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## **Community Board No. 2, Manhattan**

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

### **FULL BOARD MINUTES**

**DATE:** December 20, 2022  
**TIME:** 6:30 P.M.  
**PLACE:** Via Video Conference

**BOARD MEMBERS PRESENT:** Susanna Aaron, William Benesh, Keen Berger, Carter Booth, Katy Bordonaro, Anita Brandt, Amy Brenna, Rich Caccappolo, Ritu Chattree, Valerie De La Rosa, John Paul Deverna, Chris Dignes, Robert Ely, Mar Fitzgerald, Stella Fitzgerald, Susan Gammie, David Gruber Wayne Kawadler, Susan Kent, Jeannine Kiely, Ivy Kwan Arce, Patricia Laraia, Michael Levine, Janet Liff, Edward Ma, Matthew Metzger, Biran Pape, Donna Raftery, Zachary Roberts, Robin Rothstein, Shirley Secunda, Kristen Shea, Frederica Sigel, Shirley Smith, Chenault Spence, Susan Wittenberg, Antony Wong, Cheryl Wu, Eugene Yoo, Adam Zeldin

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Natasha Avanesians, Ryder Kessler, Daniel Miller, Mostafa Osman, Juan Osorio, Lois Rakoff, Bo Riccobono, Rocio Sanz

**BOARD MEMBERS ABSENT:** Akeela Azcuy, Cormac Flynn

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

**BOARD MEMBERS PRESENT/LEFT EARLY:** Susanna Aaron

**BOARD STAFF PRESENT:** Eva Mai, Community Assistant

**GUESTS:** Sam Vasquez, Senator Brad Hoylman; Stacie Johnson, Senator Brian Kavanaugh; Andrew Chang, Manhattan Borough President Mark Levine; Olivia Glen-Rayner, Congress Member Jerry Nadler; Roy Ruiz, Assembly Member Deborah Glick; Council Member Christopher Marte; Kate Scherer, Council Member Carlina Rivera; Nicole Barth, Council Member Erik Bottcher

### **MEETING SUMMARY**

Meeting Date – December 20, 2022  
Board Members Present – 39  
Board Members Absent with Notification – 8  
Board Members Absent - 2  
Board Members Present/Arrived Late - 0  
Board Members Present/Left Early – 1

## **I. SUMMARY AND INDEX**

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## **II. PUBLIC SESSION**

### **Cannabis Licensing**

Felipe Vargas, Mitch Kulick, Robert Cornegy – for resolution #2, The Doe Store, LLC. d/b/a TBD, 62 East 13th Street, NY, NY 10003 (New Dispensary License)

### **SLA**

Joe – Commenting on inaccurate information noted in TQTO's denial - #7, TQTO Corp. 99 MacDougal St. 10012 (New OP–Restaurant) (*previously unlicensed*)

### **Traffic & Transportation**

Jonathan Weitzman – Commenting on resolution #1, in response to presentation by the Meatpacking BID of an update on their ongoing Western Gateway study.

### **Non-Agenda Items**

Timothy Harrell - Public Board meeting announcement

Odette Wilkins, Julie Mardin - Against Link5G kiosks / 5G cell towers

Susan Peters – Against installation of jumbo wireless antenna poles

## **ADOPTION OF AGENDA**

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

Tevin Williams, Senator Brad Hoylman

Stacie Johnson, Senator Brian Kavanaugh

Ling Jun Chen, Manhattan District Attorney Bragg

Andrew Chang, Minah Whyte, Manhattan Borough President Mark Levine

Olivia Glen-Rayner, Congressman Jerry Nadler

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 November 2022 minutes.

#### **V. BUSINESS SESSION**

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

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

#### **STANDING COMMITTEE REPORTS**

##### **CANNABIS LICENSING**

##### **1. Housing Works Cannabis, LLC. d/b/a TBD, 750 Broadway, NY, NY 10013 (New Dispensary License)**

1. Whereas, [Housing Works](#) was granted a provisional license under the [Conditional Adult-Use Retail Dispensary \(CAURD\) program](#) to sell retail cannabis, approved by the [New York State Cannabis Control Board](#) (OCM), and issued by the [New York State Office of Cannabis Management](#) (CCB) on November 21, 2022; and
2. Whereas, §119.2 10(b) [Proposed Adult-Use Cannabis Regulations](#) Authorizes for Municipalities to “*have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit application, and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application*”, and that this resolution shall serve as Community Board 2 Manhattan’s expression of that opinion regarding this license; and
3. Whereas, section §119.2 Authorizations for Municipality Rulemaking Of the CCB’s 11/21/2022 [Proposed Adult-Use Cannabis Regulations](#) States that, “*To the extent the following is not unreasonably impracticable, the Board authorizes municipalities to pass local laws and regulations governing the time, place, and manner*”, of cannabis retail dispensaries and on-site consumption sites, including: retail hours, traffic, odor and noise; and
4. Whereas, the Applicant and their Attorney appeared before Community Board 2, Manhattan’s CLC Committee to present an application to the NYS OCM/CCB for a new Adult-Use Retail Dispensary license to operate a dispensary in a mixed-use commercial and residential building at 750 Broadway; and

5. Whereas, the storefront premise was previously a Gap retail store, but has been vacant since July 1, 2020.
6. Whereas, this application being subject to proximity rules as defined by §119.4 of the [Proposed Adult-Use Cannabis Regulations](#), the subject premises is not within 1000-feet of any licensed cannabis establishments, 500-feet of buildings exclusively used as schools or within 200-feet of buildings used exclusively as houses of worship;
7. Whereas, the applicant's premises is located on the ground floor of 750 Broadway, which is a corner location with a main entry door on the southeast corner of 8th Street and Broadway, and a second delivery door located at 8th Street just east of Broadway, as indicated on diagrams presented to CB2; and
8. Whereas, the 4000 sq. ft. ground floor interior premises and, the 2000 sq. ft. basement level will be utilized for storage, and there is no access to the residential part of the building from the premises; and
9. Whereas, the Applicant has no plans to make changes to the facade, and signage will be in accordance with OCM's [Store Exterior and Outdoor Areas](#) guidelines (p 20, #26); and
10. Whereas, a Dept. of Buildings Certificate of Occupancy was provided; and
11. Whereas, the applicant has no plans to use TVs, monitors or speakers with sound; and
12. Whereas, there was no opposition to this application, those in support writing correspondence and appearing, included CB2 residents, business owners, Middle Collegiate Church, East Village Community Coalitions and the Cooper Square Committee; and
13. Whereas, Housing Works has had a significant and positive presence in our district and the City of NY. Their thrift shops and bookstores fund programs that benefit justice involved individuals, those living with HIV and AIDS and New Yorkers experiencing homelessness and all profits from the dispensary will be used to bolster those programs; and
14. Whereas, Housing Works has a proven and successful history of operating retail establishments; and
15. Whereas, the Applicant means to train and hire Housing Works program participants as staff and provide vocational training and meaningful opportunity for those most affected by the war on drugs; and
1. Whereas, listed below are the details of the establishment's operations as presented to Community Board 2 CLC Committee in the Applicants questionnaire and live testimony with respect to the premises, as follows:
  - a. Premises will operate as a dispensary selling cannabis products per state law.
  - b. The dispensary's retail operating hours are: 11am to 9pm Monday-Thursday, 11am to 11pm Friday-Saturday, and 11am to 7pm on Sunday (72hrs). No patrons will remain after stated closing times.
  - c. Will not have televisions or speakers. No sound will be audible in any adjacent residences at any time.
  - d. Will keep doors closed other than entrance and egress. Will not operate any outdoor area, including the sidewalk, for any purpose, or operate as a consumption lounge.
  - e. There will be no patron egress via the 8th Street except for emergency egress only and will be equipped with an alarm system.
  - f. Patron egress into/out of establishment will be through front doors on Broadway only, and the Applicant will prevent loitering and ensure that only individuals engaging in activity

expressly or by necessary implication permitted by the Cannabis Law are allowed to remain on the premises of the licensee.

- g. There will be no services, deliveries or trash transport via the doors on Broadway.
- h. Will have uniformed security personnel checking IDs of patrons upon entry, and again at the purchase point, and will utilize stanchions and ropes as necessary.
- i. Will appear before CB2, Manhattan prior to submitting any changes to the stipulations agreed to herein as they comply with State regulations.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **approval** of the new Adult-Use Retail Dispensary License for Housing Works Cannabis, LLC. d/b/a TBD, 750 Broadway, NY, NY 10013, PROVIDED that the above-stated conditions A-I as agreed to by the Applicant *“be part of the record upon which the Office makes its recommendation to the Board”* per §119.2 10(b) of the [Proposed Adult-Use Cannabis](#)

**Vote:** Passed, 38 Board Members in favor  
1 Recusal (M. Metzger)

## **2. The Doe Store, LLC. d/b/a TBD, 62 East 13th Street, NY, NY 10003 (New Dispensary License)**

1. Whereas, The Doe Store (heretofore referred to as Applicant) was granted a provisional license to sell retail cannabis under the [Conditional Adult-Use Retail Dispensary \(CAURD\) program](#), as a Qualifying Nonprofit 51% owned by The Doe Fund and 49% owned by the Harbour Community. It was approved by the [New York State Cannabis Control Board](#) (OCM), and issued by the [New York State Office of Cannabis Management](#) (CCB) on November 21, 2022; and
2. Whereas, §119.2 10(b) [Proposed Adult-Use Cannabis Regulations](#) Authorizes for Municipalities to *“have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit application, and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application”*, and that this resolution shall serve as Community Board 2 Manhattan’s expression of that opinion regarding this license; and
3. Whereas, section §119.2 Authorizations for Municipality Rulemaking of the CCB’s 11/21/2022 [Proposed Adult-Use Cannabis Regulations](#) States that, *“To the extent the following is not unreasonably impracticable, the Board authorizes municipalities to pass local laws and regulations governing the time, place, and manner”*, of cannabis retail dispensaries and on-site consumption sites, including: retail hours, traffic, odor and noise; and
4. Whereas, the Applicant appeared before Community Board 2, Manhattan’s CLC Committee to present an application to the NYS OCM/CCB for a new Adult-Use Retail Dispensary license to operate a dispensary in a mixed-use commercial and residential building at 62 East 13th Street; and
5. Whereas, 62 East 13th Street has a 20-foot storefront facade and is in a five-story prewar building with 7 residential condominium units, five of which are occupied by rental tents, and 1 commercial unit; and

