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Ritu Chattree, *Assistant Secretary*

Community Board No. 2, Manhattan

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

FULL BOARD MINUTES

DATE: October 20, 2021
TIME: 6:30 P.M.
PLACE: Via Video Conference

BOARD MEMBERS PRESENT: Natasha Avanesians, William Benesh, Keen Berger, Carter Booth, Katy Bordonaro, Anita Brandt, Amy Brenna, Rich Caccappolo, Ritu Chattree, Valerie De La Rosa, John Paul Deverna, Chris Dignes, Robert Ely, Mar Fitzgerald, Stella Fizgerald, Cormac Flynn, Susan Gammie, Susan Kent, Ryder Kessler, Jeannine Kiely, Patricia Laraia, Michael Levine, Edward Ma, Matthew Metzger, Daniel Miller, Juan Osorio, Biran Pape, Donna Raftery, Lois, Rakoff, Bo Riccobono, Robin Rothstein, Rocio Sanz, Shirley Secunda, Kristen Shea, Shirley Smith, Antony Wong, Eugene Yoo, Adam Zeldin

BOARD MEMBERS ABSENT WITH NOTIFICATION: Susanna Aaron, David Gruber, Ivy Kwan Arce, Mostafa Osman, Zachary Roberts, Frederica Sigel, Susan Wittenberg

BOARD MEMBERS ABSENT: Janet Liff,

BOARD MEMBERS PRESENT/ARRIVED LATE: Akeela Azcuy, Wayne Kawadler, Chenault Spence, Cheryl Wu

BOARD MEMBERS PRESENT/LEFT EARLY: Eugene Yoo

BOARD STAFF PRESENT: Eva Mai, Community Assistant

GUESTS: Tevin Williams, Senator Brad Hoylman; Stacie Johnson, Senator Brian Kavanagh; Ling Jun Chen, Manhattan District Attorney Bragg; Andrew Chang, Manhattan Borough President Mark Levine; Theo Perez, Assembly Member Yuh-Line Niou; Roy Ruiz, Assembly Member Deborah Glick; Ian Wan, Council Member Christopher Marte; Bianny Rodriguez, Council Member Carlina Rivera; Nicole Barth, Council Member Erik Bottcher

MEETING SUMMARY

Meeting Date – October 20, 2021
Board Members Present – 42
Board Members Absent with Notification – 7
Board Members Absent - 1
Board Members Present/Arrived Late - 3

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II. PUBLIC SESSION

Robert Beckwitt – Against the use of Pickleball at Seravalli Park, West Village

Non-Agenda Items

Against – Skateboarding on Lafayette:

Doug Liman, Bryan Davis, Steve Cunningham, Chris Franco, Megan Cerullo, Daryl Wickstrom

Joseph Reiver – Elizabeth Street Garden

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Tevin Williams, Senator Brad Hoylman

Stacie Johnson, Senator Brian Kavanagh

Ling Jun Chen, Manhattan District Attorney Bragg

Andrew Chang, Manhattan Borough President Mark Levine

Theo Perez, Assembly Member Yuh-Line Niou

Roy Ruiz, Assembly Member Deborah Glick

Ian Wan, Council Member Christopher Marte

Bianny Rodriguez, Council Member Carlina Rivera

Nicole Barth, Council Member Erik Bottcher

IV. ADOPTION OF MINUTES

Adoption of September 2022 minutes.

V. BUSINESS SESSION

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

2. **Treasurer's Report** Antony Wong reported.

STANDING COMMITTEE REPORTS

EQUITY, RACE & JUSTICE

CB#2 Resolution in Support of the Placement of all 3 Measures Proposed by the Racial Justice Commission for the New York City Charter on the Ballot

Whereas, the NYC Racial Justice Commission was formed to examine the NYC Charter to identify barriers to power, access, and opportunity for Black, Indigenous, Latinx, Asian, Pacific Islander, Middle Eastern, and all People of Color in New York City and put forward ballot proposals aimed at removing those barriers and advancing racial equity; and

Whereas, the commission held over 50 public engagement events and collected hundreds of hours of testimony, and used that input to create a roadmap¹ for the City to dismantle structural racism at all levels of government.

Whereas, Proposal 1 adds a Statement of Values to Guide Government² in the form of a preamble to the New York City Charter that would allow New Yorkers to adopt a vision and statement of foundational values intended to guide the City government in fulfilling its duties; and

Whereas, Proposal 2 establishes a Racial Equity Office, Plan, and Commission³ to amend the City Charter to require citywide and agency-specific Racial Equity Plans every two years, establish an Office of Racial Equity and appoint a Chief Equity Officer to advance racial equity, and create a Commission on Racial Equity to bring community voices to the racial equity planning process; and

Whereas, Proposal 3: Measure the True Cost of Living⁴ amends the City Charter to require the City to create a True Cost of Living measure to track the actual cost in New York City of meeting essential needs without considering public, private, or informal assistance, in order to inform programmatic and policy decisions; and

Whereas, the proposals are actions and steps toward solutions that reverse the ways communities become oppressed, marginalized, and disempowered. They celebrate New York's richness of diversity and invite New Yorkers to have a voice in government, one which will prioritize decisions that matter across communities that have the least access.

¹ https://racialjustice.cityofnewyork.us/wp-content/uploads/2021/12/RJC_NYC4RJ_FinalReport_FIN_tagged.pdf

² <https://racialjustice.cityofnewyork.us/ballot/proposal-1/>

³ <https://racialjustice.cityofnewyork.us/ballot/proposal-2/>

⁴ <https://racialjustice.cityofnewyork.us/ballot/proposal-3/>

Therefore be resolved that CB 2 Manhattan supports the placement of all 3 measures proposed by the Racial Justice Commission for the New York City charter on the ballot.

Vote: Unanimous, 42 Board Members in favor.

LAND USE AND BUSINESS DEVELOPMENT

1. ***813-815 Broadway (between East 11th and 12th Streets)** - BSA Cal No. 197-05-BZ is an application to the BSA to extend construction time of an 11-story, mixed-use building with ground floor commercial space. Additionally, the applicant seeks modification of one of the conditions that the BSA attached to its most recent extension of time for the project, which condition was no further extension of time. No changes to the most-recently-approved plans are contemplated by this request.

Whereas:

1. On June 13, 2018, CB2 recommended approval of an application to further extend construction time by two years and add a 2'x28' bump-out at the back of the building. On Oct. 30, 2018, the BSA, after expressing concern that no construction activities had commenced yet on the site, approved an extension of FOUR years with a number of conditions, most notably that there be no further extensions of time granted past April 29, 2022 to complete construction.

2. The BSA clearly declared in 2018 that the current extension would be the last one granted and that work must be completed by April 29, 2022.

3. Whereas, the applicant claims ownership has faced further delays due to the Covid Pandemic.

4. Despite Covid restrictions for construction being lifted in June 2020, the applicant has not started any construction activity nor filed building permits for this project to date, the reasoning that the Covid pandemic delayed him seeming specious.

5. In addition, Village Preservation shared new testimony regarding the deep importance of said site to the history of New York City and Greenwich Village and other recent developments that impact the neighborhood.

6. This neighborhood has undergone significant development in the preceding 15 years.

Therefore, be it resolved that CB2 concurs with the 2018 BSA decision to deny any further extensions of construction time for this project.

Vote: Passed, 41 Board Members in favor.

Opposed: 1 (R. Sanz)

LANDMARKS AND PUBLIC AESTHETICS

FIRST LANDMARKS MEETING

1. ***464 Broome St. – Application is to add new lettering to the glass storefront window**

Whereas:

White metal letters depicting the name of the business are glued to the windows, are of modest size, and do not harm the historic character of the building; now

Therefore be it resolved that CB2, Man. recommends **approval** of this application for lettering on the windows.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

2. *580 Broadway – Application is to replace the entry door at the Broadway façade and install a new marquee at the Crosby Street façade.

- A. The building is the southernmost of three matching buildings, all of which are well preserved; and
- B. The neighboring building with an identical adjacent entrance was approved for a steel and glass entry similar to the one proposed to replace the non-historic wooden doors and moldings; and
- C. A card reader, intercom, and camera are unobtrusive and do not detract from the historic character of the building; and
- D. The Crosby Street marquee secured into mortar joints and with cable supports; is similar to several recently approved marquees in the neighborhood; and
- E. Unobtrusive down lighting inside the marquee is intended to light the sidewalk and provide safety on a rather dark secondary street; and
- F. There is an unobtrusive camera that does not detract from the historic character of the building; and
- G. There were comments and questions from the public concerning the application; now

Therefore be it resolved that CB2, Man. recommends

- A. **Approval** of the application for the glass and metal Broadway entry and the security equipment: and
- B. **Approval** of the Crosby Street marquee provided that the lighting is soft and of a warm appearance, and of the security equipment.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

3. *836-838 Broadway – Application is to remove the existing storefront system at the first floor of 838 Broadway, both at the west (Broadway) facade and north (13th St.) façade, install new aluminum storefront with black anodized frame and insulated glass units, and remove various infills at both the facades for a cleaner design that is closer to the historical design intent.

(laid over)

4. *25 W. 10th St. – Application is to raise the attic story and attic windows, construct new bulkheads, and modify the rear façade and excavate the rear yard.

Whereas:

- A. Historic 1898 drawings of the stoop and entrance railings, columns, stained glass, and intricate woodwork will be used as a model for their restoration; and
- B. The front façade windows will be restored with historically inspired stained glass panels at the top of the parlor floor windows; and
- C. The top floor façade is proposed to be raised 3’2” to provide adequate ceiling height and fitted with windows matching the floor below; and
- D. The extant original cornice will be restored and reinstalled with the result that, together with the modified windows, the top of the building will match the previously modified matching building two doors away; and
- E. A privacy fence, small room, enlarged stair bulkhead, mechanical equipment and raised chimney are to be installed on the roof and only a small portion of the chimney is visible and does not detract from the roofscape of the block; and
- F. The much-altered rear facade will have a double height multi-pane window spanning the basement and parlor floors, a similar window in the second floor and conventional sash windows on the top two floors; and
- G. The cellar level and garden are to be excavated the full width of the property with underpinning of party walls and the required five feet distance from the rear property line in order to accommodate a pool below the garden; and
- H. There were comments and questions from the public concerning the safety of the underpinning; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the modification of the front steps and entrance according to the historic records and the restoration and modifications of the front facade; and
- B. **Approval** of the rooftop additions with the very modest visibility of one element; and
- C. **Approval** of the demolition of the non-historic extension and rear facade modifications of the windows; and
- D. **Approval** of the excavation provided that the proper method of work and monitoring are carried out at a high standard and according to all applicable regulations.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

5. *232 W. 10th St. – Application is to demolish an existing rear yard extension and construct new rear facade and new rooftop bulkhead.

