

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



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

Community Board No. 2, Manhattan

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

FULL BOARD MINUTES

DATE: February 16, 2023
TIME: 6:30 P.M.
PLACE: Via Video Conference

BOARD MEMBERS PRESENT: Susanna Aaron, Natasha Avanesians, William Benesh, Keen Berger, Carter Booth, Katy Bordonaro, Amy Brenna, Rich Caccappolo, Ritu Chattree, Valerie De La Rosa, John Paul Deverna, Chris Dignes, Robert Ely, Mar Fitzgerald, Stella FitzGerald, Cormac Flynn, Susan Gammie, David Gruber, Wayne Kawadler, Susan Kent, Ryder Kessler, Jeannine Kiely, Ivy Kwan Arce, Patricia Laraia, Michael Levine, Matthew Metzger, Daniel Miller, Juan Osorio, Brian Pape, Donna Raftery, Lois Rakoff, Robin Rothstein, Bo Riccobono, Rocio Sanz, Shirley Secunda, Frederica Sigel, Shirley Smith, Chenault Spence, Susan Wittenberg, Antony Wong, Cheryl Wu, Eugene Yoo, Adam Zeldin

BOARD MEMBERS ABSENT WITH NOTIFICATION: Anita Brandt, Janet Liff, Edward Ma, Mostafa Osman, Zachary Roberts, Kristen Shea

BOARD MEMBERS ABSENT: Akeela Azcuy

BOARD MEMBERS PRESENT/ARRIVED LATE: Katy Bordonaro, Cormac Flynn, Cheryl Wu

BOARD MEMBERS PRESENT/LEFT EARLY: Daniel Miller

BOARD STAFF PRESENT: Eva Mai, Community Assistant

GUESTS: Caroline Wechselbaum, Senator Brad Hoylman-Sigal; Stacie Johnson, Senator Brian Kavanaugh; Bianny Rodriguez, Council Member Carlina Rivera; Ian Wang, Council Member Christopher Marte; Andrew Chang, Manhattan Borough President Mark Levine; Roy Ruiz, Assembly Member Deborah Glick; Nicole Barth, Council Member Erik Bottcher, Michael Neuman Bangwei Bao, Joseph Riever, Ronnie Wolf, Zach Weinstein, Darlene Lutz

MEETING SUMMARY

Meeting Date – February 16, 2023
Board Members Present – 43
Board Members Absent with Notification – 6
Board Members Absent – 1

Board Members Present/Arrived Late – 3

Board Members Present/Left Early – 1

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II. PUBLIC SESSION

Landmarks 1

Michael Neuman and Bangwei Bao, spoke in favor of the resolution #4, 60 Greene Street.

Non-Agenda Items

Joseph Riever spoke in favor of the Elizabeth Street Garden.

Ronnie Wolf and Zach Weinstein, spoke against 5G Towers installations.

Darlene Lutz, Head of 1st Precinct Community Council: announced that their next meeting is Thursday February 3rd, at the 1st Police Precinct. She also mentioned that they are offering to hold a 311-training session for the community.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Stacie Johnson and Caroline Wekselbaum, Senator Brad Hoylman-Sigal

Ian Wang, Council Member Christopher Marte

Roy Ruiz, Assembly Member Deborah Glick

Andrew Chang, Manhattan Borough President Mark Levine

Bianny Rodriguez, Council Member Carlina Rivera

IV. ADOPTION OF MINUTES

Adoption of January 2023 minutes.

V. BUSINESS SESSION

- 1. **Chair's Report** Jeannine Kiely reported.
- 2. **Treasurer's Report** Antony Wong reported.

STANDING COMMITTEE REPORTS

ARTS & INSTITUTIONS: METRONOME LETTER

Re: "Metronome/Climate" Art Wall

Dear Mr. Khafif:

On behalf of Community Board 2/Manhattan (CB2), I write to encourage MKF Realty to join with all interested parties to engage in an open discussion concerning the future of the existing public art installation known as "Metronome/Climate."

"Metronome" was originally installed on the north facade of One Union Square South in 1999 and expresses the investigation into the nature of time as captured by artists Kristen Jones and Andrew Ginzel. The current iteration of the work, "Metronome/Climate," continues that investigation with a focus on the relationship between time and the impending crisis of climate change.

On June 27, 2022, artists Kristin Jones and Andrew Ginzel presented to the Arts & Institutions Committee of Manhattan Community Board 2 (CB2) regarding their proposal to update and transform their original work: Metronome /Climate art wall at One Union Square South.

The artists first made CB2 aware of their efforts to move this project forward in 2019, describing challenges to foster a productive good faith discussion between stakeholders that include the One Union Square South property owners and the Union Square BID. The artists maintain that, despite best efforts, they remain unsuccessful in engaging these parties in a dialogue about moving the project forward. As a result, the artists have been unable to make progress on the project.

CB2 supports the artists' commitment to this work and their re-imagining a new iteration of their previous works. CB2 believes that the appropriate next step is the convening of a meeting that includes the artists, the property owners, and representatives of community organizations and stakeholders with the shared goal of exploring the artists' evolving proposal in this signature location.

HUMAN SERVICES

IN SUPPORT OF THE DOOR'S APPLICATION TO BE CLASSIFIED AN ARTICLE 31 LICENSED MENTAL HEALTH CLINIC BY NEW YORK STATE OFFICE OF MENTAL HEALTH

WHEREAS:

- 1) The Door is a social service organization founded in 1972 with a mission to "empower young people to reach their potential by providing comprehensive youth development services in a diverse and caring environment"; and

- 2) The Door provides people aged 12-24 with education, legal expertise, meals and pantry, assistance with housing, employment, and many other services; and
- 3) The Door provides a broad range of health services as a New York State licensed Article 28 facility and a Federally Qualified Health Center; and
- 4) The Door provides mental health counseling but is reimbursed for these services only to the extent permitted under Article 28, and otherwise carries the financial burden through its general budget; and
- 5) The organization has experienced an increased demand in mental health services of all kinds, from psychiatric care to community health, and therefore seeks to expand its mental health program;
- 6) The Door has applied to be licensed as a behavioral health clinic by the New York State Office of Mental Health under Article 31; and
- 7) Such license would permit The Door to receive Medicaid reimbursement for the mental health services it provides; and
- 8) The application requires some modifications to The Door's physical plant.

THEREFORE, BE IT RESOLVED THAT COMMUNITY BOARD 2, MANHATTAN

- 1) Supports The Door's application to become an Article 31-licensed mental health facility; and
- 2) Supports capital grants to enable The Door to modify its physical plant so as to comply with Article 31 requirements; and
- 3) Recognizes with gratitude the efforts of The Door to improve the lives of young people residing in New York City, both in and outside Community District 2.

Vote: Unanimous: 42 Board Members in favor.

LANDMARKS AND PUBLIC AESTHETICS

LANDMARKS 1

1. ***350 Bleecker St. - The application is to paint the storefront portion of the facade a white color, to install a bracket sign, and to install signage with a polished gold finish.**

(Laid Over)

2. ***841 Broadway - The application is to remove and existing glass panel infill and install an ATM machine and metal surround and to add lighting in an existing canopy.**

Whereas:

- A. For security concerns, the applicant has closed the 24-hour ATM lobby and wishes to install the machine accessible from the sidewalk; and
- B. The panel replaces an existing pane of glass and additional lighting, and a security camera will be installed in the existing canopy; and
- C. The panel is the bright red signature color of the bank and matches the existing sign above; and
- D. The large red expanse of the panel creates stark contrast to the adjacent window and masonry, and if the expanse of red was reduced by adding a neutral color, the contrast would be softened and be more harmonious with the building; and

E. The applicant was receptive to the suggestion that the area of red be reduced; now

Therefore be it resolved that CB2, Man. recommends **approval** of the application provided that the amount of red in the panel be reduced and replaced with a neutral color as the primary color in order to soften the effect on this historic building.

Vote: Unanimous, 42 Board members in favor.

3. *136-140 Grand St. - The application is to install awning over new residential lobby and increase elevator roof bulkhead.

Whereas:

A. The existing freight elevator is located in the typical position at the facade and will be converted to a passenger elevator which necessitates an increase in height of approximately 10' to the bulkhead to provide ADA access to the roof; and

B. The increase is quite visible, as are other bulkheads and rooftop additions to similar buildings the neighborhood, though it is not objectionable, and the grey acrylic stucco complements the color of the building which serves to diminish the obtrusiveness; and

C. No historic material will be disturbed; and

D. The bay for the existing elevator entrance and the adjacent bays will have wooden doors with glass panels patterned after the doors on Grand Street that are in keeping with the building and the district; and

E. An contemporary aluminum and glass canopy inspired by historic sheds in the district extends 6' over the sidewalk and unobtrusive down-light is adjacent to the interior I beams; now

Therefore be it resolved that CB2, Man. recommends **approval** of the sensitive design of a necessary modification that minimizes the visual impact and respects the historic character of the building.

Vote: Passed, 42 Board members in favor, 1 recusal (E. Yoo).