1. Whereas, this application being subject to proximity rules as defined by §119.4 of the [Proposed Adult-Use Cannabis Regulations](#), the subject premises is not within 1000-feet of any licensed cannabis establishments, 500-feet of buildings exclusively used as schools or within 200-feet of buildings used exclusively as houses of worship;
6. Whereas, the applicant's premises is located on the ground floor of 62 East 13th Street, which is a mid-block location with an entry door on 13th Street west of Broadway; and
7. Whereas, the 2,100 sq. ft. ground floor interior premises has one main entrance, and one bathroom 2,160 sq. ft. cellar level will be utilized for storage; and
8. Whereas, the Applicant will make no changes to the facade but the landlord in in the process of restoring the building's original facade as illustrated photographs provided by the Applicant, and signage will be in accordance with OCM guidelines; and
9. Whereas, a Dept. of Buildings Certificate of Occupancy was provided; and
10. Whereas, there will be TVs, monitors without sound; and
11. Whereas, 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, and no sound will be audible in any adjacent residences at any time; and
12. Whereas, outreach was conducted by the Applicant to NYC Council Member Carlina Rivera, Strand Bookstore, Regal Theater, Grace Church School, Cannabis Justice Equity Initiative at NYU. Letters of support were submitted by Happy Munkey cannabis brand, and the Cannabis Justice Equity Initiative; and best wishes were offered by a representative from the Strand Bookstore; and
13. Whereas, listed below are the details of the establishment's operations as presented to Community Board 2 CLC Committee in the Applicants questionnaire and live testimony with respect to the premises, as follows:
  - a. Premises will operate as a dispensary selling allowable cannabis products cannabis paraphernalia to cannabis consumers in compliance with state laws and regulations; and
  - b. Sunday-Thursday 10:00AM-10:00PM and 10:00Am-11:00PM Friday-Saturday, totaling 86 hours per week; and
  - c. The premises, or any portion of the premises, will not operate as a consumption lounge.
  - d. Will not operate any outdoor area, including the sidewalk, for any purpose, or operate as a consumption lounge per state laws and regulations.
  - e. Will keep doors closed other than entrance and egress, stanchions and ropes will be utilized as necessary and no patrons will remain after stated closing times.
  - a. Patron egress into/out of establishment will be through front doors on 13th Street only, and the Applicant will prevent loitering and ensure that only individuals engaging in activity expressly or by necessary implication permitted by the Cannabis Law are allowed to remain on the premises of the licensee.
  - f. There will be no patron use, services, deliveries or trash transport via doors on Broadway.
  - g. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.

- h. Music will not be at entertainment levels but background only and no sound will be audible in any adjacent residences at any time.
- i. Will hold no private events, except for a soft launch, before opening to the public.
- j. Applicant will require customers to show a valid federal, state, or local government identification stating the customer's age and a photograph of the individual's face per OCM's Guidance for Adult-Use Retail Dispensaries (p.6, #6).
- k. Will appear before CB2, Manhattan prior to submitting any changes to the method of operation agreed to herein.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of the new Adult-Use Retail Dispensary License for The Doe Store, LLC. d/b/a TBD, 62 East 13th Street, NY, NY 10003, **unless** the information the Applicant has presented are accurate and complete and that the above-stated conditions A-K are agreed to by the Applicant and *"be part of the record upon which the Office makes its recommendation to the Board"* for the Adult-Use Retail Dispensary License, per §119.2 10(b) of the [Proposed Adult-Use Cannabis Regulations](#).

**Vote:** Passed, 37 Board Members in favor.  
2 Recusals (M. Metzger and S. Secunda)

## **LANDMARKS AND PUBLIC AESTHETICS**

1. **\*79-81 Charles Street - Application to modify the areaways and railings, excavate the cellar and rear yard, construct a rear yard addition, and construct a rooftop addition.**

### **Whereas:**

- A. 79 and 81 Charles Street are an integral part of a row of seven 19th century houses, each of which possesses a small measure of individuation within their overall unified appearance; and
- B. The restoration of the front façade, including the proposed changes to the areaway, the new railing at 81, the cornice restoration, the 2 over 2 wood frame windows, and the restoration of each property's distinctive newel posts, is entirely respectful of the context of both houses and within the row; and
- C. The proposal is sensitive to the importance of maintaining the characteristic rhythm of visual individuation and distinction of each house, and
- D. The rear and rooftop additions proposed for 81 are similar in massing to a previously approved application, and
- E. The rear and rooftop additions on 79, with the exception of the basement window that is shared with 81, confirm the individual identity of each house; and
- F. As demonstrated by the mock-up and as described by the applicant, other than flues, the rooftop additions do not seem to be visible from any public thoroughfare; and

- G. The excavation of the rear yard is well within the property lines, providing a buffer to adjoining properties, and commendably is covered in sufficient soil to provide for plantings, including new trees; and;
- H. The historic plaque commemorating Hart Crane's residence at 79 will remain; now

**Therefore,** be it resolved that Manhattan CB2 approves the proposal in its entirety and commends the applicant on their conscious effort to maintain visually appropriate individuation of each property.

**Vote:** Unanimous, with 39 Board Members in favor.

## **QUALITY OF LIFE: STREET ACTIVITIES**

- 1. Resolution providing CB2 comment as part of the initial public comment period for the Tier 1 Environmental Impact Study ("EIS") and Tentatively Selected Plan ("TSP") of the US Army Corps of Engineers ("USACE") New York / New Jersey Harbors and Tributaries ("NYNJHAT") Study.**

### **Study Background**

- 1. Whereas,** following Superstorm Sandy in 2012, President Obama signed into law the Disaster Appropriations Act of 2013 to assist in the recovery in the aftermath of Hurricane Sandy; and
- 2. Whereas,** the Disaster Appropriations Act authorized the US Army Corps of Engineers ("USACE") to commence the North Atlantic Coast Comprehensive Study in order to study coastal storm risk management strategies, which was completed in 2015 and which identified the New York / New Jersey Harbors and Tributaries ("NYNJHAT") area as one of three focus areas; and
- 3. Whereas,** USACE embarked upon the NYNJHAT study in partnership with the New York State Department of Environmental Conservation ("NYSDEC") and the New Jersey Department of Environmental Protection ("NJDEP"), and NYC, a cost-sharing agreement being executed amongst these entities in 2016; and
- 4. Whereas,** following years of work on the study, including the release of an interim report in 2019, the USACE released in September 2022 the study's final Tier 1 Environmental Impact Study ("EIS") and Tentatively Selected Plan ("TSP"); and

### **Current Project Timeline**

- 5. Whereas,** a public comment period has now been opened for the Tier 1 EIS and the TSP, and is currently set to close on March 7<sup>th</sup>, 2023, following an extension announced in December from the original public comment period closing date of January 6<sup>th</sup>, 2023; and
- 6. Whereas,** as part of this public comment period, representatives from the USACE presented to CB2's Quality of Life ("QoL") committee on the evening of November 7<sup>th</sup>, 2022; and



7. **Whereas**, following USACE’s presentation on November 7<sup>th</sup>, CB2 Manhattan approved a resolution in November calling for an extension of this public comment period – which has now been granted – to allow for broader and more meaningful community engagement; and
8. **Whereas**, the proposed timeline following the initial comment period contemplates a chief-of-engineers report to be released in mid-2024, followed by a Tier 2 EIS, a design phase lasting from 2024-2030, the start of construction in 2030, and the completion of the project by 2044; and

## **Overview of Tentatively Selected Plan and Impacts to CD2**

9. **Whereas**, the USACE chose as their Tentatively Selected Plan (“TSP”) Alternative 3B out of the range of alternatives considered, which includes a series of multi-basin storm surge barriers along with Shore-Based Measures (“SBMs”) across New York City (including CD2), New Jersey, and other New York counties outside of NYC; and
10. **Whereas**, at 2022 price levels, the TSP has an estimated upfront cost of approximately \$52.6 Billion, of which 65% would be federally funded and 35% would be funded non-federally, with additional maintenance costs throughout the expected life of the constructed infrastructure amounting to approximately \$23 Billion, all of which would be funded non-federally; and
11. **Whereas**, the report released in September 2022 comprises a 569-page main report<sup>1</sup>, and thousands of total pages across a range of appendices and sub-appendices; and
12. **Whereas**, amongst the various sub-areas within the NYNJHAT study region, lower Manhattan, including parts of Community District 2, is specifically impacted under the TSP, with a range of Shore-Based Measures (“SBMs”) proposed running along the west side of Manhattan all the way up to 34<sup>th</sup> street, including the entire CD2 shoreline from Canal Street to 14<sup>th</sup> Street; and
13. **Whereas**, the SBMs initially proposed along the CD2 shoreline under the TSP consist of a series of 20+ foot high floodwalls and deployable barriers running parallel to the shoreline, from Canal to 14<sup>th</sup> street, and a proposed seawall around the Gansevoort Peninsula (see Fig. 1 and Fig. 2 below); and

Fig. 1: NYC West Side Shore-Based Measures (SBMs) – Jane Street to 34<sup>th</sup> Street

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<sup>1</sup> [https://www.nan.usace.army.mil/Portals/37/NYNJHATS%20Draft%20Integrated%20Feasibility%20Report%20Tier%201%20EIS\\_3Oct2022.pdf](https://www.nan.usace.army.mil/Portals/37/NYNJHATS%20Draft%20Integrated%20Feasibility%20Report%20Tier%201%20EIS_3Oct2022.pdf)



Fig. 2: NYC West Side Shore-Based Measures (SBMs) – Chambers Street to Jane Street



- 14. Whereas**, when asked about the specific siting and design features of the SBMs planned along CD2's shoreline, USACE representatives stated that the exact location of the SBMs vis-à-vis the existing waterfront condition is not to be determined until a later phase, even though the map included in the TSP appears to show SBMs on top of the existing bike path; and
- 15. Whereas**, while specific design schematics are included in the report appendices for the various SBMs within CD2 (see Fig. 3, Fig. 4 and Fig. 5 below), USACE representatives indicated that more specific detail as to the actual design of the SBMs would be determined during the Design Phase beginning in 2024; and

Fig. 3: SBM Large Floodwall Cross-Section

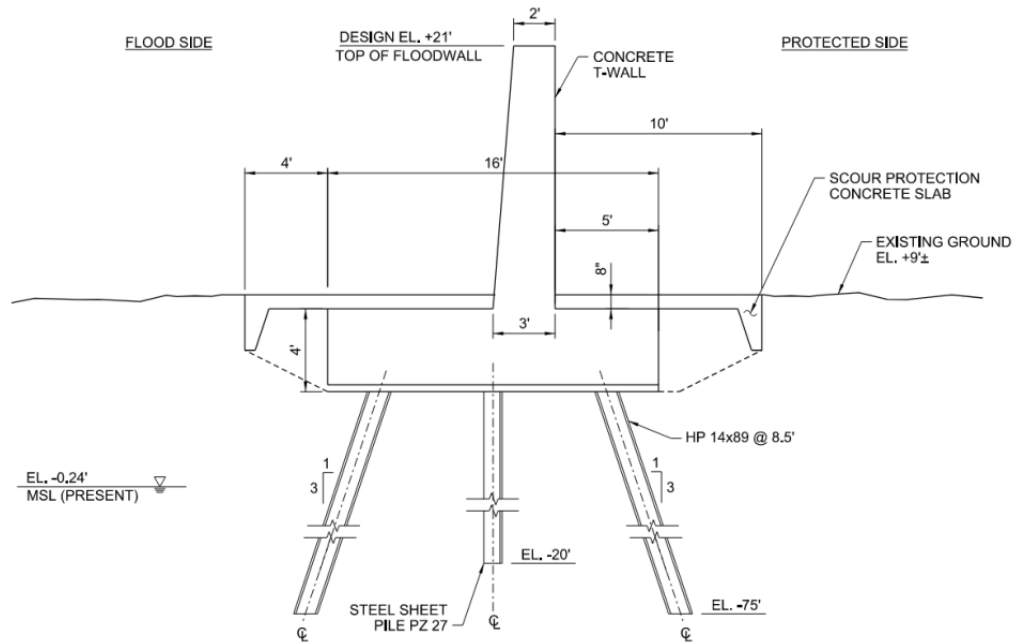
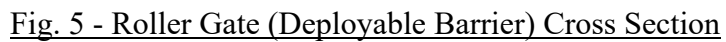