Whereas:

- A. The façade, stoop, and entry are reasonably intact and are to be restored; and

- B. The areaway is to be lowered and new, higher door below the front steps is a simple design in wood; and
- C. The roof is to be raised to be level with the front (highest) point and a new bulkhead which will be unobtrusively visible through the adjoining horse walk and the front safety railing is slightly visible; and
- D. Two lot line windows are visible along the horse walk and do not detract from the historic character of the building; and
- E. The non-historic rear extension is to be removed and new rear wall with three windows and balconies on each floor is in keeping with the historic character of the building and there is no doughnut so that it is visible to only two neighbors; and
- F. There were questions from the public concerning the application; now

Therefore be it resolved that CB2, Man. recommends **approval** of the front facade restoration, rooftop addition, lot line windows and rear facade modifications.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

6. *46 Jane St. – Application is to restore the front stoop and façade ornament, replace the front railing, construct a 1-story rooftop addition and elevator bulkhead, enlarge, and replace rear façade windows, remove fire escape and add stairs to yard.

(laid over)

SECOND LANDMARKS MEETING

7.. *133 W. 3rd St. – Application is to install gates in front of the railings of the building.

Whereas:

- A. The proposed gate for the residential entrance is intended to prevent people sitting on the steps and to impede access; and
- B. The picture of the proposed condition shows alterations to the stairs and stoop that are not a part of the application and would clearly not be approved by staff and the applicant did not have details about them; and
- C. The practical result is that the gates are shown as attached to a railing that does not exist and is not a part of the application therefore no evaluation of the proposal can be made; and
- D. There was public testimony opposing the application, principally that the narrow sidewalk would be completely blocked were the gates to be left open; now

Therefore be it resolved that CB2, Man. recommends that this incomplete application not be heard at this time by the Commission and the applicant be required to return to the Committee for a public meeting with an application that includes all of the proposed work relating to the stairs, railing, and fence in order that an informed recommendation may be made to the Commission.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

8. *242 Lafayette St. – Application is to replace the 2nd floor north windows, 2 on the front facade and 4 in the rear of the building to replicate previously-approved work.

Whereas:

The applicant was not present at the public meeting and there was no request to lay over; now

Therefore be it resolved that CB2, Man. recommends that this application not be heard by the Commission until the applicant appears before the CB2 Landmarks Committee for a public hearing and the Board has made a recommendation to the Commission.

Vote: Passed, with 40 Board members in favor and 1 abstention (J. Osorio).

9. *52 Greene St. – Application is to add 2 new stories on top plus a penthouse to a 3-story building, install new windows throughout and extend the fire escape to the roof.

Whereas:

A. The existing three-story building was originally a five-story building that had its two upper stories destroyed in a fire and the proposal is to rebuild the two upper stories according to a historic photograph and to add a non-visible penthouse; and

B. The intact lower floors and the historic photographs provide ample evidence and example that the facade can be restored to its original design; and

C. The applicant represented that every effort will be made to ensure that the brick, windows, and detailing of the rebuilt stories will blend seamlessly with the lower floors and the appearance will be convincingly as though the facade remained intact; and

D. The parapet and several courses of bricks that were added in making the building usable after the fire will be removed and various color and textured bricks will be used to match the existing facade and the original cornice will be reproduced following the historic drawing; and

E. The Committee discussed with the applicant in great detail the importance of the addition being an imperceptible continuation of the existing facade and the applicant confirmed that this is the intention of the design; and

F. Numerous sightline studies clearly illustrate that the dark grey aluminum penthouse and mechanical equipment are sufficiently set back from the front facade to not be visible from the public thoroughfare opposite the building and the taller buildings to either side of the subject building are sufficiently tall to block views from the north and south; and

G. A fire hydrant in a bay with entry doors blocks one of the doors from being fully opened and it will be moved to the bay without doors; and

H. The applicant represented that the restoration of the ground floor will be the subject of a separate application and that ADA requirements for entrance will be addressed at this time; and

I. The rear facade will be rebuilt following the design of the intact lower floors and the windows will be replicated in kind; and

J. Zoning requirements changed since the original building was constructed require a setback of the 4th floor rear facade which will now provide for a terrace; and

K. There were questions and comments from the public; and

L. The Board commends the applicants for proposing a faithful reproduction of the upper floors facade and the care with detail that will make this an exceptional restoration; now

Therefore be it resolved that CB2, Man. recommends approval of the faithful historic recreation of the facade of upper floors, the non-visible penthouse, and the restoration of the upper rear facade.

Vote: Passed, with 40 Board members in favor, and 1 abstention.

10. *738 Greenwich St. – Application is to reuse a 4-story parking garage as a multi-unit residential building, restore the front facades, modify ground-floor infill, alter window openings and configuration for 3 windows, remove a portion of the rear of the building to provide light and air, add a one-story rooftop addition with required mechanicals and bulkheads, and excavate below the building to expand the existing cellar.

A. The facade restoration includes removal of the white paint from the ground floor, replacement of mismatched brick, altering the size of certain windows, and replacing the windows in kind; and

B. Balconies are to be build on the third floor with non-historical glass railings which introduce an unwelcome detail completely without historical reference to the intact facade; and

C. A modestly visible setback one story penthouse respects the ceiling heights of the existing building and the height of the existing bulkheads and has HVAC equipment on top; and

D. A long “dormer” window on the south roof is highly visible from the south and disturbs the neat line that the penthouse reveals above the parapet; and

E. The parapet railing is extremely visible and its being set back some distance would minimize this disturbance; and

F. The west bulkhead will be “squared off” with matching brick and the multipaned window in the style of the windows on the lower floors is proposed to be replaced with an incongruous, non-historic plate glass window; and

F. A portion of the northwest corner of the building, not visible from any public thoroughfare, will be removed to prove light and air, necessary for residential use, and provide a rear garden, a welcome addition to the small open space among the small rear gardens of the buildings behind; and

G. The south garage entrance is proposed to be converted to the residential entrance, the metal signs removed, and the southwest service door is proposed both to have modern steel and glass infills and doors and a steel and glass marquee which are disturbingly modern and without historical reference; and

H. The north garage entrance will be converted to a residential entrance with a glass and steel infill and the two new garage doors at the south, the metal signs will be removed, and service entrance are proposed to be painted black which contrasts objectionably with the soft colors of the masonry; and

I. The existing painted signs in the sign bands are proposed to have the words “Parking” and “Garage” artificially aged to give the appearance of ghost signs and, though the intention may be to take attention away from the historic use of the building, tampers unnecessarily with the historic appearance of the building and is clearly an artificial decorative alteration contrary to a number of extant examples in the neighborhood including Northern Dispensary at Sherman Square and Gansevoort Stable (private home) on 10th Street; and

J. The full cellar area will be excavated to various depths, all within the the perimeter wall of the building;

K. There was public comment on the application; and

L. This is one of the finest adaptive industrial-to-residential reuse proposals that has been seen in the West Village and, apart from certain details, it preserves the intact garage building as an example of a vernacular 1930s industrial building; now

Therefore be it resolved that CB2, Man. recommends:

Approval of this exceptionally fine application for adaptive reuse of a garage building to residential use provided that the following modifications are made:

(Whereas items referenced are noted in lower case.)

A. (b) Change the jarringly modern glass balcony railings to iron, and

B. (d) Modify the “dormer” at the penthouse level in order that it is not visible, and

C. (f) Replicate the historic multi-pane window in the west bulkhead rather than replacing it with plate glass; and

D. (g,h) Use multi-pane windows and doors in the ground floor entrance infills to preserve the historic character of the facade; and

E. (h) Paint the garage and utility door in the west facade in a neutral color to blend with the facade; and

F. (i) Preserve the entire sign band text in its existing historical form; and

G. (j) Ensure that the excavation is carried out following all protocols and regulations to ensure that the fabric of the building and neighboring buildings is not harmed.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

PARKS & WATERFRONT

A Resolution Regarding Active Recreation Uses at Seravalli Playground, Including Pickleball in Unpermitted Spaces

Whereas:

1. Our Committee held a public hearing at which attendees were encouraged to share their opinions about the growing use of the paved open space at Corporal John A. Seravalli Playground, located at Hudson St. between Gansevoort St. and Horatio St., by players of pickleball; and
2. Seravalli Playground was opened in the early 1960s, a tall fence surrounding the space was added in 1986 to prevent stray balls from hurting pedestrians or damaging windows, and the playground was renovated in 1992; and
3. Seravalli Playground is 1.14 acres in total, portions of which are a fenced-off basketball court, a public bathroom building and a play equipment area, all on the eastern side of the space, with the majority of the park left as open concrete (not covered with turf) space; and
4. The park is “unpermitted”, meaning usage is not reserved for specific organizations or purposes, rather it is to be used on a first-come-first-served basis for active or passive unstructured recreation; and
5. The NYC Department of Parks & Recreation (DPR) installed (painted lines), at some point in the last year, two pickleball courts on the eastern edge of the pavement as a “test” of whether they would be used and whether the sport could be safely integrated into the space and some community members have expressed resentment that this was done without consultation with the community; and
6. At our Committee meeting on October 17, 2022, many residents expressed their fondness for the space and the importance of it as a place for children, especially younger children, to undertake various play, exercise and recreational activities and, in the process, develop independence in a protected area within sight of parents; and
7. Groups of organized sports leagues (e.g., Greenwich Village Little League, Downtown United Soccer Club) shared signed petitions stating that they want this open play space to remain unpermitted and dedicated to use by children, not adults; and
8. Many commenters shared their opinions that pickleball is a great sport for players of all ages, that is quickly growing in popularity, and more space should be found in our City to enable and encourage it, (e.g., roof of Pier 40, Hudson River Park, JJ Walker handball courts, open streets, etc.); and
9. Most participants agree with the guiding principle that increased utilization of the limited open space in our neighborhood is a desirable goal; however, the actions of pickleball players and organized leagues who periodically and increasingly bring portable nets and set-up temporary courts in Seravalli Playground thereby taking over the majority of the paved space was deemed inappropriate by many who provided comments; and
10. Several attendees requested that rules about if, when and where pickleball players can play and, more broadly, guidance on what activities are allowed in the playground, should be more clearly defined and posted by the DPR.

Therefore, be it Resolved that CB 2, Manhattan:

1. Values our role of assisting in addressing community needs and concerns by acting as a conduit and advocates for community residents to City agencies; and
2. Sees the Parks & Waterfront Committee meeting of October 17, 2022, as a successful, beneficial step in a continuing process of finding solutions that will balance the objectives and goals of both pickleball players who want space to play and residents who adamantly want to protect the open, unpermitted space at Seravalli Playground from this use that they believe to be inappropriate and potentially dangerous; and
3. Hopes to be included in the next steps of the process including presentation of proposals to the community; and

4. Encourages the DPR to suggest viable options for more pickleball courts in the future while concurrently reviewing and posting guidelines for use of Seravalli Playground, so understanding is clearly communicated, and rules can be enforced when necessary.

Vote: Passed, with 39 Board Members in favor.
with 1 Board Member opposed (S. Smith)

QUALITY OF LIFE: STREET ACTIVITIES

1. 10/23/22 - Financial Times Phonebooth (sponsor: Havas Street): 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; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Financial Times Phonebooth (sponsor: Havas Street)**.

