

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Mark Diller, *District Manager*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

FULL BOARD MEETING AGENDA

DATE: Thursday, April 20, 2023

TIME: 6:30 PM

PLACE: Via Zoom Video-Conference

I. ATTENDANCE

II. PUBLIC SESSION: Members of the community may speak for a time to be specified by the Board Chair on any issue of interest to the community. **Virtual Public Speaker's cards must have been submitted before 5:00 p.m. to info@manhattancb2.org* Written correspondence received in lieu of spoken testimony will be summarized.

III. ADOPTION OF AGENDA

IV. REPORTS TO THE PUBLIC

- Elected Officials' Reports
- Borough President's Report - Andrew Chang
- Chair's Report - Susan Kent
- Treasurer's Report - Antony Wong
- District Manager's Report - Mark Diller

BUSINESS SESSION

V. APPROVAL OF THE MARCH MINUTES

VI. STANDING COMMITTEE REPORTS AND OTHER BUSINESS

- Landmarks - Chenault Spence
- Quality of Life - William Benesh
- Traffic & Transportation (via Executive) - Shirley Secunda & Dan Miller
- Land Use & Housing - Eugene Yoo/Katy Bordonaro
- SLA Licensing - Robert Ely & Donna Raftery
- Human Services – Susanna Aaron

VII. NEW BUSINESS

VIII. ADJOURNMENT

May 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 QUALITY OF LIFE	2	3 TRAFFIC & TRANSPORTATION	4 PARKS & WATERFRONT	5	6
7	8 EQUITY, RACE & JUSTICE	9 SLA 1	10 LAND USE & HOUSING	11 SLA2 LANDMARKS	12	13
14	15 CANNABIS LICENSING Landmarks 2 if needed	16 EXECUTIVE COMMITTEE	17	18 FULL BOARD	19	20
21	22 SCHOOLS & EDUCATION	23 ARTS & INSTITUTION	24	25 HUMAN SERVICES	26	27
28	29 <i>Memorial day observed</i>	30	31 PARKS & WATERFRONT			

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Treasurer Report - Apr 2023
FY: July 1, 2022 to June 30, 2023

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	Fiscal Yr Projection		Current	
Accounts				
Street Fair Funds - Beginning July 1, 2022	\$	68,519.00	\$	68,519.00
Revenues				
City Funds	\$	266,466.00	\$	266,466.00
Discretionary Funds - CM Marte	\$	6,000.00	\$	6,000.00
Street Fair Funds - FY23	\$	2,813.00	\$	-
	\$	343,798.00	\$	340,985.00
Expenses				
<i>Personnel Services (PS)</i>				
Staff	\$	(242,984.00)	\$	(139,930.12)
<i>Other Than Personnel Services (OTPS)</i>				
Equipment & Software / Copy Machine ⁴	\$	(5,000.00)	\$	(2,300.22)
Postage	\$	(300.00)	\$	-
Professional Services	\$	(4,000.00)	\$	(10,986.00)
Space Rental	\$	(500.00)	\$	-
Supplies	\$	(1,500.00)	\$	(325.98)
Tech Subscriptions/Services	\$	(800.00)	\$	(4,919.06)
Telephone Services	\$	(2,926.00)	\$	-
	\$	(258,010.00)	\$	(158,461.38)
Balance	\$	85,788.00	\$	182,523.62

Revised: April 17, 2023

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LANDMARKS COMMITTEE

APRIL 2023

The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held its monthly meeting on April 13, 2023 by video conferencing.

Committee Members Present: Chenault Spence (Chair), Susan Gammie (Vice-Chair), Brian Pape, Eugene Yoo, Zachary Roberts, Anita Brandt, Valerie De La Rosa

Board Members Absent with Notice: Bo Riccobono

Public Members Present: Albert Bennett, Andy Clark

Public Members Absent with notice: Brenden Fitzgerald

Board members Present: Carter Booth

Committee Guests: Shannen Smiley (Village Preservation)

1. 17 W. 9th St. – Application is to construct a 1-story rooftop addition.

Whereas:

A. Certain modifications to the building, including the roof, were heard at a prior Landmarks Committee meeting and subsequently approved by the Commission; and

B. There is a rooftop addition proposed at the rear of the building that is not visible from any public thoroughfare, as illustrated by drawings and photographs; now

Therefore be it resolved that CB2, Manhattan recommends **approval** of the non-visible rooftop addition at the rear of the house.

Vote: Unanimous

2. 32 Jane St – Application is to return the house to a historic single-family residence and alter the entryway allowing the entry door to be level with the sidewalk with a window above, add a stair bulkhead and modifications to the roof, and modifications of the rear facade windows.

Whereas:

- A. The entrance door will be raised from below grade to grade level; and
- B. The front facade will be restored including replacement in kind of all windows except the window above the door which is proposed to be elongated, creating an oddly modern and unappealing appearance to the otherwise quiet façade; and
- C. A masonry band above the ground floor, not thought to be original, is proposed to be painted white which gives it undue prominence and sharply contrasts the otherwise dark grey facade; and
- E. At the rear, the fire escape will be removed, the masonry restored, and the windows will be rearranged to conform to the new ceiling heights required by code in the existing extension; and
- F. The top floor windows should be reduced in height to better conform to the rowhouse typography; and
- G. A rooftop stair bulkhead is to be added and the rear terrace will be enclosed with a railing not visible from a public thoroughfare; and
- H. The stair bulkhead is visible from either side of the building but is not objectionable as it is typical to numerous bulkheads on row houses in the neighborhood; now

Therefore be it resolved that CB2, Man. recommends

- A. Approval of the restoration of the front facade and the replacement of the double hung windows; and**
- B. **Denial** of the tall window above the entrance which has no historic reference and introduces an unwelcome and out of scale modern element to the facade; and
- C. That the masonry band above the ground floor be less prominent; and
- D. **Approval** of the rooftop additions and the rear facade.

Vote: Unanimous

3.. *56 W. 12th St. – Application is to restore the facade, replace all windows, construct new stoop to match the historic original, construct a rooftop penthouse addition, construct a stepped-back rear-yard addition that retains the rear historic cornice line and three top-floor window openings, and construct a lap pool in the rear yard

Whereas:

- A. The front facade will be restored with a new stoop, replacement of windows, and restored cornice; a reconstructed entry, front steps, and areaway are in historic design similar to neighboring buildings except the new proposed ironwork, though historically inspired, does not conform to any of the many distinguished examples of period ironwork in the neighborhood including the proposed new newel posts shown as open squares, rather than the typical solid round historic design; and

- B. The steps are in line with a tree pit, leaving a narrow sidewalk space and the applicant agreed to make a diligent effort to foreshorten the treads in order to provide more space between the steps and the tree pit; and
- C. The tower portion of an ADA lift in the areaway is obtrusively positioned in front of a window: and
- D. There is a rooftop penthouse addition that is not visible from a public thoroughfare as illustrated by photographs of a mockup; and
- E. The cellar excavation is within the existing cellar footprint and requires no underpinning; and
- F. The stepped rear addition is less deep than the neighboring houses, retaining the original top floor rear facade and cornice line, and the proposed windows on the basement, parlor, and second floor metal divided full-width windows and the third floor double hung wood windows are located in a tripartite configuration that reflects the historic architecture; and
- G. A lap pool is to be installed at the side of the garden; now

Therefore be it resolved that CB2, Manhattan recommends:

- A. **Approval** of the front facade restoration and windows; and
- B. **Denial** of the front steps unless it is determined that they cannot be redesigned to extend less far into the sidewalk; and
- C. **Denial** of the proposed ironwork and that it be more aligned with other district examples and include round newel posts as appropriate to the house; and
- D. **Approval** of the lift provided that a diligent effort be made to make it less obtrusive by relocating its mechanical tower away from the front of the basement window; and
- E. **Approval** of the non-visible rooftop addition and the cellar excavation; and
- F. **Approval** of the mass of the rear extension and the windows; and
- G. **Approval** of the lap pool, noting that it occupies a modest amount of the garden and is not objectionably visible from the neighboring gardens.

Vote: Unanimous

Respectfully Submitted,



Chenault Spence, Chair

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QUALITY OF LIFE COMMITTEE

April 2023

The Quality of Life Committee of Community Board #2, Manhattan held its monthly meeting on Monday, April 10th, 2023, at 6:30 p.m. via Zoom.

Committee Members Present: William Benesh (Chair), Susan Kent, Brian Pape, Michael Levine, Rocio Sanz, Zachary Roberts, Wayne Kawadler

Public Members Present: Johanna Lawton, Karen Eckhoff

Committee Members Absent with Notification: Ed Ma

Other CB2 Members Present: Valerie De La Rosa, Donna Raftery, Carter Booth

Street Activity Applications

**1. 4/20/23 – Four Twenty Street Closure Event (sponsor: The House of Cannabis):
Howard St. between Broadway and Mercer St. [full street closure]**

Whereas, The House of Cannabis (“THC NYC”) is a for-profit museum dedicated to the history of Cannabis use and culture in the United States, as well as other Cannabis-related topics, located at 427 Broadway, on the corner of Broadway and Howard Street; and

Whereas, THC NYC is seeking to hold a street event on April 20th, on the block of Howard Street between Broadway and Mercer Street, to celebrate the date of “4/20” which is significant in Cannabis culture, and to mark the opening of the museum; and

Whereas, the proposed event would take place from 1 PM to 6 PM, with load-in beginning at 7 AM and load-out completed within a few hours of the end of the event; and

Whereas, the event will feature a number of vendor booths sponsored by Cannabis-related and Cannabis-adjacent businesses & organizations, as well as portable toilets on site; and

Whereas, the event will include a parked vehicle sponsored by energy drink company Red Bull with amplified sound, as well as a DJ and a possible appearance by an unnamed celebrity, which is likely to happen at or around the time of 4:20 PM; and

Whereas, the applicant has engaged with NYPD as private security around security-related topics, and committed to the presence of no fewer than 20 private security guards throughout the day; and

Whereas, despite the applicant hoping for the street to be fully open during the event, the applicant stated that steel barricades would be on site and would be used for crowd control if needed, depending on the level of crowds at the event; and

Whereas, numerous concerns and reservations were raised by Quality of Life committee members, other CB2 members, and members of the public, regarding a number of topics surrounding the proposed event; and

Whereas, first and foremost amongst these concerns was the matter of physical safety, specifically surrounding the prospective attendance & performance by a celebrity around 4:20 PM, which could cause crowds far in excess of the 499-attendee maximum for a “large street event” as defined by SAPO, with possible attendees numbering in the many thousands, and with such large crowds potentially creating a physically dangerous situation within the extremely small block of Howard between Broadway and Mercer; and

Whereas, the proximity of Washington Square Park to the event, which is a known gathering place for large crowds on April 20th in previous years, further contributed to these fears around overcrowding, as upon hearing of a celebrity presence on Howard street, the large crowds in Washington Square Park could migrate to Howard street in a matter of minutes; and

Whereas, when such safety concerns were raised to the applicants, the applicants would not commit to an event which would preclude an appearance by such a celebrity; and

Whereas, additional concerns were raised by board members around liability for THC NYC and other organizations associated with the event which could result from actions by attendees under the influence of cannabis, as well as the general legality of allowing smoking at such an event under New York City’s Smoke-Free Air Laws; and

Whereas, despite all of these concerns, very minimal outreach had been conducted by the applicant to the surrounding community ahead of the planned event; and

Whereas, despite being classified as a “large street event” under the SAPO definition, the application was only submitted to SAPO 30 days ahead of the event instead of the required 45 days, which did not give CB2’s full board the opportunity to review the event and issue a formal resolution ahead of the proposed event date; and

Whereas, following the opposition and feedback expressed at the Quality of Life committee meeting, the applicant subsequently withdrew their application for the event; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Four Twenty Street Closure Event**.

Therefore Be It Further Resolved that CB2 Manhattan applauds and appreciates the applicant's decision to withdraw the event application in light of the numerous concerns expressed.

Vote: Adopted unanimously.

2. 4/22/23-4/23/23 – Malin and Goetz – NYFTA – Lafayette St. (sponsor: NYFTA Inc.): Lafayette St. between Prince St. and Jersey St. [curb lane closure only]

Whereas, personal care brand Malin + Goetz is seeking to partner with the New York Food Truck Association (“NYFTA”) to station a branded food cart in the curb lane on Lafayette Street between Prince and Jersey Streets; and

Whereas, the applicant is seeking to park the food cart close to the corner of Lafayette and Prince on April 22nd and 23rd from the hours of 10 AM – 4 PM each day; and

Whereas, there will be free giveaways of skincare samples and coffee on site; and

Whereas, the event will not feature amplified sound; and

Whereas, staff will be on site to manage any line that forms; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Malin and Goetz – NYFTA, 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: Adopted unanimously.

3. 4/25/23 - 4/26/23 – Amazon Freevee Food Truck (sponsor: Joshua Berliner): 1) Varick St. between Grand St. and Watts St., 2) Hudson St. between King St. and West Houston St., 3) Varick St. between West Houston St. and Downing St. [curb lane closure only]

Whereas, the applicant, mobile marketing agency RMNG, is seeking to organize a food truck promotion for the free streaming brand Freevee, which is owned by Amazon; and

Whereas, the promotion will feature a branded food truck which will temporarily park in three different locations within Community District 2 on April 26th, and will be giving away empanadas, horchata cold brew and branded tote bags; and

Whereas, the truck will be parked on Varick between Grand and Watts from 9 AM – 11AM, Hudson between Greenwich and Hudson from 12 PM – 2 PM, and Varick between Houston and Downing from 3 PM – 5 PM; and

Whereas, brand ambassadors are planned to be on site as well as an off-duty NYPD officer to provide security and manage any lines that form; and

Whereas, the applicant expressed openness to working with the community to minimize any impact on local businesses and restaurants, including willingness to move the truck and/or provide compensation to local businesses; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Amazon Freevee Food Truck**, **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: Adopted unanimously.