Fig. 4: SBM Extra-Large Floodwall Cross-Section





## Issues to Be Addressed

- 16. Whereas**, while CB2 understands that many aspects of the plan for SBMs along CD2’s waterfront are still in the early stages, it is clear that should the plan move forward as it is currently designed, it would have an unprecedented and substantial impact on the waterfront along the west side, with a 20+ foot floodwall completely transforming and re-defining the community and the public at large’s access to the waterfront (see Fig. 6 below for a rough rendition of such floodwall); and

Fig. 6: Rough Rendition of Floodwall along West Street



- 17. Whereas**, as outlined in CB2’s prior November 2022 resolution on this topic, it is CB2’s view that several key constituencies need to be promptly and meaningfully engaged during the public comment period, including the Hudson River Park Trust, which has jurisdiction over Hudson River Park, comprising all of the shoreline within CD2, and the New York State Department of Transportation, which has jurisdiction over State Route 9A (i.e. the “West Side Highway”) running along the west side of CD2, just to the east of Hudson River Park; and

**18. Whereas,** there are a clearly a range of other relevant factors that are outside the scope of the USACE study that are nonetheless likely to have an impact on the planning and construction of the TSP, or any other future resiliency measures on the west side, going forward; and

**19. Whereas,** as part of the initial public comment period on the TSP, CB2 Manhattan believes it would be prudent to outline in detail the range of issues and concerns currently foreseen by the Community Board as well as members of the public, which could broadly be classified into categories of Process, Content, Engagement and External Factors; now

**Therefore Be It Resolved** that CB2 Manhattan seeks to provide comment on the Tier 1 Environmental Impact Study (“EIS”) and Tentatively Selected Plan (“TSP”) of the US Army Corps of Engineers (“USACE”) New York / New Jersey Harbors and Tributaries (“NYNJHAT”) Study ahead of the current expected public comment closing date of March 7<sup>th</sup>, 2023; and

**Therefore Be It Further Resolved** that given the current stage of the project, CB2 Manhattan believes it most prudent at this time to provide a list of issues and concerns voiced by the Board and the community, which broadly fall into the categories of Process, Content, Engagement and External Factors and are outlined below:

#### **Process**

- Ensuring full engagement of community boards at all parts of the process
- Clear outlining of the project timeline in more detail at the appropriate time
- Ensuring that there is a clear outline for involvement of non-federal partners - New York State Department of Environmental Conservation (“NYSDEC”) and the New Jersey Department of Environmental Protection (“NJDEP”), and NYC
- Outlining the legislative process for funding the project
- Providing more clarity on what the Tier 2 Environmental Impact Study (“EIS”) will look like
- Promptly engaging key constituents including HRPT and State DoT as outlined in the “Engagement” section

#### **Content / Design**

- Ensuring that green infrastructure is included where possible and relevant
- Considering alternatives to the “concrete wall” solution – including “flip-up” barriers (such as those being built currently in the two bridges area) and deployable barriers that could be stored offsite (in an area such as Pier 40) and brought into place ahead of a storm
- In addition to green infrastructure, consideration of other multi-benefit infrastructure that could be used - i.e. other benefits that can be leveraged from the investment other than direct storm surge protection
- Ensuring strong consideration of drainage issues – resilience to heavy rain events that don’t necessarily include a storm surge – as well as “normal” non-storm flooding due to sea level rise
- Consideration of other climate/environmental risks impacting CD2 that could be considered including heat and air pollution

- Clarification of the exact location of the SBMs
- Clarification on how much of the design of the SBMs is open to modification and what the process for such modification would be
- Consideration of the significant amount of disruption that would occur to Hudson River Park and the waterfront on the west side should flood walls be constructed as currently proposed – given the narrow width of Hudson River Park in many areas, such construction would be highly disruptive to the park itself, to the bike lane and to the west side highway
- Consideration of traffic impact - construction is likely to cause disruption around already high traffic areas such as the Holland Tunnel with cascading impact
- An overall consideration of the “cost” of the project – what is the cost of the severe impact to a valuable amenity like the Hudson River Park and the cost of cutting it off the shoreline from the community with a 20+ foot wall, both during and after the construction phase

### **Engagement**

- Prompt and ongoing engagement of Hudson River Park Trust
- Prompt and ongoing engagement of State DoT
- Engagement of community boards in all parts of the process (as outlined in the “Process” section)
- Engaging with State DoT and ConEd to conduct a study of relevant infrastructure underneath the west side highway and Hudson River Park, as this is likely to have a major impact on the project’s timeline and design
- Comparing the current design against other locations globally of where similar projects have been undertaken and sharing such comparison with the public
- Working on ways to make the project more accessible to the public, given the extreme length of the report which runs into the thousands of pages including appendices
- Helping community boards and other relevant community stakeholders find ways to incentivize the engagement of elected officials in this process

### **External Factors**

- Learning and sharing with the community more detail about the current infrastructure situation under the west side highway and Hudson River Park – including the makeup of the ground/soil, location of conduits, electrical lines, sewage, etc., all of which will have a major impact on project design and construction
- Considering the impact of the project on the bike lane expansion which has been previously proposed along the west side highway
- Considering the possible impact of congestion pricing on the project, given that the west side highway is a major thoroughfare
- Considering issues of emergency access along the west side highway, during the construction phase as well as after the project is completed

**Vote:** Unanimous, with 39 Board Members in favor.

## Street Activity Applications:

- 1. 12/08/22 (Setup Date), 12/09/22 (Start Date) – 12/11/22 (End Date & Breakdown Date) – Inca – Phone Booth Event (Sponsor: GSS Security Services, Inc.): Mercer St. between West Houston St. and Prince St. (Note: A 5ft. Pedestrian walkway on the sidewalk will be maintained at all times.) (Partial Sidewalk Closure)**

**Whereas**, the applicant is seeking to organize a promotional event for Tory Burch, consisting of a phone booth which will be placed on the sidewalk outside of the Tory Burch store in Soho; and

**Whereas**, the phone booth activation is expected to take place for two days, on December 9<sup>th</sup> and 10<sup>th</sup>, with setup occurring beginning on December 8<sup>th</sup> at 9 AM and breakdown expected to be complete by 8:00 PM on December 10<sup>th</sup>; and

**Whereas**, the phone booth activation will consist of the ability for passers-by to enter the phone booth, pick up the phone and listen to a message from the sponsor, with no other aspects of the activation or amplified sound of any kind; and

**Whereas**, while the event is not being broadly advertised and the applicant does not expect any major lines to form during the activation, a rope and station will be used to keep the line against the side of the building should one form; and

**Whereas**, the applicant will employ two security guards overnight during the activation; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **Inca – Phone Booth Event (Sponsor: GSS Security Services, Inc.), provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote:** Unanimous, 39 Board Members in favor.

- 2. 12/10/22 – Vans Big Shoes (Sponsor: Productions New York City LLC): Washington St. between West 13th St. and West 14th St. (curb lane only)**

**Whereas**, the applicant is seeking to organize a photoshoot event for content capture on behalf of Vans Shoes in front of the Vans store on Washington Street; and

**Whereas**, the applicant has coordinated with MOME ahead of the photoshoot and intends to only use hand cameras for the event; and

**Whereas**, the photoshoot event is expected to take place for approximately 90 minutes, from 10 AM – 11:30 AM on December 10<sup>th</sup>, with setup expected to begin at 9:30 AM and the site clear by approximately 12:00 noon; and

**Whereas**, the photoshoot will consist of two Vans-shoe shaped vehicles parked in the curb lane in front of the Vans store at 875 Washington, as well as security and brand ambassadors standing on the sidewalk greeting passers-by as well as giving away approximately 25-30 pairs of shoes; and



**Whereas**, the sponsor is not advertising the event as a “sneaker drop” or featuring any celebrities on site; and

**Whereas**, the photoshoot will not feature amplified sound; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **Vans Big Shoes (Sponsor: Productions New York City LLC)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote:** Unanimous, 39 Board Members in favor.

**3. 12/13/22 (Setup Date), 12/15/22 (Start Date) – 12/17/22 (End Date), 12/18/22 (Breakup Date) – Emily in Little Paris Event (Sponsor: GSS Security Services, Inc.): Centre St. between Grand St. and Broome St. (Note: A 5ft. Pedestrian walkway on the sidewalk will be maintained at all times.) (Sidewalk and Curb Lane Closure)**

**Whereas**, the applicant is seeking to organize an activation on behalf of the Netflix television show “Emily in Paris” on Centre Street between Grand Street and Broome Street, on a block which has been referred to in various media as “Little Paris” and which currently features a “Little Paris” street sign on the block; and

**Whereas**, the activation is set to occur for three days on December 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup> from 12:00 – 6:00 PM, with setup expected to occur over two days on December 13<sup>th</sup> and 14<sup>th</sup>, and breakdown set to occur on December 18<sup>th</sup>; and

**Whereas**, the activation seeks to transform the block into a slice of “Little Paris” consisting of local vendor stalls, a flower cart, and seating areas on the sidewalk, as well as a “photo moment” space, a live performance space, and a crepe truck in the curb lane; and

**Whereas**, two live performances are expected to occur daily, from 1:30-2:00 PM and 3:30-4:00 PM on the 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup>; and

**Whereas**, the activation will feature substantial security, with 14 security guards expected to be present during each of the three days of the activation; and

**Whereas**, the CB2 Quality of Life committee, as well as members of the public, raised a number of concerns regarding issues of safety, complexity and community impact, including that:

- The plans for the event did not seem to reflect the current state of the street including locations of dining sheds
- The street itself would not be closed to traffic despite aspects of the activation occurring on both sides of the street, which would likely lead to attendees attempting to cross mid-block across traffic
- The location of multiple vendor carts and seating areas on the sidewalk is likely to be an impediment to pedestrian traffic; and

**Whereas**, the applicant submitted an application to SAPO which classified the event as a “Street Event, Medium” which per New York City Rules allowed for a submission deadline of 30 days before the event; and

**Whereas**, in the case of this application, the submission date was November 11<sup>th</sup>, just over 30 days before the proposed start date of the event, which prevents the event from being fully subject to Community Board review, as the submission occurred after the November 7<sup>th</sup> CB2 Quality of Life meeting and the event will occur before the December 20<sup>th</sup> CB2 full board meeting; and

**Whereas**, the committee voiced concern about being granted the ability to review such an impactful and complex event only a few days before the event is scheduled to begin, as well as the fact that the full board would not have the ability to review or pass a resolution on such event; and

**Whereas**, such timing issues have previously prevented CB2 from passing resolutions on other events apart from this specific event, and will likely to be an issue going forward, unless certain changes are made to the Rules and/or SAPO processes; and

**Whereas**, possible options available to the City in order to allow for greater and more impactful Community Board input on events in the community could be to extend application deadlines and/or apply more scrutiny to event sizing classifications; now

**Therefore Be It Resolved** that CB2 Manhattan laments the inability to pass a resolution and/or provide meaningful guidance to the applicant on this application given the timing of application submission vis-à-vis the timing of CB2 meetings and the event itself.