Vote: Unanimous, with 41 Board Members in favor.

2. 11/10/22 (Setup Date), 11/12/22 (Start Date) - 11/12/22 (End Date), 11/13/22 (Breakdown Date) - Visit Savannah Tourism - Expect the Unexpected: Gansevoort Pedestrian Plaza [Pedestrian Plaza]

Whereas, Visit Savannah Tourism, the destination marketing organization for the city of Savannah, GA, wishes to stage an activation in the Gansevoort Plaza in order to promote tourism to the city of Savannah; and

Whereas, the activation will include the service of Savannah-style cuisine, performances, artwork, and social media engagement opportunities; and

Whereas, the proposed event is scheduled to take place on Saturday, November 12th, from 10 AM – 6 PM; and

Whereas, the event will be free and open to the public, with 200-400 attendees expected throughout the day; and

Whereas, the majority of the setup for the event is expected to take place on Thursday, November 10th, due to the Veterans' Day holiday on November 11th, with breakdown expected to occur overnight on the night of November 12th through the early morning hours of November 13th; and

Whereas, the activation will consist of a large 60' x 60' tent placed in the middle of the Gansevoort Plaza, with the entrance to the tent facing towards the East side of the plaza, and a generator and dumpster on the Northwest side of the tent; and

Whereas, the applicant stated that despite the tent being expected to take up the majority of the Gansevoort Plaza, the applicant is planning to leave 5' of clearance on all sides of the tent and to preserve as much of the public seating in the plaza as possible; and

Whereas, the applicant has engaged private security to be present from event set-up through takedown; and

Whereas, the tent will be heated through an HVAC system powered by the generator on the Northwest side of the tent, with the applicant stating that they are seeking to use a "quiet" generator for this purpose; and

Whereas, CB2 QoL committee members and other CB2 board members present expressed the view that the proposed activation had no real ties to the City or surrounding neighborhood, and is essentially serving as an advertisement for the city of Savannah; and

Whereas, committee members and board members further expressed concern at the extended closure of public plaza space resulting from the event, noting that the large size of the tent meant it was not likely that much public seating would be preserved on the plaza, and that the proposed set-up schedule would essentially close down the plaza during the Veterans' Day holiday, when many members of the public may have otherwise been utilizing the public plaza space; and

Whereas, further concern was expressed by committee and board members at the proposed take-down schedule, which would likely create a noise disturbance for nearby neighbors throughout the night of November 12th – November 13th; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Visit Savannah Tourism - Expect the Unexpected**.

Therefore Be It Further Resolved that should this event be approved by SAPO, CB2 Manhattan recommends that action be taken to maximize public seating preserved on the plaza during the event, and that an earlier ending time be considered for the event in order to allow take-down to be completed earlier.

Vote: Unanimous, with 41 Board Members in favor.

3. 11/12/22 – Timberland Mobile Pop Up: BBC Soho (sponsor: Game Seven Agency): Mercer St. between Howard St. and Broome 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; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Timberland Mobile Pop Up: BBC Soho (sponsor: Game Seven Agency)**.

Therefore Be It Further Resolved that CB2 Manhattan notes that this application is requesting a full street closure of two adjacent blocks, which per the QoL committee's understanding of current SAPO guidelines is not permitted.

Vote: Unanimous, with 41 Board Members in favor.

4. 11/13/22 – Dance for Kindness (sponsor: Non-Profit Life Vest Inside): 1) Mulberry St. between Broome St. and Grand St., 2) Waverly Place between MacDougal St. and Washington Square East [curb lane closure]

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

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Dance for Kindness (sponsor: Non-Profit Life Vest Inside)**.

Vote: Unanimous, with 41 Board Members in favor.

5. 11/19/22 - iDE Public Restroom Pop Up - Broadway (sponsor: International Development Enterprises): Broadway between Prince St. and Spring St. [curb lane only]

Whereas, global non-profit organization International Development Enterprises (“iDE”) seeks to host a public restroom pop up event for “national toilet day,” in order to raise awareness of their organization and on the lack of toilet access in parts of the developing world; and

Whereas, the pop-up will feature a standard mobile restroom trailer, approximately 25’ in length, with 10 stalls and handwashing stations, and will feature wrapped signage promoting the organization and its mission; and

Whereas, the pop-up will be open to the public from 10 AM – 6 PM; and

Whereas, the pop-up will include security as well as a team to sanitize the restrooms throughout the day; and

Whereas, the applicant stated that the pop-up is not expected to be ADA accessible, which drew serious concern from members of the QoL committee, many of whom believed that the lack of ADA accessibility contrasted with the organization’s mission of increased access; and

Whereas, in response to QoL committee questions on ADA accessibility, the applicant stated that cost had been the deciding factor in choosing a trailer that was not ADA accessible, but that the applicant would take another look at ADA accessible options; and

Whereas, members of the public expressed concern at the applicant’s initial intended location for the trailer at 541 Broadway, stating that this location would be at an extremely high traffic area and in front of a hydrant, in response to which the applicant stated they would be willing to move the trailer to 549-557 Broadway, in front of storefronts which are currently empty; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **iDE Public Restroom Pop Up - Broadway (sponsor: International Development Enterprises)**, **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.

Therefore Be It Further Resolved that CB2 Manhattan strongly suggests that the applicant shift its plans to include an ADA compliant trailer.

Therefore Be It Finally Resolved that CB2 asks that SAPO coordinate with the applicant to ensure they are able to successfully move the event to 549-557 Broadway, instead of the original location at 541 Broadway.

Vote: Unanimous, with 41 Board Members in favor.

FYI/Renewals:

- 1. 11/11/22 – Fall Fest (sponsor: Matthew Guerrero): Washington Place between 6th Avenue and Barrow St. [full street closure]**
- 2. 11/21/22 – South Village Farmers Market (sponsor: David Gruber): Avenue of Americas between Carmine St. and W. 3rd St. [partial sidewalk closure]**

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

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

Vote: Unanimous, with 41 Board Members in favor.

SLA LICENSING

1. Anat Dishful, Inc. d/b/a Pending, 41 Greenwich Ave. 10014 (New RW–Restaurant)

i. Whereas, the Applicant’s General Manager appeared before CB2, Manhattan’s SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a plant-based Mediterranean restaurant and deli on the ground floor of a C1-6-zoned, five (5)-story mixed-use building (c. 1849, altered 2018) on Greenwich Avenue between Charles and Perry Streets (Block #612/Lot #64) the building falling within NYC LPC’s designated Greenwich Village Historic District; and

ii. Whereas, the premises is approximately 1,550 sq. ft. consisting of 1,300 sq. ft. on the ground floor and 250 sq. ft. in the basement, the two floors connected by an internal stairway; there will be no patron use of the basement, the basement being for storage and office use only; there will be one (1) bar with 12 seats and two (2) food counters with four (4) seats each a total interior seated occupancy of 20 persons, the back food counter being serviced by wait staff service and the front food counter for take-out, 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; 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 permitting eating and drinking at the location; and

iii. Whereas, the hours of operation will be from 8:00 AM to 11:00 PM Mondays through Thursdays, 8:00 AM to 12:00 AM Fridays, 9:00 AM to 12:00 AM Saturdays and 9:00 AM to 11:00 PM Sundays; there will be a sidewalk café operating under the temporary Open Restaurants program with no more than four (4) tables and eight (8) seats; 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, prior to the building renovation, the premises to be licensed had operated from approximately 2011 to 2015 as a Spanish tapas bar and restaurant café known as La Bota and has remained unoccupied since completion of the building renovation; and

v. Whereas, the Applicant has the support of the West 10th Street and Greenwich Neighbors association and 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 plant-based Mediterranean/Middle Eastern restaurant and deli, along with sales of dry goods sourced from all over the Mediterranean and Middle East, with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 8:00 AM to 11:00 PM Mondays through Thursdays, 8:00 AM to 12:00 AM Fridays, 9:00 AM to 12:00 AM Saturdays and 9:00 AM to 11:00 PM Sundays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program consisting of not more than four (4) tables and eight (8) patron seats located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage and with no

- seating blocking the Siamese water connection located in front of the premises. No roadbed seating.
5. Sidewalk café will close no later than 11:00 PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs. No roadbed seating.
 6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 7. Will not have televisions.
 8. Will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
 9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 10. Will remove any planters or other objects placed in front of the commercial space at closing each night.
 11. Will not install or have French doors, operable windows or open facades.
 12. Will not make changes to the existing façade except to change signage or awning.
 13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
 14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
 16. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
 17. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
 18. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License in the name of **Anat Dishful, Inc. d/b/a Pending, 41 Greenwich Avenue 10014**, **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 Restaurant Wine License.

Vote: Passed, with 38 Board members in favor, 2 in opposition (C. Dignes, R. Kessler) and 1 abstention (J. Osorio).

2. Hiro Nishida d/b/a Sushidelic, 177 Lafayette St. 10013 (New RW–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 a new Restaurant Wine License to operate an elevated omakase and sushi restaurant on the ground floor of a M1-5/R7X-zoned, six (6)-story commercial building (c. 1891, renovated 2011) on Lafayette Street between Broome and Grand Streets (Block #472/Lot #28), the building falling within the SoHo-Cast Iron Historic District Extension; and

ii. Whereas, the ground floor premises, located between the 7th and 4th building column directly to the south of the building entrance, is approximately 2,700 sq. ft. (1,350 sq. ft. on the ground floor connected by an interior, common stairway to 1,350 sq. ft. in the basement with no patron use of the basement); there will be two (2) tables with 16 seats and one (1) bar with 27 seats for a total of 43 interior seats; the premises has one (1) door which will serve as patron ingress and egress and two (2) bathrooms; the store front infill being fixed without operable doors or windows that open out to the sidewalk, the Applicant not presenting a certificate of occupancy or letter of no objection permitting eating and drinking at the location; and

iii. Whereas, the hours of operation will be from 11:30 AM to 2:00 AM Sundays through Saturdays (7 days a week); there will be a sidewalk café with six (6) tables and 12 seats and roadbed seating in a parking lane separated from the curb by a protected bike lane with 14 tables and 28 seats, both operating under the temporary Open Restaurants program; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

iv. Whereas, the premises is a previously unlicensed location and was most recently (from approximately 2011 to 2020) an unlicensed meeting and event space called the WeWork Lounge; and

v. Whereas, nearby residents appeared and had concerns about the late-night hours of the operation particularly in a previously unlicensed location, those hours not being aligned with other nearby restaurants, in addition to the proposed extensive seating and late-night hours of the outdoor dining, concerns being the impacts on quality of life for the nearby residents, especially those in tenement buildings across the street, that 40 persons dining outside until midnight each night would bring; and

vi. Whereas, further objections were raised regarding the 28 seats in the roadbed structure, specifically that those 28 seats in the roadbed structure are across a traffic lane marked exclusively for a NYC bike lane and are therefore not compliant with the clear definition of allowable “non-contiguous municipal public space” defined in NYS Chapter 165 of 2022, that the roadbed seating is not “separated from the licensed premises only by a pedestrian thoroughfare;” there being significant safety concerns in allowing patrons and staff members to cross a busy bike lane to access the roadway structure, the protected bike lane being newly created as a major bike connection to the Brooklyn Bridge and the newly constructed exclusive bike lane crossing the bridge and points North in Manhattan; and

vii. Whereas, the temporary Open Restaurant Program was put in place during the Covid-19 pandemic to help operating restaurants through the period when there were limits on indoor dining, the Applicant being new and not operating at the location during that time and therefore not having previously incurred the expense of building roadbed structures at the location, there remains a lot of uncertainty about what the siting criteria and guidelines for roadbed structures in particular will look like for the permanent program, especially for those structures separated from the licensed premises by a bike lane given the provisions of NYC Chapter 165 of 2022; and

viii. Whereas, after hearing the forementioned concerns from residents and the Committee the Applicant showed no willingness to consider any reduction in hours on any day of the week, nor was the Applicant willing to remove the roadbed structure from the instant application at this time; and