- 4. 4/2823 (Setup Date and Start Date) – 4/30/23 (End Date & Breakdown Date) – Valentino Beauty Double Decker Bus: LaGuardia Pl. between Bleecker St. and West Houston St. [curb lane closure only]**

Whereas, Valentino Beauty is partnering with Vector Media for an activation featuring a branded double decker bus; and

Whereas, the bus will be parked in the curbside lane on the west side of LaGuardia Pl between Bleecker and Houston Streets for three days, April 28th – 30th; and

Whereas, each day the bus will arrive around 9 AM, will be open to the public from 11 AM to 7 PM, and will be removed from the spot by 7:30 to be parked offsite overnight; and

Whereas, the interior of the bus will feature various opportunities for visitors to engage with the brand, including testing opportunities, photo moments, and coupon giveaways for local retailers like Sephora and Bloomingdales where Valentino Beauty products are sold; and

Whereas, product specialists and brand ambassadors will be on site to answer questions and assist in line management; and

Whereas, the upper deck will feature amplified sound with a DJ, but will be kept to a noise level where the music will only be audible on the bus, and the applicant promised to be responsive to any requests from the community to turn down the sound; and

Whereas, Vector has previously sponsored a similar activation for another brand in Community District 2 within the last 6 months, which ran smoothly with no complaints received from the community; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Valentino Beauty Double Decker Bus**, **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: Adopted unanimously.

5. 5/05/23 (Setup Date and Start Date) – 5/07/23 (End Date & Breakdown Date) – Coach Tabby Tour (sponsor: Activate Inc.): Gansevoort/ 13 Gansevoort Pedestrian Plaza [pedestrian plaza]

Whereas, Coach is partnering with experiential marketing firm Activate to stage an activation on the Gansevoort Plaza from May 5th – May 7th; and

Whereas, the activation will feature a branded ice cream trailer giving away free servings of ice cream, accompanied by various product displays; and

Whereas, the trailer is expected to take up a 25' x 15' rectangle on the north side of the Gansevoort Plaza; and

Whereas, the trailer will be open from 11 AM to 7 PM each day, with load in expected to begin around 5 AM on May 5th and load out within a couple of hours after 7 PM on May 7th; and

Whereas, the applicant expects to give away up to 2500 samples of ice cream per day, served by NY state licensed servers; and

Whereas, 2-3 additional staff members will be on site to manage the line, as well as overnight security; and

Whereas, a few small speakers will be placed inside the trailer, but there will be no amplified sound outside of the trailer; and

Whereas, the applicant intends to use two generators on the plaza during the day, but stated that they expect to be able to use the on-site power hookup overnight and should not need to use the generators at night; and

Whereas, the applicant stated that they intend to remove around 10 tables and umbrellas from the plaza for the activation, but they intend to keep the rest of the plaza open for use by the public; and

Whereas, the applicant intends to have three garbage receptacles on site; and

Whereas, while the Quality of Life committee appreciated that the footprint of the event would not extend to the entire Gansevoort Plaza, and that the overall impact was not as severe as in prior activations on the plaza, the committee remains generally opposed in principle to the use of the plaza for corporate activations such as this one; and

Whereas, the committee was of the belief that the proposed activation brought limited educational value or community benefit to the neighborhood; and

Whereas, there was additional concern about the noise pollution that could result from running the generators throughout the day, as well as concerns about noise during the anticipated 5 AM load-in; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Coach Tabby Tour**.

Therefore Be It Further Resolved that should this event be approved by SAPO, CB2 Manhattan recommends the load-in time be moved back to at least 7 AM.

Vote: Adopted unanimously.

6. 5/07/23 – Neighborhood Sidewalk Sale (sponsor: Bedford Downing Block Association): 6 Ave. between Downing St. and Bedford St. [partial sidewalk closure]

Whereas, the Bedford Downing Block Association is seeking to hold its annual neighborhood sidewalk sale on May 7th along 6th Avenue between Downing and Bedford Streets; and

Whereas, the event will feature approximately 20 vendors from the surrounding blocks, selling a variety of items; and

Whereas, set-up for the event will begin around 8:30 AM, with the event running from approximately 10 AM – 5 PM, and breakdown completed by 6 PM; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Neighborhood Sidewalk Sale**, **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: Adopted unanimously.

7. 5/13/23 (Setup Date and Start Date) – 5/14/23 (End Date & Breakdown Date) – SHM Fundraiser (sponsor: Sephardic Heritage Museum, Inc.): Bond St. between Lafayette St. and Bowery [full street closure]

Whereas, the applicant is seeking a full street closure to hold a private “fundraiser” event for the benefit of the Sephardic Heritage Museum, a collection of artefacts and archives documenting the history of Sephardic Jews and currently with no physical museum location; and

Whereas, while the applicant stated that they are not charging admission to the event and that the purpose is to raise awareness around the museum, the event is not intended for the general public and there will be a private, invitation-only guest list with approximately 500-600 expected attendees; and

Whereas, when asked about the possibility of opening the event to the public, the applicant stated that it was a capacity issue and they might be open to some neighbors and members of the public attending if there was sufficient space; and

Whereas, load-in for the event will begin at 9 AM, with the event itself taking place from 12 PM to 5 PM, and load-out completed by 8 PM; and

Whereas, the event will feature an art installation, various food booths selling Sephardic foods, and a non-alcoholic beverage bar; and

Whereas, the event will feature amplified sound and a DJ, but no live performances; and

Whereas, it was noted by members of Community Board 2 that Bond between Lafayette and Bowery is currently an Open Street under the DOT Open Streets Program, and is closed on Saturdays from 10 AM – 11 PM, with restaurant Il Buco often placing dining tables and chairs in the street during this period; and

Whereas, the applicant noted that they had been in contact with Il Buco and would work with them to make sure that the requisite fire / emergency lane would be kept clear during the event; and

Whereas, while many QoL Committee members and CB2 members expressed interest in learning more about the applicant's organization and its goals, in general there was a reluctance around the concept of a full day street closure for a private event to which members of the general public are not invited; now

Therefore Be It Resolved that CB2 Manhattan in general does not support the concept of street closures for private events such as the one proposed in this application.

Therefore Be It Further Resolved that CB2 Manhattan invites the applicant to consider holding a different style of event within CB2 that would allow community members to engage and learn more about the applicant's organization and would provide significant educational and cultural value to attendees.

Vote: Adopted unanimously.

8. **5/13/23 – PEN World Voices Festival (sponsor: PEN America): Astor Place Plaza (South) [pedestrian plaza]**
9. **5/13/23 – PEN World Voices Festival: Indie Lit Fair (sponsor: PEN American Center PEN America): LaGuardia Pl. between West 3rd St. and Bleecker St. [sidewalk and curb lane closure]**

Whereas, the PEN America World Voices Festival, an annual festival founded by Salman Rushdie in 2004 that celebrates international literature and writers, is seeking to hold two street events within Community District 2 on May 13th during this year's festival; and

Whereas, the first such event will be an activation on the Astor Place Plaza from 12 PM – 5 PM, which will focus on the "Frontline Writers' School" which encapsulates literature produced by front line workers during the COVID-19 pandemic; and

Whereas, this activation will feature an hour and a half or so of readings of this literature, as well as a “banned books” installation; and

Whereas, existing seating and tables will be preserved on the plaza during the activation; and
Whereas, the second event will be and “Indie Lit Fair,” taking place on the west sidewalk of LaGuardia Place between West 3rd and Bleeker Streets, in collaboration with the AIA New York Center for Architecture; and

Whereas, this event will feature tables placed on the sidewalk where small presses can share and sell their literature, with the tables intended to be lined up in such a way so as not to block the sidewalk; and

Whereas, the tables are expected to be located on the sidewalk from approximately 12 PM – 5 PM; and

Whereas, the QoL committee was generally highly supportive of the festival and both proposed street events within CB2, but some concern was raised around congestion on the sidewalk during the Indie Lit Fair; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **PEN World Voices Festival and PEN World Voices Festival: Indie Lit Fair**, provided that the applications conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Therefore Be It Further Resolved that CB2 Manhattan recommends that the applicant reduce the number of tables on the sidewalk for the Indie Lit Fair to allow for adequate pedestrian right-of-way and mitigate congestion on the sidewalk during the event.

Vote: Adopted unanimously.

10. 5/13/23 – Village Fair and Expo (sponsor: Stonewall Rebellion Veterans Association): Broadway between Waverly Place and East 14th St. [full street closure]

Whereas, this event is a Mardi Gras Festival Productions produced multi-block festival with typical street fair vendors selling food, drink, socks, t-shirts, handicrafts, sunglasses, etc.; and

Whereas, shutting Broadway between 14th Street and Waverly Place would be very disruptive to local traffic patterns, especially because Broadway is one of the only southbound avenues available on this stretch of the 14th Street Busway and vehicles can be ticketed for travelling for more than one block on 14th Street if they are not permitted to turn south onto Broadway; and

Whereas, it is Community Board 2’s longstanding practice to discourage multi-block street fairs on major avenues, including Broadway; and

Whereas, this proposed event would completely shut Broadway from 8 AM to 8 PM from Waverly Place to 14th Street; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of Village Fair and Expo.

Vote: Adopted unanimously.

11. 5/13/23– Kristin Ess Hair Mobile Activation (sponsor: Alpnyc LLC): East Houston St. between Broadway and Crosby St. [curb lane only]

Whereas, the applicant, mobile marketing agency RMNG, is seeking to organize a food truck promotion for the hair care brand Kirstin Ess, centered around the Mother’s Day Holiday; and

Whereas, the proposed promotion would feature a branded food truck to be parked in the curbside lane on Houston near the southeast corner of Houston and Broadway on May 13th from 12 PM to 4 PM, with load-in beginning at 9 AM and load-out complete by 5 PM; and

Whereas, the food truck will be giving out around 200 bouquets of free flowers to celebrate the Mother’s Day Holiday; and

Whereas, three brand ambassadors are planned to be on site to staff the truck and engage with members of the public; and

Whereas, no food will be given away at the activation and amplified sound will be limited to a small speaker in the truck; and

Whereas, concern was raised by CB2 members and community members regarding the congestion around the applicant’s chosen location, and alternate locations were suggested including Houston between Broadway and Mercer or Lafayette between Houston and Bleecker; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Kristin Ess Hair Mobile Activation, provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements, and **further provided that** the applicant move the event to one of the more appropriate suggested nearby locations.

Vote: Adopted unanimously.

12. 5/05/23 – NYU Strawberry Festival (sponsor: New York University Center for Student Life): West 3rd St. between Mercer St. and LaGuardia Pl. [full street closure]

13. 5/14/23 – Pride on Astor Fair (sponsor: Pride Democrats): Astor Place between Broadway and Lafayette St. [full street closure]

14. 5/16/23 – Grad Alley 2023 (sponsor: New York University): 1) West 4th St. between Mercer St. and Washington Square East, 2) Washington Square South between Washington Square East and LaGuardia Pl., 3) LaGuardia Pl. between Washington Square South and West 3rd St., 4) Washington Square East between West 4th St. and Washington Pl. [full street closure]

15. 5/18/23 – Greenwich Ave. Spring Fair (sponsor: Village Visiting Neighbors): Greenwich Ave. between 7th Ave. and West 12th St. [full street closure]
16. 5/20/23 – Spring Fling 2023 (sponsor: PS3): Grove St. between Bedford St. and Hudson St. [full street closure]
17. 5/26/23 – Astor Alive Summer Kickoff (sponsor: Village Alliance): Astor Place Plaza (South) [pedestrian plaza]
18. 5/27/23 (Setup Date & Start Date) – 6.04.23 (End Date & Breakdown Date) – Washington Square Outdoor Art Exhibit: University Pl. between Waverly Place and East 13th St. [sidewalk and street closure] (Not: No Street Closure)
19. 5/28/23 – Washington Sq Spring Fair (sponsor: Bailey House): Washington Square North between MacDougal St. and University Pl. [full street closure]
20. 6/04/23 – LREI Street Fair: Charlton St. between Sixth Ave. and Varick St. [full street closure]

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

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

Vote: Adopted unanimously.

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Mark Diller, *District Manager*

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TRAFFIC AND TRANSPORTATION COMMITTEE

April 2023

The following resolution was approved unanimously by the Community Board No. 2 Manhattan Executive Committee at its monthly meeting on Tuesday, April 18, 2023, at 6:30 pm via Video.

Executive Committee Board Members Present: Susan Kent, CB2 Chair, Jeannine Kiely, CB2 Immediate Past Chair, Amy Brenna, CB2 Secretary, Antony Wong, Treasurer, Mark Diller, CB2 District Manager, CB2 Committee Chairs and Vice Chairs: Susanna Aaron (Human Services; Vice Chair, Parks/Waterfront), Ivy Kwan Arce (Arts/Institutions), William Benesh (Quality of Life), Katy Bordonaro (Land Use/Housing), Rich Caccappolo (Parks/Waterfront), Valerie De La Rosa (Economic Development/Small Business; CB2 First Vice Chair), Mar Fitzgerald (Equity, Race, Justice; Cannabis Licensing), Patricia Laraia (Schools/Education; Vice Chair, Equity, Race, Justice), Daniel Miller (Vice Chair, Traffic & Transportation), Donna Raftery (SLA), Shirley Secunda (Traffic & Transportation), Chenault Spence (Landmarks), Eugene Woo (Land Use/Housing; /CB2 Second Vice Chair).