**Therefore Be It Further Resolved** that CB2 Manhattan asks that SAPO/CECM consider revising the street activity application process to allow for timely Community Board review through a possible extension of application deadlines and/or more clarity/scrutiny over the classification of street event sizes.

**Vote:** Unanimous, 39 Board Members in favor.

#### **FYI/Renewals:**

#### **4. 1/12/23 – 12/23/23 – St. Anthony Market: West Houston St. between Thompson St. and MacDougal 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 this renewal application **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

**Vote:** Unanimous, 39 Board Members in favor.

## **SLA LICENSING**

- 3. JL Solo Inc., d/b/a Senza Gluten, 206 Sullivan St. 10012** (Corporate Change: OP–Restaurant, SN#1283384)
- i. Whereas,** the Applicant and her Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a change in corporate ownership holding an On-Premises Liquor License (SN#1283384) to continue to operate a full-service restaurant specializing in gluten free Italian food on the ground floor of a R7-2, C1-5-zoned, five (5)-story mixed-use building (c. 1910) on Sullivan Street between West 3rd and Bleecker Streets (Block #540/Lot #36), the building falling within NYC LPC’s designated South Village Historic District; and,
  - ii. Whereas,** one of the existing owners is buying all the shares of the corporation that holds the liquor license from another existing owner, the method of operation as a gluten-free Italian Restaurant remaining the same; and
  - iii. Whereas,** the premises is approximately 1,270 sq. ft. (1,000 sq. ft. on the ground floor connected by an interior stairway to 270 sq. ft. basement), there are 28 tables and 56 seats and one (1) bar with six (6) seats for a total of 62 seated patrons, there is one (1) entrance serving as patron ingress and egress and two (2) bathrooms; and
  - iv. Whereas,** the hours of operation will continue to be from 8:00 AM to 12:00 AM Sundays through Thursdays and 8:00 AM to 2:00 AM Fridays and Saturdays; there will be a sidewalk café with no more than eight (8) tables and 16 patron seats located immediately adjacent to the building operating under the temporary Open Restaurants program, sidewalk seating will close no later than 10:00 PM Sundays through Thursdays and 11:00 PM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; and
  - v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Restaurant Liquor License, with those stipulations as follows:
    - 1. Premises will be advertised and operated as full-service restaurant specializing in gluten-free Italian food with the kitchen open and full menu items available until closing every night.
    - 2. The hours of operation will be 8:00 AM to 12:00 AM Sundays through Thursdays and 8:00 AM to 2:00 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 any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than eight (6) tables and sixteen (16) patron seats. No roadbed seating.

5. Sidewalk seating will close no later than 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays. All tables and chairs will be removed from sidewalk at that time 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 all times, allowing only for patron ingress and egress.
9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
15. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a Corporate Change to the On-Premises Restaurant Liquor License in the name of **JL Solo Inc., d/b/a Senza Gluten, 206 Sullivan St. 10012**, **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:** Unanimous, 39 Board Members in favor

4. **Montres Journe NY, LLC d/b/a FP Journe, 53 Mercer St. 10013** (new OP–Bottle Club) *(previously unlicensed)*
  - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new Bottle Club License to operate a showroom, retail store and gathering space for existing and prospective customers of their handmade, high-end time pieces in the cellar, ground and 2<sup>nd</sup> floors of a M1-5/R7X-zoned, three (3)-story commercial building (c. 1868, renovation ongoing) on Mercer Street between Broome and Grand Streets (Block #474/Lot #14), the building falling within NYC LPC’s SoHo-Cast Iron Historic District Extension; and
  - ii. **Whereas**, the premises is approximately 6,210 sq. ft. consisting of 2,083 sq. ft. on the 1<sup>st</sup> floor, 2,642 sq. ft. on the 2<sup>nd</sup> floor and 1,485 sq. ft. in the cellar, the three floors being connected by both an internal stairway and elevator, there will be no patron use of the cellar space, the cellar being used for storage and utility; there will be two (2) tables and ten (10) seats and one (1) bar with eight (8) seats

on the 1<sup>st</sup> floor and eight (8) tables with 24 seats and one food counter with six (6) seats on the 2<sup>nd</sup> floor for a total seated patron occupancy of 43; there is one (1) main entrance indicated on the floor plans which will serve as patron ingress, two (2) additional exits and two (2) patron bathrooms; the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

- iii. **Whereas**, the hours of operation will be from 10:00 AM to 8:00 PM Sundays through Saturdays (7 days a week), there may be a maximum of ten (10) private events per year at which time the premises will close no later than 11:00 PM, no patrons will remain after stated closing time; music will be quiet background only consisting of music from iPod/CDs inclusive of any parties or events; there will be no more than five (5) televisions showing promotional videos; there will be no: dancing, DJs, live music, promoted events, scheduled performances or cover fees, velvet ropes or movable barriers (aside from the Grand Opening); and
- iv. **Whereas**, the Applicant originally presented their application to CB2, Manhattan's SLA Committee #1 in November/2022 at which time the Committee recommended denial of the application due to a number of unanswered questions including whether or not there were 3 licensed premises within 500', was the public able to enter the store as it was presented more as open only to invited guests initially amongst other questions, but offered the Applicant to return this month for reconsideration based on supplying answers to those questions; and
- v. **Whereas**, upon returning this month, the Applicant provided a survey showing the distance to Bloomingdales Inc. d/b/a Forty Carrots (SN# 1143172) being 505' from the premises proposed to be licensed; and
- vi. **Whereas**, the Applicant clarified that anyone from the public would be able to enter the 1<sup>st</sup> floor showroom and that the 2<sup>nd</sup> floor would be used for special events, dinners and other functions for invited guests/VIPs; there continues to be questions regarding the conversion of the Certificate of Occupancy for the 2<sup>nd</sup> floor from its current status as JLWQA to UG6 retail permitting eating and drinking establishments, the Applicant providing plans showing a proposed use of UG6B office, which does not permit eating and drinking establishments; and
- vii. **Whereas**, at the November/2022 CB2, Man. SLA Committee meeting the Applicant stated there would be a cigar room located on the ground floor of the licensed premises, the Committee questioned under what regulations a cigar room was permitted as part of an On-Premises Bottle Club license; upon returning this month the Applicant has removed the cigar room from the licensed premises; and
- viii. **Whereas**, despite there being questions on whether there are 3 licensed premises within 500 ft, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agree to abide by and will submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Bottle Club Liquor License with those stipulations as follows:
  - 1. Premises will operate as a high-end watch store and showroom and a gathering space for existing and prospective customers

2. The hours of operation will be 10:00 AM to 8:00 PM Sundays through Saturdays (7 days a week) with the exception of private events when the premises will close no later than 11:00 PM. No patrons will remain after stated closing time.
3. 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.
4. Will have no more than ten (10) private events per year.
5. Will have no more than five (5) televisions no larger than 60". There will be no projectors.
6. Will close all doors and windows at all times, allowing only for patron ingress and egress.
7. Will not have patron occupancy/service to any portion of the basement of licensed premises.
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 not permit smoking on the licensed premises and will abide by all rules and regulations of New York City's Smoke Free Air Act and New York State's Clean Indoor Air Act.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. 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 (aside from the Grand Opening).
13. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
14. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends denial of the application for a Corporate Change to the On-Premises Restaurant Liquor License in the name of **Montres Journe NY, LLC d/b/a FP Journe, 53 Mercer St. 10013**, 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 On-Premises Bottle Club Liquor License.

**Vote:** Unanimous, 39 Board Members in favor

**5. Wegman's Food Markets, Inc., 770 Broadway 10003 (OP-Restaurant)**

- i. **Whereas**, the Applicant and Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committees #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Restaurant Liquor License to operate a restaurant on the ground floor of a C6-2-zoned, 15-story commercial building (c. 1903 and 1907) on Broadway between Wanamaker Place and East 8<sup>th</sup> Street (Block #554/Lot #1), the building falling within NYC LPC's designated NoHo Historic District; and
- ii. **Whereas**, the ground floor restaurant space is roughly 2,637 sq. ft. and is located within the food market immediately adjacent to the main entrance for the food market; there will be approximately 33 tables and 76 seats, one (1) bar with eight (8) seats and one (1) sushi bar with ten (10) seats for a total seated capacity of 94 seats and proposed occupancy of 110 persons, the Applicant intending to apply for a Public Assembly permit; there is one entrance used for patron ingress and egress accessed from the inside the food market and one (1) additional emergency exit; there is one (1) bathroom in

the restaurant with patrons having additional access to the restrooms in the grocery area; the store front infill being fixed without operable doors or windows that open out to the sidewalk; there is no outdoor seating on either the sidewalk or roadbed operating under the temporary Open Restaurants program; and

- iii. **Whereas**, the Applicant's agreed to hours of operation are 10:00 AM to 11:00 PM Sundays through Saturdays; music will be ambient recorded music only, there may be occasional acoustic live jazz but music will remain at background levels at all times; there are no televisions; there will be no dancing, no DJs, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades; and
- iv. **Whereas**, the application as initially presented indicated closing hours for the food market of 11:00 PM daily, with the proposed restaurant closing at 1:00 AM Sundays through Thursdays and 2:00 AM Fridays and Saturdays; while there was much support from both the committee and community for the Wegmans food market, concerns were raised regarding the logistics of closing the restaurant later than the food market, of particular concern was bathroom access, there being just one (1) bathroom / stall in the restaurant itself for an occupancy of 110 persons which is in contradiction of the NYSLA requirement that there be at least two (2) bathrooms; additional concerns were the logistics of closing the food market itself but leaving the main entrance open for patrons to access the restaurant entrance, there being no direct access to the restaurant from the street; additional concerns were raised regarding the late night operating hours for the restaurant, the restaurant being an accessory use to the food market and the public interest in having the restaurant open while the market was closed with there being 28 active licenses within 750' of the proposed premises to be licensed seemed negligible and potentially harmful to those already established businesses; and
- v. **Whereas**, members of both the committee and the public also commented on their disappointment at the loss of the subway entrance that was located on the interior of the premises when Kmart occupied the premises, the Applicant explaining it was logistically not possible to keep due to the layout of the food market and related check-out counters, that there was an entrance directly across the street that they felt was sufficient; and
- vi. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being 28 active licensed premises and three (3) pending within 750 feet of the subject premises, the Applicant agreeing to closing the restaurant at the same time or earlier than the market and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the license, limiting its method of operation on the On-Premises Liquor License for this purpose, as follows:
  - 1. Premise will be advertised and operated as a full-service restaurant, specifically a seafood-forward restaurant serving sushi and sashimi in addition to vegetable-forward appetizers, dim sum, noodle dishes and other diverse items with the kitchen open and full menu items available until closing every night.
  - 2. The hours of operation will be 10:00 AM to 11:00 PM Sundays through Saturdays and will close no later than the food market. 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 quiet ambient recorded background music only. There may be occasional acoustic live jazz but music will be at background levels at all times. No music will be audible in any adjacent residences at any time.
6. Will not have any televisions.
7. Will close all doors and windows at 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 will obtain Place of Assembly Certificate 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.
14. It will not have any of the following: dancing, DJs, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades.
15. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Restaurant License in the name of **Wegman’s Food Markets, Inc., 770 Broadway 10003**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the On-Premises Liquor License.

