

Susan Kent, Chair
Valerie De La Rosa, 1st Vice Chair
Eugene Yoo, 2nd Vice Chair



Antony Wong, Treasurer
Amy Brenna, Secretary
Brian Pape, Secretary
Mark Diller, District Manager

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

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P: 212-979-2272 F: 212-254-5102 E: info@manhattancb2.org

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

FULL BOARD MEETING AGENDA

DATE: Thursday, June 22, 2023
TIME: 6:30 PM
PLACE: The Jackie Robinson Foundation Conference Center;
Also 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. **In-person Public Speaker's Cards available at registration. *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

- | | | |
|----|----------------------------|--------------|
| 1. | Elected Officials' Reports | |
| 2. | Borough President's Report | Andrew Chang |
| 3. | Chair's Report | Susan Kent |
| 4. | District Manager's Report | Mark Diller |

BUSINESS SESSION

V. APPROVAL OF THE MAY MINUTES

VI. STANDING COMMITTEE REPORTS AND OTHER BUSINESS

- | | | |
|-----|---------------------------|-----------------------------|
| 1. | Bylaws Working Group | Susan Kent |
| 2. | Human Services* | Susanna Aaron |
| 3. | Landmarks | Chenault Spence |
| 4. | Quality of Life | William Benesh |
| 5. | Parks & Waterfront | Rich Caccappolo |
| 6. | SLA Licensing | Donna Raftery |
| 7. | Land Use | Eugene Yoo & Katy Bordonaro |
| 8. | Cannabis Licensing | Mar Fitzgerald |
| 9. | Schools & Education | Patricia Laraia |
| 10. | Traffic & Transportation* | Shirley Secunda |

* does not include a resolution to be voted on

VII. NEW BUSINESS

VIII. ADJOURNMENT

July 2023						
◀ June						August ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 INDEPENDENCE DAY	5 PARKS & WATERFRONT	6 SLA 2 – IN PERSON ONLY TRAFFIC & TRANSPORTATION	7	8
9	10 QUALITY OF LIFE	11 SLA1 * (Rescheduled from July 4 th) – IN PERSON ONLY	12 LAND USE & HOUSING	13 LANDMARKS	14	15
16	17 LANDMARKS 2 (if needed)	18 EXECUTIVE	19	20 FULL BOARD	21	22
23	24	25	26	27 HUMAN SERVICES	28	29
30	31					

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Resolution to Adopt Communication Policies and Amend the Bylaws

Whereas, during a review process that yielded the revised set of bylaws adopted at the November 2022 meeting of Manhattan Community Board 2 (the “Board”), the Bylaws Working Group (“BWG”) determined it was advisable to develop formal Communications Policies to memorialize the Board’s long-standing guidelines concerning the making of public statements by Board members; and

Whereas, the BWG also deemed it advisable to develop formal policies regarding the Board’s use of social media; and

Whereas, the BWG further determined that to promote the thoughtful consideration of any suggested changes to the Communications Policies, the bylaws should be amended to include a provision requiring a delay between a motion to amend the Communication Policies and a vote to enact any such change.

Therefore, Be It Resolved that the BWG unanimously recommends the adoption of the Communication Policies and the adoption of a new Bylaws Section 11.4, both as follows:

Communications Policies

I. Public Statements

- A. Board Members should not create the impression that they represent the Board or are permitted to speak on its behalf, unless expressly authorized to do so by the Chair.

When making a public statement that reasonably could be construed as a statement of the Board or representing Board policy, it is a Member’s responsibility to be clear that they represent only themselves and that their remarks are not a statement of the Board nor

Board policy. This is true whether the statement is made in a verbal, written, or electronic form.

- B. A “public statement” is any remark made with the understanding that it may be shared with the general public and that may be reasonably construed to reflect the official position of the Board. This includes, but is not limited to, statements to the press, statements sent or posted electronically, or made and/or submitted at any event to which the general public is invited or can attend.
- C. Any inquiry seeking the official position of the Board should be directed to the Board office.

II. Use of Name and Likeness

A Member is to use reasonable efforts to avoid having their name and/or likeness reproduced or otherwise used in a manner that could create the impression that they are an official representative of the Board, except when such Member has been formally appointed to represent the interests of the Board and then only in the particular context of such appointment.