Other Board Members Present: Carter Booth, Michael Levine, Brian Pape, Frederica Sigel, Susan Wittenberg.

Guests: Jeffrey Rowland, Darlene Lutz.

RESOLUTION

Resolution in Support of the Creation of an Additional Protected Travel Lane on the Hudson River Greenway

Whereas:

1. The Hudson River Greenway includes America's busiest bicycle thoroughfare under the jurisdiction of the New York State Department of Transportation (NYSDOT); and
2. NYSDOT is in the process of planning for the repaving of the Hudson River Greenway; and
3. NYSDOT has not provided a schedule for when or where the resurfacing efforts will begin or how it will alert users to the timetable and/or detour plans; and

4. Guidance has been requested by the Hudson River Park Trust and Community Boards 1, 2, and 4 to provide proper notice of the resurfacing schedule and locations so that advance word can be communicated to users of the Greenway and those who live and work alongside the Greenway's route; and
5. Heavily attended events are scheduled in Hudson River Park for Spring and Summer 2023 that may be impacted by closing areas of the Greenway, leading to confusion and unsafe conditions for participants on their way to and taking part in Hudson River Park events; and
6. The Hudson River Park Advisory Council, Community Boards 1, 2, and 4 have written resolutions in support of conducting traffic studies to mitigate unsafe conditions on the Greenway that are a result of both increased traffic on the Greenway and newly constructed high volume venues such as Little Island, Gansevoort Peninsula, Pier 57 and other attractions that mix pedestrians crossing the Greenway with fast moving cyclists, including eBikes and scooters, crowding the Greenway Bikeway and endangering all; and
7. There's been an exponential increase in eBike delivery bikes equipped with acceleration throttles often reaching speeds of up to 30 mph versus the typical human powered traditional bicycles with speeds averaging up to 12 mph, creating unsafe conditions that can lead to dangerous conflicts on the shared Greenway; and
8. 15 foot long permanent bollards installed along the Greenway at every pedestrian crossing as a response to the 2017 deadly terrorist attack have become an added hazard when fast moving eBikes "play chicken" as they pass slower cyclists at high speeds, racing to pass before going through the bollards which often requires users coming from the opposite direction to stop and pull over to avoid a head on collision; and
9. The Greenway is having more and more difficulty accommodating the increase of all this conflicting and often dangerous activity that crowds its confines, an increase that calls for an additional lane to handle the overflow, specifically for the fast-moving eBike traffic that disrupts and should be separated from the slower moving traditional bicycles for which the Greenway was intended; and
10. The upcoming Greenway resurfacing project presents a rare opportunity to create a provisional added Greenway lane to test relieving the heavy, disrupting and unsafe influx of fast moving cyclists, including eBikes, scooters and eBike delivery bikes, by providing special accommodations for them, using 9A; and
11. Renovating the Hudson River Greenway in small, disruptive segments can be both costly and dangerous, economically by expending extra unnecessary time and effort starting and stopping piecemeal work, dangerously by causing confusion with detour signage and unexpected changes for cyclists crossing 9A at different points up and down the Greenway; and

12. Repaving the Greenway in its entirety simultaneously from its origins at Chambers St. to where it terminates at W. 58th St., and establishing one singular straight path aside the renovation that doesn't require cyclists to cross into 9A avoids the pitfalls of the piecemeal approach by saving time and reducing hazards, while testing a needed additional high-speed travel lane; and
13. Manhattan Borough President Mark Levine, held a press conference last Spring on the Hudson River Greenway near Pier 26 that representatives from Community Boards 1, 2, and 4 attended in support of the plan he presented promoting the creation of an additional lane adjacent to the Greenway dedicated to fast moving eBikes;

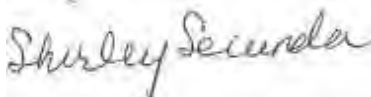
Therefore, be it resolved that Community Board 2, Manhattan (CB2) urges New York State through its Department of Transportation to create an additional protected travel lane in each direction to form a part of the network known as the Hudson River Greenway, including without limitation the use of space in the roadbed of West Street/Route 9A as is necessary for this purpose and to test this much-needed lane as part of its Hudson River Greenway resurfacing project; and

Be it further resolved that CB2 asks that the Hudson River Greenway resurfacing project be conducted holistically, i.e. in its entirety simultaneously from its origins at Chambers St. to where it terminates at W. 58th St., and

Be it finally resolved that CB2 asks that NYSDOT provide a schedule of the Hudson River Greenway resurfacing work, where it will take place at what times, and plans for detours and closing of any areas.

Vote: Unanimous in favor.

Respectfully submitted,



Shirley Secunda, Chair
Traffic and Transportation Committee
Community Board #2, Manhattan

Daniel Miller, Vice Chair
Traffic and Transportation Committee
Community Board #2, Manhattan

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
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LAND USE AND HOUSING COMMITTEE

April 12, 2023

Manhattan Community Board 2's Land Use & Housing Committee met on Wednesday, April 12, 2023 @ 6:30 PM via video conferencing.

Land Use Committee Members present: Katy Bordonaro (Co-Chair), Eugene Yoo (Co-Chair), Anita Brandt, John Paul DeVerna, Stella Fitzgerald, David Gruber, Michael Levine, Donna Raftery, Frederica Sigel, Susan Wittenberg

Land Use Committee Members absent without notice:

Land Use Committee Public Members present: Sean Sweeney

CB2 members present: Susan Kent (CB2 chair), Jeannine Kiely (prior CB2 chair), Carter Booth, Valerie De La Rosa

1 *Seeking support of after-hours permit for the **Atlas Project** construction of new market rate and senior housing at **570 Washington Street** and **170 Clarkson Street** between Houston and Clarkson Streets.

The Committee voted to send a letter that does not support this after-hours permit.

The Atlas Project which is constructing new market rate and senior housing at 180 Clarkson and 570 Washington Streets came to Community Board #2 Manhattan on April 12, 2023 to seek support for an after-hours permit for night-time erection of pre-cast concrete panels on these buildings.

The developers reported that the NYC Department of Buildings requested that they brief the community on their after-hours permit request.

At the meeting and through emails, the community voiced strong and unanimous opposition to this permit.

Consequently, the Land Use and Housing Committee of Community Board #2 is opposed to this permit as well.

To lay out the facts from the Project as we understand them. First, the pre-cast façade will be erected by three cranes by 24 trucks bringing the panels to the site. The work will occur from the Fall of 2024 to the Summer of 2025 from 8 PM to 4 AM nightly. This night work will follow upon a day-time schedule of 7 AM to 6 PM.

As a result of the announcement of the meeting and the information provided at the meeting itself, the community has raised vigorous and united opposition. There are residences directly to the north of the site and within a short radius who have expressed their strong disapproval. The area already experiences the noise from neighboring FedEx and UPS depots which begin their noisy work at 4 AM. Thus, the community would only have 2 hours a day of quiet time (6pm to 8 PM), if this permit is approved.

The Committee requested additional information 1. The staging area for the trucks if this unpopular permit were approved. 2. The developers said they will work with NYC DOT to find non-sensitive waiting zones. The Committee wants the specific locations of such staging zones.

Finally, the Committee is highly concerned about the impact of this overnight work on the neighboring residents. Consequently, the Committee will not issue a statement or letter of support. Further, the Committee wants the neighbors to sit down with the developers and come back to the Committee with the results of such conversations. Also, The Committee wants to revisit the issue within six months. That time frame should give all parties time to collect information and exchange concerns.

Sincerely yours,



Eugene Yoo



Katy Bordonaro

Vote: Unanimous.

2 *HPD presentation of an overview of the RFP process, community engagement plan, and a preliminary zoning analysis for affordable housing at **388 Hudson Street**.

Resolution #1: Resolution to Ensure that NYC Does Not Leave Affordable Housing Square Footage on the Table at 388 Hudson Street,

the Most Viable City Owned Site for Affordable Housing within CB2.

Whereas:

1. 388 Hudson Street is the most viable city-owned site within CB2 to develop 100% affordable housing.
2. CB2 has supported significant affordable housing projects and rezonings in the past which have been repurposed for commercial development and fallen woefully short of expectations, depriving CB2 of much needed affordable housing.
3. The 388 Hudson Street site is one of four DEP sites in Manhattan related to City Water Tunnel #3 and was first identified by CB2 as a site for affordable housing in [2015](#).
4. In March 2023, CB2 passed a resolution in support of maximizing the amount of affordable housing on the unused northern portion of the 388 Hudson Street site.
5. On April 12, 2023, the New York City Department of Housing Preservation and Development (HPD) presented information related to affordable housing at the 388 Hudson Street site. The presentation included an overview of the site, the RFP process, the community visioning process, and a preliminary zoning analysis.
6. The zoning analysis was performed with the following assumptions:
 - a. Development site area of 13,622 SF,
 - b. 100% affordable,
 - c. Mixed-use with a ground floor community facility,
 - d. Rezoning from M to R, with three illustrative examples of R8A, R9A and R10A,
 - e. Average unit size of 825 ZSF.
 - f. All options (R8A, R9A, R10A) trigger MIH, and
 - g. Legally-required windows facing south.
7. HPD presented the following three illustrative zoning examples:

Zoning	Res ZFA	CF ZFA	FAR	Res Units*	Height	# Stories
R8A	87,430	10,074	7.15	106 DU	145'	14
R9A	105,773	10,074	8.50	128 DU	175'	17
R10A	149,618	10,074	11.72	181 DU	235'	23

**Assuming 825 ZSF/DU*

8. The zoning analysis did not take advantage of the full 25,000 buildable square feet from the full lot at 388 Hudson Street, nor has there been any indication that this analysis will be revised despite CB2's repeated requests that HPD acknowledge the lot's total FAR and requests to maximize the square footage available for housing construction on the northern portion of the site
9. Despite those repeated requests, no viable explanation has been provided as to why city agencies have not proposed options utilizing various tools at their disposal to efficiently

develop the site to generate as much affordable housing as possible in addition to maximizing the community facility space at the base of the building.

10. 705 10th Avenue ([Block 1077, Lot 29](#)), in Hell’s Kitchen (“Hell’s Kitchen DEP Site”)¹ is a similar site in that it is: a) also a DEP site; b) meant to contribute to the building of affordable housing; c) a split lot between a DEP-controlled site and an affordable housing development site.
11. The Hell’s Kitchen DEP Site sets a precedent where:
 - a. There was a transfer of development rights of approximately 39,590 square feet from the Open Space area required over the water tunnel portion to the Development portion of the Site.²
 - b. Special Permits were used to modify height and setback provisions applicable to the Development Site.³
12. While CB2 believes the results achieved at the Hell’s Kitchen DEP Site demonstrate what can be achieved at the 388 Hudson Street site, HPD has declined to explain why the Hell’s Kitchen DEP Site is not an appropriate model for replication at 388 Hudson Street.
13. Moving ahead with a RFP and further next steps without including the maximum potential development parameters which could be realized at 388 Hudson will deprive the community of square footage for critically needed affordable housing and options for efficient building massing which would allow the construction to remain sensitive to the surrounding neighbors.

Therefore be it resolved that CB2 insists that NYC HPD clarify and justify critical zoning analysis assumptions that currently unreasonably limit the size and design of any affordable housing development and to pause further progress on the RFP and envisioning process until these critical threshold questions are resolved.

Further be it resolved that to maximize production of affordable housing at 388 Hudson at any zoning level, CB2, Manhattan strongly supports:

¹ Memorandum of Understanding By and Between the New York City Department of Environmental Protection and the New York City Department of Parks and Recreation, December 11, 2017, <https://www.nyc.gov/assets/planning/download/pdf/about/cpc/220338.pdf>

² NYC City Environmental Quality Review, Environmental Assessment Statement (EAS) Short Form, Project Name 705 Tenth Avenue (DEP Site), CEQR 21HPD031M, [21HPD031M_Certified_EAS_03232022.pdf](#), https://zap-api-production.herokuapp.com/document/artifact/sites/nycdcpdfs/dcp_artifacts/2019M0374%20-%20Certified%20EAS_21HPD031M%20-%201_A6CF3F6831ACEC11B3FE001DD804D73E/21HPD031M_Certified_EAS_03232022.pdf and August 22, 2021 CPC resolution

<https://www.nyc.gov/assets/planning/download/pdf/about/cpc/220338.pdf>

³ NYC CEQR, EAS Short Form, 705 Tenth Avenue (DEP Site), CEQR 21HPD031M, [21HPD031M_Certified_EAS_03232022.pdf](#), https://zap-api-production.herokuapp.com/document/artifact/sites/nycdcpdfs/dcp_artifacts/2019M0374%20-%20Certified%20EAS_21HPD031M%20-%201_A6CF3F6831ACEC11B3FE001DD804D73E/21HPD031M_Certified_EAS_03232022.pdf

1. Preserve the development rights, as if it were a single 25,000 SF lot, which will maximize the production of affordable housing at all zoning levels.
2. A zoning variance to eliminate an unnecessary 30-foot setback on the southern edge of the northern portion of the 388 Hudson Street site, which will maximize the production of affordable housing at all zoning levels.
3. Clarity on the size of the buildable portion of the 388 Hudson Street site, in particular the reasons for increasing the DEP easement of 9,375 SF.
4. The need to protect the DEP's continued access to the southern portion for operations and maintenance of infrastructure located beneath and on the water tunnel site through mechanisms such as a permanent easement.

Vote: Unanimous.

DRAFT



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SLA LICENSING COMMITTEE 1

The SLA Licensing Committee #1 of Community Board 2, Manhattan, held a meeting at 6:30PM on Tuesday, April 4, 2023, via Video Conference.