**Vote:** Unanimous, 39 Board Members in favor

**6. Eataly Lafayette, LLC d/b/a TBD, 200 Lafayette St. 10012** (New OP–Restaurant) (*previously unlicensed*)

- i. **Whereas**, the Applicant and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committees #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Restaurant Liquor License to operate a restaurant on the ground floor of a M1-5/R7D and SNX-zoned, 7-story mixed-use building (c. 1900 on Lafayette Street between Broome and Spring Streets (Block #482/Lot #7504), the building falling within the Special SoHo-NoHo Mixed Use District (SNX); and
- ii. **Whereas**, the premises is approximately 18,353 sq. ft. with 11,612 sq. ft. on the ground floor and 6,741 sq. ft. in the basement connected by an interior stairway and elevator; the basement being used as a market with bathroom access in addition to back of house functions with no service of alcohol; the ground floor consisting a market and prepared foods area in addition to the restaurant, café and



salami/cheese area; there are approximately 58 tables with 166 seats, two (2) bars with 12 seats and 1 food counter with 14 seats for a total seated capacity of 192 persons in the restaurant / café area; there are two (2) entrances, three (3) exits and three (3) public bathrooms; and

- iii. **Whereas**, the Applicant's agreed to hours of operation are 7:00 AM to 11:00 PM Sundays through Thursdays and 7:00 AM to 12:00 AM Fridays and Saturdays; music will be ambient recorded music only at background levels only; there are no televisions, there will be no dancing, no DJs, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades; and
- iv. **Whereas**, there will be seasonal sidewalk seating (no heaters) 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 five (5) tables and ten (10) seats on Lafayette Street and four (4) tables and eight (8) patron seats on Broome Street; Sidewalk café hours are from 8:00 AM to 8:00 PM Sundays through Saturdays (7 days a week); and
- v. **Whereas**, the premises to be licensed was previously unlicensed and most recently operated as a showroom for Pirsch and prior to that as a Chase Bank outpost; and
- vi. **Whereas**, the premises falling within the Special SoHo-NoHo Mixed Use District is subject to Chapter 3, Section 143-11(b) of the NYC Planning and Zoning Resolution that restricts eating and drinking establishments to 8,500 square feet of floor area per establishment, the Applicant, in order to forego the expense and time of going through a determination from DOB, has agreed to limit the area to be licensed to the restaurant, café and salami/cheese section which is under 8,500 sq. ft. as reflected in the diagram attached to the stipulation agreement; and
- vii **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 70 active licensed premises and 6 pending licenses within 750 feet of the subject premises, the Applicant agreeing to abide by the restrictions of the SNX zoning by limiting the square footage of the area of food and alcohol service in the licensed premises and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the license, limiting its method of operation on the on premise license for this purpose, as follows:
  - 1. Premise will be advertised and operated as a full-service restaurant, specifically a sit-down restaurant serving authentic Italian food and craft cocktails in addition to a café and salami and cheese tasting area within a retail shopping market with the kitchen open and full menu items available until closing every night. Alcohol service and consumption will be limited to the ground floor restaurant, café and salami/cheese area as indicated in the stipulations.
  - 2. The hours of operation will be 7:00 AM to 11:00 PM Sundays through Thursdays and 7:00 AM to 12:00 AM Fridays and 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 any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for

- pedestrian passage with no more than five (5) tables and ten (10) patron seats on Lafayette Street and four (4) tables and eight (8) patron seats on Broome Street. No roadbed seating.
5. Sidewalk café will close no later than 8:00PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
  6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
  7. Will not have any televisions.
  8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  9. Will not have service to patrons or consumption of alcohol by patrons outside of the ground floor restaurant, café and salami/cheese area (comprising less than 8,500 sq. ft. per the SoHo SNX zoning) as indicated on the attached floor plans.
  10. Will not install or have French doors, operable windows or open facades.
  11. Will not make changes to the existing façade except to change signage or awning.
  12. Will comply with NYC Department of Buildings Regulations and will obtain a valid Certificate of Occupancy and Place of Assembly Certificate and keep current at all times required Permits and Certificates.
  13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
  15. 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.
  16. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
  17. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Restaurant License in the name of **Eataly Lafayette, LLC d/b/a TBD, 200 Lafayette 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 On-Premises Liquor License.

**Vote:** Unanimous, 39 Board Members in favor

**7. TQTO Corp. 99 MacDougal St. 10012** (New OP–Restaurant) (*previously unlicensed*)

- i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate quick serve Tex-Mex restaurant on the ground floor of a R7-2 with a C1-5 overlay-zoned, five (5)-story mixed-use building (c. 1900) on MacDougal Street between Bleecker and West 3rd Streets (Block #542/Lot #51), the building falling within NYC LPC’s South Village Historic District; and
- ii. **Whereas**, the ground floor premises is approximately 500 sq. ft. and is above grade being accessed by walking up five steps; there will be four (4) tables with 12 seats and one food counter with three

(3) seats for a total of 15 interior seats; 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; and

- iii. **Whereas**, the hours of operation will be from 12:00 PM to 9:00 PM Sundays, closed Mondays, 1:00 PM to 11:00 PM Tuesdays and Wednesdays and 1:00 PM to 2:00 AM Thursdays through Saturdays; 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 Honest Chops Burgers from approximately 2016 to 2020; and
- v. **Whereas**, the bathroom is located in the rear of the premises and is accessed by walking down a hallway past the unenclosed kitchen prep area in contradiction of NYC DOHMH rules requiring that patrons not pass through a food preparation area to access the bathroom, the Applicant stating when asked that they will construct some sort of divider but had not provided any plans illustrating the work to be done; 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 where there are already two existing licenses in the building (Greenwich Village Comedy Club SN#1263017 and Katiroll Company SN#1263071) in addition to a significant number of licensed establishments in the immediate area, there being 120 active licensed premises within 750 feet of the subject premises, in addition to 13 pending licenses; and
- vii. **Whereas**, the premises being very small and stated method of operation being quick serve with a substantial take out business, the Applicant not willing to consider instead a beer and wine license nor a reduction of hours in order to mitigate the quality of life impacts of another licensed establishment in the building; and

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan recommends denial of the new On-Premises Restaurant Liquor License application for **TQTO Corp. 99 MacDougal St. 10012**; and

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

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

**Vote:** Unanimous, 39 Board Members in favor

**8. ArtFarm USA Inc., d/b/a Manuela, 130 Prince St. (New OP–Restaurant) (previously unlicensed)**

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a full-service restaurant and café on the ground floor and cellar of a M1-5/R7X-zoned, five (5)-story commercial building (c. 1925) on Prince Street between Wooster Street and West Broadway (Block #501/Lot #15), the building falling within the NYC LPC's designated SoHo-Cast Iron Historic District and the Special SoHo-NoHo Mixed Use District; and
- ii. **Whereas**, the ground floor premises is approximately 5,463 sq. ft. consisting of 4, 295 sq. ft. on the ground floor and 1, 168 sq. ft. in the cellar, the two floors connected by both an interior stairway and elevator, patron use of the basement is for the private dining room and bathroom access only, there is no service to patrons in the basement outside of the private dining room; there will be 35 tables and 106 seats and two (2) bars with 27 seats on the ground floor and approximately one (1) table with ten (1) seats in the cellar for a total seated patron occupancy of 143; the premises has two (2) doors which will serve as patron ingress and egress, three (3) additional doors for emergency exit and eight (8) bathrooms located in the cellar; and
- iii. **Whereas**, the hours of operation will be from 8:00 AM to 11:00 PM Sundays through Thursdays and 8:00 AM to 12:00 AM Fridays and Saturdays; music will be quiet background music only with the exception of private events which may include live, acoustic music (no brass or percussion or amplified sound) played at background levels; there will be no: dancing, DJs, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; the Applicant provided both extensive sound and traffic plans and will have designated staff to ensure there is no queuing; and
- iv. **Whereas**, the Applicant, who is an independent hospitality and development company owned by the same principals as Hauser and Wirth art galleries, did extensive outreach to the various SoHo arts organizations and local community block associations including the SoHo Alliance, holding virtual and in-person information sessions and incorporating feedback into the instant application; the original intent was to close at midnight 7 days a week but the hours during the week were reduced to 11:00 PM based on community input and was reflected in the application; in addition the submitted application included 12 tables and 24 seats on Prince Street sidewalk which the Applicant removed from the application just prior to the SLA Committee meeting in response to input from the SoHo Alliance; and
- vi. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that public interest and public convenience would be served by the granting of a liquor license at this location, where there already is a significant number of licensed establishments in the immediate area, there being 43 active licensed premises within 750 feet of the subject premises, in addition to 7 pending licenses, the Applicant having met with the community groups and block associations where the licensed premises will be located including the SoHo Alliance, 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 Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be

attached and incorporated into the method of operation of the On-Premises Liquor License, with those stipulations as follows:

1. Premises will be advertised and operated as a full-service community restaurant with a menu focused on modern heritage American food with regenerative agriculture and sustainability at the forefront, composting 90% of their food waste with the compost being donated to Project Eats 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 Sundays through Thursdays and 8:00 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 any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
5. Will play quiet ambient recorded background music only with the exception of private events which may include live, acoustic music (no brass or percussion or amplified sound) played at background levels. No music will be audible in any adjacent residences at any time..
6. Will have no more than one (1) television no larger than 60". There will be no projectors and TV will operate in "closed caption" mode only without sound.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will have the main entrance on the corner of Prince and Wooster Streets.
10. Patron use of the cellar is limited to the private dining room consisting of not more than ten (10 ) seated patrons and patron bathrooms. There will be no service of food or alcohol in the cellar to areas outside of the private dining room.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate and keep current at all times required Permits and Certificates.
13. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed to CB2 prior to opening.
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. No magnums.
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 doorman or 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 Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Liquor License in the name of **ArtFarm USA Inc., d/b/a Manuela, 130 Prince St. unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the NYSLA On-Premises Liquor License.