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new Restaurant Wine Liquor License application for **Hiro Nishida d/b/a Sushidelic, 177 Lafayette St. 10013**; 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 despite CB2, Man.’s objections, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends that the Restaurant Wine License granted for **Hiro Nishida d/b/a Sushidelic, 177 Lafayette St. 10013** include stipulations of closing hours of 12:00 AM Mondays through Sundays (7 days a week) on the interior and 11:00 PM Mondays through Sundays (7 days a week) for the exterior sidewalk café and that the roadbed dining not be permitted.

Vote: Passed, with 37 Board members in favor, 3 in opposition (C. Dignes, R. Kessler, A. Zeldin) and 1 abstention (J. Osorio).

3. Double J Operations, LLC d/b/a Kung Fu Rasta, 406 Broome St. 10013 (OP–Restaurant)

i. Whereas, the Applicant and Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committees #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises License to operate a restaurant and lounge on the ground floor and cellar of a C6-2-

zoned, seven (7)-story residential/commercial building (c. 1900) which takes up an entire block surrounded by Lafayette, Kenmare and Broome Streets as well as Cleveland Place (Block #482/Lot #7501), the building falling within NYC LPC's designated SoHo-Cast Iron Historic District; and

ii. Whereas, the premises is comprised of two distinct spaces albeit physically connected by an interior staircase and will be operated as one business and one d/b/a, the ground floor restaurant space is roughly 3,500 sq. ft. with approximately 18 tables with 90 seats, one (1) bar with 13 seats, a private dining area with one (1) table and ten (10) seats for a total ground floor patron capacity of 113 patrons with three bathrooms and a full kitchen; the cellar lounge area is roughly 4,000 sq. ft. with approximately 11 tables with 56 seats and one (1) bar with 13 seats for a total cellar seated patron capacity of 69 patrons with two (2) bathrooms; the premises has two (2) entrances and three (3) exits; there are four (4) existing windows that open out to the sidewalk on Broome Street but they will remain closed at all times; there is no outdoor seating on either the sidewalk or roadbed operating under the temporary Open Restaurants program; there is an existing Certificate of Occupancy permitting eating and drinking at the ground floor and cellar levels; and

iii. Whereas, the Applicant's agreed to hours of operation are 10:00 AM to 1:00 AM Mondays through Wednesdays and 10:00 AM through 2:30 AM Thursdays through Saturdays; music will be ambient recorded music only on the ground floor, there may be DJs in the cellar space but music will remain at background levels; there are no televisions, there will be no dancing or dance floor, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades; and

iv. Whereas, in the past the premises has been the subject of significant problems from 2006 to 2018, with a previous operator (406 Broome St. Rest., Inc. d/b/a Brinkley's SN#1172868) being the subject of disciplinary charges and fines at the New York State Liquor Authority while improperly operating as a night club and negatively impacting the local community; the immediate past operator at this location (Gran Tivoli LLC, SN#1311379) operated for a short period of time albeit with significant changes which substantially reduced the impact on the local community, including operation at all times as a restaurant, reduced hours of late night operation, background music only, no DJs and no patron dancing and limiting patron entry to Broome St.; and

v. Whereas, the instant application was originally heard in August/2022 and was requesting 4:00 AM closing 7 days a week, entertainment level music in the cellar with DJs and dancing and an entrance on Cleveland Place; the Applicant, after hearing from the community the issues that existed with a previous operator who operated in that manner, laid over the application until this month in order to meet with the local community and block association; 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 82 active licensed premises within 750 feet of the subject premises, in addition to 8 pending licenses, the Applicant did extensive outreach and negotiation with local residents and the Broadway Residents Coalition 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

vii. 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 On-Premises License, with those stipulations as follows:

1. Premise will be advertised and operated as a full-service restaurant, specifically a food-centric restaurant focused on seafood from sustainable and pole-and-line caught sources and downstairs lounge catering to a mature crowd mostly in their 40's and 50's with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 10:00 AM to 1:00 AM Mondays through Wednesdays and 10:00 AM through 2:30 AM Thursdays through Saturdays. No patrons will remain after stated closing time.

3. Will not operate as a Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
5. Will play ambient recorded background music only, inclusive of any private parties or events. DJs may be used on the cellar level but music will remain at background levels and no music will be audible in any adjacent residences at any time.
6. Will not have any televisions.
7. Will ensure that crowds and/or lines of patrons do not gather on the sidewalks during or after operating hours.
8. Will have licensed security personnel.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open facades.
11. Will identify address and main entrance on Broome Street and allow only those patrons requiring ADA access to use the ramp-accessible entrance/exit on Cleveland Place.
12. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
13. Will dissuade any illegal stopping of vehicles for on-loading or off-loading of persons or products on Cleveland Place.
14. All deliveries, trash disposal and kitchen grease removal will occur on Broome Street. Trash will be put out no sooner than two (2) hours prior to closing if pickup is after closing or one (1) hour before pickup if prior to closing. Garbage pickup will be coordinated with neighboring businesses.
15. Will follow the soundproofing recommendations made by Acoustilog in their August 26, 2022 report and will have Acoustilog return when work has been completed to ensure it meets the specifications as described in the report.
16. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
17. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
18. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
19. It will not have any of the following: dancing or a dance floor, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades.
20. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
21. 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 of **Double J Operations, LLC d/b/a Kung Fu Rasta, 406 Broome St. 10013**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the On-Premises License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

4. 357 W. Broadway, LLC, 357 W. Broadway 10013, Grnd., 2 & 3 Flrs. (New RW–Restaurant)
(previously unlicensed)

i. Whereas, the Principal, General Managers/Operators and 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 Restaurant Wine License to operate a restaurant, deli goods alimentari and caviar and champagne lounge on three floors of a M1-5/R7X-zoned, three (3)-story commercial

building (c. 1830, altered 2013) on West Broadway between Broome and Grand Streets (Block #475/Lot #10), the building falling within NYC LPC's designated SoHo-Cast Iron Historic District; and

ii. Whereas, the full building has been undergoing a renovation to expand the previously ground floor-only restaurant to the 2nd and 3rd floor, roof and rear yard; the interior premises is approximately 1,599 sq. ft. on the ground floor, 1,209 sq. ft. on the second floor and 670 sq. ft. on the third floor, the renovation also consisting of the addition of an exterior rooftop area of approximately 609 sq. ft. on the third floor; the interior premises being connected by two staircases, one in the front part of the premises and another in the middle rear of the premises which also leads to the exterior third floor rooftop; and

iii. Whereas, the proposed method of operation varies between floors; the ground floor will function as a full-service restaurant with weekly rotating guests chefs, there will be eight (8) tables with twenty eight (28) seats, one (1) counter with three (3) seats and one (1) bar with eight (8) seats for a total of thirty nine (39) seats on the ground floor; the 2nd floor will function as a deli goods alimentari as well as caviar for tasting and/or purchase, there will be one banquet with three (3) tables and ten (10) seats and one bar/island with eight (8) seats for a total of eighteen (18) seats on the 2nd floor; the 3rd floor will be an intimate caviar, champagne and cocktail lounge, there will be two (2) tables with eight (8) seats, a large banquet with five (5) tables and twelve (12) seats and one (1) bar with eight (8) seats for a total of twenty eight (28) seats on the 3rd floor interior, the floor plans indicating an additional 28 seats on the exterior rooftop; the provided questionnaire listing the total overall number of seats in the premises to be 136; there are two (2) doorways serving as both patron ingress and egress, there is one (1) bathroom on each floor for a total of three (3) bathrooms; there is a kitchen on both the ground and 2nd floors; and

iv. Whereas, the Applicant appeared before CB2, Man. in July/2021 for an On-Premises Restaurant license at this location with the exact same method of operation as the instant application, after meeting with a local block association (West Broadway Block Association), at that time the Applicant agreed that there will be no open rooftop bar or use of the rooftop, there will be no live music and/or DJs, the hours of operation will be from 12:00 PM to 12:00 AM Sundays through Saturdays (7 days a week) with last call being at 11:00 PM Saturdays through Sundays (seven days a week), the Applicant continues to agree to those terms albeit with a beer and wine license; and

v. Whereas, in 2018 the Applicant appeared before and was recommended for approval by CB2, Man. (and subsequently the NYSLA) for a RW license (Badhair, LLC SN#1315500) at a separate location at 43 MacDougal St. for a multi-floor establishment at another location and signed and executed a detailed stipulation agreement which included agreeing to only have live acoustic piano on the weekends in the basement venue with no drums, no brass, no electric guitars or bass instruments and no scheduled performances, no events where a cover fee is charged and operating under a separate dba as accessory to the primary ground floor establishment, yet the basement premises were in fact opened and operated openly as a full Jazz Club and written up in publications such as the online local food media Eater New York on June 11, 2019 in an article titled "Nightlife Hitmaker Ariel Arce Opens a Seductive Retro Jazz Club in Soho" with a photo showing piano, trumpet, upright bass and drums and article stating there will be two shows a night with a cover charge of \$20; the premises own website currently shows monthly calendars of jazz bands and also stating two shows a night Wednesday through Saturday with a two drink minimum and using a similar photo; the elements regarding operation of live music in that executed stipulation agreement being a critical element of CB2, Man.'s recommendation which allowed the license to be approved by the NYSLA absent an appearance before the Full Board; and

vi. Whereas, both in July/2021 and this month, when presented with questions about operations at the other location at 43 MacDougal St. including disregard of those explicit stipulations she agreed to with her attorney present and which she memorialized in the executed agreement, the Applicant did not deny operating a basement jazz club and simply stated there had been no complaints and did not offer further explanation; and

vii. Whereas, the only difference for this application at 357 West Broadway between the July/2021 application and the instant application being the license class, the previous On-Premises license being subject to the 500 foot rule requiring the Applicant to satisfy the public interest standard for adding another licensed establishment in this area, the area being saturated with licensed establishments (40 active licensed establishments and 5 pending within 750'), there being real concerns raised about possible

outdoor rooftop use despite any stipulations agreements that might be entered into based on the past history of the Applicant blatantly disregarding stipulations agreements, the instant application now being for at this location is for Restaurant Wine only and not carrying the same public interest burden, the Applicant agreeing at this month's CB2 Man.'s SLA committee meeting to return to CB2, Man. to address the separate issues at 43 MacDougal St. regarding method of operations for Badhair, LLC; and

