereas, the Applicant was not able to explain the additur to this application relating to the address 446 Hudson Street, this address not relating to either of the two storefronts identified in this application; and,

vii. Whereas, after opening, the Applicant has been operating with exterior seating on the public sidewalk beyond the frontage of the operating storefront and on both sides of the sidewalk, and within a large structure in the roadbed, the structure also being in excess of and beyond the frontage of the operating storefront, with 18 tables and 36 patron seats on sidewalk and 10 tables with 22 patron seats within the roadbed structure, for a total exterior seating for 58 persons, the Applicant further operating with a large service bar/busing station located on the public sidewalk where waitstaff are stationed to service its patrons on the sidewalk and roadbed; and,

viii. Whereas, the proposed hours of operation for the service of alcohol are Sunday to Wednesday from 11:00 AM to 12:00 AM, Thursdays from 11:00 AM to 2:00 AM and Fridays and Saturdays from 11:00 AM to 4:00 AM, music in the interior will be background only; and,

ix. Whereas, there was opposition to this application, both in writing and in person, those in opposition speaking to the Applicant’s refusal to meet with them, discuss any compromise on its hours of operation, the over-saturation of liquor licensing in the immediate area, the Applicant’s bullying tactics in forcing the proprietors of the King Deli out, and the proposed hours of operation until 4:00 AM being unreasonable and inconsistent with a family-friendly pizzeria restaurant, the Applicant having provided a lease term sheet with the Landlord providing the Applicant with a “Covid Abatement” while also seeking to terminate the existing lease with the Deli, the clear intent of the Applicant and Landlord combined to remove the long-standing Deli business so that both Applicant and Landlord would enjoy a financial benefit operating out of the contiguous storefronts, these bullying tactics also being evidenced from the Applicants self-certifying request for roadbed seating for his business as of January 14, 2022, despite there being no business operating out of the storefront at 450 Hudson for roughly six months, the Applicant immediately building the structure in front of the Deli in January/2022, well beyond and more than double the dimensions of the storefront at 450 Hudson, despite there being no immediate plan for the business to open or operate, the roadbed structure remaining vacant and unused for those six months, the roadbed structure, when erected, also being non-compliant with the NYC DOT rules or guidelines—resulting in five separate cease and desist orders issued from the NYC DOT to the Applicant on January 25th, January 28th, March 17th, March 30th and May 11th of 2022—with this Applicant never being subject to the Covid Pandemic; and

x. Whereas, the opposition also presented photographs showing that the Applicant’s current outdoor dinging setup is non-compliant on the public sidewalk by operating with double the tables and chairs that is currently stated and identified in its instant application, including tables and seats running along the curb (identified by the NYC DOT as the “amenity zone”), tables and seats that go beyond and in excess of its business frontage at 450 Hudson, the photos showing the public sidewalk being congested with tables and chairs, not providing the requisite 8' clear path for pedestrian traffic, the service bar/station placed in the middle of the sidewalk surrounding by the restaurant’s staff further exacerbating the congestion on the sidewalk; and,

xi. Whereas, when questioned about the non-compliance, the Applicant did not deny the non-compliance with the NYC DOT’s Open Restaurant’s Siting Requirements (<https://www1.nyc.gov/html/dot/html/pedestrians/openrestaurants.shtml>), repeatedly stating that he would immediately resolve and remedy all of the non-compliant issues arising from roadbed structure and over-congested public sidewalk; and,

xii. Whereas, despite the Applicant’s assurances in resolving the non-compliance, no changes to either the roadbed or to sidewalk seating has occurred for the purpose of bringing his business into compliance with the current temporary rules of the Open Restaurants program;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine License application for **Lil Santino, Inc. d/b/a Daddie’s Pizza, 448-450 Hudson St. 10014**; and

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

THEREFORE, BE IT FURTHER RESOLVED, that if despite CB2, Man.'s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2, Man. recommends in the alternative that the following stipulations be imposed on any future Restaurant Wine license for **Lil Santino, Inc. d/b/a Daddie's Pizza, 446-448-450 Hudson St. 10014:**

1. The premises will be advertised and operated as a pizzeria restaurant with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday to Saturday from 11:00 AM to 12:00 AM.
3. Will not install or have French doors, operable windows or open façades.
4. Will comply with all applicable terms and conditions to the temporary open restaurant program as to sidewalk and roadway seating of customers.
5. Sidewalk seating will not exceed the business frontage and will be located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 6 tables and 12 patron seats. Roadbed seating will not exceed the business frontage of the licensed premises consisting of no more than 6 tables and 12 patron seats. No exterior music, speakers or TVs.
6. Sidewalk and roadbed seating will end by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays. All tables and chairs will be removed from the sidewalk at this hour.
7. There will be no service/wait stations on the public sidewalk.
8. Will keep closed all doors & windows at all times.
9. Will play quiet ambient recorded background music on the interior only. No music will be audible in any adjacent residences anytime.
10. There will be no TVs and 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.
11. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
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 and Certificates.