Committee Board Members Present: D. Raftery (Co-Chair), R. Ely (Co-Chair), C. Booth, L. Rakoff, Dr. S. Smith, S. Wittenberg and A. Wong

Committee Board Members Absent with Notice: C. Flynn

Other Board Members Present: B. Pape

RESOLUTIONS:

1. **ArtFarm Food Inc., d/b/a Manuela, 130 Prince St.** (New OP–Restaurant) (*previously unlicensed*)
 - i. **Whereas**, this same application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a full-service restaurant and café on the ground floor and cellar of a M1-5/R7X-zoned, five (5)-story commercial building (c. 1925) on Prince Street between Wooster Street and West Broadway (Block #501/Lot #15), the building falling within the NYC LPC’s designated SoHo-Cast Iron Historic District and the Special SoHo-NoHo Mixed Use District was previously heard in December/2022 under the name of Artfarm USA Inc., d/b/a Manuela, 130 Prince St., at which time Community Board 2, Manhattan’s full board unanimously recommended approval of the application (<https://bit.ly/3MR9jkN>); and
 - ii. **Whereas**, the instant application is due to a change in the corporate name of the licensee, the principals, method of operation and stipulations remaining the same; and
 - iii. **Whereas**, the hours of operation will be from 8:00 AM to 11:00 PM Sundays through Thursdays and 8:00 AM to 12:00 AM Fridays and Saturdays; music will be quiet background music only with the exception of private events which may include live, acoustic music (no brass or percussion or amplified sound) played at background levels; there will be no: dancing, DJs, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; the Applicant provided both extensive sound and traffic plans and will have designated staff to ensure there is no queuing; and

iv. **Whereas**, the Applicant having executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan under the new corporate name prior to CB2 Man.'s April/2023 SLA Committee meeting, those stipulations being the same as December/2022, 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, therefore appearance at the month's Committee meeting was waived, with those stipulations as follows:

1. Premises will be advertised and operated as a full-service community restaurant with a menu focused on modern heritage American food with regenerative agriculture and sustainability at the forefront, composting 90% of their food waste with the compost being donated to Project Eats with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 8:00 AM to 11:00 PM Sundays through Thursdays and 8:00 AM to 12:00 AM Fridays and Saturdays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
5. Will play quiet ambient recorded background music only with the exception of private events which may include live, acoustic music (no brass or percussion or amplified sound) played at background levels. No music will be audible in any adjacent residences at any time.
6. Will have no more than one (1) television no larger than 60". There will be no projectors and TV will operate in "closed caption" mode only without sound.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will have the main entrance on the corner of Prince and Wooster Streets.
10. Patron use of the cellar is limited to the private dining room consisting of not more than ten (10) seated patrons and patron bathrooms. There will be no service of food or alcohol in the cellar to areas outside of the private dining room.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate and keep current at all times required Permits and Certificates.
13. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed to CB2 prior to opening.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
15. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products. No magnums.
16. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or doorman or security personnel.
17. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Liquor License in the name of **ArtFarm Food, Inc., d/b/a Manuela, 130 Prince St. unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA On-Premises Liquor License.

Vote: Unanimous in favor (7–0)

2. Likeminded Hospitality LLC dba Roscioli, 43 MacDougal St 10012 (RW–Restaurant) (Transfer)

- 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 an Italian restaurant on the ground floor and basement of a R7-2 / C1-5-zoned, four (4) story mixed-use building (c. 1847) on MacDougal Street between King and West Houston Streets (Block #520/Lot #83) the building falling within NYC LPC’s designated Charlton-King-Vandam Historic District; and
- ii. **Whereas**, the ground floor storefront premises is approximately 2,367 sq. ft. with 1,076 sq. ft. on the ground floor and 1,291 sq. ft in the basement, the two floors being connected by an interior stairway; there will be eight (8) tables with 46 seats and one food counter with 12 seats on the ground floor and 10 tables with 54 seats in the basement for a total interior seated occupancy of 112 persons; the premises has one (1) door on MacDougal Street which will serve as patron ingress and egress and two doors on King Street (one to the ground floor and one to the basement) which will be used only for emergency egress, there are two (2) bathrooms; and
- iii. **Whereas**, the hours of operation will be from 12:00 PM to 11:00 PM Saturdays through Wednesdays, 12:00 PM to 12:00 PM Thursdays and 12:00 PM to 1:00 AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no TVs, dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. **Whereas**, the Applicant appeared in March/2023 with this application which included a non-compliant roadbed dining structure on King Street, the roadbed dining structure impeding approximately 2' onto the sidewalk, not having the require 18" depth safety barriers, not leaving the 8' clearance to the crosswalk and exceeding the 8' into the roadway, the Applicant agreeing to remove the roadway structure; and
- v. **Whereas**, following the March/2023 SLA Committee meeting the Applicant met with DOT who cited the roadbed issues, the Applicant asking to return to the Committee for reconsideration of the roadbed structure; and

- v. **Whereas**, upon return it was pointed out that the transfer licensee, who is also a principal of the instant application, had signed stipulations stating there would be no outdoor dining, the NYSLA giving guidance as of June 30, 2022 “that licensees that have as a condition of their SLA license a prohibition against the use of outdoor space are not eligible for use of outdoor municipal property. In order to utilize such space, such a licensee must apply for a change in method of operation and be approved,” the instant application not including a change in method of operation; the transfer licensee and listed principal on the instant application having operated the premises for 4 years in derogation of the signed stipulations by operating the premises under two DBAs, using King Street as an entrance for the 2nd DBA, having scheduled performances and DJs, building a non-compliant roadbed structure without applying for a change in method of operation amongst other issues, the principal coming before CB2 Man in October/2022 for another license in our district, as part of the signed stipulations of that application, the principal of that license (and principal/transferee to the instant application) agreed to return to CB2, Man. for a change in method of operation at the location of the instant application to bring the stipulations into alignment with the method of operation, the instant application being a transfer application and not a change in method of operation, therefore the method of operation remaining the same as the originally-signed stipulations including but not limited to one DBA, one entry/exit only being located on MacDougal Street, no DJs or scheduled performances, no outdoor seating; 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 Italian restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be from 12 PM to 11 PM Sundays through Wednesdays; 12 PM to 12 AM Thursdays and 12 PM to 1 AM Fridays and Saturdays. No patrons will remain after stated closing time.
 3. Will not operate as a Lounge or Sports Bar or allow any portion of premises to be operated in that manner.
 4. Will operate the ground floor and basement as one restaurant under one DBA with entry to the basement through the ground floor internal staircase only.
 5. All entry and exit to both the ground floor and cellar restaurant will be through the MacDougal Street entrance only. King Street doors to/from basement and to/from ground floor space is for emergency egress only.
 6. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
 7. Will remove un-used, non-compliant roadbed shed by May 1, 2023.
 8. 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.
 9. Will not have televisions.
 10. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 11. Will not install or have French doors, operable windows or open facades.
 12. Will not make changes to the existing façade except to change signage or awning.

13. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
16. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
17. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
18. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a Restaurant Wine License in the name of **Likeminded Hospitality LLC d/b/a Roscioli, 43 MacDougal St 10012** unless the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Restaurant Wine License.

Vote: Unanimous in favor (6–0)

3. **Two Old Rabbits Inc d/b/a 124 Old Rabbit Club, 124 MacDougal St. 10012** (TW-Bar/Tavern)
 - 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 Tavern Wine License to operate a small speakeasy-style bar focusing on craft beer in the below grade-level storefront of a R7-2 with a C1-5 overlay-zoned, five (5)-story tenement building (c. 1889) on MacDougal Street between Bleecker and West 3rd Streets (Block #540/Lot #11) the building falling within NYC LPC’s designated South Village Historic District; and
 - ii. **Whereas**, the storefront premises is approximately 357.5 sq. ft.; there are two (2) tables with four (4) seats and one (1) bar with 14 seats for a total interior seated occupancy of 18 persons; there is no full service kitchen; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom; the store front infill being below grade accessed by a stairway with no operable doors or windows that open out to the sidewalk, there is no sidewalk café or other outdoor seating; and
 - iii. **Whereas**, the hours of operation will be from 4 PM to 12 AM Sundays; 6 PM to 2 AM Mondays through Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no TVS, all doors and windows will be closed at all times, 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 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 small speakeasy-style bar focusing on craft beer selection with less than a full service kitchen but will serve food during all hours of operation.
2. The hours of operation will be from 4 PM to 12 AM Sundays; 6 PM to 2 AM Mondays through Saturdays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
5. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
6. Will not have televisions.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
13. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, 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 application for a new Tavern Wine License in the name of **Two Old Rabbits Inc d/b/a 124 Old Rabbit Club, 124 MacDougal St. 10012** **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Tavern Wine License.

Vote: Unanimous in favor (6–0)

4. **Hamburger America 1 LLC dba Hamburger America, 51 MacDougal St 10012** (New RW–Restaurant) (*previously unlicensed*)

- i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application for a new Restaurant Wine License to operate a full-service hamburger restaurant in the ground floor of a four (4)-story mixed-use building (circa 1920) on the southwest corner of MacDougal Street at the intersection of West Houston Streets (Block #520/Lot #79), the building falling within NYC LPC’s designated Charlton-King-Vandam Historic District; and
- ii. Whereas,** the ground floor storefront is approximately 1,500 sq. ft. (1,200 sq. ft. ground floor connected by an interior stairway to a 500 sq. ft. cellar with no patron use of the cellar); there will be 10 tables and 26 seats and one (1) bar with 18 seats for a total seated occupancy of 44 persons; the premises has two (2) doors which will serve as patron ingress and egress, the main entry being ADA accessible and located on West Houston Street, there are two (2) bathrooms; there is a door in the cellar to the residential stairway which will be kept locked at all times; the store front infill being fixed without operable doors or windows that open out to the sidewalk and there is no sidewalk or roadbed seating or other outdoor space for the service of alcohol; and
- iii. Whereas,** the Applicant’s agreed upon hours of operation are 11:00 AM to 11:00 PM seven days a week; music will be quiet background only consisting of music from iPod/CDs/streaming services (i.e. no active manipulation of music – only passive prearranged music), there are no televisions, there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff;
- vi. Whereas,** the Applicant has operated similar burger restaurants in New York City under the name of Schnipper’s with this location being the first that he is partnering with George Motz, described as a hamburger historian; concerns were raised by the Committee about odors from the cooking of hamburgers being a disturbance to the residents of the building, the Applicant stating the building was recently renovated with the vents for the kitchen being brought up to the roof and pointed towards West Houston Street, there being no open flame cooking; and
- iv. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new Restaurant Wine License, with those stipulations as follows:

 1. Premises will be advertised and operated as a full-service hamburger establishment that will emulate a historically accurate burger restaurant from the past 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 seven days a week (Sundays 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 the premises to be operated in that manner.
 4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.

5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
6. Will not have televisions.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will ensure doorway to the residential hallway is locked at all times.
9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
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 vent from kitchen to roof and point vent stack towards Houston Street.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
16. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/ security personnel.
17. Will appear before CB2, Manhattan prior to submitting any 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 **Hamburger America 1 LLC d/b/a Hamburger America, 51 MacDougal St 10012**, unless the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Restaurant Wine License.

Vote: Unanimous in favor (6–0)

5. Gigi Group LLC & 142 Emmut Partners LLC, 138 Bowery 10013 (New OP–Hotel)
(previously unlicensed)

- i. **Whereas**, the Applicants and the Applicants’ Attorney appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Hotel Liquor License to operate a multi-level entertainment and performance venue until 4:00 AM with cellar lounge and rooftop garden in addition to hotel room service in a C6-1G-zoned, eight (8) story, 81 room hotel building (c. 2016) on Bowery between Broome and Grand Streets (Block #470/Lot #53) the building falling within the Special Little Italy District; and
- ii. **Whereas**, each floor is approximately 5,321 sq. ft., the provided diagrams not further breaking down the areas by sq. ft., the ground floor consists of a hotel entrance into a hallway

characterized as a hotel lobby area for hotel guests consisting of stairway and two elevators; no reception area, no seating area, no bathrooms, or any of the other customary hotel lobby amenities; the ground floor performance venue (GAiA) is accessed by multiple doorways into the venue lobby/holding area which contains an elaborate, yet untested, sound proofed corridor which serves as the interior entrance to the ground floor performance venue; entrance is ticketed and via reservation-only; specific aspects of the ground floor venue are as follows:

- seating in ground floor theatre / performance venue consisting mostly of tiered banquette seating for groups of 6 to 12 persons in addition to some flexible seating which can be removed for dancing and a bar with approximately 10 seats with an overall fully ticketed capacity of 322 persons;
- a large revolving circular stage in the center of the room where there will be dancing, burlesque, jugglers, magic acts and other variety acts throughout the night;
- performances are broken down into Act 1 (from 8 pm to 11 pm) and Act 2 (from 1am to 3:30am), each Act consisting of approximately 12 performances ranging from burlesque, trapeze, other aerial performances, jugglers, magic acts, other variety acts and DJs, in addition to the stage performances, performers will roam throughout the venue with audience participation;
- the ground floor venue will open at 7:00 PM Mondays through Saturdays, 10:00 AM Sundays and will close at 4:00 AM daily (7 days a week);
- there will be bottle service of spirits, food will be served family style for sharing;
- the main kitchen is located on the rear south side of the ground floor; and

iv. **Whereas**, there is also a mezzanine in the ground floor performance venue accessed via a stairway which includes seating and standing for 46 additional patrons, a service bar and patron bathrooms; and

v. **Whereas**, the cellar nightclub (GAiA Lounge) is accessed via an internal stairway located within the ground floor acoustic corridor, there is also a street level doorway leading directly to the cellar nightclub basement stairs that the Applicant said will be used for exit purposes only, which is contradicted in the security plan, where it is shown being used as a separate entrance to the nightclub, the specifics of the cellar nightclub are as follows:

- Seated and standing capacity in the nightclub is 168 persons, the seating is concentrated into 6 very large banquettes, one bar with 8 seats, some additional couch-style seating with small tables, additional flexible tables and a separate smaller room in the rear which the Applicants stated would be used as the area for service of hotel guests for regular meals;
- Access to the nightclub is via reservation-only with walk-ins accommodated at the bar;
- Music will include DJs and live music, the applicant said there will be no dancing or dance floor, but stated that they would not stop patrons from dancing;
- There will be bottle service of spirits;
- The premises will operate during the same hours as the ground floor performance space, but may open earlier, the stated opening being at 7:00 PM Mondays through Saturdays, 10:00 AM Sundays and will close at 4:00 AM daily (7 days a week).
- Applicant stated hotel guests could be served in a separate rear dedicated room in the cellar for breakfast, lunch and dinner but it was unclear how the earlier service would be accommodated when the nightclub was essentially closed all day

- There is also a prep kitchen located in the rear of the nightclub directly below the first floor kitchen; and
- vi. Whereas,** there will be a rooftop garden restaurant (GAiA Garden) which is accessed via a dedicated elevator (one of two elevators, the other for hotel guests only) located in the separate hotel hallway with a stated capacity of 68 persons on the roof, seating consists of table and chairs around the rooftop, tanning beds and a rooftop bar with approximately 10 seats, the specifics presented for the rooftop garden restaurant are as follows:
- Service will be reservation-only similar to the ground floor performance venue and basement nightclub, to hotel guests and walk-ins permitted if space allows.
 - Food service will be provided by the cellar prep kitchen and be delivered via the same dedicated elevator for the rooftop garden and restaurant patrons.
 - There are tanning beds on the both the east and west sides of the roof, the west side directly facing the residential tenement buildings located on Elizabeth Street.
 - There is a low open rail fence wall built around the rooftop edges with promises of addressing the abutting residential tenants noise concerns and discussion of substantial setbacks from the west side and higher clear glass acoustical walls, but no specific plans were presented or are in place; and
- vii. Whereas,** NYS Assembly Member Grace Lee and NYC City Council Member Christopher Marte joined with neighboring residents on Elizabeth Street, Bowery and the surrounding area, the Elizabeth Broome Block Association, Elizabeth House, the Bowery Alliance of Neighbors, the Bowery Block Association, Little Italy Neighbors Association and other groups speaking against the application citing their concerns over quality of life issues due to the size and type of venue, concerns about hearing music and thumping bass from inside the 2-floor performance venue and nightclub space, the very late night hours of operation putting inebriated patrons out onto the streets at all hours of the morning, the additional traffic and traffic congestion and parking impacts in the area, particularly of for-hire vehicle activity that will be created by having a large, ticketed venue at this location with two shows nightly accommodating upwards of 700 people nightly located on a major local street thoroughfare with traffic connecting Manhattan, Brooklyn and New Jersey, with an additional petition against the application signed by around 250 persons at the time of the applicant's presentation, many of those signers and some speakers were intimidated to speak publicly or testify on camera against the application because of legal threats made to a spokesperson for local associations against the application, which resulted in a chilling effect on testimony regarding the application, questions regarding the character of the applicants were also raised as a result of those threats, additional individual letters were also received in opposition to the application; additionally there were members of the community, many of whom stated they were performers, musicians or worked in the entertainment or hospitality industry, who spoke in general terms in favor of the application and the positive impact the generation of new jobs would have for them, the addition of a new business and the presence of large numbers of security guards on the street; and
- viii. Whereas,** it was unclear to the Committee how the hotel guests would be accommodated aside from room service, the hotel lobby not indicating any reception area, bathrooms, coffee area or the like that are typically found in a hotel, the Applicant stating the rooftop would be used primarily for service to hotel guests including breakfast and lunch but there being no

enclosed area on the roof for service to guests in cold or inclement weather, the Certificate of Occupancy listing the rooftop as a tenant recreation area, and the upper floors of the building as residential, the Applicant stating there would be a small side room in the cellar nightclub for hotel guests if need be, it being unclear how that could work with those areas not being open until the evening hours and accessed through the nightclub and performance venue; there being confusion as to how the service of food would take place to the rooftop with the premises having just two elevators located in the hotel part of the premises with one of those elevators being used for the rooftop patrons and service of food to the rooftop leaving just one elevator for hotel guests, it being unclear how walk-ins or guests with reservations would be directed to the hotel hallway elevator entrance which is separate from the GAiA performance venue entrance, but they would presumably be receiving their reservations through the GAiA system, the Applicant additionally indicating there would be a retractable roof on the rooftop but showing no drawing at this time for that, or any other detailed plans and then stating that would be part of a secondary phase well in the future, concerns were raised about the quality of life impacts on the residents in the tenement buildings on Elizabeth St. whose apartments and windows are directly adjacent to the rear walls of the performance venue, the basement nightclub, the rear wall being the shared building lot line, and for those tenement apartment windows across from the rooftop, especially in consideration of there being alcohol service, a standup bar, tables and chairs and tanning beds on the rooftop, the Applicant not being prepared to work out the many issues regarding the functioning of the rooftop restaurant and bar immediately adjacent to those residents despite several months when they could have so it was removed from the instant application for now; and

- ix. **Whereas**, there are residential apartments supposedly being used as long-term-stay hotel rooms on floors 6–8 (Certificate of Occupancy lists as Class “A” Apartments) with terraces facing the Elizabeth Street residents, the Applicant seemingly unaware of the terraces and having no plan to protect the residents from noise of hotel guests out on the terraces into all hours of the evening, the Applicant suggesting they may take over the lease of those floors in the coming year to do something else with them; it was surprisingly unclear despite the application presented to CB2 what areas were under control of the applicants despite being included as part of the liquor license application; and

- x. **Whereas**, concerns were raised about traffic with the large number of people coming to the performance space each evening on this major thoroughfare, the space being described by one of the principals as “the largest restaurant in NYC,” with 300 people arriving for a timed, ticketed event during a short time frame, which does not include people going to the reservation-only downstairs nightclub, the traffic plan presented showing a “no standing” area that accommodates four cars with multiple security guards helping people in and out and directing traffic; according to the traffic plan, just half the people come in pairs via vehicle resulting in 75 vehicles both coming and going for Act 1, those vehicles leaving for Act 1 also crossing into the time for Act II arrivals creating greater impacts; additionally, the Applicant stated they will have a few vans that can accommodate larger groups of people arriving/departing together which they believe will help with traffic flow, but those vans would wait in the “no standing” area during critical times; their traffic study stating that they anticipate their highest traffic contribution will be between the hours of 3AM to 7AM when there are the lowest recorded traffic volumes, which directly points to the concerns of the

community – the late night noise and disturbance this type of venue will have on the residents at a time of day that one reasonably would expect to be quiet; and

- xi. Whereas**, there is already a significant saturation of hotel and other liquor licenses in the immediate area including along Bowery, and around the corner on Broome St, and specifically a new hotel directly across Bowery, The Moxy with a significant number of licensed venues within the hotel which is already adding new traffic congestion and quality of life issues for residents, there is also another separate hotel mid-block across the street; Broome Street immediately to the North also being a major thoroughfare for cars traveling from east to west to enter the Holland Tunnel to New Jersey, with traffic frequently backed up on Bowery and Broome; and
- xii. Whereas**, concerns were raised about noise created out on the street in the later hours in particular by patrons exiting the establishment, with the majority of seating being for large groups of people which means the “group” would likely leave at the same time creating more noise in the street as groups of people say goodnight to each other as they part ways, disturbance to neighbors often being caused by groups of people walking the streets, talking loudly after leaving a venue; and
- xiii. Whereas**, after residents and the committee raised concerns about vehicular traffic, outside noise, crowd control once people left the premises when the Applicant first appeared in February/2023 and asked to layover the application, the Applicant brought in a new security company, the new security plan calling for three security on the roof and 20 security throughout the rest of the premises in addition to bathroom attendants, and while CB2 appreciates the Applicant providing the necessary security, it speaks directly to the major impacts on the existing noise level and traffic among other issues that issuing a hotel liquor license to include the ground floor performance venue, the basement night club and rooftop restaurant would have on the immediate area even with those mitigating security personnel who cannot stop traffic and noise from occurring, and specifically highlights why a hotel license with these 3 huge entertainment spaces which only minimally service the needs of the hotel patrons primarily through room service and a small dedicated room in the basement is not in the public interest of the residents in the area; and
- xiv. Whereas**, one of the main principals is also owner of the hotel, that principal never appearing before CB2 and having no experience running any performance or entertainment venues similar to those presented here, there being confusion from the other principals who did appear before CB2 regarding the spaces under their control and lease within the hotel, there being reasonable concern that should this hotel license be granted which would include the extremely large performance venue, the basement nightclub and future rooftop restaurant and bar with 4:00 AM closings, and those entertainment venues not being profitable resulting in those principals who operate the entertainment venues leaving, that other operators or new principals falling under the threshold requiring notice to CB2 could come in without triggering any review, those new operators not being required to meet the public interest threshold for those new operations raises reasonable concerns because of the overarching makeup of this specific application; a major aspect of Principals who did appear before CB2 argument in favor of the issuance of the license being their personal experience in the operations of these

specific types of performance venues, nightclubs and unique contributions to their success; and

- xv. **Whereas**, the Applicant and community members met multiple times but were unable to resolve many of the issues due to the very nature of the method of operation of a venue operating as both a late night nightclub and performance space and rooftop restaurant and bar, the Applicant unwilling to reduce the closing hours Thursday through Saturday to anything earlier than 4:00 AM, the Applicant not able to start the performances earlier to accommodate the two Acts but closing earlier, concerns remaining regarding the impacts of the increased traffic and outside noise; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Hotel Liquor License for **Gigi Group LLC & 142 Emmut Partners LLC, 138 Bowery 10013**; 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 despite CB2, Man.'s objections to this Application and recommendation of denial of the entire application, and should the NYSLA not find good cause to deny this Application in its entirety, CB2 Man. in the alternative reluctantly requests that any issued hotel license have conditions addressing the very real concerns and objections presented by elected officials and those immediately impacted by the issuance of this hotel license and that the NYSLA impose conditions recognizing those impacts identified by CB2 which would limit the licensed operations as follows:

1. The interior closing hours of operation will be Sunday to Wednesday 12:00 AM, Thursday 1:00 AM, and Fridays and Saturdays no later than 2:00 AM.
2. There will be no rooftop space included in this application. Any additional licensed rooftop area or inclusion of any other areas for non-hotel guests will be treated as a separate new application.
3. There will be no patron dancing in the cellar nightclub.
4. There may be employee and patron dancing in the ground floor performance venue.
5. A sound test will be conducted after the interior premises is built out for both the ground floor performance venue and basement nightclub prior to opening with any residents interested in cooperating to ensure sound is not impacting any nearby residents.
6. There will be strict adherence to all presented security plans and acoustic plans and recommendations.
7. Will not install or have French doors, operable windows or open façades.

Vote: Unanimous in favor (7-0)

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

6. Street Food Chaat LLC d/b/a Honest, 176 Bleecker St. 10012 (OP–Restaurant) (Class Change from TW to OP)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on April 4, 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 **Street Food Chaat LLC d/b/a Honest, 176 Bleecker St. 10012 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the 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 in favor

7. DLYCanal LLC, 159 Canal St, Suite 200 10013 (OP–Restaurant)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on April 4, 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 **DLYCanal LLC, 159 Canal St, Suite 200 10013 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

8. Organic Grill Inc, 133 West 3rd St 10012 (RW–Restaurant) (Change in Method of Operation)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on April 4, 2023, the Applicant requested **to lay over** this application for a Change in Method of Operation to an existing Restaurant Wine License (SN#1267131) to May/2023 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Organic Grill Inc, 133 West 3rd 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 in favor

9. Melda Comedy LLC, d/b/a Greenwich Village Comedy Club, 99 MacDougal St. lower level 10012 (OP–Bar/Tavern) (Change in Method of Operation)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on April 4, 2023, the Applicant requested **to lay over** this application for a Change in Method of Operation to an existing On-Premises Tavern Liquor License (SN#1263017) to May/2023 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Melda Comedy LLC, d/b/a Greenwich Village Comedy Club, 99 MacDougal St. lower level 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 in favor

10. Nijumari Inc d/b/a Marumi, 546 LaGuardia Place 10012 (RW–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on April 4, 2023, the Applicant requested **to lay over** this application for a Restaurant Wine License to May/2023 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Nijumari Inc dba Marumi, 546 LaGuardia Place 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 in favor

11. Kured Inc, 218 Thompson St 10012 (RW–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on April 4, 2023, the Applicant requested **to lay over** this application for a Restaurant Wine License to May/2023 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **Kured Inc, 218 Thompson St 10012 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

12. Astor Entertainment LLC, 163 Bleecker St 10012 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on April 4, 2023, the Applicant requested **to lay over** this application for an On-Premises Restaurant Liquor License to May/2023 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Astor Entertainment LLC, 163 Bleecker St 10012 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 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 in favor

13. Hakim Hospitality LLC d/b/a Leon’s, 817 Broadway 10003 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on April

4, 2023, the Applicant requested **to lay over** this application for an On-Premises Restaurant Liquor License to May/2023 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Hakim Hospitality LLC d/b/a Leon's, 817 Broadway 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

14. Babak Khorrami, 29 Kenmare St 10012 (OP–Restaurant)

Whereas, at this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on April 4, 2023, the Applicant requested **to lay over** this application for an On-Premises Restaurant Liquor License to May/2023 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Babak Khorrami, 29 Kenmare 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 in favor

15. ALD 214 Mulberry LLC d/b/a Aime Leon Dore, 214 Mulberry St 10012 (OP–Tavern)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on April 4, 2023, the Applicant requested to **withdraw** this application for an On-Premises Tavern Liquor License and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **ALD 214 Mulberry LLC d/b/a Aime Leon Dore, 214**

Mulberry St 10012, until the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

16. Night Owl Comedy LLC d/b/a Comedy Cellar, 136 West 3rd St 10012 (OP–Bar/Tavern)

Whereas, at this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on April 4, 2023, the Applicant requested **to lay over** this application for an On-Premises Restaurant Liquor License to May/2023 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Night Owl Comedy LLC d/b/a Comedy Cellar, 136 West 3rd 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 in favor

Respectfully submitted,

Robert Ely and Donna Raftery, Co-Chairs, SLA Licensing Committee
Community Board 2, Manhattan



COMMUNITY BOARD No. 2, MANHATTAN

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SLA LICENSING COMMITTEE 2

The SLA Licensing Committee #2 of Community Board 2, Manhattan, held a meeting at 6:30 PM on Thursday April 6, 2023, via Zoom Conferencing.