4. *60 Greene St. - The application is to replace existing ground floor infill, paint ground floor to match existing, repair and paint existing handrail and entrance steps.

Whereas:

A. The building is distinguished, largely intact, and worthy of individual landmark designation, and it has an unusually delicate, detailed design especially characterized by a rhythm of repeated infill at the ground floor

B. The proposal is to replace sections of the ground floor infill including wooden bulkhead at the former position of a door with a new cast iron panel to match the existing window bulkheads, to paint the railings to match existing and to replace the original configuration of double pane windows with single pane plate glass; and

- C. The introduction of a new non-historic, boldly contemporary plate glass window into the original wooden infill gravely harms the historic character of the building and interrupts the rhythm of the ground floor infill; and
- D. The applicant's assertion that it is "impossible" for the shop to show its wares (watches) with the divided windows is spurious; and
- E. The applicant represented, without verification, that the wooden infill was deteriorated and that it would be replaced with reproductions; and
- F. There was written testimony with extensive verification submitted to the Board that, apart from a small portion of one door, the wooden infill is in good condition and, apart from a small portion of one door, does not need to be replaced; and
- G. The store entry door is to be replaced with a reproduction of the existing door to provide greater security; now

Therefore be it resolved that CB2 Manhattan recommends:

- A. **A forceful denial** of replacing the historic divided ground floor windows in three bays with single panes of plate glass, which destroy the repeated rhythm of the ground floor; and
- B. **Denial** of the replacement of the wooden infill based on a report that the wood is in good condition except for a small portion of one door which may be repaired; and
- C. **Approval** of the replacement of the wooden window bulkhead with cast iron to match the existing original in other bays; and
- D. **Denial** of the replacement of the entrance unless it is verified by staff that the existing door is unsatisfactory and if it is found to be in need of replacement that the door with a faithful reproduction of the existing door and of the painting of the new doors and railings to match existing.

Vote: Passed, 42 Board members in favor, 1 abstention (A. Zeldin).

5. *473 Broadway - Remove the existing greenhouse structure on the east side of the existing penthouse, add a roofed enclosure on the west side, alter existing portion of the penthouse, raise exhaust fan structures with new exhaust fans, and replace existing air conditioner equipment.

Whereas:

The modifications to the existing penthouse and the addition of an enclosure to the existing exhaust fans are sensitively designed for minimum visibility and clad with lead coated copper and similar colored materials further minimizing the intrusion to the rooftop view; now

Therefore be it resolved that CB2, Man. recommends **approval** of the application which presents no objectionable views from a public thoroughfare.

Vote: Unanimous, 42 Board members in favor.

6. *188 Spring St. - The application is to alter the front facade, to demolish the rear wall, construct a rear extension, and excavate the cellar and a portion of the rear garden.

Whereas:

A. The building, though altered and re-bricked is one of the few surviving buildings of its period in SoHo and is further distinguished by having the horse walk entrance preserved; and

B. The left door, originally for a horse walk and later repurposed for a commercial use of the ground floor, is to be replaced with a punched opening without regard for the great historic importance of retaining the door as a memory of the original horse walk; and the plate glass commercial window is proposed to be lengthened and fitted with a wooden casement; and

C. This window configuration was represented by the applicant as a “homage” to the later commercial use of the ground floor and, with the removal of the second door and the cellar access stairs below the central window gives only the appearance of odd openings with non-historic infill and serves no purpose as a historic reference for an intermediate use of the building; and

D. The plain wooden door and the brick steps have no historic reference; and

E. With return to a one-family house it would be a more authentic treatment to return the facade to the original historic appearance, retaining the horse walk door and the central window of historic size with a double hung, multi-pane. punched window and to have an entrance door with period detailing and brownstone steps, all in the original historic style of the building; and

F. Restoration of the upper facade, the lintels, the dormer, and the roof are in keeping with the historic style of the building; and

G. The rear additions and the rear wall, represented by the applicant as not original, are to be demolished and replaced by a masonry extension with depths of 24’ at the basement and parlor floors, leaving ample rear yard depth, and 8’ on the second and third floors and the rear dormer is to be raised to conform to code; and

H. The rear windows are proposed to extend nearly the full width of the building and be glass folding doors from floor to ceiling with minimal metal framing of no particular style and not in harmony with the historic building; and

I. There is to be excavation in the cellar and a portion of the garden that retains a thickness of the existing wall for security of the adjacent row house and to the wall of a large, contemporary building on the opposite side and requires no underpinning and appears to present no peril to the building or adjoining properties; now

Be it resolved that CB2, Man. recommends:

A. **Approval** of the front facade restoration above the ground floor; and

B. **Denial** of the design for the ground floor unless the horse walk door is retained, the central window is a historic double hung window, the entrance door has historic detailing, and the steps are in brownstone and the lower brownstone detailing extends to grade; all of which would together recreate the original design; and

C. **Approval** of the demolition of the non-historic rear wall, the extensions, and excavation of the cellar and a portion of the garden, provided that care is taken to do no harm to the building or adjacent properties; and

D. **Denial** of the rear windows and recommends that in their place, the basement and parlor floors have a less industrial appearance and that the upper floors and the dormer have windows with a clear historical reference.

Vote: Unanimous, 42 Board members in favor.

2ND LANDMARKS MEETING

7. *875 Washington St. – The application is to install two illuminated hanging blade signs below the canopy at Washington Street and the 14th Street, install new metal louvers and illuminated signs in front of and within the existing glass transoms at Washington Street and 14th Street, replace the existing storefront bay at the freight elevator, with a new brick wall painted to match existing.

Whereas:

- A. The premises is the entire Washington Street facade with portions on 13th and 14th Streets; and
- B. The side of the freight elevator is to be infilled with brick matching the upper floors with a painted logo on the brick matching a similar infill in another business in the building; and
- C. The transom windows are to be fitted with dimensional “louvers” with individual illuminated, dimmable lettering and the company logo above the entrances on Washington and 14th Streets.
- D. Two hanging signs beneath the sheds, one on 14th Street and one on Washington Street 4’ X 18” and 3” thick with interior, dimmable illumination, represented by the applicant as being of size and design similar to other signs in the immediate neighborhood; now

Therefore be it resolved that CB2, Man. recommends **approval** of this application as harmonious with the building and the neighborhood.

Vote: Unanimous, 42 Board members in favor.

8. *17 W. 9th St. -Application is to restore front façade stoop and entrance, enlarge rear façade windows, replace existing two top floor extensions at existing rear ‘L’ addition, add elevator and stair bulkhead, extend chimneys, remove roof skylight, add roof railings, and lower rear yard to align with lowered basement level.

Whereas:

- A. The front facade windows are to be replaced in kind, through wall air conditioner window units will be removed and the masonry will be restored; and
- B. A stoop with typical stairs, a surround recalling the curved lintels of the windows above and wooden door with small windows complement the facade with a welcome restoration of the original style entrance; and

- C. The reintroduction of the stoop necessitates certain changes to the areaway together with other small modifications and the iron work will be restored; and
- D. The roof will have an elevator bulkhead, stair bulkhead, mechanical equipment, and glass railings in the front and back and only the front railing is visible from a public thoroughfare; and
- E. A non-visible skylight, much modified and not original to the building, is to be removed; and
- F. The glass railing is out of harmony with the building and the district, and a metal railing would be less obtrusive and much preferable; and
- G. There is a window wall giving onto the enclosed garden on the basement level, a glass wall at the parlor floor, and plate glass in the original punched openings in the exposed portion of the upper floors; and,
- H. The two additional floors above the existing extension are glass with bronze framing and the original rear wall is preserved and is visible within the addition; and
- H. The rear of the basement together with the garden are to be lowered 3'; and
- J. The cellar is to be excavated approximately 5' and there was no indication that excavation is required; now

Therefore be it resolved that CB2 Manhattan recommends:

- A. Approval** of the front facade restoration, the entrance and stairs, and areaway modifications; and
- B. Approval** of the rear facade modifications and the windows on the lower floors; and
- C. Approval** of the modest amount of excavation provided that if underpinning of the neighboring properties is required that it conform to all regulations and be done with the greatest of care to avoid any damage to the house or the neighbors.
- D. Approval in this exceptional case,** of the plate glass in the upper floor punched openings to harmonize with the glass below and in the "L" addition; and
- E. Approval** of the addition to the "L" with special commendation that the rear wall is visible within the glass rooms.

Vote: Unanimous, 42 Board members in favor.

PARKS AND WATERFRONT

A Resolution Regarding the Proposal to start a scoping process for the southern section of the lot at 388 Hudson St.