III. Social Media Policies

A. Purpose of Use

The purpose of communicating using social media is to further the goal of encouraging and increasing public participation in the Board’s meetings, to disseminate information, and to educate the public (“Purpose of Use”). Social media should not be used as a platform for engaging with members of the public. The appropriate time to address the views and opinions of members of the public is when they testify at a Board meeting or sponsored event or submit written statements in connection therewith.

B. Technical Management

- i. Technical management of all social media accounts shall be the responsibility of the Board office.

- a. All Board social media accounts should be registered under an email address controlled by the Board's staff and should be shared only with Board members and select persons who have been designated as content contributors.
 - b. The Board staff shall ensure that notices of all committee, working groups, and Board meetings are posted to the Board's social media accounts as appropriate.
- ii. Inquiries regarding the Board's social media presence should be directed to the Board office.

C. Branding

- i. The Chair, in consultation with the Executive Committee, may develop a style guide for the Board and its committees to ensure consistency across all communications. This may include, but is not limited to:
 - a visual identity that may include a logo, fonts, colors, and guidelines for images;
 - a background image for use by Board Members when conducting official business virtually;
 - standard language for use on social media and in all other official communications when describing the Board, its purpose, and its work;
 - rules about identifying official Board materials, such as always providing information about the Board website;
 - templates for routine communications materials;
 - guidelines for branding social media accounts.

.D. Posting Original Content

- i. The focus of the Board's social media accounts should be the posting of original content (including meeting schedules and agendas). Content from secondary sources should be selected with an eye to enhancing and supporting the Board's Purpose of Use, its original content and established positions. The choice of content should avoid creating the appearance of bias.
- ii. Media, including photographs and videos, not in the public domain cannot be posted on the Board's social media accounts without the express permission of the media's

owner, provided however that reposting or sharing third-party material via an article link or reference to the original text or material does not require such permission.

- iii. Any Member may request that high value information that is available on the Internet be linked to via a post on the Board's social media accounts. All requests are to be forwarded to the District Manager ("DM"), who shall approve or reject the request for a post after consulting with the Chair. A link may be posted only if approved by the DM, who shall attempt to respond to all requests within 48 hours of receipt. A request that is rejected or not approved may not be posted. It is the prerogative of the Chair to define whether information is of "high value," *i.e.* information that does not originate with the Board but which clarifies or illustrates subjects addressed or contemplated for review by the Board, supports official Board positions, or otherwise educates the community on issues relevant to the Board's functioning or operations.

E. Reposting Social Media Content

- i. Reposted content should promote the Purpose of Use and be of an educational nature.
- ii. A Member may make a written request to the Chair that a link be posted on the Board's social media accounts in order that an article, blog post, or other item be reposted on the Board's accounts. Reposted items should be of specific relevance to the Board, not just the community in general and, if referenced, should reflect the work of the Board in a neutral or positive light.
- iii. Only items approved by the DM in consultation with the Chair may be reposted. The Chair or DM shall attempt to respond to all requests within 48 hours of receipt. An item rejected or not approved shall not be reposted.

F. Limitations on Use

- i. The Board's social media platforms and content should never promote or seek to increase the exposure of a for-profit commercial enterprise, an elected official or candidate running for political office, or advocate for any person or organization unless it is in the furtherance of the Board's service to the community.
- ii. The creation or use of social media accounts operated by individual Board Members purporting to represent the Board is prohibited. Board members are strongly

encouraged to notify the Board office of any account they suspect is attempting to pass itself off as an official account of CB2. Once the DM identifies such an account, it is the responsibility of the Board staff to take appropriate steps to shut down any unofficial accounts that purport to be official Board accounts. The Board office shall ensure that all posts comply with these Communications Policies and all applicable rules and laws.

G. Crisis Management

In the event a Board social media account is hacked or a post has been made erroneously (e.g. posting from the Board's account instead of from a personal account), the Board office is to be notified immediately. The Chair shall then determine if any further action is necessary.

H. Final Authority

Final decisions on the use of social media platforms and content are the prerogative of the Chair who, in consultation with the DM and the Executive Committee, shall determine whether, and to what extent, the Board shall make use of social media platforms.