Vote: Unanimous, with 16 Executive Committee members in favor.

22. 239 West 4th Street Restaurant, LLC d/b/a Pending, 239 W. 4th St. 10014 (New OP - Restaurant)

i. Whereas, the Applicant and the Applicant's attorney appeared before CB2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a new Restaurant On-Premises Liquor License; the Applicant will operate a full-service restaurant specializing in Italian cuisine in a C2-6 with a R6 overlay-zoned, four-story mixed-use building constructed in 1839 on W. 4th St. between W. 10th and Charles Sts. (Block #611/Lot #4), and located in the Greenwich Village Historic District; and

ii. Whereas, the Applicant will operate a full-service restaurant in a previously-licensed premises totaling approximately 1,600 sq. ft., comprised of an interior ground floor space of approximately 1,000 sq. ft. and a cellar of approximately 600 sq. ft.; the proposed occupancy will be less than 74 persons and there will be a total of 54 patron seats, comprised of 8 tables with 39 seats and 1 stand-up bar with 15 seats; the premises will have no outdoor seating and has 1 entrance, 2 exits and 3 bathrooms; and

iii. Whereas, the Applicant's agreed-to hours of operation will be 9:00 AM to 2:00 AM seven days a week; music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; there is no sidewalk café, roadbed dining or use of the back yard included with this application; and

iv. Whereas, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being 63 active licensed premises within 500 feet of the subject premises, in addition to 8 pending licenses, the Applicant having met with multiple times with residents of the immediate area where the licensed premises will be located, obtaining their support with the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

v. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the "Method of Operation" of the Restaurant On-Premises License, with those stipulations as follows:

1. The premises will be advertised and will operate as a full-service restaurant specializing in Italian cuisine.
2. The hours of operation will be from 9:00 AM to 2:00 AM seven days a week. The premises will open no later than the stated opening time and no patrons will remain after the stated closing time.
3. The Applicant will operate a full-service restaurant with a full-service kitchen, with the kitchen open and the full menu available until closing every night.
4. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. The Applicant will not operate a backyard garden or any other outdoor area for commercial purposes, including any sidewalk and/or roadbed seating operated under the temporary Open Restaurants program.
6. For the purpose of establishing the public interest standard/500 foot rule, the Applicant will not operate in the rear yard or seek to extend restaurant operations to the rear yard in the future.
7. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. It will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
9. The Applicant will work with its immediate neighbor to resolve existing noise intrusions from mechanical systems installed by the prior operator on the rear side of the building facing the rear yard.
10. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant On Premises Liquor License in the name of 239 W. 4th Street Restaurant LLC d/b/a TBD, 239 West 4th Street 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 SLA Restaurant On Premises License.

Vote: Unanimous, with 16 Executive Committee members in favor.

23. 641 Hudson Hospitality, LLC d/b/a Mes Arnis, 641 Hudson St. 10014 (New OP-Lounge with DJs)

i. Whereas, the Applicants and their Attorney appeared before CB2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new On Premise liquor license to operate a “neighborhood friendly, go-to hang out for residents of the West Village” within a ground floor storefront located within a five-story, Federal style townhouse building (circa 1910) on Hudson Street between Gansevoort and Horatio Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed was previously operated since 2016 as a high end, reservation only full-service restaurant operated by Chef Gunter Seeger with closing hours of 11 PM every night, and before 2016, was a clothing store (Tracy Reese), representing a storefront location that had never previously been licensed for the service of alcohol; and,

iii. Whereas, the interior storefront is approximately 3,650 sq. ft. (2,150 sq. ft. ground floor and 1,500 sq. ft. basement with the basement being for mechanical systems and storage purposes only), there is a full-service kitchen, there are 16 tables with 54 patron seats, one stand-up bar with 10 additional seats for a total indoor seated patron occupancy of 64 persons, there is one (1) entry and two (2) exits and two (2) patron bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

iv. Whereas, the proposed hours of operation will be Sunday to Saturday from 11:00 PM to 4:00 AM, music in the interior will be DJs at entertainment levels, dancing and plans to install operable French doors that will open up the entire venue to the public sidewalk in front, the Applicants indicating that there will be security enlisted on an as needed basis; and,

v. Whereas, there was significant opposition to this Application from those living in the neighborhood, and the local Jane Street Block Association, those in opposition stating that no outreach was performed by the Applicant to discuss their plans for this license, the hours of operation until 4:00