Whereas:

HISTORY OF THE SITE

1. In various letters and a 1998 Project Proposal letter, a commitment was made by the DEP to the DPR and CB2, to return the entire City Water Tunnel #3 site (25,000sf) at 388 Hudson to the community with DEP retaining only an easement for access as needed to maintain the site.
2. This commitment was the result of substantial advocacy by local community groups including Greenwich Village Little League, Downtown United Soccer Club and City-As-School High School. CB2, in a December 1998 resolution, supported this plan.
3. An important consideration for supporting this use was the unmet neighborhood need for places for children to play sports.
4. CB2's expectations and support were consistent over the next 17 years, but since 1998 access to ballfields on the west side of lower Manhattan has increased substantially, with large new fields at Pier 40, Chelsea Waterside Park, and Battery Parks City, and with the soon-to-be completed field at Gansevoort Peninsula, while a large quantity of new housing units, though no affordable housing, has been added to our district.
5. The 2013 Hudson Square rezoning established an Active Open Fund (Fund) to mitigate the negative impact on active open space from new residential development, as defined in a March 2013 Restrictive Declaration.
6. In [2015, CB2 passed a resolution](#) stating that it "strongly supports a substantial reduction of the amount of promised public open space at the Hudson Street water tunnel shaft site (28b) so affordable housing and indoor recreation can be developed there, but only if community open space needs are addressed, and specifically, only if Elizabeth Street Garden is preserved as a public park;"
7. In [2016, CB2 passed a resolution](#) urging "the New York City Department of Housing and Preservation Development to convene and co-lead with Community Board 2 a Task Force to consider all possible sites and to establish and achieve bold goals for development of new affordable housing in the District;"
8. This full site has been split into two sections (north and south) as outlined in a 2017 Memo Of Understanding (MOU) between DEP and DPR. The MOU states that the northern section would revert to the City's Department of Citywide Administrative Services (DCAS) when the water-tunnel construction project was completed.
9. In the August 2018 Department of City Planning (DCP) resolution supporting expansion of the Hudson Square Business Improvement District (BID) north to Clarkson Street, the City mandated the creation of an Active Open Space Special Improvement Fund which would be funded by a one-time assessment by each property that was new, converted or enlarged in the Special Hudson Square District on or after March 20, 2013. That 2018 DCP resolution allowed the Hudson Square BID to manage these funds as the DMA (District Management Association). Allocation of these funds would be determined by the New York City Department of Parks and Recreation for active recreation uses. That fund totals roughly \$5.7 million as of June 30, 2022.
10. In [January 2019, CB2 passed a resolution](#) stating that it encouraged "the City to reconsider the Alternative Site at 388 Hudson Street because it could support four to five times more Senior AH [Affordable Housing] and preserve Elizabeth Street Garden, but because 388 Hudson Street was promised a park for nearly 20 years, CB2 would support switching 388 Hudson from park to affordable housing use only if the Garden is preserved in its entirety".

CURRENT CONDITIONS

11. The complete site is now ready to be returned to the community. Currently, it is surrounded by fencing and the southern parcel (11,375sf) is clear except for the DEP access points and air vents which require permanent access for maintenance and in case of emergency. This places constraints on uses of the space.

12. NYC, Borough President Mark Levine and CB2 have previously identified the northern section for affordable housing, though no definitive plans have been shared with CB2 to date.
13. On January 26, 2023, the DPR appeared before our committee and proposed starting a scoping process for the southern section of the lot.
14. The DPR noted that the Mayor and Borough President have already allocated \$2.6M of funding for this project--separate from the Active Open Space Special Improvement Fund (AOSSIF)--though the DPR feels the project would qualify to receive additional funding from the AOSSIF for development.
15. The DPR suggested that the open space on the southern parcel, when complete, would be similar in terms of features and design to the two other water tunnel sites already completed at East 4th at Bowery and Grand & Lafayette.
16. The DPR reminded CB2 of the constraints on development of the space, due to DEP requiring unfettered access to vents, access stairs and standing pipes.
17. DPR noted that the full project, from the start of scoping to development completion, can be expected to take roughly three years.
18. DPR representatives were unable to definitively answer whether the full site (northern and southern parcels) might someday become available as one contiguous open space; whether open space on the southern parcel could be effectively designed without knowing future plans for the northern parcel; whether the monies that the BID administers are permitted to be used for passive (not active) recreation.
19. The closing of the Tony Dapolito Recreation Center--always a compromised facility for indoor recreation, and now closed with no sure date for re-opening—has increased the need for a new indoor recreation center.

Therefore, be it Resolved that CB 2, Manhattan supports starting the scoping of the southern area at 388 Hudson for what is likely to be a passive open space, though we believe that outdoor and/or indoor space for active recreation is still required in our park-starved neighborhood, but seeks clarification on the following items in a timely manner:

1. Reevaluation of the best uses for the Southern Parcel at 388 Hudson.
2. Consultation with DEP to determine the actual extent of the area needed for its access.
3. Clarification of the use limitations of the Active Open Space Special Improvement Fund: Is it only able to be used for active recreation spaces or also for open space improvements more generally?
4. Specification of other potential receiving sites for the Active Open Space Special Improvement Fund in the Hudson Square Rezoning Final Environment Impact Study (FEIS) area.
5. A “master plan” for the entire area, including the block where the Tony Dapolito Recreation Center and James J Walker Field stand.

Be it further resolved that CB2 recommends that recognizing the access required by DEP on the southern parcel, the design include as many active uses as possible, including for example, temporary structures allowing for activities such as pickleball, basketball, or skateboarding.

Be it further resolved that CB2 advises that any scoping should include outreach to and the involvement of local residents, local school communities -- including the adjacent City-As-School High School and M721, Manhattan Occupational Training Center -- and local businesses.

Vote: Passed, 34 Board Members in favor

5 No (K. Berger, C. Dignes, R. Kessler, S. Smith, A. Zeldin)

1 Recusal (J. Kiely)

2 Abstain (R. Sanz, A. Wong)

QUALITY OF LIFE: STREET ACTIVITIES

- 1. 3/17/23 – 3/18/23 – BioTrue EyeDrops Sampling (sponsor: Bausch Lomb): Astor Place Plaza (South) [Pedestrian Plaza]**

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

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **BioTrue EyeDrops Sampling (sponsor: Bausch Lomb): Astor Place Plaza (South) [Pedestrian Plaza]**.

Vote: Unanimous, 42 Board Members in favor.

- 2. 3/25/23 – 4.23.23 – Glow Recipe Double Decker Bus: Broadway between Prince St. and Spring St.**

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

Whereas, the CB2 Quality of Life committee learned that notice to attend the February committee meeting had not been properly communicated to the applicant; now

Therefore Be It Resolved that CB2 Manhattan recommends that **Glow Recipe Double Decker Bus: Broadway between Prince St. and Spring St.** be **laid over** for review next month.

Vote: Unanimous, 42 Board Members in favor.

FYI/Renewal:

- 1. 3/17/23 – 12/31/23 – Old Cathedral Outdoor Market (sponsor: St. Patrick’s Old Cathedral Basilica): Prince St. between Mott St. and Mulberry St. [Partial Sidewalk Closure]**

Whereas, this event has 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, 42 Board Members in favor.

SCHOOLS AND EDUCATION

1. Resolution on Pupil Transportation

Whereas, New York City public schools exist to serve all the city’s public school students; and

Whereas, in accordance with Chancellor’s Regulation A-801, the Department of Education (DOE) provides transportation to all eligible New York City students in public, charter, and non-public schools.

In partnership with the Metropolitan Transit Authority (MTA) and our school-age and preschool bus companies, our mission is to ensure safe and reliable transportation to and from school; and

Whereas, 150,000 NYC students attending public, charter, and non-public schools are eligible for pupil transportation, including 65,000 students with IEPs and 6000 students in temporary housing; and

Whereas, Curb-to-school or specialized bus service is provided to students whose medical, health, or disability-related conditions or special circumstances prevent them from being able to walk or utilize other forms of transportation to get to and from school; and

Whereas, under the DOE Transportation Rights, students should expect Dependable and timely school bus service, travel on a school bus that is properly equipped and inspected for safety, including an inspection by the NYS Department of Transportation performed every six (6) months, and the shortest and safest bus route to minimize travel times to and from school; and

Whereas, NY City Council's 2022 Year In Review summarizes their hearing on School Bus Transportation Services, with links to the recording of the event and to the existing laws on OPT reporting; and

Whereas, Manhattan Community Board 4 ACES Committee held a public hearing on school bus service (which included interviews with PIST and OPT), the outcome of which was a letter to Mayor Adams, the NYC Comptroller, and others, advising an audit of pupil transportation and consideration of expanding non-profit NYCSBUS; and

Whereas, for a safe environment free from discrimination, harassment, and bullying; in accordance with Chancellor's Regulation A-832 any such incidents should be reported to their school's Respect for All liaison (RFA) or emailed to RespectforAll@schools.nyc.gov; and

Whereas, families can report any behavioral or safety incident on the school bus to their school for documentation and appropriate follow-up and filing a complaint to initiate an unbiased investigation performed by the appropriate investigatory unit or agency; and timely resolution of any complaints and/or concerns; and

Whereas, in summer of 2021 and 2022 the DOE, having failed to provide school bus service to students mandated for summer/extended school instruction, offered free car service for Students with disabilities and students in temporary housing in order to attend the Summer Rising program. In summer of 2022 most families were not aware of the rideshare options and very few families were able to make use of this accommodation due to the lack of communication and numerous technical glitches; and