**Vote:** Unanimous, 39 Board Members in favor

**9. Raanana LLC, d/b/a Jack's Wife Freda, 72 University Pl. 10003 (OP–Restaurant)**

- i. Whereas,** the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises License to operate a full-service American-fare restaurant on the ground floor of a C1-7-zoned, five (5)-story mixed-use building (c. 1900) on University Place between East 10<sup>th</sup> and East 11<sup>th</sup> Streets (Block #568/Lot #19); and
- ii. Whereas,** the ground floor premises is approximately 3,700 sq. ft. consisting of 1,800 sq. ft. on the ground floor and 1,900 sq. ft. in the basement, the two floors connected by an interior stairway, there is no patron use of the basement; there will be 23 tables and 62 seats and one (1) bar with six (6) seats for a total seated patron occupancy of 68 persons; the premises has one (1) door which will serve as patron ingress and egress and two (2) bathrooms; they will be installing operable windows which will close by 9:00 PM every night or anytime there is any music playing on the interior; and
- iii. Whereas,** the hours of operation will be from 8:30 PM to 11:00 PM Sundays through Thursdays and 8:30 PM to 12:00 AM Fridays and Saturdays; there will be a seasonal sidewalk café with no more than two (2) tables and eight (8) patron seats operating under the temporary Open Restaurants program, sidewalk café will close no later than 10:00 PM each night, the pre-existing structure enclosing the sidewalk café are will be removed; music will be quiet recorded background only; there will be no televisions, no DJ's, no promoted events, no live music or scheduled performances, no cover fees, no velvet ropes or movable barriers and no security personnel; and
- v. Whereas,** the premises to be licensed was most recently occupied by Blossom Union Square Inc d/b/a Blossom (SN# 1338975) with the same hours of operation, and since 2016 was occupied by Nix Hedden LLC d/b/a Nix (SN# 1292436) with the same hours of operation; 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 47 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 4 additional pending licenses, the Applicant having two other establishments in Community Board 2, a member of the local block association familiar with their other establishments welcomed them to the neighborhood, 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 Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Liquor License, with those stipulations as follows:
  - 1. Premises will be advertised and operated as a full-service restaurant serving American fare with the kitchen open and full menu items available until closing every night.

2. The hours of operation will be 8:30 AM to 11:00 PM Sundays through Wednesdays and 8:30 AM to 12:00 AM Thursdays through Saturdays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than two (2) tables and eight (8) patron seats. Sidewalk café will not be enclosed. No roadbed seating.
5. Sidewalk café will close no later than 10:00PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
6. Will remove pre-existing enclosure around sidewalk café.
7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
8. Will not have televisions.
9. Will close all doors and windows at 9:00PM every night or anytime there is any music playing in the interior seating, allowing only for patron ingress and egress.
10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products. 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, velvet ropes or barricades or doorman or security personnel.
15. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends denial of the application for a new On-Premises Liquor License in the name of **Raanana LLC, d/b/a Jack’s Wife Freda, 72 University Pl. 10003** unless the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA On-Premises Liquor License.

**Vote:** Unanimous, 39 Board Members in favor

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

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

**Whereas**, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on December 6, 2022, the Applicant requested to **withdraw** this application for a Corporate Change to their On Premises Restaurant License (SN# 1025191) 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; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **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 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**11. Jemikos GFF Inc. d/b/a Senza Gluten Café Baking, 17 Sullivan St. 10012** (Corporate Change, TW–Tavern)

**Whereas**, in the course of the CB2, Manhattan’s SLA #1 Licensing Committee Meeting on December 6, 2022 the Applicant requested **to lay over** this application for a Corporate Change to their Tavern Wine License (SN# 1313987) to January/2023 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; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **Jemikos GFF Inc. d/b/a Senza Gluten Café Baking, 17 Sullivan St. 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**12. Banter West Village, LLC d/b/a Banter, 169 Sullivan St. 10014** (Corporate Change, OP–Restaurant)

**Whereas**, in the course of the CB2, Manhattan’s SLA #1 Licensing Committee Meeting on December 6, 2022 the Applicant requested **to lay over** this application for a Corporate Change to their On Premises Liquor License (SN# 1299450) to January/2023 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; and



**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **Banter West Village, LLC d/b/a Banter, 169 Sullivan St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**13. 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**, in the course of the CB2, Manhattan's SLA #1 Licensing Committee Meeting on December 6, 2022 the Applicant requested to lay over this application for a Tavern Wine License to January/2023 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; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

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

**Whereas**, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on December 6, 2022, the Applicant requested to withdraw this application for a Tavern Wine License and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **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 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**15. Aime Leon Dore soho LLC, d/b/a Aime Leon Dore, 214 Mulberry St. 10012 (TW–Tavern/Café)**

**Whereas**, in the course of the CB2, Manhattan’s SLA #1 Licensing Committee Meeting on December 6, 2022 the Applicant requested to lay over this application for a Tavern Wine License to January/2023 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; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **Aime Leon Dore soho LLC, d/b/a Aime Leon Dore, 214 Mulberry St. 10012** until the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**16. Baotea Mulberry, Inc., 122 Mulberry St. 10013 (RW–Restaurant)**

**Whereas**, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on December 6, 2022 the Applicant requested to lay over this application for a Restaurant Wine License to January/2023 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; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **Baotea Mulberry, Inc., 122 Mulberry St. 10013** until the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**17. Casty Restaurant Inc., d/b/a Denino’s Pizzeria & Tavern, 93 MacDougal St. 10012 (OP–Restaurant)**

**Whereas**, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on December 6, 2022, the Applicant requested to withdraw this application for a On-Premises Liquor License and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **Casty Restaurant Inc., d/b/a Denino’s Pizzeria & Tavern, 93 MacDougal St. 10012** until the

Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**18. L. Pride, on behalf of an entity to be determined, d/b/a TBD, 83-85 MacDougal St. North Store 10012 (OP-Restaurant)**

**Whereas**, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on December 6, 2022 the Applicant requested **to lay over** this application for a On-Premises Liquor License to January/2023 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; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **L. Pride, on behalf of an entity to be determined, d/b/a TBD, 83-85 MacDougal St. North Store 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**19. Juicerie Nolita, LLC, d/b/a The Butcher's Daughter, 19 Kenmare St. East Unit 10012 (OP-Restaurant)**

**Whereas**, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on December 6, 2022 the Applicant requested **to lay over** this application for a On-Premises Liquor License to January/2023 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; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **Juicerie Nolita, LLC, d/b/a The Butcher's Daughter, 19 Kenmare St. East Unit 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**20. Gi Gi Group, LLC d/b/a TBD, 138 Bowery 10013 (OP-Hotel)**

**Whereas**, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on

December 6, 2022 the Applicant requested **to lay over** this application for a On-Premises Hotel Liquor License to January/2023 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; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan 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 **Gi Gi Group, LLC d/b/a TBD, 138 Bowery 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**22. Village Red Restaurant Corp. d/b/a Waverly Restaurant – Diner, 385 Sixth Ave. 10014 (RW-Change in Corporate Ownership)**

**i. Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a change in corporate ownership holding the existing restaurant wine license operating a family style diner restaurant in a ground floor storefront located within a four-story residential townhouse (circa 1910) at the corner of Sixth Avenue and Waverly Place, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

**ii. Whereas**, the licensed premise has operated for years as the Waverly Restaurant, a diner serving the community, with its long-time manager having purchased the assets from its prior owner, the method of operation as a diner remaining the same; and

**iii. Whereas**, the interior corner storefront is approximately 1700 sq. ft. (850 sq. ft. ground floor and 850 sq. ft. basement with the basement being for storage purposes only), there is a full-service kitchen, 22 tables with 68 patron seats for a total indoor seated patron occupancy of 68 persons, there is one (1) entry and two (2) exits and two (2) patron bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

**iv. Whereas**, the hours of operation for the service of alcohol will be Sunday to Thursday from 6 AM to 12 AM and Fridays/Saturdays until 2 AM, music in the interior will be background only, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no operable windows or French doors; and,

**v. Whereas**, the Applicant also executed/had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the Method of Operation for the Restaurant Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a family style diner restaurant with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be for the service of alcohol will be Sunday to Thursday from 6 AM to 12 AM and Fridays/Saturdays until 2 AM.
3. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk seating on Sixth avenue operating under the temporary Open Restaurants program.

Sidewalk seating will be located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 8 tables and 16 patron seats. No roadbed seating.

4. Sidewalk café seating will close no later than 11 PM every evening. All tables and chairs will be removed from sidewalk with no patrons remaining outside at this hour. No exterior music, speakers or TVs.
5. Will not install or have French doors, operable windows or open façades.
6. Will keep closed all doors & windows at all times.
7. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
8. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
9. Will have 1 TV.
10. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
12. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine liquor license to **Village Red Restaurant Corp. d/b/a Waverly Restaurant – Diner, 385 Sixth Ave. 10014** **unless** the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the Method of Operation on the SLA Restaurant Wine License.

**Vote:** Unanimous, 39 Board Members in favor

**23. The Grey Dog Inc. d/b/a The Grey Dog University, 90 University Pl. 10003** (OP – Alteration to add stand up bar)

**i. Whereas,** the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an alteration application to turn a service bar into a stand up bar within their licensed premise while continuing to operate their full-service "family restaurant that focuses on healthy American comfort food"; and,

**ii. Whereas,** the licensed premise includes the ground floor and basement levels of a 3 story mixed residential townhouse building (circa 1900) on University Place between East 11<sup>th</sup> & East 12<sup>th</sup> Streets in Greenwich Village; and,

**iii. Whereas,** the interior license premise is roughly 2,200 sq. ft. (1,200 sq ft ground floor and 1,000 sq ft basement—for storage but not for service to patrons), and will continue to operate with 16 interior tables and 34 patron seats, but there will now be 1 stand up bar with 6 additional seats within the interior premise for a total interior seating of 40 patrons, the storefront's infill being fixed with the exception of the two French doors where the single patron entry to the restaurant is located; and,

**iv. Whereas**, there will also continue to be exterior seating currently operating under the temporary Open Restaurants program with 4 tables and 8 seats on the sidewalk, in addition to 7 tables and 14 patrons seats in the roadbed; and,

**v. Whereas**, the Applicant's method of operation will continue to be a full-service restaurant and no other changes are being made, the interior hours of operation will be continue to be 11AM to 12AM 7 days a week, and the exterior hours of service/operation will continue to be no later than 10 PM Sunday to Thursday and no later than 11 PM Fridays and Saturdays, all doors and windows will be closed at 10PM, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The premises will be advertised and operated as a full service restaurant that will serve American cuisine with kitchen open and full menu items available until closing every night.
2. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
3. The interior hours of operation will be Sunday to Saturday from 11 AM to 12 AM.
4. Will not operate a backyard garden or other outdoor area for commercial purposes except for sidewalk and roadbed seating operating under the temporary Open Restaurants program. Sidewalk seating will be located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 4 tables and 8 patron seats. Roadbed seating not exceeding the business frontage of licensed premises will consist of 7 tables and 14 patron seats.
5. Sidewalk café and roadbed seating will close no later than 10 PM Sunday to Thursday and no later than 11 PM Fridays and Saturdays. No exterior music, speakers.
6. Will not install or have French doors, operable windows or open facades.
7. Sandwich boards will be placed against building and not block the public sidewalk.
8. Will close all doors & windows by 10 pm every night.
9. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
10. The premises will not have televisions.
11. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. Will not have unlimited drink or unlimited food & 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 wine products.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

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

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the alteration application for an existing on premise liquor license to **The Grey Dog Inc. d/b/a The Grey Dog University, 90 University Pl. 10003** **unless** the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the Method of Operation on the SLA On Premise License.