AM and method of operation with live entertainment music and dancing represented a nightclub atmosphere, or a business that would ultimately morph or transform into the equivalent, the immediate area being mixed use, greatly residential and located one block away from the Meatpacking District, the surrounding area being greatly saturated with late night drinking establishments similar to the one proposed; there also being concerns raised about the Applicant (Maurice Eldeiry), who has operated a bar and hookah & VIP lounge (Mystique Gardens Hookah Lounge, serial #1270558) in Farmingdale, NY, a location which has been the subject of disciplinary actions and fines from the NYSLA following objections raised by the Village of Farmingdale, which charged that the Applicant had misled the Community and Town Board as it related to its stated method of operation, and the erection of an exterior gazebo while also operating its business without a liquor license despite the consumption of alcohol taking place at the premises; and,

vi. **Whereas**, the Applicant's disciplinary history with the NYSLA, with fines levied and paid, were recorded on 11/29//2019 (case #135554), 10/11/2019 (case#133678), 7/5/2019 (case#130975), 3/29/2019 (case#130663), with a fifth violation being recorded on 12/23/2016 (case #114020); and,

v. **Whereas**, when the Applicant was asked if he would put his application off to perform outreach by meeting with those living in the neighborhood, or if there was any compromise with regard to the Applicant's proposed hours of operation until 4:00 AM, or proposed method of operation as a club, the Applicants, and their counsel, replied in each case that they were not willing to do so; and,

vi. **Whereas**, this application being subject to the 500-foot rule, requiring the Applicants to demonstrate that the public interest would be served by the addition of another liquor license at this location, the immediate area already being saturated with late-night drinking establishments and liquor licenses, there being 63 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 4 additional pending licenses, the proposal to expand the late night hours of operations at this location being inconsistent with the prior businesses and history of the storefront location, establishing new and unreasonable impacts with the large surrounding residential component of the neighborhood, the Applicant's prior licensed operations and actions drawing criticism and charges of not being honest and trustworthy, the Applicant's past transgressions not supporting this application, those past transgression still being very recent, there being no support advanced for this application from the Community;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new on-premise liquor license application for **641 Hudson Hospitality, LLC d/b/a Mes Arnis, 641 Hudson St. 10014**; and

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

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

Vote: Unanimous, with 16 Executive Committee members in favor.

24. Ossea, LLC d/b/a To Be Determined, 39 Clarkson St. 10014 (New OP — Restaurant)
(Previously Unlicensed location)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new on-premise liquor license to operate a full-service restaurant serving sea fare in a newly renovated six-story commercial building (formerly the Koppers Chocolate Factory circa 1920) on Clarkson between Hudson and Greenwich Streets in Greenwich Village; and,

ii. Whereas, the premises to be licensed will consist of the bottom three floors of the building, including cellar (4,624 sq. ft.), first floor (4,803 sq. ft.) and second floor (4,803 sq. ft.), roughly 14,230 sq. ft. in total, the cellar not being for patron use or service, the cellar consisting of mechanical systems, storage, food prep, kitchen and office, the ground floor consisting of the main restaurant with 33 tables and 92 patron seats, which includes chefs counter together with 14’ bar with 10 additional seats for a total patron capacity of 102 seats, the second floor consisting of 21 tables and 68 seats, one stand-up bar with 14 additional seats for a total patron capacity of 82 seats, there will be no operable windows, doors or facades that open out to the street, to any side or rear yards, rooftop or sidewalk; and

iii. Whereas, the Applicant also plans to have sidewalk café seating within the building’s frontage and adjacent with the temporary open restaurants program with 5 tables and 35 patron seats; and,

iv. Whereas, the proposed hours of operation on the first floor are 10:00 AM to 12:00 AM Monday to Sunday, and the proposed hours of operation for the second floor will be from 8:00 AM to 12:00 AM Monday through Wednesday, 8:00 AM to 2:00 AM Thursday and Friday, 10:00 AM to 2:00 AM on Saturday, and from 10:00 AM to 12:00 AM Sunday, music on the interior will be quiet background music except for live acoustical music, on occasion, only on the second floor, that will be kept at a low volume level, so guests do not have to raise their voice when speaking to each other; and,

v. Whereas, the Applicant also executed/had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation for the On-Premise Liquor License, with those stipulations as follows:

1. The premises will be advertised and operated as a full-service restaurant specifically a modern brasserie serving seafood dishes with sustainable ingredients with its kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sundays through Saturdays 10:00 AM to 12:00 AM on the ground floor and Sundays from 10:00 AM to 12:00 AM, Monday to Wednesday from 8:00 AM to 12 AM, Thursdays and Fridays from 8:00 AM to 2:00 AM and Saturdays from 8:00 AM to 2 AM on the 2nd floor.
3. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk seating operating under the temporary Open Restaurants program. Sidewalk seating will be located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 5 tables and 35 patron seats. No Roadbed seating.
4. Sidewalk café will close and end no later than 11:00 PM. All tables and chairs will be removed at this hour. No exterior music, speakers, or TVs.
5. Will not install or have French doors, operable windows or open façades.

6. Will keep closed all doors & windows at all times.
7. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
8. Will play quiet ambient recorded background music. On occasion there will be live acoustical music on the second floor that will be kept at a low volume level, so guests do not have to raise their voice when speaking to each other. No drums and no horns. No music will be audible in any adjacent residences anytime.
9. 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.
10. Will have no more than two (2) television located on the second floor, with no sound.
11. The premises will not have DJ's, dancing, promoted events, any event where a cover fee is charged or any scheduled performances.
12. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will 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.

vi. **Whereas**, this application being subject to the 500 foot rule, requiring the applicant to establish the public interest standard for the issues of a new liquor license at this location, the Applicants here consisting of a well-known Michelin-starred chef and general manager with extensive experience in the hospitality industry, there being no licensed premise for eating and drinking on this particular block, with a commercial overlay located across the street, the Applicant having reached out to his immediate residential neighbors on both sides with no objections being raised, the noise generated from the restaurant being maintained mostly to its interior, there being no open facades or rooftop spaces to the proposed establishment, the sidewalk café closing at a reasonable hour, the Applicants agreeing to maintain the flow of cabs, private cars and other livery vehicle from parking or idling at or near the entrance so as to not block traffic with this section of Clarkson Street being a main throughfare for vehicle traffic coming from the West Side Highway; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On Premise liquor license to **Ossea, LLC d/b/a To Be Determined, 39 Clarkson 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 Liquor License.

Vote: Unanimous, with 16 Executive Committee members in favor.

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

25. Carmine Street Beers, Inc. d/b/a Carmine Street Beers, 52A Carmine St. 10014 (TW-Bar/Tavern) (laid over)

Whereas, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 4, 2022, the Applicant requested reconsideration in its application and asked **to lay over** this application

to September/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Carmine Street Beers, Inc. d/b/a Carmine Street Beers, 52A Carmine 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 e concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

26. 68 Perry St. Corp. d/b/a Corner Bistro, 331 W. 4th St. 10014 (OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 4, 2022, the Applicant requested **to lay over** this application over to September/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **68 Perry St. Corp. d/b/a Corner Bistro, 331 W. 4th St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

27. Rajmar Holdings, Inc. d/b/a Hudson Bar & Books, 636 Hudson St. 10014 (OP-Bar/Tavern) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 4, 2022, the Applicant agreed **to lay over** this application over to September/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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Rajmar Holdings, Inc. d/b/a Hudson Bar & Books, 636 Hudson 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 16 Executive Committee members in favor.

28. 181 Waverly Italian, LLC d/b/a TBD, 181 Waverly Pl. 150 W. 10 St. 10014 (New OP-Restaurant) (withdrawn)

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

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **181 Waverly Italian, LLC d/b/a TBD, 181 Waverly Pl. 150 W. 10 St. 10014 until** CB2, Man. has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

29. Serafina 117 7th Ave. So., LLC, Serafina 117 7th Avenue South 10014 (New OP-Restaurant)
(withdrawn)

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

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Serafina 117 7th Ave. So., LLC, Serafina 117 7th Avenue South 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 16 Executive Committee members in favor.