New Bylaws Section 11.4

Amendment of Other Documents

Any motion to amend the Communications Policies or any other document developed by the Board to govern the conduct of Members other than these Bylaws, must be accompanied by specific language that has been distributed to Members no less than one week prior to the meeting at which the motion is to be made. Once any such motion is made, it shall be tabled immediately for debate and a vote at the following month's regular Board meeting.

Vote: Unanimous

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Mark Diller, *District Manager*



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The Human Services Committee of Community Board No. 2, Manhattan held its regular monthly meeting on May 25, 2023, at 6:30pm by Zoom videoconference.

Committee Members Present: Susanna Aaron (Chair), Keen Berger, Wayne Kawadler, Ivy Kwan Arce, Ryder Kessler, Emma Smith

Committee Members Absent With Notice: William Benesh, Ritu Chattree (Vice Chair), Ivy Kwan Arce

Committee Members Absent Without Notice: John Paul DeVerna

Other CB2 Members Present: Carter Booth, Michael Levine, Donna Raftery

Public Members Absent With Notice: Rachel Yarmolinsky

Agenda: *Update from Greenwich House: Senior programs and its Lifelong Skills and Opportunity Center; health services and progress on developing its Center for Resiliency and Wellness.

(While a * denotes a public hearing, this meeting did not result in a resolution.)

Guests from Greenwich House (GH):

Darren Bloch, Executive Director and Chief Executive Officer

Laura Langner, Chief Health and Human Service Officer

REPORT:

Greenwich House (GH) this year celebrated its 120th anniversary. It recently updated its mission statement. It operates a pottery school, music school, nursery school, and after-school program, but also provides social services through its older adult centers and substance treatment center. GH's five older adult centers are sited in the Judith C White Center at 27 Barrow Street; Our Lady of Pompeii Church at 25 Carmine Street; Center on the Square at 20 Washington Square North; Westbeth Artists Housing at 155 Bank Street; and, outside of Community District 2, Independence Plaza, at 210 Greenwich Street.

Its Methadone Maintenance Treatment Program is sited at 190 Mercer Street.

Older adult services

A revised Request for Proposals (RFP) issued by the NYC Department for the Aging (DFTA) around 2020 now allows GH to operate its various centers as a network of services spread across satellites. GH has responded by giving each center particular specialization, though all of these

house computer labs and provide congregate meals. Most yoga, nutrition, and other wellness classes, for example, are provided at Our Lady of Pompeii. Center on the Square maintains a strong arts and culture focus. The Westbeth location – GH’s most recent addition – houses a health clinic and case management services. Independence Plaza is a more traditional center (and has seen 200% growth in the last year).

The greatest change has been to the Judith C White Center, 5,000 square feet of which have undergone renovation and been transformed into GH’s Lifelong Skills and Opportunity Center. A grant from DFTA permits GH to focus on older adults, but the program is merged with existing vocational services that GH provides through its behavioral health arm. The site offers classes to help older adults prepare and remain in the workforce.

Health Services

GH is also making significant changes to its health services. During Covid it merged two small mental health clinics – the Children’s Safety Project and the Senior Health and Consultation Center. A panel of about 90 clients has now grown to almost 365, with a waiting list of an additional 65. Laura Langner says “it is becoming the gold standard for trauma-informed care for individuals ages three to 100-plus.”

After failing to reach an agreement with the owner of the former Sushi Samba location on 7th Avenue, GH decided to site its expansion of the clinic on the second floor of GH’s Mercer Street location, where GH will now be the sole tenant. The third floor will house GH leadership and administration. The methadone program on floors four and five will increase its primary care services.

GH also received a geriatric mental health grant to open 11 new satellite clinics for older adults around New York City. DFTA will notify GH of the centers where these are to operate. GH anticipates that it will spend the first part of its next fiscal year, starting in July, bringing those clinics into operation.

Funding sources

Public contracts and grants support some services, such as geriatric mental health, while GH bills insurance for health services. State licenses permit operation of the mental health clinic under Article 31; the methadone clinic under Article 32; and primary care under Article 28.