Whereas, in March 2021, DOE announced a long-term investment in student bus transportation in the acquisition of Reliant Transportation and the establishment of the non-profit organization New York City School Bus Umbrella Services Inc. (NYCSBUS) to service 950 school-age bus routes annually for the DOE; and

Whereas, during Chapter 683 (a federally funded program that pays Special Education schools to provide year-round instruction. In New York City it is District 75 schools who provide instruction for the most severely disabled students in the New York City Public Schools), families who rely on summer programs for mandated 12-month services encountered numerous instances of late pick-ups, no social distancing on minibuses, children dropped off at the wrong location/site, children reported lost for numerous hours and reports of busses with no functioning air conditioning when the outside temperatures were well over 80 degrees; and

Whereas, during Chapter 683 (a federally funded program that pays Special Education schools to provide year-round instruction. In New York City it is District 75 schools that provide instruction for the most severely disabled students in the New York City Public Schools), families who rely on summer programs for mandated 12-month services encountered numerous instances of late pick-ups, no social distancing on minibuses, children dropped off at the wrong location/site, children reported lost for numerous hours and reports of buses with no functioning air conditioning when the outside temperatures were well over 80 degrees; and

Whereas, despite numerous promises from OPT that busses would be in place for the first day of the 2022-2023 school year, parents still reported children not being picked up, children being lost, excessively long travel times, wheelchair-bound students not being provided vehicles with chairlifts, and overcrowded minibuses with no air conditioning or proper ventilation; and

Whereas, during Chapter 683 thousands of families were stranded for almost 3 weeks waiting for a bus route to be assigned, missing mandated instruction and other in-person services and being forced to pivot to remote learning; and

Whereas, only 40% of NYC families have established [New York City Schools Account](#) (NYCSA) accounts and the rest were unable to access busing information when in the past, OPT sent busing information as a written notice 10 days prior to school starting; and

Whereas, incoming kindergarten families did not have access to busing information since NYCSA accounts are only established once the students are enrolled, nor did non-public school families, leaving tens of thousands of students stranded without access; and

Whereas, the staffing of bus paraprofessionals is an immense obstacle in the transportation of our students leaving many unable to board their assigned bus; and

Whereas, the extent of late, no-show, merged and doubled-up routes in Summer to Fall 2022 can partly be explained by the shortage of licensed school bus drivers throughout New York and other states, a problem that reflects nine years of NYCDOE allowing routes to be put out for bid without an Employee Protection Provisions (EPP) compensation package for the workers; and

Whereas, New York Appleseed released in April 2022 an extensive research briefing on the history of the New York City Yellow Bus Service and the impact of workers going on Strike due to the lack of Employee Protection Provisions (EPP) that is not sustainable under the national Bus driver shortage; and

Whereas, Metrocards intended for families and students in Temporary Housing as well as High School students for pupil transportation have not been distributed and sometimes unavailable, leaving students very little choice but to crawl under the turnstile in order to get home, making them vulnerable to §165.15 Theft of Service law, which makes the “intent to obtain...public transportation service without payment” punishable up to one year in jail; and

Whereas CECD2 passed Resolution 194 on 4/12/22 advising MetroCard usage times for traveling to and from school and school-related activities be expanded to board a bus or enter the subway up to 4 times per day between 5:30 AM and 10:00 PM; and

Whereas, School bus delays spiked this fall to levels higher than any point in the last five years, according to figures revealed during a City Council hearing Monday Nov 21, 2022, representing a growing hardship for families who depend on yellow buses to get their children to school.; and

Whereas, in October 2022 alone, there were nearly 14,500 school bus delays, lasting 41 minutes on average. That's up from about 10,600 delays averaging 37 minutes in October 2021 reported to the media that bus shortages left families with no bus routes for the entire school for several days, forcing families to take time off from work in order to transport their children; and

Whereas, parents have the right to receive information or communicate with a staff member at their school or Department of Education (DOE) office in their language regarding any and all matters related to transportation; and

Whereas, these language barriers and technology constraints place an undue burden on families that are already struggling.

Therefore Be It Resolved Community Board 2 Manhattan (CB2) implores the DOE to prioritize expanding quality NYCSBUS from the current 950 bus routes in order to service the 150,000 students eligible for transportation; and

Be It Resolved that CB2 ask attendance to be collected on the number of students excluded from rightful service due to busing deficiencies and that those data be made public and disaggregated by borough and by district; and

Be It Resolved that CB2 ask that OPT takes initiative to prioritize students who require a specialized learning classroom environment, particularly for students experiencing in behavioral challenges and/or safety concerns, for the 'fewer students on route' accommodation in regard to transportation; and

Be It Resolved that CB2 demands a more stringent oversight of OPT practices including but not limited to a reporting system of when site visits to bus companies are done, when bus inspections and repairs are cataloged, a transparent record of specialized vehicles and routes for students in need of ambulatory services, and how many routes are assigned to one driver; and

Be It Resolved that CB2 ask that a pilot program for the recruitment, training and nomination of sub-paras strictly for the use of servicing students in need of bus paras be created under the supervision of the District 75 Superintendent to allow a faster expedition of the sub para nomination process and allow more parents to apply; and

Be It Resolved that CB2 demands that OPT improve training for all drivers and attendants. Uniformity in training including first aid, car seats, disability awareness/acceptance, bullying, and how to do bus evacuation drills. Update the modules parents created years ago; allow parent leaders to vet the training vendors and to do quality control visits or presentations to training in progress; and

Be It Resolved that CB2 demand a more transparent and accessible complaint system for families and schools to report instances of no pickup, maintenance issues, missing children, safety concerns, and infractions on safety protocols; and

Be It Resolved that CB2 ask for OPT to acknowledge and study the deficiencies that occurred during Summer Rising and Chapter 683 and schedule discussions with stakeholders on how to staff and problem solve promptly without relying only on a possible extension of any car service contract in anticipation of unmet student transportation needs; and

Be It Resolved that CB2 ask that OPT maximize climate control on the vehicles, preferably with clean HVAC technology that is at least as energy efficient as New York City MTA buses used in public transportation; and

Be It Resolved that CB2 ask that OPT shorten the maximum route duration times and create routes that adhere to them; enforce limited time travel where granted by an IEP; and

Be It Resolved that CB2 demands OPT to proactively inform families (thru backpack mail, email, social media and information sessions) and schools on transportation rights including how to get accommodations; publish the different accommodations available and the codes to support the school based transportation liaisons on the Transportation section of the DOE website; how to add yellow bus service when changing schools or housing, especially for those residing in family residences; how to lodge a complaint; and how to seek a variance. We also ask that all forms and information are accessible and available in any language the DOE serves; and

Be It Resolved that CB2 demands that every student living more than .5 miles from their school has access to a monthly unlimited MetroCard for afterschool, mandated internships and programs, sports, and other education obligations; and

Be It Finally Resolved that CB2 demands the creation of a school transportation oversight committee made up of parents, paras, and DOE representatives of each sector that is tasked with implementing OPT policies and troubleshooting i.e. transportation coordinators, routers, principals to mitigate and mediate all concerns related to the functions of OPT.

Vote: Unanimous, 43 Board Members in favor.

2. Resolution to Expand MetroCard Availability, Hours & OMNY Accessibility

Whereas, schools distribute student MetroCards to eligible students at the beginning of each semester, and as needed during the school year;

Whereas, students can use the school distributed MetroCard at every subway and local bus;

Whereas, student MetroCards are:

- Distinct and separate from MetroCards sold to the public,
- Only able to be used for three trips each school day; allowing middle and high school students to travel to school, from school to an after-school activity, and from that activity home,
- Only to be used by the student to whom it was assigned,
- For use for school and school-related activities between 5:30AM and 8:30PM only on days when the student's school is open for classes (generally Monday-Friday),
- Valid for one school semester; new cards are issued at the beginning of each semester by schools; and

Whereas, many schools hold Saturday classes for academic intervention; academic & sporting events and practices are often held on the weekends across the city; and

Whereas, students and families must absorb any transportation costs for students to travel for school-related activities on weekends; and

Whereas, many extracurricular activities, especially for high school students, can run beyond the current 8:30PM curfew for MetroCard usage, and on weekends; and

Whereas, schools have access to one-day, two-trip MetroCards, that can and be given to students for weekend use as needed and required if use of MetroCards cannot be extended to the weekends; and

Whereas, the logistics and required tracking of two-trip MetroCards is an unnecessary burden on schools; and

Whereas, the phone-based [One Metro New York](#) (OMNY) system for mass transit is currently not available for student travel.

THEREFORE BE IT RESOLVED, that Community Board 2 (CB2) urges MetroCard usage times for traveling to and from school and school-related activities be expanded to board a bus or enter the subway up to 4 times per day between 5:30AM and 10:00PM, every day of the week; and

BE IT FURTHER RESOLVED, that CB2 encourages the NYC MTA to enable high school students to be allowed to use the new phone-based One Metro New York (OMNY) system for their public transportation, enabling them to use school funds for their travel without the complication of MetroCards.