**Vote:** Unanimous, 39 Board Members in favor

**24. Ryan Reynolds d/b/a WEST10WEST, 242 W. 10th St. 10014** (New RW-Previously Unlicensed Location)

**i. Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee for a new Restaurant Wine liquor license to operate a neighborhood café and small restaurant serving breakfast, lunch and dinner within a ground floor store front located in a R6 zoned, six story tenement styled residential building (circa 1900) on West 10<sup>th</sup> Street between Bleecker and Hudson Streets, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

**ii. Whereas**, the storefront premise proposed to be licensed has never been licensed for the service of liquor or for eating and drinking occupancy, the storefront having operated for years as a retail clothing store closing by 7 PM every evening; the applicant is installing a kitchen, which will be all-electric and unvented, the Applicant explaining that he will obtain a letter of no objection permitting the use and occupancy for eating and drinking service; and,

**iii. Whereas**, the interior storefront is roughly 450 sq. ft., with 7 tables and 16 patron seats, 1 bar with 8 additional seats for a total interior patron capacity of 24, there is no basement, the storefront infill being fixed without French doors or operable windows, with one patron entrance and one patron bathroom, there will be no sidewalk café and no roadbed dining, or other exterior service of alcohol included with this application; and,

**iv. Whereas**, the hours of operation will be Sunday to Wednesday from 8 AM to 10 PM, Thursdays from 8 AM to 11 PM and Fridays/Saturdays from 8 AM to 12 AM, there will be music in the interior which will be quiet background only; and,

**v. Whereas**, the Applicant met with the local block association and agreed to certain stipulations to garner support from those living in the immediate area; and,

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

1. The licensed premises will be advertised and operated as a café and small restaurant.
2. The hours of operation will be Sunday to Wednesday from 8 AM to 10 PM, Thursdays from 8 AM to 11 PM and Fridays/Saturdays from 8 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 anytime.
8. The premises will not have dancing, DJ's, 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, Manhattan recommends denial of an application for a Restaurant Wine Liquor License for **Ryan Reynolds d/b/a WEST10WEST, 242 W. 10th St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Tavern Wine License.

**Vote:** Unanimous, 39 Board Members in favor

**25. Lin and Daughters Inc., d/b/a Lin and Daughters, 181 West 4th St. 10014** (New RW-Restaurant)

**i. Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee for a new Restaurant Wine liquor license to operate a neighborhood restaurant serving Chinese comfort food within a ground floor store front located in a three story Federal style townhouse (circa 1910) on West 4<sup>th</sup> Street between Jones and Barrow Streets, this building falling within NYC LPC's designated Greenwich Village District; and,

**ii. Whereas**, the storefront premise proposed to be licensed was previously operated as Ramen-Ya, a restaurant with a similar method of operation serving Chinese fare with a restaurant wine license; and,

**iii. Whereas**, the interior storefront is roughly 463 sq. ft., where there will be 4 tables and 12 patron seats, no bar for a total interior patron capacity of 12, there is no basement, the storefront infill being fixed without French doors or operable windows, with one patron entrance and one patron bathroom, but there will be no sidewalk café and no roadbed dining, or other exterior service of alcohol included with this application; and,

**iv. Whereas**, the hours of operation will be Sunday to Thursday from 11 AM to 10 PM and Fridays/Saturdays from 11 AM to 11 PM, there will be music in the interior will be quiet background only; and,

**v. Whereas**, the Applicant met with the local block association and agreed to remove a dilapidated shed located in the roadbed that was used during the Covid Pandemic, garnering support from those living in the immediate area; and,

**vi. Whereas**, the Applicant was provided with a stipulations agreement that they agreed to submit to the SLA as follows:

1. The licensed premises will be advertised and operated as a small restaurant serving Chinese fare.



2. The hours of operation will be Sunday to Thursday from 11 AM to 10 PM and Fridays/Saturdays from 11 AM to 11 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 anytime.
8. The premises will not have dancing, DJ's, 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.

**vii. Whereas**, after presenting this application to CB2, Manhattan's SLA Licensing Committee Meeting on December 8, 2022 the Applicant thereafter withdrew this application from further consideration and indicated that she anticipated to reapply at some point in the future, affirming that they she will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Lin and Daughters Inc., d/b/a Lin and Daughters, 181 West 4th St. 10014** unless the Applicant signs the above-mentioned stipulations and/or returns to CB2 to represent its restaurant wine application to CB2 Manhattan.

**Vote:** Unanimous, 39 Board Members in favor

**26. DBNB, LLC d/b/a TBD, 64 Greenwich Ave. 10011 (New OP - Restaurant)**

**i. Whereas**, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a restaurant serving comfort food in a ground floor storefront located within a three-story, Federal style townhouse building (circa 1841) on Greenwich Ave. between Perry and 7<sup>th</sup> Avenue South, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

**ii. Whereas**, the storefront proposed to be licensed was previously operated as a full service restaurant (Meatball Shop) with a similar method of operation as proposed in this application, is roughly 2000 sq. ft. (1100 sq. ft. ground floor and 800 sq. ft. basement with the basement being for storage systems and the kitchen but not for patrons or the service of alcohol), there is a full-service kitchen, 19 tables with 54 patron seats, one stand-up bar with 9 additional seats for a total indoor seated patron

occupancy of 63 persons, there is one (1) entry and one (1) exits and one (1) patron bathroom, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

**iii. Whereas,** the Applicant's hours of operation will be Sundays to Thursdays from 4:00 PM to 12:00 AM and Fridays/Saturdays from 4:00 PM until 1:00 AM, music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; there is no 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 49 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 9 additional pending licenses, the method of operation being similar to what was licensed and operated at the same location in the past without significant conflict, the applicant presented reduced late night hours of operation, 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 Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the Restaurant On Premises License, with those stipulations as follows:

1. The 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 to Thursdays from 4:00 PM to 12:00 AM and Fridays/Saturdays from 4:00 PM until 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. Will not operate any outdoor area for commercial purposes including any sidewalk or roadbed seating operating 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 Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises Liquor License to **DBNB, LLC d/b/a TBD, 64 Greenwich Ave. 10011** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the SLA Restaurant On Premises License.

**Vote:** Unanimous, 39 Board Members in favor

**27. Lamano West Village LLC, d/b/a Lamano, 37-39 Christopher St. 10014 (New OP – change from TW)**

**i. Whereas,** the Applicant and the Applicant's attorney appeared before Community Board 2, 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 small plate/tapas wine bar in a ground floor storefront located within a six-story, tenement style residential building (circa 1900) on Christopher Street between Waverly Place and 7<sup>th</sup> Avenue South, this building falling within NYC LPC's designated Gansevoort Market Historic District; and,

**ii. Whereas,** the storefront proposed to be licensed has operated since 2018 with a similar method of operation as a wine bar with a tavern wine license, but prior to 2018 had never previously operated with any liquor license; the interior storefront is small in size, roughly 550 sq. ft. with no basement, there is no full-service kitchen, with 12 tables with 39 patron seats, one stand-up bar with 9 additional seats for a total indoor seated patron occupancy of 48 persons, there is one (1) entry and one (1) exits and one (1) patron bathroom, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

**iii. Whereas,** the Applicant's hours of operation will be Sundays to Saturdays from 4:00 PM to 12:00 AM, music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; there is no roadbed dining or other exterior service of alcohol included with this application except for street seating pursuant to the temporary NYC DOTs Open Streets program, albeit only when street is closed for vehicle traffic pursuant to NYC DOT permits; 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 92 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 12 additional pending licenses, the method of operation being similar to what was licensed and operated at the same location in the recent past without significant conflict, 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 Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the On Premises Liquor License, with those stipulations as follows:

1. The Applicant will operate a small plate/tapas wine bar with its full food menu available until closing every night.
2. The hours of operation will be Sundays to Saturdays from 4:00 PM to 12:00 AM every evening.
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 including sidewalk café and/or roadbed seating operating under the Open Restaurants program. There will be street seating as part of temporary NYC DOTs Open Streets program only when street is closed for vehicle traffic pursuant to NYC DOT permits.
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 Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises Liquor License to **Lamano West Village LLC, d/b/a Lamano, 37-39 Christopher 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 On Premises License.

**Vote:** Unanimous, 39 Board Members in favor

**28. 232 14th Street, LLC d/b/a Between Us, 232 W. 14th St. 10014 Cellar & Sub-Bsmt. 10011**  
(New OP-Restaurant/Tavern with Rear Yard)

**i. Whereas,** the Applicants and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a restaurant in a semi-sub surface storefront within a five-story mixed-use tenement style building (c. 1900) on West 14th Street St. between 7th and 8th Avenues in Greenwich Village; and

**ii. Whereas,** the ground floor storefront proposed to be licensed was previously operated as a restaurant known as Crooked Knife, the storefront being roughly 2,700 sq. ft. consisting of a 1600 sq. ft. below grade ground floor and 1100 sq. ft. subbasement, the subbasement being for storage, boiler, and office uses only, there is no patron use of the subbasement, the interior storefront having a full service kitchen with 21 tables with 53 patron seats, one (1) seventeen foot stand up bar without any designated bar seating for a total seated patron occupancy of 53 seats; the premises has one (1) entry/exit with an exterior staircase leading down from the public sidewalk which serves as the only patron ingress and egress and one (1) bathroom; and

**iii. Whereas,** the Applicants also seek to operate in a large rear yard space from the interior storefront through a single doorway and staircase, the applicant indicating the unmeasured rear yard is roughly 1500 sq. ft., with 12 large picnic style tables and 52 exterior patron seats, the rear storefront also having a row of operable casement windows that open out into the rear yard; and