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

1. Premises will be advertised and operated as a seated pre-fixe dinner restaurant with weekly rotating guest chefs on the first floor, a deli goods market as well as caviar for tasting and/or purchase on the second floor and an intimate caviar and champagne lounge on the third floor.
2. The hours of operation will be 12:00 PM to 12:00 AM Sundays through Saturdays (7 days a week) with last call at 11:00 PM nightly. No patrons will remain after stated closing time.
3. Will operate a full-service restaurant on the first floor, specifically a seated dinner series with rotating chefs serving a prefixed menu and deli goods, caviar and a more limited menu on the second and third floors with the kitchen open and full menu items available until closing every night.
4. Will not operate a backyard garden or other outdoor area for commercial purposes including the adjacent third floor rooftop in addition to any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
6. Will not have televisions.
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 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.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products. No magnums.
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. to address issues regarding method of operations for Badhair LLC, SN#1315500.
16. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License in the name of **357 W. Broadway, LLC, 357 W. Broadway 10013, Grnd., 2 & 3 Flrs., unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the NYSLA Restaurant Wine License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

5. SIP Acquisition, LLC d/b/a TBD, 60 Thompson St. 10012 (OP-Hotel)

i. Whereas, the Applicant and the Manager 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 Hotel License to operate a luxury hotel including a restaurant, within the property line sidewalk café and rooftop patio in a M1-5/R10-zoned, 14-story building (c. 1999, altered 2013) on Thompson Street between Broome and Spring Streets (Block #488/Lot #3), the building falling within NYC LPC’s designated SoHo-Cast Iron Historic District; and

ii. Whereas, the hotel is approximately 52,000 sq. ft., the cellar is 3,500 sq. ft., floors 1–12 are 4,200 sq. ft. each, floor 13 is 1,400 sq. ft.; there are a total of 61 tables and 158 seats throughout the premises, an additional two stand up bars with 14 seats and an additional 12 banquette seats in the front restaurant bar area for a total of 184 seats throughout the premises (the total occupancy of the first floor is 225, the sidewalk café which is located within is 92, the 2nd floor lobby/lounge is 209 and the outdoor penthouse area, described as a rooftop patio, is 58); there is an existing certificate of occupancy; and

iii. Whereas, the hours of operation of the hotel will be 24 hours a day, the hours for the interior restaurant and 2nd floor hotel lounge will be 7:00 AM to 12:00 AM Sundays through Saturdays (7 days a week), the hours for the exterior sidewalk café and rooftop patio will be 11:00 AM to 11:00 PM Mondays through Thursdays and 11:00 AM to 12:00 AM Fridays and Saturdays; music will be background only from iPods/CDs, there will be no DJs, live music, promoted events, any events for which a cover fee is charged or scheduled performances, there will be no exterior music, TVs or speakers; and

iv. Whereas, the premises has operated as a hotel since approximately 2001, the previous change being to incorporate the restaurant license under the hotel license in 2014 (Cromwell Soho Operating, LLC & Sessanta, LLC SN#1023302, exp 11/30/22), the instant application being for a new operator of the hotel and food and beverage operations, the method of operation being unchanged from the current; and

iv. Whereas, members of the community provided testimony that there have been no issues with the hotel operation in regards to the restaurant, café and rooftop patio since the hotel took over management of those spaces; and

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

1. Premises will be advertised and operated as hotel and restaurant.
2. of the hotel will be 24 hours a day, the hours for the interior restaurant and 2nd floor hotel lounge will be 7:00 AM to 12:00 AM Sundays through Saturdays (7 days a week), the hours for the exterior sidewalk café and rooftop patio will be 11:00 AM to 11:00 PM Mondays through Thursdays and 11:00 AM to 12:00 AM Fridays and Saturdays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program aside from rooftop patio and patio in front of hotel on Thompson Street located within the property line.
5. Patio seating will close no later than 11:00PM Mondays through Thursdays and 12:00AM Fridays and Saturdays. 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.
6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
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 will 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 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, doorman or security personnel.
14. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Hotel License in the name of **SIP Acquisition, LLC d/b/a TBD, 60 Thompson St. 10012**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA On-Premises Hotel License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

6. St. Tropez Soho, LLC d/b/a St. Tropez Soho, 196 Spring St. 10012 (Class Change: OP–Restaurant)

- 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 an upgrade to their Restaurant Wine License (SN# 1313689) on the ground floor of a R7-2-zoned, six (6)-story mixed-use tenement style building (c. 1908) on Spring Street between Sullivan and Thompson Streets (Block #489/Lot #18) the building falling within NYC LPC’s designated Sullivan-Thompson Historic District; and
- ii. Whereas**, the ground floor premises is approximately 1,200 sq. ft. consisting of 800 sq. ft. on the ground floor and 400 sq. ft. in the basement, the two floors connected by an exterior stairway, there is no patron use of the basement, the basement being for storage and office use only; there are seven (7) tables with 34 seats and one (1) bar with eight (8) seats for a total seated patron occupancy of 42 seats; the premises has one (1) door which serves as patron ingress and egress and one (1) bathroom; and
- iii. Whereas**, the hours of operation are from 12:00 PM to 12:00 AM Sundays through Wednesdays and 12:00 PM through 1:00 AM Thursdays through Saturdays; all doors and windows are to be closed by 9:30 PM; music is quiet background only consisting of music from iPod/CDs; there is no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. Whereas**, in May/2019 the Applicant appeared before CB2, Man. SLA Committee for an alteration application to add a sidewalk café of five (5) tables and ten (10) seats and signed stipulations including that they would conform to approved sidewalk café configurations limited to five (5) tables and ten (10) seats; and
- v. Whereas**, the Applicant’s instant application included a sidewalk diagram not representative of the actual seating currently being utilized; in addition and in contradiction of the June 30, 2022 guidance from the NYSLA, the instant application did not include notification (a) the actual number of sidewalk seats being utilized which is excess of the stipulated number, (b) of any of the roadbed seating being utilized, the roadbed seating consisting of at least eight (8) table and 16 seats as part of the temporary Open Restaurants program and (c) approximately an additional 14 seats utilizing the separate Open Streets program, the entire closed street with several participating restaurants of which by the Applicant is the primary manager on file with DOT; and

vi. Whereas, numerous members of the community appeared to speak against the instant application citing non-compliance of pandemic guidelines including overcrowding of patrons on sidewalk and streets, sidewalk seating being located in the amenity zone making the sidewalk impassable, residents unable to access building entryway among other complaints, with residents supplying photographs during the CB2, Man. SLA Committee meeting of the the Applicant's, at that time, unoccupied, non-complaint sidewalk bench seating on a rainy night constricting the sidewalk; 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 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 54 active licenses within 750 feet of the location proposed to be licensed, with 10 additional pending licenses, the amount of outdoor seating being inconsistent with existing interior storefront footprint, and when coupled with other eating and drinking businesses on this particular block, overwhelming, the Applicant not willing to compromise, the Applicant's current licensed operations and actions drawing criticism from the local residents, there being no support advanced for this application from the Community; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for Class Change to the Restaurant Wine License (SN# 1313689) in the name of **St. Tropez Soho, LLC d/b/a St. Tropez Soho, 196 Spring St. 10012**; and

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

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

Vote: Passed, with 37 Board members in favor, 3 in opposition (C. Dignes, R. Kessler, A. Zeldin) and 1 abstention (J. Osorio).

7. 337B West Broadway (NY), LLC, 337B W. Broadway 10013 (TW–Bar/Tavern) (renotification)

i. Whereas, the instant application was originally heard in December/2021 and the positive recommendation of CB2, Manhattan's SLA Licensing Committee was unanimously approved by CB2, Manhattan's full board at its December/2021 meeting provided all stipulations are adhered to; and

ii. Whereas, prior to CB2, Manhattan's SLA Licensing Committee Meeting on October 3, 2022, the Applicant's Attorney notified CB2, Man. that the NYSLA requested a renotification to CB2, Man. using the updated 30-day Advance Notice Form (rev12302021), there being no changes to the application itself, the Applicant having signed stipulations with CB2, Man. therefore attendance at the meeting was waived and CB2, Man.'s resolution from December/2021 is still in effect;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Restaurant License in the name of **337B West Broadway (NY), LLC, 337B W. Broadway 10013**, **unless** the applicant continues to adhere to CB2's December/2021 resolution and all 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 Tavern Wine License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

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

i. **Whereas**, the instant application was originally heard in March/2022 and the positive recommendation of CB2, Manhattan’s SLA Licensing Committee was unanimously approved by CB2, Man.’s full board at its March/2022 meeting provided all stipulations are adhered to; and

ii. **Whereas**, prior to CB2, Manhattan’s SLA Licensing Committee Meeting on October 3, 2022, the Applicant’s Attorney notified CB2, Man. that the NYSLA requested a renotification to CB2, Man. using the updated 30-day Advance Notice Form (rev12302021), there being no changes to the application itself, the Applicant having signed stipulations with CB2, Man. therefore attendance at the meeting was waived and CB2, Man.’s resolution from March/2022 is still in effect;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Restaurant License in the name of **King Jade Garden, Inc. d/b/a Lady Chow’s Kitchen, 171 Hester St. 10013**, **unless** the applicant continues to adhere to CB2’s December/2021 resolution and all 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 On-Premises Restaurant License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

9. 160 Prince, LLC d/b/a Milady’s, 160 Prince St. 10012 (OP–Restaurant) (renotification)

i. **Whereas**, the instant application was originally heard in January/2022 and the positive recommendation of CB2, Manhattan’s SLA Licensing Committee was unanimously approved by CB2, Man.’s full board at its January/2022 meeting provided all stipulations are adhered to; and

ii. **Whereas**, prior to CB2, Manhattan’s SLA Licensing Committee Meeting on October 3, 2022, the Applicant’s Attorney notified CB2, Man. that the NYSLA requested a renotification to CB2, Man. using the updated 30-day Advance Notice Form (rev12302021), there being no changes to the application itself, the Applicant having signed stipulations with CB2, Man. therefore attendance at the meeting was waived and CB2, Man.’s resolution from January/2022 is still in effect;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Restaurant License in the name of **160 Prince, LLC d/b/a Milady’s, 160 Prince St. 10012**, **unless** the applicant continues to adhere to CB2’s January/2022 resolution and all 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 On-Premises Restaurant License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