Vote: Unanimous, 43 Board Members in favor.

SLA LICENSING

- 1. 13 Sullivan Gents LLC d/b/a No 142, 142 Sullivan Street, North Storefront 10012** (Existing TW–Bar/Tavern, SN#1286543 alteration to add storage warehouse to premises)
 - i. Whereas**, this application is for an alteration to an existing Tavern Wine License (SN#1286543, exp. 7/31/23) to add a storage warehouse space located in the adjacent basement to their currently licensed premises. In the past, the licensee had been paying for a warehouse license/renewal every three years for that basement space. Instead of the business being charged a constant fee for a warehouse license, the owners are looking to formally add the space onto their license.
 - ii. Whereas**, this request comes due to the recent SLA Advisory #2022-20 approved by the Members of the Authority on August 31, 2022, that allowed for an adjacent space to be included as part of a licensed premises so long as the space is used only for storage of alcoholic beverages and can be accessed through public space or space controlled by the licensee. The bar's basement area used for the storage of alcohol is accessible via a sidewalk cellar door only and is not accessed by the residential hallway of the building.
 - ii. Whereas**, as there is no patron space being added to the licensed premises and no change to the method of operation, CB2 waived appearance from the Applicant with the previously agreed upon and executed stipulations from March/2018 remaining in place, those stipulations being as follows:
 3. The hours of operation will be from 5:00 PM to 1:00 AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing time for each area.
 4. Will operate with less than a full service kitchen but will serve food during all hours of operation.
 5. The premises, or any portion of the premises will not operate as a sports bar.
 6. The premises will not have televisions or projectors.

7. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not make changes to the existing façade except to change signage or awning. There are no existing French doors.
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.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an alteration to the Tavern Wine license in the name of **13 Sullivan Gents LLC d/b/a No 142, 142 Sullivan Street, North Storefront 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 Tavern Wine License.

Vote: Unanimous, 42 Board Members in favor.

2. **164 Mulberry Street Corp. d/b/a Da Nico, 164 Mulberry Street 10013** (Existing OP–Restaurant SN#1025413, Corporate Change)
 - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a Corporate Change to its On-Premises Restaurant liquor license (SN#1025413, exp 5/31/23) to continue to operate a full-service restaurant specializing in Italian fare within the ground and 2nd floors of a C6-2G-zoned, five (5)-story mixed-use building (c. 1900, altered 2005) on Mulberry Street between Grand and Broome Streets (Block #471/Lot #29) the building falling within the designated Special Little Italy District; and
 - ii. **Whereas**, the Applicant’s family has been in operation at the premises since the license originated in 1995, the Corporate Change is to change the ownership of the Applicant from 100% to 50% and to add the Applicant’s wife as the other 50% owner, the wife having managed and been involved in the running of the premises for many years; the method of operation remaining the same; and
 - iii. **Whereas**, the existing method of operation is a full-service restaurant operating within a roughly 3,200 sq. ft. premises (ground/first floor 1,200 sq. ft., the 2nd floor 2,000 sq. ft.); there being approximately 72 patron seats at tables on the first floor, 72 patron seats at tables on the second floor, one bar with two seats for a total interior patron occupancy of 146 seats, there is one TV, three bathrooms and a 2,000 sq. ft. rear yard (which according to the certificate of occupancy limits eating/drinking to dining only with 90 additional exterior patron seats, there are existing French

doors on the front façade which close at 10:00 PM nightly and a sidewalk café consisting of four (4) tables and eight (8) seats which closes no later than 10:30 PM nightly; and

- iv. **Whereas**, the interior hours of operation will continue to be from 12:00 PM to 11:00 PM Sundays through Thursdays and from 12:00 PM to 12:00 AM Fridays and Saturdays, music will be quiet background only with no DJs, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- v. **Whereas**, the exterior rear garden will continue to be for dining purposes only, there will be no music in the rear yard and it will close by 10:30 PM Sundays through Thursdays and 11:00 PM Fridays and Saturdays (no patron or staff will be in the rear yard after closing and all lighting will be turned off); and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they 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 a family run Italian restaurant.
 - 2. The hours of operation will be 12:00 PM to 11:00 PM Sundays through Thursdays and 12:00 PM 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 operate a backyard garden for dining purpose only, no music and no later than 10:30 PM Sundays through Thursday and no later than 11 PM Fridays and Saturdays. All patrons and staff will be cleared at these hours and area closed
 - 5. Will operate a certified sidewalk café 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 four (4) tables and eight (8) patron seats as per previously approved DCA sidewalk café #0949447. No roadbed seating.
 - 6. Sidewalk café will close no later than 10:30 PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
 - 7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
 - 8. Will have no more than one (1) television no larger than 40". There will be no projectors.
 - 9. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
 - 10. Will not make changes to the existing façade except to change signage or awning.
 - 11. Will comply with NYC Department of Buildings Regulations and will 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. 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. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
 - 15. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the Corporate Change application to the existing On-Premises Restaurant Liquor License in the name of **164 Mulberry Street Corp. d/b/a Da Nico, 164 Mulberry Street 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 Restaurant Liquor License.

Vote: Unanimous, 42 Board Members in favor.

3. Nobleats, LLC, 132 Bowery 10013 (new RW–Restaurant) (*previously unlicensed*)

- i. Whereas,** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a Japanese ramen franchise restaurant on the ground floor of a C6-1G- zoned, 3-story mixed-use building (c. 1900) on the Bowery between Broome and Grand Streets (Block #470/Lot #60) the building falling within the designated Special Little Italy District; and
- ii. Whereas,** the ground floor storefront premises is approximately 3,600 sq. ft. (2,200 sq. ft. ground floor connected by an interior staircase to 1,400 sq. ft. basement with no patron occupancy of the basement); there are 17 tables and 52 seats with one (1) bar and eight (8) seats for a total interior seated occupancy of 60 persons; the premises has one (1) door which will serve as patron ingress and egress and two (2) bathrooms; the store front infill being fixed without operable doors or windows that open out to the sidewalk and there is no sidewalk café or other outdoor seating; and
- iii. Whereas,** the hours of operation will be from 11:00 AM to 11:00 PM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. Whereas,** the premises to be licensed was previously unlicensed and most recently operated as a Medical Center / Office; 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 Restaurant Wine License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a full-service restaurant, specifically a franchise restaurant operating as a traditional Japanese ramen restaurant with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be 11:00 AM to 11:00 PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
 - 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.

4. Will not be operating 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, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
6. Will have no more than three (3) televisions no larger than 43". There will be no projectors and TV will operate in "closed caption" mode only without sound.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed.
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 new Restaurant Wine License in the name of **Nobleats LLC, 132 Bowery 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 Restaurant Wine License.

Vote: Unanimous, 42 Board Members in favor.

4. **Entity to be formed by Babak Khorrami, d/b/a Tokyo Tavern, 183 Grand Street 10013** (new OP-Restaurant) *(previously unlicensed)*
 - i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a Japanese/American restaurant on the ground floor of a C6-2G- zoned, 3-story mixed-use building (c. 1910) on Grand Street between Mulberry and Centre Streets (Block #236/Lot #17) the building falling within the designated Special Little Italy District; and
 - ii. **Whereas**, the ground floor storefront premises is approximately 600 sq. ft.; there are ten (10) tables and 24 seats with one (1) bar and ten (10) seats for a total interior seated occupancy of 34 persons; the premises has one (1) door which will serve as patron ingress and egress and one (1) 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 12:00 PM to 12:00 AM Sundays, 4:00 PM to 12:00 AM Mondays through Wednesdays, 4:00 PM to 1:00 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**, 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 eight (8) patron seats; sidewalk café hours will end by 10:00 PM Sundays through Saturdays (7 days a week); and
- iv. **Whereas**, there is access to a rear yard but there will be no use of the rear yard by the Applicant, employees or patrons at any time for any purpose including storage of trash or employee breaks; and
- vi. **Whereas**, the premises to be licensed had operated since 1911 until as John Jovino Gun Shop and was the oldest gun retailer in New York City; 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, specifically a Japanese/American restaurant with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be from 12:00 PM to 12:00 AM Sundays, 4:00 PM to 12:00 AM Mondays through Wednesdays, 4:00 PM to 1:00 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 be operating 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 (8) patron seats. No roadbed seating.
 - 5. Sidewalk café will close no later than 10 PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs. No roadbed seating.
 - 6. There will be no use of the rear yard for patrons, employees or trash at any time
 - 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 all times, allowing only for patron ingress and egress.
 - 10. Will not install or have French doors, operable windows or open facades.
 - 11. Will not make changes to the existing façade except to change signage or awning.
 - 12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
 - 13. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed.
 - 14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 - 15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine License in the name of **Entity to be formed by Babak Khorrami, d/b/a Tokyo Tavern, 183 Grand Street 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 Restaurant Wine License.

Vote: Unanimous, 42 Board Members in favor.