Committee Board Members Present: R. Ely (Co-Chair), D. Raftery (Co-Chair), S. Kent, K. Bordonaro, Dr. S. Smith and B. Pape.

Committee Board Members absent with notice: C. Flynn.

Other Board Members Present: C. Booth, V. De La Rosa.

RESOLUTIONS:

1. Entity to be formed by Mariquit Ingalla d/b/a Rosecrans, 7 Greenwich Ave. aka 1 Christopher St. 10014 (New RW-Florist/Cafe)

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 Tavern Wine Liquor License to continue to operate a retail florist shop with ancillary cafe in a ground floor storefront located within a 16 story residential building at the corner of Greenwich Avenue and Christopher Street in Greenwich Village, with this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed has operated as a retail florist and café serving lite fare and small plates with outdoor sidewalk seating but without a full service kitchen, the interior storefront is roughly 900 sq. ft., there is a 800 sq. ft. basement used for storage purposes only, with 9 interior tables with 18 patron seats and 2 additional counter seats for a total indoor seated patron occupancy of 20 persons, the storefront infill being fixed, there are no operable French doors or windows, with 1 entrance on Greenwich Ave. and 1 patron bathroom; and,

iii. Whereas, the Applicant's hours of operation will be Sunday to Saturday from 8:00 AM to 10:00 PM, music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; there will be sidewalk seating on Greenwich Avenue only with 5 tables and 11 patron seats that will close by 10 PM every night; and,

iv. **Whereas**, the Applicant met with the local block association, garnering support in light of the Applicant’s proposed method of operation and agreement to stipulations, the Applicant having executed 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. Will operate a retail florist shop with ancillary café serving light fare with full menu items available until closing every night.
2. The hours of operation will be Sundays to Saturdays from 8:00 AM to 10:00 PM.
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 operating under the temporary Open Restaurants program located immediately adjacent to the storefront on Greenwich Ave. only, leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 5 tables and 11 patron seats arranged with chairs/tables placed immediately adjacent to storefront. No roadbed seating.
6. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. All exterior seating will close no later than 10:00 PM every night. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
8. Will close all existing doors & windows at all times.
9. Will have no televisions.
10. It will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
11. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
12. 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.
13. 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 **Entity to be formed by Mariquit Ingalla d/b/a Rosecrans, 7 Greenwich Ave. aka 1 Christopher St. 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA Tavern Wine License.

Vote: Unanimous in favor (6-0)

2. A. Hernandez on behalf of entity to be determined d/b/a Casa Nori, 205A Bleecker St 10012 (New TW)

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new Tavern Wine Liquor License to operate a counter seat sushi restaurant in a ground floor storefront located within a six-story residential building on Bleecker Street between MacDougal Street and Sixth Avenue in Greenwich Village, with this building falling within NYC LPC's designated South Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed has operated in the past as a Japanese style restaurant with a similar method of operation with a beer and wine license, the interior storefront being 2278 sq. ft. (1912 sq. ft. ground floor, 366 sq. ft. basement), the basement being for storage purposes only and not for patron service, there is a kitchen and food prep area in the rear, with one large counter with 36 patron seats for a total indoor seated patron seating occupancy of 36 persons, the storefront infill being fixed without operable windows or French doors, with one patron entrance on Bleecker Street only, no TVs, and 2 patron bathrooms; and,

iii. Whereas, the hours of operation will be Sunday to Thursday from 11:00 AM to 12:00 AM and Fridays and Saturdays from 11:00 AM to 1:00 AM, but the advertised hours and service of alcohol will end one hour earlier, there is no service of alcohol to any ancillary exterior areas, music will be quiet recorded background only; no DJ's, 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 Tavern Wine Liquor License, with those stipulations as follows:

1. Will operate a full-service restaurant, specifically a counter-only sushi handroll restaurant with the kitchen open and the full menu available until closing every night.
2. The hours of operation for the service of alcohol will be Sunday to Thursday from 11:00 AM to 11:00 PM, and on Fridays/Saturdays from 11:00 AM to 12:00 AM.
3. Will not install or have French doors, operable windows or open facades.
4. All doors and windows will be closed at all times.
5. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
6. Will not operate a backyard garden or any outdoor area for commercial purposes including sidewalk and roadbed seating pursuant to the temporary open restaurant's program.
7. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will not have televisions.
9. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
10. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.

11. 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.
12. Patron entrance on Bleecker St. only.
13. 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 **A. Hernandez on behalf of entity to be determined, 205A Bleecker St 10012** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA Tavern Wine License.

Vote: Unanimous in favor (6-0)

3. Round or Square LLC dba Mama’s Too, 323-325 Bleecker St 10014 (New TW; Previously Unlicensed Location)

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 Tavern Wine Liquor License to operate a family style pizzeria in a six-story residential building on Bleecker Street between Christopher and Grove Streets in Greenwich Village, with this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed was previously operated as a retail clothing store and has never previously been occupied/operated with the service of alcoholic beverages, the interior storefront being 2177 sq. ft. (1335 sq. ft. ground floor, 842 sq. ft. basement), the basement being for storage purposes only and not for patron service, there will be a pizza oven but not a full service kitchen, with 1 food counter, 4 interior tables with 18 patron seats for a total indoor seated patron seating occupancy of 18 persons, the storefront infill being fixed without operable windows or French doors, with one patron entrance on Bleecker Street, no TVs, and 1 patron bathroom; and,

iii. Whereas, the hours of operation will be Sunday to Thursday from 11:00 AM to 11:00 PM and Fridays and Saturdays from 11:00 AM to 1:00 AM, but the service of alcohol will end one hour earlier by 12:00 AM on Fridays and Saturdays, there is no service of alcohol to any ancillary exterior areas, music will be quiet recorded background only; no DJ’s, 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 Tavern Wine Liquor License, with those stipulations as follows:

1. Will operate a pizzeria with the kitchen open and the full menu available until closing every night.

2. The hours of operation for the service of alcohol will be Sunday to Thursday from 11:00 AM to 11:00 PM, and on Fridays/Saturdays from 11:00 AM to 12:00 AM.
3. Will not install or have French doors, operable windows or open facades.
4. All doors and windows will be closed at all times.
5. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
6. Will not operate a backyard garden or any outdoor area for commercial purposes including sidewalk and roadbed seating pursuant to the temporary open restaurant's program.
7. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will not have televisions.
9. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
10. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.
11. 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.
12. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to opening.
13. 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 **Round or Square LLC dba Mama's too, 323-325 Blecker St 10014** unless the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the SLA Tavern Wine License.

Vote: Unanimous in favor (6-0)

4. Violet Force LLC d/b/a Ciccio West Village, 681 Washington St 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 Italian cuisine in a ground floor corner storefront located within a twenty-one story residential building (circa 1997) on Washington Street between Charles and West 10th Streets in Greenwich Village, with this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed was previously operated in the past with a similar method of operation as a restaurant (Casita), albeit for only one year in 2018, with the location prior to 2018 being previously unlicensed for the service of alcohol; the interior storefront is 1167 sq. ft., with no basement or other level, with a kitchen in the rear, 17 tables with 34 patron seats, one stand up bar with 9 additional seats for a total indoor seated patron occupancy of 43

persons, there is one (1) patron entry and one (1) patron exit on Washington Street, and two (2) patron bathrooms, the store front infill having pre-existing operable doors that open out to the sidewalk, doors which will be closed by 10 PM every night or when its HVAC systems are operating for heating or for cooling; and

iii. Whereas, the hours of operation will be Sunday to Thursday from 10:00 AM to 12:00 AM and Fridays/Saturdays from 10:00 AM to 1:00 AM, music will be quiet, ambient recorded background and live acoustical jazz music only; there will be no DJ's, no promoted events, or scheduled performances, no cover fees, and 1 television; there will be a sidewalk café with four (4) tables and eight (8) patron seats on Washington Street only, there will be no roadbed dining or other exterior service of alcohol included with this application; 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 On Premises License, with those stipulations as follows:

1. The Applicant will operate a full-service restaurant with a full-service kitchen serving Italian food, with the kitchen open and the full menu available until closing every night.
2. The hours of operation will be Sunday to Thursday from 10:00 AM to 12:00 AM and Fridays/Saturdays from 10:00 AM to 1:00 AM.
3. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk café seating operating under the temporary Open Restaurants program located immediately adjacent to and limited to storefront frontage width on Washington Street only, with no more than four (4) tables and eight (8) patron seats. No roadbed seating.
5. Exterior seating will close no later than 10 PM Sunday to Thursday and 11 PM Fridays and Saturdays. All tables and chairs will be removed at this hour. No exterior music, speakers
6. Will play quiet ambient recorded background and live music only; live music will be acoustical jazz only, no drums, no horns, limited to weekends until 7:00 PM. All doors and windows will be closed when live music is being performed. No music will be audible in any adjacent residences at any time.
7. All doors/windows on Hudson Street will be closed by 10 pm every night or if air conditioning/heating operating.
8. Will have no televisions.
9. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
10. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.
11. 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.
12. Will not build or erect a structure on the public sidewalk.
13. It will appear before CB2, Manhattan for an alteration to its license prior to submitting plans for permanent sidewalk or roadbed seating.

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 40 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 7 additional pending licenses, the method of operation being similar to what has been licensed and operated at the same location in the past, the Applicant agreeing to postpone consideration for building a roadbed structure in the roadway following and due to objections raised by community members and the local block association, with New York City's proposed outdoor dining program having not yet been formulated or promulgated, the agreed upon stipulations satisfying the public interest standard albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises Liquor License to **Violet Force LLC d/b/a Ciccio West Village, 681 Washington St 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the SLA Restaurant On Premises License.

Vote: Unanimous in favor (6-0)

5. L'Industrie WV LLC, 104 Christopher St 10014 (New RW—previously unlicensed)

i. **Whereas**, the Applicants and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the NYS Liquor Authority for a new Tavern Wine Liquor License to operate a pizzeria in a ground floor storefront of a Residentially-zoned (R-6), five-story mixed-use tenement style building (c. 1920) on Christopher Street between Bleecker and Bedford Streets, with the building falling within NYC LPC's designated Greenwich Village Historic District; and

ii. **Whereas**, the ground floor storefront proposed to be licensed was previously operated as Rag & Bone, a retail clothing store, closing by 7:00 PM every evening, with the location having never previously been licensed for the service of alcohol or for eating and drinking; and,

iii. **Whereas**, the storefront is approximately 1,500 sq. ft. consisting of a 1,100 sq. ft. ground floor and 400 sq. ft. in the basement, the two floors connected by an interior stairway, there is no patron use of the basement, the basement being for dry storage; the ground floor consisting of nine (9) tables with 28 patron seats and one service counter with no seats for a total seated patron occupancy of 28 seats; the premises has one (1) door which serves as patron ingress and egress and one (1) bathroom; and

iv. **Whereas**, there will be a gut renovation of the unvented space, with the addition of new mechanical systems for ventilation, heating and cooling, the storefront's existing infill being fixed without operable doors or windows; the Applicant also seeking exterior seating within a newly built structure on Christopher Street; and,

v. **Whereas**, the proposed hours of operation are from 11:00 AM to 12:00 AM Sunday through Saturday; music for the interior will be background only consisting of music from iPod/CDs; there is no dancing, DJs, live music, promoted events, no scheduled performances or cover fees; and

vi. **Whereas**, residents and the local block association appeared in opposition to this application, citing the Applicant's plan to build a new, roughly 30 foot structure in the roadway that will contain eight (8) tables and sixteen (16) chairs, the new Applicant not being subject to the Pandemic, there being no permanent program for roadside dining in place, the Applicant not willing to wait for clarification on the use of the roadbed at this location, despite the implementation of a new program, not willing to seek an alteration to this license in the future to allow those plans to be reviewed and evaluated, Christopher Street being a very narrow, one-way roadway supporting a vital NYC bus route, there being a significant existing rodent problem on this block, the structure proposed in this application also be sited next to a second eating/drinking establishment that is also seeking to build a similar roadbed structure, that structure being built immediately adjacent to this one, in combination, taking up to 60 feet of the roadbed, not allowing for trash removal or access to the roadway for cleaning purposes; and,

vii. **Whereas**, additional concerns were voiced that this block on Christopher Street and its immediate area is already saturated with late-night eating/drinking establishments and liquor licenses, with 87 active and 7 pending licenses within 750 feet of the location proposed to be licensed, the location and block being zoned residential, there being a cumulative impact from transforming dry retail space with operations closing at 7:00 PM to an establishment focused on eating and drinking, with this location having never previously been licensed, this particular block also experiencing a significant increase in licensed, late night establishments; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a new Tavern Wine License in the name of **L'Industrie WV LLC, 104 Christopher St 10014**; 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 despite CB2, Man.'s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the following stipulations be imposed on any future on premise liquor license for **L'Industrie WV LLC, 104 Christopher St 10014** at this location:

1. The premises will be advertised and operated as a pizzeria restaurant with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday to Saturday from 10:00 AM to 12:00 PM.
3. Will not install or have French doors, operable windows or open façades.
4. Will not operate any outdoor area for commercial purposes including any sidewalk or roadbed seating operating under the temporary Open Restaurants program.
5. Any outdoor seating permitted will closed by 10 PM every evening.