A \$1 million grant that was part of the restrictive declaration of a development on Gansevoort Street is being used to make necessary repairs to the façade of 27 Barrow Street.

Meals

Initial pushback on elimination of meal services at 27 Barrow Street has eased. Members were primarily concerned about losing meal staff, which instead has been transferred to other centers. GH now employs two caterers and has added Saturday lunch at Westbeth to its offerings. The meals themselves are regulated by DFTA, which provides recipes, specifies ingredients, and requires menus be posted in advance.

Membership

Becoming a “member” of GH is a simple procedure and is free. GH has not generally seen a significant expansion of its membership of about 2,000 in CD2 (although Independence Plaza has seen an increase). As Darren Bloch asks, “Are we not seeing more participation because people aren’t buying what we’re selling, or just don’t know about what we’re selling? Do we need to keep changing and modulating the things we’re doing, or is it a matter of promotion and information?” GH leadership keeps this question top-of-mind, but also notes that its mealtimes are full and attendance is robust. At the same time, the Covid-19 pandemic kept many people home and only recently do they appear to be returning. GH noted that in addition to the returning members, there is also a large new population of program attendees who have come as Covid-19 has receded, particularly individuals needing more case assistance and social services. They believe this population already existed with these needs before the pandemic, but that more individuals in this group are now taking advantage of GH programming.

Unmet funding request

To complement the network approach of its older adult program, GH applied for funding of a shuttle service, but the city rejected its request. GH would still like to be able to fund a pilot program, budgeted around \$160,000, to operate several vans for its members. While it says it has no interest in entering the “transportation space,” the shuttles would facilitate movement among the specialized adult centers and also to key locations such as the local library. Greenwich Village is widely regarded as transit-rich, but the North-South subway lines and crosstown buses are insufficient to permit easy travel between centers for those with mobility issues.

Additional funding needs

The new City budget does not include a cost-of-living increase social service providers had requested. GH attended a rally at City Hall – and some of its members joined staff in protest. GH would like to encourage more civic activity among its membership.

The move to GH’s Mercer location carries modest (ie, five-figure) ancillary expenses that are nonetheless significant for a not-for-profit organization.

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The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held their meeting on June 14, 2023 by video conferencing.

Committee Members Present: Chenault Spence (Chair), Valerie De La Rosa, Brian Pape, Eugene Yoo, Zachary Roberts,

Board Members Absent with Notice:

Board Members Absent without Notice: Anita Brandt, Susan Gammie, Bo Riccobono

Public Members Present: Albert Bennett, Brenden Fitzgerald

Public Members Absent with notice: Andy Clark

Board members: Carter Booth, Donna Raftery, Susan Wittenberg

1. *16 Fifth Ave. – A DOT application to construct, maintain and use a snow melt system in front of the building.

The applicant did not attend the hearing and therefore there is no recommendation concerning this application. Please note that this application will now be placed on the July Landmarks Committee agenda for review.

2. *277 Canal St. aka 277-289 Canal St. & 418-422 Broadway - Application is to construct a nine-story addition and a penthouse with mechanical equipment above an existing three-story building, to restore its facade, and install new windows.

Whereas:

A. The building, constructed as the historic Major Theatre ca. 1928, and has undergone a number of changes and alterations which have left the facade including the design of the windows in the upper stories in the original condition; and

B. The project will have 100 apartments of which 25 will be designated as affordable housing; and

C. The proposed work is to restore the three-story existing facade, install new infill at the first floor, install reproductions of existing windows on the second and third floors, construct a nine-story vertical enlargement which is in harmony with the existing facade and to place a penthouse with mechanical equipment on the roof; and

D. The enlargement uses a vocabulary similar to and harmonious with the existing building while differentiating itself from the original façade; and

- E. The building is atypical of the design of buildings in the SoHo Historic District and the vertical enlargement brings it into prominence in the SoHo Broadway corridor using a design that references SoHo buildings of comparable height; and
- F. There is a proposed master plan for the ground floor commercial space of windows with simple metal and sheet glass infill with louvered transoms seen in other SoHo buildings; and
- G. The proposed signage above the windows in each bay is 24” high internally illuminated individual letters and there are provisions for bracket signs to be installed at each bay; and
- H. The existing subway entrance within the building is to be refurbished with the addition of public art and the applicant has had no discussion with the MTA concerning ADA access and about how ADA access may be incorporated into the building; and
- I. There is concern that a view from several blocks below Canal Street on Broadway, where the rooftop addition will be clearly visible, was not depicted; and
- J. There was testimony from the public with questions about details and the public generally was in support of the project; now