5. **Watches of Switzerland LLC d/b/a Watches of Switzerland, 58-60 Greene Street 10012 (OP–Bottle Club)**
 - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new Bottle Club License to operate a luxury watch retail store in a roughly 10,000 sq. ft. space within the ground floor and cellar of a M1-5A-zoned, five (5)-story, mixed-use building (c. 1873) on Greene Street between Broome and Spring Streets (Block #485/Lot #7502), the building falling within the NYC LPC’s SoHo Cast Iron District and the designated Special SoHo NoHo Mixed Use District; and
 - ii. **Whereas**, the two-story premises (4,740 sq. ft. ground floor with 5,300 sq. ft. basement level connected by an interior stairway) has one (1) bar with five (5) seats and one (1) couch and six (6) chairs for a total seated occupancy of 13 persons in the basement level and a maximum occupancy of 164 persons; there are two (2) doors which will serve as patron ingress and egress with ADA access and emergency egress provided through the residential lobby, and two (2) bathrooms; the store front infill being fixed without operable doors or windows that open out to the sidewalk and there is no sidewalk café or other outdoor seating; and
 - iii. **Whereas**, the method of operation will be as a retail store for the purpose of selling Watches of Switzerland watches, the service of alcoholic beverages being complimentary to its customers during store hours of operation from 11:00 AM to 8:00 PM Mondays through Saturdays and 12:00 PM to 6:00 PM Sundays, with no TVs, and music will be recorded background music only, inclusive of any private sales events. There may be occasional live acoustic music played at background levels; and
 - iv. **Whereas**, the two-story premises operated prior to 2018 as a high-end retail furniture store and has never operated for eating or drinking purposes before; the Applicant appearing before CB2, Man. in September/2018 for essentially the same application, albeit for an On-Premises liquor license, CB2, Man. recommending approval of the application, the Applicant not moving forward with the liquor license application at that time despite opening the retail store in 2018; 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 Bottle Club License, with those stipulations as follows:

1. Premises will be advertised and operated as a high-end retail watch store.
2. Service of alcohol will be limited to wine, beer and cider products with a two drink maximum per customer per visit; no spirits.
3. The hours of operation will be alcoholic beverages being complimentary to its customers during store hours of operation from 11:00 AM to 8:00 PM Mondays through Saturdays and 12:00 PM to 6:00 PM. No patrons will remain after stated closing time.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not be operating 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.
6. Will play quiet ambient recorded background music only, inclusive of any private sales events. There may be occasional live acoustic music played at background levels. 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 install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have 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.
13. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Bottle Club License in the name of **Watches of Switzerland LLC d/b/a Watches of Switzerland, 58-60 Greene Street 10012** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA On-Premises Bottle Club License.

Vote: Passed, 41 Board Members in favor, and 1 in opposition (M. Fitzgerald).

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

6. Diglio Corporation, 59 Grand St. 10012 (OP–Restaurant)

Whereas, prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee Meeting on February 7, 2023, the Applicant requested to **withdraw** this application for an On-Premises Restaurant Liquor License and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that 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 **Diglio Corporation, 59 Grand 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, 42 Board Members in favor.

7. 66 Greene LLC, fka An Entity to be Formed by Alexander Grant d/b/a TBD, 66 Greene St. 10012, Grnd. Fl. & Bsmt. (TW–Café with clothing apparel)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on February 7, 2023, the Applicant requested to **withdraw** this application for a Tavern Wine License for a café with clothing apparel and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that 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 **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, 42 Board Members in favor.

8. 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 February 7, 2023, the Applicant requested to **withdraw** this application for a Restaurant Wine License and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that 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 **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, 42 Board Members in favor.

9. Unregular Bakery LLC d/b/a Unregular Forno, 124 4th Ave. 10003 (RW–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on February 7, 2023, the Applicant requested **to lay over** this application for a Restaurant Wine License to March/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;

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 **Unregular Bakery LLC d/b/a Unregular Forno, 124 4th Ave. 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, 42 Board Members in favor.

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

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2023 the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2 Manhattan; and

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

Vote: Unanimous, 42 Board Members in favor.

11. Gigi Group, LLC & 142 Emmut Partners, LLC, 138 Bowery 10013 (OP–Hotel)

Whereas, during this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on February 7, 2023, the Applicant requested **to lay over** this application for an On-Premises Hotel Liquor License to March/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;

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 **Gigi Group, LLC & 142 Emmut Partners, LLC, 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, 42 Board Members in favor.

12. 109 East 9th Street LLC, 163 Bleecker Street 10012 (OP–Restaurant)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on February 7, 2023, the Applicant requested to **withdraw** this application for an 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;

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 **109 East 9th Street, LLC, 163 Bleecker Street 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, 42 Board Members in favor.

13. Astor Management LLC, 163 Bleecker Street 10014 (OP-Restaurant)

Whereas, during this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on February 7, 2023, the Applicant requested **to lay over** this application for an On-Premises Restaurant Liquor License to March/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;

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 **Astor Management LLC, 163 Bleecker Street 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, 42 Board Members in favor.

14. 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 4th 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 12 AM and Fridays/Saturdays from 11 AM to 1 AM, music in the interior will be quiet background only; and,

v. **Whereas**, the Applicant met with the local block association and garnered the support from those living in the immediate area, a representative appearing in support of the instant application; and.

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

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine License for **Lin and Daughters Inc., d/b/a Lin and Daughters, 181 West 4th St. 10014**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the SLA Restaurant Wine License and the Temporary Retail Permit.

Vote: Unanimous, 42 Board Members in favor.

15. Hao Noodle and Tea LLC, d/b/a Madam Zhu’s Kitchen, 401 Ave. of the America 10014 (Corp. Change)

i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a corporate change of ownership to an existing Restaurant Wine License (SN 1294776); the Applicant will continue to operate a restaurant serving Chinese cuisine in a two-story building constructed in 1915 and located on Sixth Avenue and between West 8th Street and Waverly Pl., this building falling within NYC LPC’s designated Greenwich Village District; and

ii. **Whereas**, the Applicant seeks to add a new holding and investment company to its corporate structure but the existing ownership and management will continue operation of its full-service restaurant without change to its method of operation in a premises with an occupancy of approximately 74 persons; the

premises has 21 tables with 67 seats and a counter with no (0) seats; the premises has 1 entrance/exit and 2 patron bathrooms; there will be no outdoor seating on the sidewalk or roadbed under the temporary Open Restaurants program; and

iii. Whereas, the Applicant's hours of operation remain the same, 1:00 PM to 11:00 PM Sunday to Thursday and from 1:00 PM to 12:00 AM Fridays and Saturdays; music will be quiet recorded background only; there will be no DJs, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

iv. 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 Wine License, with those stipulations as follows:

1. The premises will be advertised and will operate as a full-service restaurant.
2. The hours of operation will be from 1:00 PM to 11:00 PM Sunday to Thursday and from 1:00 PM to 12:00 AM Fridays and Saturdays.
3. The Applicant will operate a full-service restaurant with the kitchen open and the full menu available until closing every night.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. It will not have televisions.
6. It will not operate a backyard garden or any outdoor area for commercial purposes.
7. It will play quiet ambient recorded background music only.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. It will not install or have French doors, operable windows, or open façades.
10. It will not make changes to the existing façade, except to change the signage or awning.
11. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
13. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.
14. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. It will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
16. It will appear before CB2, Manhattan for an alteration to its license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a corporate change to the existing On Premises License (SN 1160761, exp. 4/30/23) for **Hao Noodle and Tea LLC, d/b/a Madam Zhu's Kitchen, unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the SLA Restaurant Wine License.

Vote: Unanimous, 42 Board Members in favor.

16. WF1 LLC d/b/a Pending, 29 Cornelia Street 10014 (New OP)

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 Japanese-American fusion restaurant in a ground floor storefront located within a six-story, tenement style residential building (circa 1903) on Cornelia Street between Bleecker and West 4th Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed has operated in the past as the Cornelia Street Café, with a similar method of operation, the interior storefront is roughly 2,100 sq. ft. with 900 sq. ft. ground floor and 1,200 sq. ft. cellar, there is a full-service kitchen, with 12 tables and 24 patron seats and 1 stand up bar with 11 additional patron seats on the ground floor, and 8 tables with 18 patron seats and 1 stand-up bar with 5 additional seats in the cellar, for a total indoor seated patron occupancy of 58 persons, there operable French doors running along the front storefront façade with one (1) double door patron entry/exit and 4 patron bathrooms, the store front infill being fixed without operable doors or windows with the exception of set of existing double doors for entry/exit from the restaurant to the sidewalk; and

iii. Whereas, the Applicant’s hours of operation will be Sundays to Tuesdays from 12:00 PM to 1:00 AM, Wednesdays to Saturdays from 12:00 PM to 2:00 AM, music will be quiet recorded background only; there will be no DJs, no promoted events, no live music scheduled performances, no cover fees, and no televisions; and,

iv. Whereas, the Applicant presented a diagram demonstrating that there could be situated five tables for two persons each, with the two-top tables being placed immediately against the front façade, so as to create and allow for an additional 8.5’ of sidewalk width to the curb, albeit limited to an existing tree pit, the public sidewalk at this location being narrow mid-block zoned for residential; and,

v. 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 117 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 somewhat similar to what was licensed and operated at the same location in the past, the Applicants having met with the local block associations and residents living on the block, working with and compromising with the existing community and stakeholders, there will be no roadbed dining or structures built in the roadway, the agreed upon stipulations with the neighbors and block associations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

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

1. Will operate a full-service restaurant with a full-service kitchen serving Italian fare, with the kitchen open and the full menu available until closing every night.
2. The hours of operation will be Sundays to Tuesdays from 12:00 PM to 1:00 AM, Wednesdays to Saturdays from 12:00 PM to 2:00 AM.
3. Will not install or have French doors, operable windows or open facades.
4. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk café seating operating under the temporary Open Restaurants program located immediately adjacent

to and limited to storefront frontage width, following diagram submitted and leaving a minimum clearance of 8.5' to the curbside at all times for pedestrian passage with no more than five (5) tables and ten (10) patron seats on Cornelia Street. No roadbed seating.