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

Vote: Unanimous in favor (6-0)

**6. Restaurant Associates Inc, floors 1-4, 6, 9 & 12 - 550 Washington St 10014 (New Catering OP—
Previously Unlicensed)**

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 Premise Catering Liquor License on multiple floors (1-4, 6, 9 & 12) of a recently built twelve story office building that will be occupied by Google LLC, the building taking up a city block on Washington Street but also facing Houston Street and the West Side Highway across from Pier 40 in Hudson Square; and,

ii. Whereas, the catering facilities will be ancillary to the business operated by Google, and there will be no outside promoters, with the all events being sponsored by Google, and despite there being multiple, large exterior spaces on different floors of the building facing the North, South and West, the service of alcohol beverages will be confined to the interior only, and there will be no exterior service bars or points of service of alcoholic beverages to any exterior location; and,

iii. Whereas, the hours of operation for the service of alcohol will be from 8:30 AM to 3:30 PM every day/evening, Sunday to Saturday; there will be no exterior music or speakers used in conjunction with the service of alcohol, music on the interior will be quiet background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; 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 Catering On Premise License, with those stipulations as follows:

1. The premises will offer catering services for the offices of Google LLC during daytime working hours.
2. The hours of operation will be from 8:30 AM to 3:30 PM every day, Sunday to Saturday.
3. The Premises will not operate as a Lounge, Tavern, or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Service of alcoholic beverages will be conducted from the interior of building only. Alcoholic consumption will be permitted at/to exterior locations on the 4th, 6th and 12th floors but the service of alcohol from any exterior areas of the building will be prohibited; there will be no bars, stand-up or service in any exterior areas of the building. No sidewalk or roadbed seating.
5. The Applicant will play quiet ambient recorded background music only; no exterior music—no music will be audible in any adjacent residences at any time.
6. It will comply with the NYC Department of Buildings Regulations & and keep current at all times required Permits & Certificates.
7. It will not have unlimited drink or unlimited food & and drink specials; it will not have “boozy brunches” or serve pitchers of beer.
8. There will be no bottle service or the sale of alcohol in bottle form, except for the sale of bottles of beer, cider, and wine products purchased from the grocery area for consumption outside of the store.
9. It will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel/doorman.
10. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
11. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises Liquor License to **Restaurant Associates Inc, floors 1-4 - 550 Washington St 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA Catering On Premise License.

Vote: Unanimous in favor (6-0)

7. Talea Beer Inc. d/b/a Talea Beer Co 102 Christopher Street 10014 (New TW – Bar/Tavern; Previously Unlicensed Location)

i. Whereas, the Applicants and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the NYS Liquor Authority for a new Tavern Wine Liquor License to operate a taproom beer bar in a ground floor storefront of a Residentially-zoned (R-6), five-story mixed-use tenement style building (c. 1920) on Christopher Street between Bleecker and Bedford Streets, with the building falling within NYC LPC’s designated Greenwich Village Historic District; and

ii. Whereas, the ground floor storefront proposed to be licensed was previously operated as Rag & Bone, a retail clothing store, closing by 7:00 PM every evening, with the location having never previously been licensed for the service of alcohol or for eating and drinking; and,

iii. Whereas, the storefront is approximately 2,615 sq. ft. consisting of a 1561 sq. ft. ground floor and 1054 sq. ft. in the basement, the two floors connected by an interior stairway, there is no patron use of the basement, the basement being for dry storage; the ground floor consisting of eighteen (18) tables with 56 patron seats and one (1) bar with twelve (11) seats for a total seated patron occupancy of 67 seats; the premises has one (1) door which serves as patron ingress and egress and two (2) bathrooms; and

iv. Whereas, there will be a gut renovation of the unvented space, with the addition of new mechanical systems for ventilation, heating and cooling, with no plans provided for how that will be accomplished, the storefront infill be fixed without operable doors or windows; the Applicant also seeking exterior seating on the narrow sidewalk and within a newly built structure on Christopher Street; and,

v. Whereas, the proposed hours of operation are from 10:00 AM to 11:00 PM Sunday through Wednesday, Thursdays from 10:00 AM to 1:00 AM and Fridays/Saturdays from 10:00 AM to 2:00 AM; music for the interior will be background only consisting of music from iPod/CDs; there is no dancing, DJs, live music, promoted events, no scheduled performances or cover fees; and

vi. Whereas, residents and the local block association met with the Applicants and appeared in opposition to this application, citing the method of operation as a late night drinking establishment at this location, there being another beer bar establishment on the same block, Christopher Street and the immediate area already being greatly saturated with late-night drinking establishments and liquor licenses, with 87 active, 74 inactive and 7 pending licenses within 750 feet of the location proposed to be licensed, the location and block being zoned residential, the impact from transforming a dry retail space with operations closing at 7:00 PM to an establishment focused on drinking alcohol in a bar-like atmosphere until 2:00 AM being significant, especially where there exist a significant number of previously licensed vacant storefront locations within this Community Board and within this immediate area that remain available, and unused, with this location having never previously been licensed, this particular block also experiencing a significant increase in licensed, late night establishments; and

vii. Whereas, those in opposition also voiced concerns regarding the use of the narrow sidewalk in front for tables and chairs, the Applicant proposing to place three (3) tables and eight (8) patron seats on the 11 foot wide sidewalk, where there also a tree bed obstructing and not providing sufficient clear path for pedestrian traffic, with no service isle space available, making it is inevitable that patrons will move or add seats to tables further obstructing pedestrian traffic, the sidewalk being very busy with people, where tourists and other guests to NYC frequent, the sidewalk also connecting Path and Subway trains, the Applicant not willing to compromise; and,

viii. Whereas, still further opposition and concerns were raised regarding the Applicant's plan to build a new, 30 foot unmovable structure in the roadway that will contain five (5) tables and twenty (20), the Applicant not being subject to the Pandemic, there being no permanent program

for roadside dining in place, the Applicant not willing to wait for clarification on the use of the roadbed at this location, despite the pending implementation of a new program, not willing to wait and return via alteration to this license in the future to allow those plans to be reviewed and evaluated, with there being no coherent plan on how the service of alcohol will be served across the narrow sidewalk in front, Christopher Street being a very narrow, one-way roadway supporting a vital NYC bus route, there being a significant existing rodent problem on this block, the structure proposed in this application also be sited next to a second eating/drinking establishment that is also seeking to build a similar roadbed structure, that structure being built immediately adjacent to this one, in combination, taking up to 60 feet of the roadbed, not allowing for trash removal or access to the roadway for cleaning purposes; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Tavern Wine License in the name of **Talea Beer Inc. d/b/a Talea Beer Co 102 Christopher Street 10014**; 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 despite CB2, Man.'s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the following stipulations be imposed on any future on premise liquor license for **Talea Beer Inc. d/b/a Talea Beer Co 102 Christopher Street 10014** at this location:

1. The premises will be advertised and operated as a cocktail lounge and restaurant with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday to Thursday from 10:00 AM to 11:00 PM, and Fridays and Saturdays from 10:00 AM to 12:00 AM.
3. Will not install or have French doors, operable windows or open façades.
4. Will not operate any outdoor area for commercial purposes including any sidewalk or roadbed seating operating under the temporary Open Restaurants program.
5. Any outdoor seating permitted will closed by 10 PM every evening.
6. Will keep closed all doors & windows at all times.
7. Will play quiet ambient recorded background music on the interior only. No music will be audible in any adjacent residences anytime.
8. There will be no TVs and the premises will not operate as a sports bar, or allow any portion of the premises to be operated in such a manner.
9. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.

Vote: Unanimous in favor (6–0)

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

8. Whitney Museum of American Art and Hudson Yards Catering LLC d/b/a Whitney Museum; Whitney Café; Studio Bar, 99 Gansevoort St 10014 (Alteration to Existing OP Art Museum) (laid over to May)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on April 6, 2023 the Applicant sought more time and requested **to lay over** this application to May/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; 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 **Whitney Museum of American Art and Hudson Yards Catering LLC d/b/a Whitney Museum; Whitney Café; Studio Bar, 99 Gansevoort St 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 in favor

9. Food Napoli LLC d/b/a NA Slice, 11 Waverly Place 10003 (New RW-Restaurant) (Withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on April 6, 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 **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 in favor

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

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 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 **Entity to be formed by Kim I. Alegado d/b/a Ad Hoc Collective, 13 Christopher St Bsmt. 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 in favor

11. Hudson River Rice LLC dba Glaze, 350 Hudson St 10014 (RW-Restaurant) (previously unlicensed) (laid over to May)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2023 the Applicant sought more time and requested **to lay over** this application to May/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; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Hudson River Rice LLC dba Glaze, 350 Hudson St 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 in favor

12. Temiani LLC dba Champion Pizza, 2 West 14th St 10011 (RW-Restaurant) (previously unlicensed) (laid over to May)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2023 the Applicant requested **to lay over** this application over to May/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 **Temiani LLC dba Champion Pizza, 2 West 14th St 10011** **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 in favor

13. Corp to be formed by Tanz Watson, 511 Greenwich St 10013 (New OP-Restaurant) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 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 **Corp to be formed by Tanz Watson, 511 Greenwich St 10013** **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 in favor

14. 78 5th Avenue Kafeneio Inc, 78 5th Ave 10011 (OP-Tavern) (laid over to May)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2023 the Applicant requested **to lay over** this application over to May/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 **78 5th Avenue Kafeneio Inc, 78 5th Ave 10011** **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 in favor

15. JJW Lavaux LLC d/b/a The Lavaux Swiss Wine and Fondue Bar, 630 Hudson St 10014 (Class Change-TW to OP-Bar/Tavern) (laid over to May)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2023 the Applicant requested **to lay over** this application over to May/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 **JJW Lavaux LLC d/b/a The Lavaux Swiss Wine and Fondue Bar, 630 Hudson St 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 in favor

16. Sabor Argentino Corp, d/b/a Sabor Argentino, 57 7th Ave South 10014 (Class Change-RW to OP-Restaurant) (laid over to May)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2023 the Applicant requested **to lay over** this application over to May/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 **Sabor Argentino Corp, d/b/a Sabor Argentino, 57 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 in favor

17. Business of Hospitality LLC, 87 7th Avenue South 10014 (OP-Restaurant) (DJ) (Live Music-acoustic and ambient live music) (laid over to May)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2023 the Applicant requested **to lay over** this application over to May/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 **Business of Hospitality LLC, 87 7th Avenue 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 in favor

18. Golden Age Hospitality LLC, 26 6th Ave 10014 (OP-Restaurant) (laid over to May)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2023 the Applicant requested **to lay over** this application over to May/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 **Golden Age Hospitality LLC, 26 6th 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 in favor

19. D6 Hospitality Inc., 61 Grove St. Store West 10014 (OP - Restaurant) (Sidewalk Cafe) (laid over to May)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2023 the Applicant requested **to lay over** this application over to May/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 **D6 Hospitality Inc., 61 Grove St. Store West 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 in favor

20. ReBoot West Village LLC, 101 7th Ave South 10014 (RW-Restaurant) (laid over to May/2023)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 6, 2023 the Applicant requested to lay over this application over to May/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 **ReBoot West Village LLC, 101 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 in favor

Respectfully submitted,

Robert Ely and Donna Raftery, Co-Chairs, SLA Licensing Committee
Community Board 2, Manhattan

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

The Human Services Committee of Community Board No. 2, Manhattan held its regular monthly meeting on March 28, 2023, at 6:30pm by Zoom video-conference.

Committee Members Present: Susanna Aaron (Chair), William Benesh, Keen Berger, Ritu Chattree, Wayne Kawadler, Ryder Kessler, Ivy Kwan Arce

Committee Members Absent With Notice: Adam Zeldin (Vice Chair)

Committee Members Absent Without Notice: John Paul DeVerna

Other CB2 Members Present: Jeannine Kiely (Chair), Mark Diller (District Manager), Carter Booth, Susan Kent

Public Members Present: Rachel Yarmolinsky

Agenda: Presentation from Center for Urban Community Services (CUCS) and NYC Department of Social Services/Homeless Services (DSS/DHS) on the status of Paul's Place, a Safe Haven and drop-in center for homeless adult men and women at 114 West 14th St.

Guests:

NYC DEPARTMENT OF SOCIAL SERVICES/HOMELESS SERVICES (DSS/DHS)

Julie Harrison, Assistant Commissioner of Street Capacity; Hailey Nolasco, Assistant Deputy Commissioner of Intergovernmental Affairs

CENTER FOR URBAN COMMUNITY SERVICES (CUCS)

Tracey Erhardt, Program Director at Paul's Place; Abbey Nyamekye, Chief Administrative Officer; Linda Shimer, Deputy Chief Program Officer

REPORT

Background

CB2 has held several meetings to discuss the development of Paul's Place. Reports from these can be accessed here:

September 2022: <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2023/04/09-September-2022-Human-Service-Discussion-on-development-of-Pauls-Place.pdf>

January 2022: <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/03/01-January-2022-Human-Services.pdf>

April 2021: <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2021/05/04-Aprl-2021-Social-Services-Minutes.pdf>

November 2018: <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/02/Report-2018.11.29-Safe-Haven.pdf>

The Safe Haven Model

Safe Haven shelters have been slowly brought online within the five boroughs as an alternative to conventional congregate shelters for unhoused New Yorkers. They are especially intended to serve the city’s street homeless population, many of whom are wary of traditional congregate shelters.¹ Safe Havens are meant to be more private and “lower-threshold,” meaning there are less stringent regulations for areas like curfews and confiscation of contraband.