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

10. Morandi, L.P. d/b/a Morandi, 15 Charles St. 10014 (Corporate Change, OP–Restaurant)

Whereas, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on October 3, 2022, the Applicant requested **to lay over** this application for a Corporate Change to their On-Premises Restaurant Liquor License (SN# 1183939) to November/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 CB 2, 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 **Morandi, L.P. d/b/a Morandi, 15 Charles St. 10014**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2, Man. 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

11. Windy Gates Soho, Inc. d/b/a Balthazar, 80-82 Spring St. 10012 (Corporate Change, OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 3, 2022, the Applicant requested **to lay over** this application for a Corporate Change to their On-Premises Restaurant Liquor License (SN# 1025191) to November/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 **Windy Gates Soho, Inc. d/b/a Balthazar, 80-82 Spring St. 10012**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2, Man. 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

12. Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 10003 (OP–Restaurant, Change in Method of Operation)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 3, 2022, the Applicant requested **to lay over** this application for a Change in Method of Operation to their existing On-Premises Restaurant License (SN#1024183) to November/ 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 **Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 10003**, **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, Man. 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

13. So Good Taste, Inc., 190 Bleecker St. 10012 (BC–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 13, 2022, the Applicant requested to **withdraw** their application for Beer and Cider 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 **So Good Taste, Inc., 190 Bleecker St. 10012**, **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2, Man. 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

14. 66 Greene LLC, fka An Entity to be Formed by Alexander Grant d/b/a TBD, 66 Greene St. 10012, Grnd. Fl. & Bsmt. (TW–Clothing Store with Café)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 3, 2022, the Applicant requested **to lay over** this application for a Tavern Wine License to November/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 **66 Greene LLC, fka An Entity to be Formed by Alexander Grant d/b/a TBD, 66 Greene 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, Man. 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

15. One Tree Hill, LLC d/b/a Westerly, 39 E. 13th St., 6th Fl. 10003 (RW–Restaurant)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 3, 2022, the Applicant requested **to lay over** this application for a Restaurant Wine License to November/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 **One Tree Hill, LLC d/b/a Westerly, 39 E. 13th St., 6th Fl. 10003, until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2, Man. 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

16. Hex Squared, LLC d/b/a Hex & Company, 801 Broadway 10003 (TW–Bar/Tavern)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 3, 2022, the Applicant requested **to lay over** this application for a Tavern Wine License to November/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 **Hex Squared, LLC d/b/a Hex & Company, 801 Broadway 10003, 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, Man. 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

17. 379 Broome, LLC d/b/a Pending, 379 Broome St. 10013 (TW–Café)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 3, 2022, the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2, Man.; and

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 **379 Broome, LLC d/b/a Pending, 379 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, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

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

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 3, 2022, the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2, Man.;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the 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 **Timoni, Inc. d/b/a Tre Giovani, 548 LaGuardia Pl. 10012 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2, Man., should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

19. 68 Perry St. Corp. d/b/a Corner Bistro, 331 W. 4 St. 10014 (Existing OP- Change of Ownership of Corporation)

i. Whereas, the Applicant and her 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 and tavern in a ground floor storefront located within a three-story, Federal style residential townhouse building (circa 1910) on the corner of West 4th Perry Streets, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, one of the existing shareholders of the corporation passed away and left all the shares of the corporation that holds the liquor license to another family member, with the method of operation as a tavern and restaurant remaining the same; and

iii. Whereas, the interior storefront is approximately 1,100 sq. ft., there is a full-service kitchen, 12 tables with 35 patron seats, 1 bar with 16 additional seats for a total indoor seated patron occupancy of 51 persons; 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 interior will continue to be Sunday to Saturday from 10 AM to 4 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 narrow, the Applicant planning to remove its temporary roadbed structures used during the Pandemic—when no service was permitted on the interior; and,

v. **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 tavern and 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 10 AM to 4 AM.
3. Will not operate a backyard garden or any outdoor area for commercial purposes except for roadbed seating operating under the temporary Open Restaurants program.
4. Roadbed seating will close no later than 10 PM. All tables and chairs will be removed at this hour. No exterior music, speakers
5. Will not install or have French doors, operable windows or open facades.
6. Will close all doors & windows at all times, allowing only for patron ingress and egress.
7. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences any time.
8. Will have 3 TVs .
9. The premises will not have DJs, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a corporate change to an existing on premise liquor license to **68 Perry St. Corp. d/b/a Corner Bistro, 331 W. 4th 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

20. Pop Up Grocer, Inc. d/b/a Pop Up Grocer, 205 Bleecker St. 10012 (New TW-Gourmet Grocery & Café)

i. Whereas, the Applicant appeared before CB2, Manhattan’s SLA Licensing Committee for a new Tavern Wine liquor license to operate a high-end grocery store with a small cafe within a ground floor store front located in a six-story tenement style residential building (circa 1926) on Bleecker Street at the corner of Bleecker St., Minetta St. and 6th Avenue in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, this storefront location was previously operated as a fast casual restaurant (Le Pain Quotidien) with a tavern wine license, and prior to that as a clothing store, the interior storefront being roughly 2985 sq. ft. premise (1,525 sq. ft. ground floor and 1460 sq. ft. basement), the storefront’s infill design being fixed and without French doors or operable windows; there will be no exterior service of alcohol; and,

iii. Whereas, the hours of operation will be Sunday to Saturday from 7 AM to 10 PM every day/night, there will be a small café in the grocery store with 5 tables and 11 seats, music in the interior will be quiet background only, no sidewalk or roadbed service; and,

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

1. The licensed premises will be advertised and operated as a high-end grocery store with ancillary café and coffee bar.
2. The hours of operation will be Sunday to Saturday from 7 AM to 10 PM.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. Will not operate a backyard garden or any outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
6. Will not install or have French doors, operable windows or open facades.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
8. The premises will not have dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades and security personnel/doorman.
9. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
10. Will not make changes to the existing façade except to change signage or awning.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an application for a Tavern Wine Liquor License for **Pop Up Grocer, Inc. d/b/a Pop Up Grocer, 205 Bleecker St. 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

21. 401 West Operator, LLC d/b/a TBD, 401 West St. 10014 (New TW-Previously Unlicensed Location)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for a new Tavern Wine liquor license to operate a café and wine bar within a ground floor store front located in a new seven story mixed use building currently under construction on West Street between Charles and West 10th Streets in Greenwich Village; and,

ii. Whereas, the premise to be licensed will have its entrance on West Street, and there has never been a liquor license at this location previously, the interior café being roughly 215 sq. ft., with 3 tables and 6 patron seats, the Applicant and his Counsel asserting that the café will be open to the public despite the café/wine bar being located within a Residential Hotel also to be operated as an exclusive private members club, there will be no French doors or operable windows associated with this license and there is no sidewalk café, roadbed dining or other exterior service of alcohol included with this application; and,

iii. Whereas, the hours of operation will be Sunday to Saturday from 7 AM to 12 AM every day/night, music in the interior will be quiet background only; and,

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

1. The licensed premises will be advertised and operated as a café and wine bar.

2. The hours of operation will be Sunday to Saturday from 7 AM to 12 AM.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. Will not operate a backyard garden or any outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
6. Will not install or have French doors, operable windows or open facades.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
8. The premises will not have dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades and security personnel/doorman.
9. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
10. Will not make changes to the existing façade except to change signage or awning.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an application for a Tavern Wine Liquor License for **401 West Operator, LLC d/b/a TBD, 401 West St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

22. MT 181 Waverly, LLC d/b/a TBD, 150 W. 10th St. 10014 (New OP - Restaurant)

i. Whereas, the Applicant and the Applicant’s attorney appeared before CB2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a full-service restaurant showcasing culinary beers and seafood cuisine within a five-story residential building (circa 1926) on W. 10th St. between Waverly Place and Greenwich Avenue, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the Applicant will operate a full-service restaurant in a previously-licensed premises (a restaurant known as Highlands), the storefront being roughly 1,975 sq. ft., comprised of an interior ground floor space of approximately 1,100 sq. ft. and a cellar of approximately 875 sq. ft.; the proposed occupancy will be less than 74 persons and there will be a total of 42 patron seats, comprised of 11 tables with 34 seats and 1 stand-up bar with 8 seats; the premises will have no outdoor seating and has 1 patron entrance, 2 exits and 3 bathrooms; and

iii. Whereas, the Applicant’s hours of operation will be Sundays from 12:00 PM to 12:00 AM, Monday through Thursday from 5:00 PM to 12:00 AM, Fridays from 5:00 PM to 1:00 AM and Saturdays from 12:00 PM to 1:00 AM; 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; there is no sidewalk café, roadbed dining or other exterior service of alcohol 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 78 active licensed premises within 750 feet of the subject premises, in addition to 9 pending licenses, the Applicant having met with local residents, and the West 10th Street and Greenwich Avenue Neighbors 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 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.
2. The hours of operation will be Sundays from 12:00 PM to 12:00 AM, Monday through Thursday from 5:00 PM to 12:00 AM, Fridays from 5:00 PM to 1:00 AM and Saturdays from 12:00 PM to 1:00 AM.
3. Will not install or have French doors, operable windows or open facades.
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. Will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
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. Will not have televisions.
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 to **MT 181 Waverly, LLC d/b/a TBD, 150 W. 10th St. 10014**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA Restaurant On Premises License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

23. Pyramid Effect Corp., 176-180 7th Ave. So. 10014 (New Restaurant Wine)

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 a pizzeria restaurant combining multiple ground floor storefronts located within a two-story mixed-use building (circa 1922) on