**iv. Whereas,** the proposed hours of operation are from 4:00 PM to 4:00 AM Monday through Friday and from 11:00 AM to 4:00 AM on Saturdays and Sundays, and for the exterior rear yard the proposed hours are from 6:00 PM to 12:00 AM Monday through Friday and from 11:00 AM to 12:00 AM on Saturdays and Sundays; music for the interior will include live music and live DJs on the weekends but despite the live music and DJS the applicants insist that music levels will be quiet background only, with the live music being acoustical jazz music without amplification, and there will be no dancing, no promoted events, no scheduled performances or cover fees; and

v. **Whereas**, the applicant provided a certificate of occupancy for 232 West 14th St. from 2018 which did not state nor permit eating and drinking use or occupancy to the exterior rear yard and placed a maximum capacity for the interior sub grade cellar level storefront at 64 persons, with concerns being raised as to the sufficiency of the emergency egress from the rear yard and premises to be licensed through the individual doorways and stairwells located at both the front and rear of the premise proposed to be licensed, with the proposed occupancy being in excess of that permitted, there also being no public assembly permit being presented demonstrating the proposed occupancy was reviewed by the NYCFD; and,

vi. **Whereas**, residents living adjacent to and directly exposed to the premises and rear yard proposed to be licensed appeared on this application opposing the use of the rear yard, explaining that during the COVID pandemic the predecessor restaurant in the same space (the Crooked Knife) tore down a fence separating the two rear yards of 232 West 14th St. and the neighboring building at 234 West 14th St., and without filing any alteration to its existing license with the NYSLA, or seeking permission from the NYC Department of Buildings, had placed tables and seats in the adjacent rear yard and was using both rear yards for eating/drinking and the of service alcohol, with such use and occupancy being in derogation of the terms of its liquor license, while also creating significant intrusions of noise and privacy to their quality of life, with their bedrooms and living quarters facing a rear donut consisting of numerous residential buildings, all of which are exposed to the use of the large rear yards belonging to both these two buildings (232 and 234 W. 14<sup>th</sup>) with the prior operators also having left their windows open in the rear, playing excessively loud music creating further, unreasonable intrusions on those living in the immediate rear donut, the applicants indicating that the ownership of the two buildings are by the same ownership entity; and,

vii. **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 late night license establishment at this location, the immediate area already being greatly saturated with late-night drinking establishments and liquor licenses, there being 50 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 4 additional pending licenses, the proposal of operating until 4 AM being inconsistent with the Applicant's statements and application that it seeks to operate as a full service restaurant, the use/occupancy of the rear yard for eating and drinking not being allowed, with valid concerns having been raised as to patron occupancy levels which must include patrons eating/drinking in the rear yard, as well as emergency egress to and though multiple single doorways coupled with staircases on either sides of those doorways, the Applicant not willing to withdraw the rear yard from the instant application, or operate with more appropriate hours consistent with that of a full service restaurant, with this particular block already being greatly saturated with late night licensed establishments; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On Premise Liquor License for **232 14th Street, LLC d/b/a Between Us, 234 West 14<sup>th</sup> Street Cellar & Sub-Bsmt. 10011**; and,

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

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

**Vote:** Unanimous, 39 Board Members in favor

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

**29. Hudson Square Services LLC & Apogee Events, Inc., d/b/a TBD, 75 Varick St., 18th Fl. 10013** (New OP – Catering Facility, Rooftop Terrace) (laid over)

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 8, 2022 the Applicant agreed to lay over this application over to January/2023 so a site visit could be arranged to review the exterior terrace rooftop space, 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; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Hudson Square Services LLC & Apogee Events, Inc., d/b/a TBD, 75 Varick St., 18th Fl. 10013** until CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**30. Saint Sabino, LLC d/b/a Pending, 113 Greenwich Ave. 10014** (New OP-Restaurant) (laid over)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 8, 2022 the Applicant requested to lay over this application over to January/2023, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Saint Sabino, LLC d/b/a Pending, 113 Greenwich Ave. 10014** until CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**31. The Beer Garage II, LLC d/b/a The Beer Garage, 118 Christopher St. 10014** (Class Change to OP)(laid over)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 8, 2022 the Applicant requested to lay over this application over to January/2023, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **The Beer Garage II, LLC d/b/a The Beer Garage, 118 Christopher St. 10014** until CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**32. Cara Jecm LLC, d/b/a Mad Morton, 13-15 Morton St. aka 47 7th Ave. S. 10014 (OP – Restaurant) (Extending operating hours) (laid over to January 2023)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 8, 2022 the Applicant requested **to lay over** this application over to January/2023, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Cara Jecm LLC, d/b/a Mad Morton, 13-15 Morton St. aka 47 7th Ave. S. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**33. Grey Dog Carmine Inc. d/b/a The Grey Dog, 49 Carmine St. 10014 (OP – Alteration) (laid over)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 8, 2022 the Applicant requested **to lay over** this application over to January/2023, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Grey Dog Carmine Inc. d/b/a The Grey Dog, 49 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:** Unanimous, 39 Board Members in favor

**34. Sushi Sashe, Inc. d/b/a Sushi 456, 456 Hudson St. 10014 (RW-Restaurant) (Temp. Retail Permit) (laid over to January 2023)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 8, 2022 the Applicant requested **to lay over** this application over to January/2023, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Sushi Sashe, Inc. d/b/a Sushi 456, 456 Hudson St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**35. 177 1st Ave. LLC, d/b/a TBD, 18 Cornelia St. 10014** (New OP – Restaurant) (laid over to January 2023)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 8, 2022 the Applicant requested **to lay over** this application over to January/2023, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **177 1st Ave. LLC, d/b/a TBD, 18 Cornelia St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous, 39 Board Members in favor

**36. Realmuto 117 7th Avenue South LLC, d/b/a Pending, 117 7th Ave. South 10014** (New RW – Restaurant) (laid over to January 2023)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 8, 2022 the Applicant requested **to lay over** this application over to January/2023, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

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

**Vote:** Unanimous, 39 Board Members in favor

## **TRAFFIC & TRANSPORTATION**

### **1. Resolution in response to presentation by the Meatpacking BID of an update on their ongoing Western Gateway study.**

**Whereas** the Meatpacking Business Improvement District (MPD) presented an update of their ongoing Western Gateway study, last presented to Community Board 2 Manhattan (CB2) in May 2022, now with a more developed vision in view of the input and feedback from that May 2022 meeting as well as from outreach to block associations, property owners, businesses, community organizations and other stakeholders and neighborhood representatives, and with the expectation that more details focusing on specific location segments will come in future presentations; and

**Whereas** the update addressed the study's scope area as previously presented (Horatio St. to the south, W. 17th St. to the north, 8th Ave. to the east and the Hudson River to the west), as well as both interim and subsequent capital improvements being considered for the six individual project areas included therein (14th St. and 10th Ave. Interchange; 10th Ave./Meatpacking Cooperative (W. 13th and Little W. 12th Sts.); Gansevoort Landing at 10th Ave. (the first of the envisioned programmatic pilots/interim projects



undertaken by DOT and approved by CB2); Washington St.; 14th St, Gateway; and Chelsea Market Streets (this not within CB2)); and

**Whereas** CB2 appreciates the conduct of physical and data analysis of pedestrians and bicycles, vehicular volume, street safety, transit connectivity, traffic flow, and curbside use (plus stakeholder outreach) for this study with WXY Architecture + Urban Design and Sam Schwartz Engineering (civil engineers), long-time, well recognized professional practitioners in their fields with extensive experience in and knowledge of CB2 conditions and needs, and respects their guidance with project principles for an area that is safe + inviting, people centered + balanced, connected + seamless, rational + organized, high quality + timeless, and coordinated + innovative; and

**Whereas** CB2 welcomes the many goals for improvement put forth in this broad overview, such as safety at intersections and at West St. crossings for pedestrians and bicyclists, simplification and clarity in defining directions and routes, rational and comfortable access for all, drop off, pick up and loading zones where needed, greening and other public space enhancements, and an equitable balance for all street uses and modes, all of which can benefit the community; and

**Whereas** CB2 recognizes that this broad vision is the starting point for further detailed, defined and separate presentations of each of the four remaining individual interim projects in CB2 for additional input and refinement and of subsequent proposed capital improvements;

**Therefore be it resolved** that CB2 supports the MPD's continued work on its Western Gateway Study and development of the individual projects within its purvey; and

**Be it further resolved** that CB2 looks forward to being apprised of continued Study progress and hosting future project presentations.

**Vote:** 38 Board Members in favor  
1 recusal (Donna Raftery).

## **2. Resolution in response to presentation of design concept for an enhanced King St. off Hudson St. by Hines real estate.**

**Whereas**, Hines/Hudson Square Properties, presented a design concept for proposed public space improvements on King St. btw. Hudson and Greenwich Sts.; and

**Whereas**, with the goal of creating a vibrant and welcoming place where the community can gather, relax and enjoy socializing, attending an event or just walking through, the Hines team has been working with the NYC Dept. of Transportation (DOT) for over three years to address site constraints and comply with requirements, and also consulting with the Hudson Square BID in order to incorporate elements that correspond with the BID's improvements in the district while applying some others that highlight the street's own identity; and

**Whereas** the design for the newly revitalized street includes:

- A new street tree, adding to the two already existing, along with several large, above grade tree planters (working around existing vaults and utilities).

- Extensive planting beds/gardens on both sides of the street.
- Sidewalk widenings bulbing out on the northeast, southeast and southwest sides, providing extra space for greenery and shorter, safer crossings for pedestrians.
- 77 seats, including 36 in built-in timber benches with backrests, 10 in timber benches on planters with backrest capacity, and 31 on granite platforms salvaged from construction and restored, providing a historical reference to the past.
- Preservation of the existing Access-A-Ride facility with seating for four and a glass bus-type shelter.
- Use of local artwork on walls for murals to offset the effect of loading docks; and

**Whereas** the street's current condition reflects the district's former industrial nature, lacking enhancement and now underutilized, presenting an opportunity to add amenities, activities, comfort and character to better serve this upcoming commercial and residential community; and

**Whereas** maintenance will be performed in partnership with the Hudson Square BID; and

**Whereas** final project completion is anticipated for 2024; the bulk of the improvements, including landscaping and roadside work, are expected to be done within a few months in 2023, providing quick positive changes for the community, while the benches, which will go through revocable consent review, are expected to be installed in 2024; and

**Whereas** considerable support was expressed for the project by neighborhood residents and organizations, including the president of the Van Dam St. Block Association, who indicated that the planners reached out to area residents on Van Dam and also on King and Charlton Sts., addressing and satisfactorily answering all their concerns regarding traffic flow, sanitation and security, the Hudson Square BID, Here Arts Center, the Children's Museum, and other local people;

**Therefore be it resolved** that Community Board 2 Manhattan (CB2) fully supports the proposed public space improvements on King St. btw. Hudson and Greenwich Sts. and admires the Hines team's perseverance in developing this scheme for improving community life and enhancement, working around constraints and limitations in cooperation with the DOT; and

**Be it further resolved** that CB2 encourages DOT and all the other involved City agencies to facilitate all efforts to ensure swift implementation of these welcome improvements.

**Vote:** Unanimous, 39 Board Members in favor

A vote was taken to approve hiring Mark Diller as the new CB2 District Manager:

Vote: Passed, 34 Board Members in favor. Abstentions: 2 (R. Ely, S. Smith)

Respectfully submitted,

Ritu Chattree, Vice Secretary  
Community Board #2, Manhattan