In 2015, the city opened its tenth Safe Haven (and first since 2010), bringing the number of total Safe Haven beds to just under 700.² As of December 2022, that number had more than doubled to 1,640.³ However, there is still far more demand for these beds than supply, as they are almost all full every night; and they are still a small fraction of the beds within the overall shelter system (in which just under 69,000 New Yorkers slept each night in December 2022).⁴

Paul’s Place is the first Safe Haven in Community District 2, and its ability to serve unhoused neighbors—and to collaborate with neighbors more broadly—will provide important data to inform the appropriateness of scaling this model in the community and the city.

Presentation Details

Paul’s Place, located at 112-114 W. 14th street, comprises a Drop-In Center (ground floor) and Safe Haven shelter (upper floors) intended to serve the street homeless population of the Manhattan Outreach Consortium (MOC)’s downtown Manhattan catchment area.

Drop-In Center

The Drop-In Center is open and operational for 24 hours a day, offering clients opportunities for meeting basic personal needs, i.e. meals, showers, laundry services, and storage. They can also connect with case managers if desired. There are roughly 75-100 clients served per day; since opening, 1,213 discrete individuals have come through the doors.

¹ See: <https://www.nytimes.com/2022/03/30/nyregion/nyc-homeless-eric-adams.html>, <https://nypost.com/2022/03/08/the-miserable-life-inside-nycs-broken-shelter-system/>

² <https://www.nytimes.com/2015/02/09/nyregion/new-york-city-seeks-will-devote-more-resources-to-homeless-who-are-hard-to-help.html>

³ <https://citylimits.org/2022/12/15/few-homeless-new-yorkers-moving-from-subways-to-safe-havens-as-enforcement-continues/>

⁴ Data suggest that many of the most vulnerable street homeless New Yorker prefer Safe Havens to the congregate shelter system. For example, amongst 9,231 unique individuals offered shelter via end-of-line subway outreach between May 2020 and January 2022, the long-term stay rate for those offered placement in congregate shelters was 24% while the rate for those offered placement in Safe Havens was 63%.

See: <https://www.coalitionforthehomeless.org/wp-content/uploads/2022/03/StateofTheHomeless2022.pdf>
<https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/>.

There are currently 54 drop-in clients who have agreed to case management. Ultimately, the goal of the Center is to connect individuals with longer-term shelter, mainly transitional sites like Safe Havens, stabilization beds, or conventional shelters if willing. Paul's Place will also make referrals to employment services like the CUCS employment network and Project Renewal culinary program.

The Drop-In Center also includes 44 La-Z-Boy-style recliners for resting, which clients can access for overnight stays. (Unlike in youth drop-in centers⁵, there does not appear to be a city mandate that clients be prevented from sleeping in these recliners. Paul's Place encourages sleeping.)

Demand for the recliners exceeds supply, with an average of about 60 individuals per day seeking access to one overnight. That number reaches closer to 70 during cold and inclement weather. Earlier in the operations of Paul's Place, the competition for recliners led to large numbers of individuals crowding outside the location; after discussions with the Community Advisory Board (CAB), the staff decided to institute a lottery held midday each day, so that clients would know early in the day whether they will have a recliner that night. This has eliminated the need for clients to line up outside.

Only clients who have secured access to one of the recliners may stay in them overnight, and other clients are asked to leave after 10pm. However, the Drop-In Center is still accessible overnight to those who wish to come in for its non-recliner services, for up to ten individuals at a time.

Additionally, those who do not secure a recliner during the lottery are assisted with arrangements for alternative shelter overnight. (On this point, two local church partners offer overnight shelter to fourteen individuals per night.) Finally, the Drop-In Center can also add 26 more overnight spots during "Code Red" ("extreme heat and humidity") or "Code Blue" ("when the temperature drops to 32 degrees Fahrenheit or less between 4 p.m. and 8 a.m.") events.⁶

There are roughly 200 showers and sets of toiletries used each week, and donations of those goods are needed. Additionally, donations of clothes are needed frequently. 110 meals are served each day, and those that are not eaten at mealtime are saved for those who want them later in the day. There is not unmet demand for meals. About 315 people do their own laundry at the Center each week.

There are two social worker vacancies to be filled. There are three overnight staff, which is sufficient to cover the needs (since most clients are asleep at this time).

Safe Haven

The Safe Haven includes 24 beds for longer-term stays. There are currently 23 residents, with one more pending referral from the MOC. The Safe Haven rooms are private; however, the walls do not go all the way to the ceiling (given that they are internal rooms without window access). Only individual adults may stay in the rooms.

⁵ <https://www.nytimes.com/2023/02/26/nyregion/homeless-drop-in-center-youth.html>

⁶ <https://www.nyc.gov/site/dhs/outreach/street-outreach.page>

There is no limit for how long an individual may stay in the Safe Haven. Ultimately, though, the goal for Safe Haven clients is placement into long-term housing—whether supportive housing or traditional housing with financial assistance like a CityFHEPs voucher.

Four previous residents so far have moved into permanent housing, and another two are in process of such transfer. Another two prior clients of the Safe Haven have left without moving into permanent housing; one of those two was transferred to another Safe Haven, with plans to move into permanent housing afterward.

Unlike non-Safe Haven shelter residents in New York City, those in Safe Havens can legally access CityFHEPs vouchers without a 90-day shelter residency waiting period. That 90-day legal requirement for shelter residents may be repealed by the City Council this year.⁷ However, other pressures prevent a higher number and faster rate of transfer, specifically inadequate supply of appropriate housing opportunities for clients.

There are three case managers serving the 24 Safe Haven residents, with eight per case load.

CAB, Security Concerns, Capacity Concerns, and Other Community Feedback

The Community Advisory Board (CAB) comprises many community stakeholders, including DSS/DHS, elected officials' teams, local residents' groups, Salvation Army, City Relief, and members of CB2 and the Sixth Precinct.

One CAB member, a neighbor from 108-110 W. 14th street, expressed distress about a pattern of disruption in his building and on the street, including broken windows, drug use, and an incident of sexual intercourse happening in his building lobby. (The CUCS team stated that those two individuals were not Paul's Place clients.) CUCS is already planning to increase its security team from two to four per shift in the next few weeks and says DSS/DHS has been responsive to funding this need. However, they noted that these guards do not have "enforcement" abilities, i.e. to arrest or remove individuals.

Relatedly, staff affirmed that the majority of 311 and 911 calls made regarding Paul's Place are for medical care—not related to violence of conflict—and that connecting clients to psychiatric or medical help is seen as a "win." Staff stated that any conflict occurring is only happening between clients (who do not necessarily know each other in advance, and who must occupy close quarters when seeking the facility's services) rather than between clients and neighborhood residents. Further, the committee was told that the volume of 311 and 911 calls has declined and continues to trend downward as they improve their procedures (i.e. instituting the lottery). Nonetheless, neighbors still experience quality of life impacts from the Safe Haven and continue to collaborate with staff to address them.

In response to complaints about smoking, CUCS staff reported that an awning had been secured and was set to be installed, and that a process for acquiring "smoke eaters" was underway. Regarding drug use, CUCS staff affirmed that advocacy for Overdose Prevention Centers in

⁷ <https://gothamist.com/news/nyc-council-bills-aim-to-reduce-wait-times-for-new-yorkers-seeking-to-secure-permanent-housing>

downtown Manhattan—providing individuals a safe, private space to inject and access addiction treatment and medical care—would be welcomed.⁸

Another community member asked whether there would be additional Safe Haven and Drop-In Center infrastructure added to the neighborhood given the clear demand from the street homeless population and given the unmet interest in overnight recliners.

To this point, CUCS will soon be opening a Safe Haven in downtown Manhattan, within Community District 1. It will be at 105 Washington Street and is expected to open in 2024. The site is only a Safe Haven (with no Drop-In Center) and will include 84 rooms. Unlike Paul's Place, this site will also allow couples and pets—important given that the unwillingness to separate from partners and pets is a major impediment to many street homeless New Yorkers making the decision to come in off the street and into shelter.

Additional Discussion

How do we know that Paul's Place clients are local to our neighborhood?

Referrals come from the MOC (Manhattan Outreach Consortium) covering the downtown Manhattan catchment area, so we can be confident that our clients are the street homeless neighbors we know from our community. In addition to the MOC, DHS distributes handouts with information about Drop-In Centers and where to find them. We are also encouraged to direct individuals to Paul's Place ourselves; indeed, multiple Human Services committee members also reported personally referring individuals to Paul's Place.

Is the client base changing or static?

Most of the individuals who come each day are familiar to the staff. However, each day there are at least a few new faces.

How many of the clients are suffering from Serious Mental Illness (SMI)?

Hard to know exactly but likely more than 60%, demonstrating the crucial need for mental health services for this population.

What success stories can you share?

While all provision of services to clients is success, there are individual incidents of note, such as a recent individual bedded down on the street who was engaged and ultimately connected to psychiatric care and who is now on the way to stability off the street.

RESOLUTION

IN SUPPORT OF PAUL'S PLACE'S VALUABLE CONTRIBUTIONS TO COMMUNITY DISTRICT 2, AND REQUESTING FURTHER ENGAGEMENT OF NEIGHBORS AND OF COMMUNITY BOARD 2 AS OPERATIONS CONTINUE

⁸ There are currently two Overdose Prevention Centers (OPCs) in New York City, which have prevented hundreds of potentially fatal overdoses and whose model increases the chances of connecting individuals using drugs to long-term treatment. However, there are no OPCs in downtown Manhattan, as the model faces significant legal and capacity constraints in New York. See: <https://gothamist.com/news/overdose-prevention-centers-save-lives-but-remain-in-legal-limbo-as-nyc-moves-toward-expansion>, <https://www.nytimes.com/2023/02/22/opinion/drug-crisis-addiction-harm-reduction.html>

WHEREAS:

- 1) Paul's Place is a Safe Haven Shelter and Drop-In Center at 112-114 W. 14th Street operated by Center for Urban Community Services (CUCS), contracted by New York City's Department of Homeless Services division of the Department Social Services (DSS/DHS);
- 2) The Safe Haven contains 24 beds for ongoing stays from otherwise street homeless New Yorkers referred by the Manhattan Outreach Consortium;
- 3) The Paul's Place team includes three case managers for the Safe Haven residents, helping them access long-term housing outside of the Safe Haven;
- 4) The Drop-In Center serves roughly 75-100 individuals each day, with services including meals, showers, laundry, storage, and case management for those who want it;
- 5) The Drop-In Center connects these individuals with additional mental and physical healthcare, with employment opportunities, and with longer-term transitional housing at Safe Havens, stabilization beds, and conventional congregate shelters;
- 6) The Drop-In Center allows for 44 individuals to rest overnight in recliner chairs accessible via lottery, with roughly 60-70 individuals seeking them each day;
- 7) Paul's Place has served 1,213 discrete New Yorkers since opening seventh months ago;
- 8) There is clear ongoing demand from unhoused New Yorkers in downtown Manhattan for low-threshold options for meeting basic human needs and for ongoing shelter options;
- 9) Demand exceeds what Paul's Place can currently provide;
- 10) The Safe Haven and Drop-In Center models are helping connect street homeless New Yorkers with mental and physical health treatment, with employment, with more stable temporary housing, and with permanent supportive or traditional housing;
- 11) More data will be needed over a longer time horizon to fully understand the overall efficacy of this model and the opportunity for scaling it in Community District 2 and citywide;
- 12) The Community Advisory Board (CAB), and CUCS more broadly, are engaging community members including residents, members of Community Board 2, and representatives from elected officials' offices and the Sixth Precinct of the NYPD on an ongoing basis;
- 13) Some community members have complained of disturbances on the block and in neighboring buildings, including broken windows, drug use, and sexual contact;

- 14) CAB members and others have reported that Paul's Place has been proactive and collaborative in addressing community concerns;
- 15) Numbers of 311 and 911 calls related to Paul's Place have declined as protocols have improved;
- 16) Paul's Place staff, CUCS, and DSS/DHS have been responsive to CB2's interest in being kept apprised of the developments at Paul's Place;

THEREFORE, BE IT RESOLVED THAT COMMUNITY BOARD 2, MANHATTAN

- 1) Supports the valuable work that Paul's Place is doing in providing stable shelter options and essential services to street homeless members of our community;
- 2) Commends Paul's Place and CUCS for collaborative engagement with the surrounding community, and for responsiveness to Community Board 2;
- 3) Encourages Paul's Place to continue robust engagement of neighbors and community members in surfacing and resolving issues related to its presence in the neighborhood;
- 4) Requests that Paul's Place return to CB2 in another six months to report on updates, including additional data about successful connection of clients and residents to mental health support and permanent housing;
- 5) Advocates for serious consideration by DSS/DHS of expansion of the private-room, low-threshold Safe Haven shelter model in order meet the demand of street homeless New Yorkers for this alternative to congregate shelter;
- 6) Affirms the need for New York City to increase the number of supportive and conventional housing opportunities in order to speed the rate at which New Yorkers in shelter can move into more permanent housing; and
- 7) Entreats the City to take meaningful actions to make housing more affordable, and to augment outreach and support of individuals with severe mental illness, in order to reduce the destabilization and vulnerability that arise from resulting street homelessness.

VOTE: TKTKTK