7th Avenue South between Perry and West 11th Streets, the building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, two (176 and 180 7th Ave. S.) of the three storefronts to be combined have never been licensed for the service of alcohol, and are currently being operated as a Salon, Spa and Laser Center, with the third storefront being the location of Rivoli Pizza, a pizzeria which continues to operate at 176 7th Ave. S., and which has operated for decades at this same location; and,

iii. Whereas, the ground floor storefronts proposed to be licensed represent roughly 1,200 sq. ft. (with no basement), where there will be 14 tables with 42 patron seats, 1 bar with six additional seat for a total interior seating capacity of 48, there is a plan to renovate the interior, with a plan to install French doors running along the entire front façade, opening up the entire storefront interior to the public sidewalk in front, with additional sidewalk seating of 8 tables and 32 patron seats; a certificate of occupancy from 1971 was presented permitting a clothing store with person occupancy up to 30 but not designated for an eating and drinking establishment; and,

iv. Whereas, the proposed hours of operation will be Sunday through Thursday from 12:00 PM to 12:00 AM, and Fridays and Saturdays from 12:00 PM to 2:00 AM, music will be quiet recorded background only, the French Doors will be closed by 10:00 PM every night; and,

v. Whereas, there was significant objection and opposition to this application, the Applicant being the owner, licensee and operator of Baby Brasa (Super Noriega, LLC, d/b/a Baby Brasa, OP 1299007, 173 Seventh Avenue South), which has been the subject of significant complaints over the years, resulting in numerous violations, fines and disciplinary actions for his repeated failures to follow rules and regulations pertaining to liquor licensing, sidewalk cafes, outdoor dining, and landmarking protections, for playing very loud bass-heavy club music at all hours of operation while its SLA license specified background music on the interior premise only, serving customers on the outside sidewalk in an area not covered by its SLA license, painting large self-promoting signage on the building without permission from the Landmarks Preservation Commission, and distributing bright yellow stickers that appeared throughout the neighborhood resulting in Sanitation Department violations, the number of warnings and violations relating to the illegally installed outdoor café (10) resulting in the business being padlocked by the NYC Department of Consumer Affairs on September 6, 2019 and again September 13, 2019 after the Applicant ignored the initial closure notices affixed to his business by forcefully and impermissibly removing the padlock; and,

vi. Whereas, during the Covid Pandemic the Applicant built a large structure in the roadway of Seven Avenue South separated from the sidewalk by a protected bike lane, where speakers were installed and entertainment level music was played, not abiding by the Covid restricting imposed by the City and State, drawing significant complaints and additional violations and penalties issued by the NYSLA in March/2021; and,

vii. Whereas, despite the Applicant indicating that he removed those speakers from the roadway structure, residents living in the area appeared in opposition to this application indicating that the speakers still remain, and music from those speakers continue to come from the roadway structure; while still further objections were raised as to the safety concerns in allowing patrons and staff members to cross a busy bike lane to access and serve patrons from the restaurant crossing over to the roadway structure, which is large enough to seat roughly 15 tables and 30 patrons; and,

viii. Whereas, legitimate questions having been raised about the Applicant's character and fitness to operate another licensed establishment in this Community, where he has not abided by his agreements with the Community where his existing business has been located, demonstrating a complete disregard for rules and regulations governing the operation of his eating and drinking establishment in the City and State of NY, with the Applicant demonstrating a greater interest in generating personal profits and leveraging those profits during the recent pandemic over the safety and well-being of the Community; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine License application for **Pyramid Effect Corp., 176-180 7th Ave. So. 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;

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

24. Maman Meat Packing, LLC d/b/a Maman, 800-802 Washington St. aka 95 Horatio St. 10014 (New OP - Restaurant)

i. Whereas, the Applicant and the Applicant’s attorney appeared before CB2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a restaurant with bakery within a ground floor storefront in a twelve-story residential building (circa 1997) on the corner of Washington and Horatio Streets in Greenwich Village; and,

ii. Whereas, the storefront premises to be licensed was previously operated as a gourmet specialty shop, café and market and has not previously operated with an on premise license, the corner storefront being roughly 1,600 sq. ft., there will be a total of 26 patron seats, comprised of 15 tables with 26 seats and 1 counter with no seats, 1 patron entrance/exit, 1 bathroom; the storefront infill being fixed without French doors or operable windows; there will be a small outdoor sidewalk café with 4 tables and 8 patron seats; and,

iii. Whereas, the Applicant’s hours of operation will be Saturdays and Sundays from 8:00 AM to 6:00 PM and Monday through Friday from 7:30 PM to 6:00 PM, except when scheduled host events are taking place, events identified as cake decorating, learning how to make cheese fondue, in addition to bridal and baby showers and birthday parties when the hours of operation will be extended to 11:00 PM for these host events; 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; there is no roadbed dining or other exterior service of alcohol 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 27 active licensed premises within 750 feet of the subject premises, in addition to 4 pending licenses, the Applicant having met with local residents 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 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.
2. The hours of operation will be Saturdays and Sundays from 8:00 AM to 6:00 PM and Monday through Friday from 7:30 PM to 6:00 PM; closing hours for scheduled events will be extended to 11:00 PM; there will be no more than 50 such events scheduled at licensed premise per year.
3. Will not install or have French doors, operable windows or open facades.
4. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk café seating operating under the temporary Open Restaurants program located immediately adjacent to and mostly within the property line of the northernmost windowed

portion of storefront on Washington Street with tables running parallel to the storefront immediately adjacent to windowed portion of storefront on Washington Street leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than four (4) tables and eight (8) patron seats. No roadbed seating.

6. Sidewalk café will close no later than 6 PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
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. Will not have televisions.
10. There will be no take-out alcoholic beverages.
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 have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
16. 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 to **Maman Meat Packing, LLC d/b/a Maman, 800-802 Washington St. aka 95 Horatio St. 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA Restaurant On Premises License.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

25. San Paolo Hospitality LLC, 569 Hudson St. 10014, (FKA - LLC to be Formed by Andrea Ienna d/b/a TBD) (New OP # 1341599 — Restaurant/Bar)

i. Whereas, the Applicant and the Applicant’s attorney appeared before CB2, Manhattan’s SLA Committee for reconsideration pertaining to his application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a “pizza restaurant” in a corner storefront located in a four-story tenement style apartment building (circa 1900) on the northwest corner of Hudson Street and West 11th Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the corner storefront premise was previously operated for years as a restaurant (Philip Marie), a restaurant operating with closing hours daily by 12 AM, with fixed facades and sidewalk café seating on Hudson Street, the long-time operator of Phillip Marie closing after the advent of the Covid Pandemic in 2020; and

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

iv. Whereas, the hours of operation will be Sunday through Saturday from 11:00 AM to 12:00 AM, with all facades remaining fixed and without the installation of operable windows or French doors, music being at background levels only; 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; there is no roadbed dining or use of the back yard included with this application; and,

v. Whereas, the Applicant met with the West Village Residents to resolve numerous objections raised to this Application, those objections having previously been recorded in a resolution from this Community Board from October/2021, recommending denial of the instant license, the Applicant also having removed a large, 60-70 foot long shed located in the roadbed on West 11th Street connected to Eytan Sugarman, Mr. Sugarman having a significant negative history operating as the sole licensee of the White Horse Tavern, the Tavern (SN# 1318058, 567 Hudson St. 10014) being located immediately across West 11th Street from the proposed premises to be licensed; 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 47 active licensed premises within 750 feet of the subject premises, in addition to 4 pending licenses, the Applicant having met with local residents 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 Applicant will operate a full-service pizzeria restaurant serving starters, salads and main entrees with a full-service kitchen, with the kitchen open and the full menu available until closing every night.
2. The hours of operation will Monday to Sunday from 12:00 PM to 12:00 AM.
3. Will not install or have French doors, operable windows or open facades.
4. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk café seating operating under the temporary Open Restaurants program located immediately adjacent to the storefront on Hudson Street only, leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than nine (9) tables and eighteen (18) patron seats. No roadbed seating.
6. Sidewalk café will close no later than 10 PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
7. It will play quiet ambient recorded background music in the interior only. No music will be audible in any adjacent residences at any time.
8. will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
9. Will not have televisions.

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 to **San Paolo Hospitality LLC, 569 Hudson St. 10014, OP # 1341599 (FKA - LLC to be Formed by Andrea Ienna d/b/a TBD)** **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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

26. 27 Pilgrims, LLC d/b/a Donna 7 Cornelia St., New York, New York 10014 (New OP - Restaurant)

i. Whereas, the Applicant and the Applicant’s attorney appeared before CB2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a neighborhood restaurant serving small bites and plates inspired by Latin America within a five-story residential building (circa 1900) on Cornelia Street St. between West 4th and Bleecker Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the Applicant will operate a full-service restaurant in a previously-licensed premises (a restaurant known as Uncle Chop Chop), the storefront being roughly 1,400 sq. ft., comprised of an interior ground floor space of approximately 1,000 sq. ft. and a cellar of approximately 1,000 sq. ft. (with no patron use of basement); there will be a total of 43 patron seats, comprised of 9 tables with 22 seats and 1 stand-up bar with 12 seats; there are no French doors or operable windows, with 1 patron entrance/exit and 1 bathroom; and

iii. Whereas, the Applicant’s hours of operation will be Sunday through Thursday from 10:00 AM to 12:00 AM, Fridays and Saturdays from 10:00 AM to 1:00 AM; 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; there may be a small sidewalk café but there is no 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 91 active licensed premises within 750 feet of the subject premises, in addition to 11 pending licenses, the Applicant having met with local residents, the Central Village and Carmine Street Block Associations 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 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.
2. The hours of operation will be Sunday through Thursday from 10:00 AM to 12:00 AM, Fridays and Saturdays from 10:00 AM to 1:00 AM.
3. Will not install or have French doors, operable windows or open facades.
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 outdoor area for commercial purposes except for sidewalk café seating 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 three (3) tables and eight (6) patron seats. No roadbed seating
6. Sidewalk café will close no later than 10 PM. All tables and chairs will be removed at this hour. No exterior music, speakers.
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. Will not have televisions.
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 to **27 Pilgrims, LLC d/b/a Donna, located at 7 Cornelia St., New York, New York 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

27. Gift New York, LLC d/b/a E.A.K. Ramen, 469 6th Ave. 10014 (New OP - Restaurant)

i. **Whereas**, the Applicant and the Applicant’s attorney appeared before CB2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to continue to operate a full-service restaurant specializing in Ramen and Japanese fare within a three-

story townhouse building on 6th Avenue between West 11th Street and West 12th Street, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the Applicant has operated this restaurant with a restaurant wine license since 2016, through the Covid Pandemic, and seeks to upgrade its license to on-premise, the licensed premise being roughly 1,563 sq. ft premise (ground floor 1,031 sq. ft. and basement 532 sq. ft. – no patrons use in basement except bathrooms) with 3 tables and 26 table seats and 1 standup bar with 9 seats and an additional 2 food counters with 10 seats, for a total of 45 interior seats; the front façade infill is fixed and there are no French doors or operable windows, with 1 patron entrance/exit and 2 bathrooms; and

iii. Whereas, the Applicant's hours of operation will continue to be Sunday through Wednesday from 11:00 AM to 12:00 AM, and Thursday through Saturday from 11:00 AM to 1:00 AM; 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; there is no sidewalk café, roadbed dining or use of any other exterior space 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 48 active licensed premises within 750 feet of the subject premises, in addition to 4 pending licenses, the Applicant having operated in the same space for five years without significant concerns or complaints being made, 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 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.
2. The hours of operation will be Sunday through Wednesday from 11:00 AM to 12:00 AM, and Thursday through Saturday from 11:00 AM to 1:00 AM.
3. Will not install or have French doors, operable windows or open facades.
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. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. It will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
8. Will not have televisions.
9. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
11. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.
12. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

13. 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.
14. 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 to **Gift New York, LLC d/b/a E.A.K. Ramen, 469 6th Ave. 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

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

28. Shake Shack New York, LLC d/b/a Shake Shack, 225 Varick St. 10014 (RW-Restaurant)
(failed to appear)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2022, the Applicant **failed to appear**, indicating thereafter that it did not need to appear and provided its 30-day notice to Community Board 2 Man. in error;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license for **Shake Shack New York, LLC d/b/a Shake Shack, 225 Varick St. 10014** **and** refers the NYSLA to Community Board 2 Man.’s previous resolution from October/2021 for its existing and continuing position on this Application.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