6. Sidewalk café will close by 10:00 PM every night.
7. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will close all existing doors & windows by 10 PM, allowing only for patron ingress and egress.
9. Will not have televisions.
10. Will utilize electronic messaging and reservation system; patrons will be notified to prevent patrons waiting or lining up outside on sidewalk or in immediate area of restaurant.
11. It will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
12. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
13. 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 **WF1 LLC d/b/a Pending, 29 Cornelia Street 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA On Premises License.

Vote: Unanimous, 42 Board Members in favor.

17. 25 Pizza, LLC d/b/a LTD Pizza, 225 Hudson Street 10013 (New Restaurant Wine)

i. Whereas, the Applicants 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 Restaurant Wine License to operate a Pizzeria restaurant in a ground floor storefront located within a five-story, mixed use apartment building (circa 1910); the premises is located on Hudson Street between Broome and Dominick St. in the Hudson Square area of lower Manhattan; and,

ii. Whereas, the storefront proposed to be licensed was operated for years as a sporting goods store and has never been licensed for the service of alcohol or for eating/drinking use/occupancy; and,

iii. Whereas, the storefront premise is roughly 1380 sq. ft. (980 sq. ft. ground floor and 400 sq. ft. basement with the basement being for patrons and the service of alcohol), there is no kitchen but the Applicant plans to add a pizza oven and prep area on the ground floor, there will be 2 tables with 23 patron seats, one counter with 3 seats, one stand-up bar with 5 seats for a seated patron occupancy of 31 persons on the ground floor, and in the basement there will be two additional tables with 12 patron seats and a second stand-up bar with no designated seats for a total patron seated capacity of 12, with two patron bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and,

iv. Whereas, the Applicant's hours of operation will be Sundays to Saturdays from 11:00 AM to 2:00 AM, music will be quiet recorded background only; there will be no DJs, no promoted events, no live music or scheduled performances, no cover fees, and one television; and,

v. Whereas, the Applicant also seeks to operate in the rear yard with two tables and eight seats, but provided no photos of the rear yard depicting the outdoor space or the surrounding apartments facing the rear yard to ascertain the potential impacts from noise and/or invasion of privacy, the Applicant not providing a letter of no objection for the multi-floor patron use occupancy sought, and there is no certificate of occupancy, demonstrating that the planned occupancy in the basement, ground floor or rear yard is safe with the requisite emergency egress requirements, there is no evidence of any permits in place to use the rear yard, ground floor or basement for eating/drinking occupancy, with this location having never been used/occupied for eating and drinking purposes in the past; and,

vi. Whereas, the Applicant also seeks to operate on the sidewalk with 2 tables with eight seats, without providing a diagram showing the dimensions or measurements of the sidewalk or any coherent plan demonstrating where the tables could be located, there being many obstructions already existing on the sidewalk, including a large ramp taking up the entire frontage of the storefront, as well as benches, planting and trees extending from the curb, making the location or potential siting of the two tables in the middle of the public sidewalk blocking pedestrian traffic; and,

vii. Whereas, when asked if the Applicant would either withdraw certain aspects of this application or wait until the permits were in place to demonstrate the necessary egress requirements for eating/drinking purposes to the premises proposed to be licensed, the Applicant indicated they would not do so; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine License application for **225 Pizza, LLC d/b/a LTD Pizza, 225 Hudson Street 10013**; and

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

Vote: Unanimous, 42 Board Members in favor.

18. Thai Smile Restaurant Inc. d/b/a Tue Thai Food 3 Greenwich Ave 10014 (New OP - Restaurant)

i. Whereas, the Applicants 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 full service restaurant serving Thai cuisine in a ground floor corner storefront located within a one-story building (circa 1960) on Greenwich Ave. between Christopher Street and 6th Avenue, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the Applicant has operated at its current restaurant with a Restaurant Wine license for many years, and plans to continue to operate with the same method of operation, ownership and management, as an authentic Thai food restaurant within a 1,200 sq. ft. ground floor storefront, there is a full-service kitchen, 17 tables with 34 patron seats, one customer bar with no additional seats for a total indoor seated patron occupancy of 34 persons, there is one (1) patron entry and one (1) patron exit 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 continue to be Sunday to Saturday from 11:00 AM to 12:00 AM, music will be quiet recorded background only; there will be no DJs, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; there will be a sidewalk café with ten (10) tables and twenty (20) patron seats on Greenwich Avenue but 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 69 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 10 additional pending licenses, the method of operation being similar to what has been licensed and operated at the same location in the past without significant conflict, the Applicants are known in the immediate community, met with and received the support of the local block association, the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future; 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 License, with those stipulations as follows:

1. The Applicant will operate a full-service restaurant with a full-service kitchen serving authentic Thai food, with the kitchen open and the full menu available until closing every night.
2. The hours of operation will be Sundays to Saturdays from 11:00 AM to 12:00 AM.
3. Will not install or have French doors, operable windows or open facades.
4. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk café seating operating under the temporary Open Restaurants program located immediately adjacent to and limited to storefront frontage width, with no more than ten (10) tables and twenty (20) patrons seats. No roadbed seating.
6. Sidewalk café will close no later than 11 PM. All tables and chairs will be removed at this hour. No exterior music, speakers
7. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. It will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
9. Will not have televisions.
10. Sidewalk Sandwich/Advertising Boards will be positioned against the building and not out on the Sidewalk blocking pedestrian traffic.
11. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
12. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.
13. 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 **Thai Smile Restaurant Inc. d/b/a Tue Thai Food 3 Greenwich Ave 10014** **unless** the statements presented by the Applicant are accurate and

complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA Restaurant On Premises License.

Vote: Unanimous, 42 Board Members in favor.

19. Sogno 85th LLC d/b/a Sogno Toscano, 17 Perry Street 10014 (New OP—Café/Wine Bar)

- i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On-Premise License to operate café/wine bar in a four-story, mixed-use townhouse constructed in 1846 on the northwest corner of Perry Street at its intersection with Waverly Place (Block #613/Lot #28) and which is located in the Greenwich Village Historic District; and
- ii. Whereas,** the storefront premise has operated as a café and wine bar with a tavern wine license since 2021, and before that was not previously licensed, operating for many years prior as a retail clothing and surf apparel store (Saturday’s Surf NYC); and,
- iii. Whereas,** the Applicant, is also an importer and wholesale purveyor of Italian specialty food products, operating the café/wine bar featuring its products which are also available for purchase, with the ground floor space being roughly 800 sq. ft.; there is no kitchen, the letter of no objection from the NYC Dept. of Building prohibits cooking on the premises, where there are 12 tables with 24 patron seats, one stand up bar with 5 additional seats and 1 service counter for a total of 29 patron seats in the premises, with 1 entrance, and 1 bathroom; and
- iv. Whereas,** the hours of operation will continue to be 9:00 AM to 10:00 PM, seven (7) days a week; music will be recorded background, no DJs, no live music or televisions; and
- v. Whereas,** the Applicant also seeks to serve to the public sidewalk on both sides of the corner building, with 3 tables and 6 seats on Perry Street and 5 additional tables on Waverly Place, the sidewalk being narrow on both sides, the applicant not providing complete width measurements of the sidewalk, the diagrams not demonstrating a clear path of least 8’ required by the temporary open restaurants program, there being no licensed sidewalk café at this location in the past; and,
- vi. Whereas,** opposition to this application was presented, citing the Applicant’s prior application for restaurant wine wherein the Applicant committed to not operate on the sidewalk, with those in opposition also presenting photographs taken in 2022 demonstrating the Applicant operating outside on the sidewalk with numerous tables on the sidewalk, some seating four patrons circling around individual tables, tables sited on both sides of the sidewalk, blocking pedestrian passage on both sides of the corner, and not providing the minimum clear passage of 8’ requiring under the temporary program; and,
- vii. Whereas,** when asked about the photographs, the Applicant and Licensee admitted to a lack of oversight, with his staff permitting patrons to sit at tables in this manner, without limitation, on both sides of the sidewalk, not able to clarify or quantify how long this misuse of the sidewalk had been occurring, acknowledging that it was not a perfect world, and indicating his staff has had difficulty encouraging some patrons to maintain clear passage on the sidewalk; and
- viii. 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 on premise liquor license, the storefront premise having been licensed for roughly 1.5 years, never with an on premise license, there being 62

active SLA licenses within 750 feet of the location proposed to be licensed, with 11 additional pending licenses, the location to be licensed is located in a residentially zoned community, has no kitchen, and cooking is prohibited, which limits its method of operation to one based on the service of alcohol, the use of the narrow sidewalk for eating/drinking being questionable, not presented in such a way that it could be permitted, the Applicant having a history of misusing the sidewalk, blocking clear passage for pedestrians at a corner intersection, where there are multiple cross walks leading to it, in addition to pre-existing sidewalk obstructions, including boxed plantings and trees, posts and crossing signal fixtures and parking signs at the corner, with wheel chair access provided from the corner curb cutout; and,

ix. Whereas, the premises to be licensed may be within 200 feet of the Saint John’s of the Village located on Waverly Place, an active place of worship;