Therefore be it resolved that CB2 Manhattan recommends:

- A. Approval** of the restoration of the existing building, the vertical enlargement, and rooftop structure; and
- B. Denial** of the of the master plan for the commercial ground floor infill unless the size of the letters is reduced, that the illumination is of the “halo” system that has been approved by the Commission in similar instances in the district, and there is a provision that implementation of the master plan is overseen by LPC staff to ensure that the number of individual-letter signs and blade signs does not result in a cluttered appearance; and
- C. That consideration be given to having discussions with MTA concerning ADA access to the subway and incorporating this provision into the entrance design.

Unanimous

Respectfully Submitted,
Chenault Spence, Chair

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QUALITY OF LIFE COMMITTEE

June 2023

The Quality of Life Committee of Community Board #2, Manhattan held its monthly meeting on Monday, June 5th, 2023, at 6:30 p.m. via Zoom.

Committee Members Present: William Benesh (Chair), Brian Pape, Michael Levine, Rocio Sanz, Wayne Kawadler, Ed Ma

Committee Member Absent with Notice: Zachary Roberts

Public Member Present: Johanna Lawton

Public Member Absent with Notice: Karen Eckhoff

Other CB2 Members Present: Susan Kent, Carter Booth, Valerie De La Rosa, Donna Raftery, Emma Smith

Street Activity Applications

1. **6/10/23 – (Setup Date & Start Date) – 6/11/23 (End Date & Breakdown Date) Boot Drop (sponsor: game Seven Mktg), Broadway bet. Prince & String Sts. [partial sidewalk-in front of 550 Broadway]**

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

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Boot Drop**.

Vote: Adopted unanimously.

2. **6/10/23 – Mulberry Event 23 (sponsor: Group Thrpy), Mulberry St. bet. Spring & E. Houston Sts. [full street closure] (event is now back to original date of 6/10)**

Whereas, fashion and lifestyle brand Aimé Leon Dore (“ALD”), with its storefront located at 224 Mulberry Street, and in conjunction with production company Group Thrpy, is seeking a full

street closure in order to hold a basketball tournament on Mulberry Street between Spring and Prince Streets; and

Whereas, the event seeks to place a custom-sized basketball court along with bleachers on the street (and partially onto the sidewalk) in front of the ALD store at 224 Mulberry, and to utilize the rest of the block in order to support the tournament including the placement of crew tents, portable bathrooms, and crew parking; and

Whereas, the basketball tournament would be organized in conjunction with shoe and athletic wear brand New Balance, as well Henry Street Settlement and Masaryk Community Gym on the Lower East Side; and

Whereas, setup is expected to begin at midnight and continue in a staggered fashion throughout the morning of June 10th, with the event itself taking place from 11 AM to 7 PM, and load-out beginning at 8 PM that evening; and

Whereas, the event will feature games of 3-on-3 basketball throughout the day, with a cash prize being awarded to the winning team; and

Whereas, the event will feature amplified sound throughout the day, including an event MC and a DJ; and

Whereas, the event will not offer food and beverages other than a catering tent for the players and staff; and

Whereas, the applicant stated that they had hired 16 security guards for the event, which are intended to be used for crowd management and to maintain a 5 foot clear path for walking on the sidewalks; and

Whereas, numerous concerns and reservations were raised by Quality of Life committee members, other CB2 members, local business owners, 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 of the event, which is likely to draw large crowds of spectators looking to watch the basketball games, and with such large crowds potentially creating a physically dangerous situation within the extremely small and crowded block of Mulberry between Spring and Prince; and

Whereas, furthermore, the proposed location of the court at 224 Mulberry would be essentially be on the corner of Mulberry and Spring, with Spring being a major shopping thoroughfare and likely already to be extremely crowded on a Saturday, accelerating the risk that the event would draw in dangerous levels of crowds coming off of Spring to watch the games, or cause the crowds to spill into Spring Street; and