29. Babi Restaurant, Inc. d/b/a Brasserie Viet Nam, 282 Bleecker St. 10014 (RW-Restaurant)
(failed to appear)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2022, the Applicant **failed to appear** for this application without providing an explanation;

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 **Babi Restaurant, Inc. d/b/a Brasserie Viet Nam, 282 Bleecker 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

30. JAJAJA West Village, LLC d/b/a JAJAJA, 63 Carmine St. 10014 (OP-Alteration) (laid over)

Whereas, after this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2022, the Applicant agreed **to lay over** this application over to November/2022 so that they could meet with neighbors who registered complaints regarding the license premise, thereafter 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 **JAJAJA West Village, LLC d/b/a JAJAJA, 63 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 concerns of the Community be fully heard.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

31. Pappas OG, LLC d/b/a Pappas Taverna, 103-105 MacDougal St. 10012 (RW-Restaurant) (Temp. Retail Permit) (failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2022, the Applicant **failed to appear** without providing an explanation;

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 **Pappas OG, LLC d/b/a Pappas Taverna, 103-105 MacDougal St. 10012** **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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

32. Filaga 117 7th Avenue South, LLC, 117 7th Ave. So. 10014 (OP-Pizzeria/Bar) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2022, the Applicant requested **to lay over** this application over to November/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 **Filaga 117 7th Avenue South, LLC, 117 7th Ave. So. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

33. Greed Island, LLC d/b/a TBD, 61 Vandam St. 10014 (New OP-Bar/Tavern) (previously unlicensed) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2022, the Applicant requested **to lay over** this application over to November/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 **Greed Island, LLC d/b/a TBD, 61 Vandam 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

34. Greed Island, LLC d/b/a TBD, 70 Charlton St. 10014 (New OP-Bar/Tavern) (previously unlicensed) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2022, the Applicant requested **to lay over** this application over to November/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 **Greed Island, LLC d/b/a TBD, 70 Charlton 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

35. I Sodi, LLC, (removal from 105 Christopher St.) 314 Bleecker St. 10014 (OP-Restaurant) (Garden/Grounds) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2022, the Applicant requested **to lay over** this application over to November/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 **I Sodi, LLC, (removal from 105 Christopher St.) 314 Bleecker St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

36. CE 27, LLC d/b/a Quique Crudo, 27 Bedford St. 10014 (OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2022, the Applicant requested **to lay over** this application over to November/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 **CE 27, LLC d/b/a Quique Crudo, 27 Bedford 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: Passed, with 40 Board members in favor, and 1 abstention (J. Osorio).

TRAFFIC AND TRANSPORTATION

1. Resolution in response to proposed curbside regulations for the northern side of E. 8th St. btw. B'way & Lafayette St. and proposed additional bike racks at the n.e. corner of E. 8th St. & B'way and the s.w. corner of Lafayette St. & Wanamaker Pl. (E. 9th St.) for 2023 Wegmans opening there.

Whereas in conjunction with the anticipated opening of the new Wegmans supermarket at 770 Broadway in 2023, proposed curbside regulations and dimensions for the northern side of E. 8th St. btw. Broadway and Lafayette St. were presented along with proposed additional bike racks near the n.e. corner of E. 8th St. and Broadway and at the s.w. corner of Lafayette St. and Wanamaker Pl. (E. 9th St.) as follows:

E. 8th St. btw. Broadway and Lafayette St. (north side) - proposed regulations

- 80 ft. curb space for truck loading-unloading (east of Broadway to curb cut in middle of block) for delivery of goods to Wegmans. Existing: 80 ft, No Standing Mon-Fri 8am-6pm; Proposed: Truck Loading Only.

- 126 ft. curb cut for loading dock service (east of 80 ft. curb space/middle of block) Existing: 145 ft. curb cut/No Standing Anytime; Proposed: Curb cut shortened by 19 ft. (some regrading involved), No Standing Anytime preserved.
- 124 ft. zone to accommodate customer delivery vehicles (e.g. Instacart, Grubhub, Uber, DoorDash) and delivery cart bicycle vehicles (from the 126 ft. curb cut east to Lafayette St.) Existing: 105 ft. No Standing Mon-Fri 8am-6pm; Proposed: No Parking Anytime (Only to pick up orders from store for delivery to customers). Separate dimensions for each of the two uses to be decided.

N.E. corner E. 8th St. and Broadway - added CityRack (hoop) bike racks proposed to accommodate shoppers coming by bicycle (and other bicyclists)

- Add four more CityRacks east of the six already existing CityRacks that are on the sidewalk next to the subway entrance.

S.W. corner of Lafayette St. and Wanamaker Pl. (E. 9th St.) - Additional CityRack bike racks

- Three CityRacks proposed on the sidewalk near the s.w. corner.; and

Whereas 8th St. btw. Broadway and Lafayette St. is both a narrow and exceptionally busy thoroughfare with heavy automotive, pedestrian and bicycle traffic, including considerable gridlock at morning rush hours, 4-9 pm, and other peak times. A bicycle lane and the M8 bus route further constrict passage in the roadbed, while the sidewalk is filled with NYU and Cooper Union students, patrons of local businesses and restaurants along Broadway and on 8th St., people coming back and forth from the Astor Pl. and 8th St. subway stations, and area residents and workers. With Wegmans arrival (and expected popularity), this activity will increase; and

Whereas these traffic and parking conditions at this first truly urban Wegmans location (the Brooklyn store has a parking lot and more of a suburban format) require consideration of the distinct challenges they present, and, as such, call for advance study to determine how best to balance street and sidewalk changes, including curb designation, and mitigate negative impacts. To date, no studies have been executed; and

Whereas Community Board 2 Manhattan (CB2) seeks to avoid any increase in automotive traffic and its dangerous impacts and appreciates Wegmans' plan to employ delivery cart bicycle vehicles and to add CityRacks to accommodate shopping bicyclists. At the same time, CB2 is concerned about the effects of e-delivery services' motor vehicles which, although they're expected to quickly pull in, pick up orders, and pull out, will also add more automotive traffic and congestion to the street and danger for pedestrians and bicyclists; and

Whereas CB2 also appreciates Wegmans' intention to transport goods to the 770 Broadway store in small trucks as opposed to the tractor-trailer type trucks typically used for Wegmans suburban locations. It is not clear whether these smaller trucks would also include other needed safety features, especially "Direct Vision"/"High Vision" cabs that allow truck drivers to see all around outside the truck to avoid collisions resulting from commonly blocked visibility⁵; and

⁵ *The use of peep and teardrop windows, sloped-hood cabs, cab-over engine designs, and **high vision cabs** can prevent a common type of fatal pedestrian crash in urban settings where truck drivers cannot see pedestrians crossing in close proximity to them. This is particularly hazardous to children, the elderly, and shorter adults. Long truck fronts, relatively small windows, and obstructed vision from add-ons such as insect shields block visibility of vulnerable road users and increase hazard. In a University of Leeds/Arup study commissioned by Transport for London, researchers concluded that truck drivers in low-entry cabs, with direct sight of pedestrians and cyclists in front and to the side, are involved in 40% fewer collisions than drivers operating traditional cabs. See <https://nacto.org/program/vehicle-design/> and <https://nacto.org/2018/12/06/nacto-volpe-release-best-practices-for-redesigning-large-vehicles/>*

Whereas it was indicated that most of Wegmans' deliveries occur overnight and in the very early morning, to stock the store before it opens, although a definitive schedule for 770 Broadway has not been finalized; and

Whereas CB2 fully welcomes additional bike racks, however, on Lafayette St. btw. E. 8th St. and Wanamaker Pl (E. 9th St.) the sidewalk is often crowded with the many users of the CitiBike station there and people on their way to many nearby destinations, e.g. Cooper Union, Astor Pl., the two subway stations. NYU, shopping and dining. An alternative location to that proposed for a CityRack at the s.w. corner of Lafayette St. and Wanamaker Pl. may be more fitting and even accommodate more bike racks; and

Whereas the Village Alliance Business Improvement District includes the blocks encompassing E. 8th to E. 9th Sts. btw. Broadway and Lafayette Sts., i.e. where Wegmans new store will be located. With extensive knowledge of the area, the Alliance can be a rich source of information about it; and

Whereas Wegmans has expressed willingness to monitor conditions as this project progresses and to report back to CB2 at intervals regarding implementation activities and outcomes as well as necessary adjustments, emphasizing the company's long history of responsiveness to the public;

Therefore be it resolved that CB2 asks that Wegmans conduct a study of existing conditions primarily on E. 8th St. btw. Broadway and Lafayette St., but also on Lafayette St. btw. E. 8th and E. 9th Sts. (Wanamaker Pl.), including such factors as automotive, bicycle and pedestrian traffic counts and flow, street and sidewalk widths and uses, and truck and delivery frequencies, to evaluate how to best fit Wegman's anticipated activities with those occurring there now and provide a guide to establishing a workable balance between them; and

Be it further resolved that CB2 prefers a pickup-for-delivery model that relies on delivery cart bicycle vehicles and other cargo bikes rather than motor vehicles and asks that consideration be given to solely employing cargo bike/delivery cart bicycle vehicles for this purpose; and

Be it further resolved that CB2 urges Wegmans to outfit its delivery trucks with "Direct Vision"/"High Vision" cabs and other safety features as recommended by NACTO for safe vehicle design, as well as to use electrically powered vehicles; and

Be it further resolved that CB2 encourages Wegmans to do off-hours deliveries, i.e. to continue its practice of overnight deliveries at the new 770 Broadway store to avoid vehicular conflicts and noise that might otherwise occur at more heavily trafficked times, especially in view of its location on a street with purely commercial uses as opposed to mixed use streets in Community District 2 with concerns about nighttime residential impacts; and

Be it further resolved that CB2 recommends that the three CityRack bike racks proposed for the sidewalk at the s.w. corner on Lafayette St. at E. 9th St. (Wanamaker Pl.) instead be installed around the corner on the s.w. side of E. 9th St. near the corner at Lafayette in the streetbed, which is wider than that on E. 8th St., where pedestrian and automotive traffic is considerably lighter than on Lafayette St., and where there's enough room to install at least an additional three bike racks, if not more; and

Be it further resolved CB2 advises Wegmans to consult with the Village Alliance Business Improvement District for input on assessing conditions and needs in the project area; and

Be it finally resolved that CB2 looks forward to conferring with Wegmans about Wegmans' findings as it monitors implementation of the project, and requests that Wegmans report back to CB2 four weeks after

the store's opening with an update, including such items as delivery frequencies and times, modal split, curbside use, traffic conflicts, service provider pickups (day of week, time and type of vehicle), community feedback, and what modifications, as needed, have been applied, and present another update to CB2 four months after that, while also agreeing to be available for a follow-up visit after that should there still be issues needing remediation

Vote: Unanimous, with 41 Board Members in favor.

Respectfully submitted,

Ritu Chattree, Vice Secretary
Community Board #2, Manhattan