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On Premise Liquor License for **Sogno 85th LLC d/b/a Sogno Toscano, 17 Perry Street 10014**; and,

THEREFORE BE IT RESOLVED that prior to the issuance of an on premise license at 17 Perry Street, New York, NY 10014, **a measurement should be undertaken** to determine whether the Saint John’s of the Village, an existing place of worship, is located within 200 feet of premises proposed to be so licensed; 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: Passed, 40 Board Members in favor, and 2 in opposition (R. Kessler, A. Zeldin).

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

20. Aqua Santa Taqueria LLC d/b/a Aqua Santa Taqueria, 282 Hudson St. 10013 (New OP – Restaurant) (laid over)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 9, 2023, the Applicant sought more time and requested **to lay over** this application to March/2023, thereafter affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, 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 **Aqua Santa Taqueria LLC d/b/a Aqua Santa Taqueria, 282 Hudson St. 10013 (OP-Restaurant) until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

21. Food Napoli LLC d/b/a NA Slice, 11 Waverly Place 10003 (New RW–Restaurant) (laid over)
Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 9, 2023, the Applicant requested **to lay over** this application over to March/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;

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 **Food Napoli LLC d/b/a NA Slice, 11 Waverly Place 10003** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

22. Realmuto 117 7th Avenue South LLC, d/b/a Pending, 117 7th Ave. South 10014 (RW–Restaurant) (Withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 9, 2023 the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, 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 until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

23. Cara Jecm LLC, d/b/a Mad Morton, 13-15 Morton St. aka 47 7th Ave. S. 10014 (OP – Restaurant) (Extending operating hours) (Withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 9, 2023, the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, 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 until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

24. 340 Bleecker LLC d/b/a Amos on Bleecker, 340-342 Bleecker Street 10014 (OP-Alteration, adding storage warehouse above premises) (Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 9, 2023, the Applicant requested **to withdraw** this application from further consideration, 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 **340 Bleecker LLC d/b/a Amos on Bleecker, 340-342 Bleecker Street 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

25. Entity to be formed by Kim I. Alegado d/b/a Ad Hoc Collective, 13 Christopher St Bsmt 10014 (RW - Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 9, 2023, the Applicant requested **to lay over** this application over to March/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 **Entity to be formed by Kim I. Alegado d/b/a Ad Hoc Collective, 13 Christopher St Bsmt 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

26. Entity to be formed by Mariquit Ingalla d/b/a Rosecrans, 7 Greenwich Ave 10014 (RW - Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 9, 2023, the Applicant requested **to lay over** this application over to March/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;

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 **Entity to be formed by Mariquit Ingalla d/b/a Rosecrans, 7 Greenwich Ave 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

TRAFFIC AND TRANSPORTATION

Resolution in response to panel discussion of experts addressing obscured license plates and their impact on the loss of revenue due to their evasion of red-light cameras, speed cameras and tolls, the dangers vehicles with obscured license plates pose to public safety, and the lack of sufficient enforcement.

Whereas the practice of drivers obscuring license plates to avoid being caught by red light and speed cameras when they speed, run red lights and tolls is proliferating in the NYC area, greatly endangering all people on the street and, as reported by local representatives, have cost tax payers millions of dollars (NYC Dept. of Transportation (DOT) data March 2020-April 2022: 1.5 million obscured license plate incidents reported; by 2021 up to 4% of vehicles evading cameras representing a \$75,000,000 loss); and

Whereas offenders obscure license plates in many different ways, among them, by scraping off paint, with covers or objects, with spray paint, by retracting license plates, by forging fake plates and by using false paper substitutes for the real plates; and

Whereas fines for illegally obstructed license plates are as little as \$65 with a maximum up to \$300, resulting in \$75 to \$100 million a year in lost revenue; and,

Whereas intentionally obscured plates undermine the Reckless Driver Accountability Act that is designed to penalize reckless drivers with 15 or more camera-issued speeding tickets or five red-light tickets and keep them and their vehicles off NYC streets; and

Whereas it is illegal to buy or sell devices that obscure license plates (Amazon is no longer allowed to sell obscured plates shipped to NY addresses) yet it remains possible to buy them in stores and online if shipped out of state; and

Whereas when congestion pricing goes into effect, scofflaws would look to avoid paying tolls by obscuring their license plates, leading to a reduction of the revenue that congestion pricing is designed to raise and less impact on its aim to lower congestion; and

Whereas it has been established that drivers obscuring their plates are known to be the most egregious offenders when it comes to reckless driving that can lead to serious if not fatal injuries; and

Whereas the 1st and 5th Precinct of the NYPD say they are actively targeting vehicles with obscured plates and finding that this leads to additional criminal charges as many drivers caught with obscured license plates are found and charged with illegal possession of guns, knives, drugs, and other contraband; and

Whereas license plates are regulated by the State of New York which complicates NYPD's ability to impound parked cars with obscured license plates; and

Whereas areas around police precincts are known to have one of the highest ratios of parked cars with obscured license plates; and,

Whereas NYPD enforces its own officers with obscured license plates offenses under the rule of Command Discipline, penalizing those officers who own cars with obscured plates by taking away vacation days, as opposed to issuing fines that can be tracked with the payment of a summons; and

Whereas NYS Governor Kathy Hochul has proposed legislation in her FY 2024 Executive Budget that will authorize law enforcement and the Department of Motor Vehicles to levy increased penalties on drivers whose license plates are knowingly altered to make them unreadable in photographs, including increased fines and registration denials. The law will also enable law enforcement to seize materials affixed to license plates that are designed to prevent them from being read by speed and toll collection cameras; and

Whereas NYS Senators Brad Hoylman-Sigal and Andrew Gounardes will be reintroducing legislation by Senator Gounardes from the 2021-2022 NYS Legislative Session to the current NYS Legislative Session that would direct municipalities to create a program for bystander reporting of stolen, false or fraudulent license plates; and

Whereas NYC Council Member Erik Bottcher introduced a bill at the NYC Council Legislative Session in 2022, to be re-introduced at the Council's 2023 Legislative Session, to require the NYC Department of Transportation (DOT) to report monthly on evasion of red-light cameras or school speed cameras by motor vehicles with unreadable license plates;

Therefore be it resolved that CB2 strongly supports Governor Hochul's proposal to increase fines on drivers who obscure their license plates and calls upon the NY State legislature to support and speedily pass this legislation; and

Be it further resolved that CB2 strongly supports reintroduction at this current NY State legislative session of State Senator Gounardes' 2021-2022 bill formalizing a public reporting process for obscured license plates, which now will be co-sponsored by State Senators Gounardes and Hoylman-Sigal, and calls upon the NY State Legislature, when this bill is reintroduced, to pass the bill as soon as possible; and

Be it further resolved that CB2 agrees that the fine for obscuring a license plate should be severe, whether ticketed in motion or parked, with a minimum fine set in the hundreds of dollars with the option to impound the vehicle; and

Be it further resolved that CB2 strongly supports NYC Council Member Bottcher's bill mandating DOT to report on speed and red-light camera evasions and urges that it be quickly brought to the Council's Transportation Committee and approved and to the full NYC Council to review and swiftly vote passage; and

Be it further resolved that CB2 recommends stricter disciplinary measures for police officers caught with obscured license plates, and proposes that NYPD offenders be handed the same punishment as other citizens, rather than subtracting vacation days, which is more difficult to audit; and

Be it finally resolved that CB2 urges New York City and New York State to research and institute as soon as possible new technology to replace license plates as visual identifiers, creating license plates with new technology that would make toll evasion, red light camera running and speeding more difficult to hide

Vote: Passed, 38 Board Members in favor, and 4 in opposition (J. Deverna, R. Sanz, S. Smith, C. Spence).

Respectfully submitted,
Ritu Chattree, Vice Secretary
Community Board #2, Manhattan