Whereas, QoL committee and CB2 board members pointed out the proposed schematics for the court and bleachers were inaccurate and/or misleading and simply did not make sense, and were

unable to see how the proposed basketball court, sets of bleachers on both sides of the court, 5 foot sidewalk lane on both sidewalks, and 15 foot emergency lane, could all be maintained on the extremely narrow street (approx. 23' wide) and sidewalk; and

Whereas, local business owners expressed concern about the large crowds impeding access to the street and negatively impacting their business on what would otherwise be a busy Saturday, to the point that they would have to consider closing their business that day, and mentioned that regular long lines in front of the ALD store had already negatively impacted their business; and

Whereas, other local residents spoke in opposition to the event and mentioned the large lines / crowds from ALD impeding the entrance to other storefronts, as well as the fact that ALD has been illegally placing planters in the street and on the sidewalk; and

Whereas, there was general agreement amongst CB2 and community members that such an event would be better suited for an existing basketball court within a local court or playground, such as DeSalvio playground just across the street on the southeast corner of Spring and Mulberry ; and

Whereas, despite all of these concerns, it appeared that very minimal outreach had been conducted by the applicant to the surrounding community (both local businesses and residents) ahead of the planned event, though the applicant claimed that outreach to businesses had taken place; and

Whereas, following the opposition and feedback expressed at the Quality of Life committee meeting, the applicant subsequently moved the event to a different location at Sara D. Roosevelt Park; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Mulberry Event 23**.

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

Therefore Be it Finally Resolved that CB2 Manhattan continues to request that SAPO require earlier submission of street activity applications, especially for larger, potentially disruptive events, to prevent situations such as this one where resolutions must be passed on to SAPO at the committee level without time for discussion and approval at CB2 full board meetings.

Vote: Adopted unanimously.

3. 6/12/23 – Chanel Artists Awards 2023 (sponsor: Tribeca Festival), Spring St. bet. Broadway & Crosby St. [full street closure]

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

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Chanel Artists Awards 2023**.

Vote: Adopted unanimously.

4. **6/9/23-6/10/23 (moved from 6/16/23-6/17/23) Whitney Museum Event (sponsor: Meatpacking District Management Association), Gansevoort St. bet. Washington St. & 10th Ave. [full street closure]**

Whereas, the Whitney Museum seeks to hold two activations in conjunction with Pride month, with the first on the evening of Friday June 9th, and the second during the day on Saturday, June 10th; and

Whereas, the first such activation on Friday evening is in conjunction with the museum’s “Queer Teen Night,” a dedicated night held by the museum focused on LGBTQ youth and allies; and

Whereas, the activation will feature a street closure from 4 PM to 7 PM on Friday, June 9th, with the main portion of activity taking place on the portion of the block directly in front of the Whitney Museum; and

Whereas, the event will feature amplified sound, with a 12-inch tall stage, background music playing from 4 PM – 6 PM, and a DJ performance from 6 PM – 7 PM; and

Whereas, the event will also feature tabling by community organizations which are relevant to the LGBTQ community; and

Whereas, the event will not include food or drink; and

Whereas, the second such activation will be Whitney’s Community Pride Day, which is expected to run in the same location in front of the Whitney from 11 AM – 6 PM on Saturday, June 10th; and

Whereas, the event will feature a variety of family-oriented activities, including hands-on art making opportunities, a queer history walking tour, and a public dance workshop; and

Whereas, similar to the Friday night event, the Saturday event will feature tabling by community organizations; and

Whereas, the event will feature amplified sound with background music playing throughout the day; and

Whereas, the event will feature an ice cream truck but no other food or drink; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Whitney Museum Event**, **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 with 2 abstentions (W. Kawadler, E. Ma).

**5. 6/20/23 – (Setup Date & Start Date) – 6/21/23 (End Date & Breakdown Date)
Maybelline Pride Pop Up Tour (sponsor: Youth Marketing Connection, LLC),
Gansevoort Pedestrian Plaza in front of Lucid]**

Whereas, cosmetics brand Maybelline seeks to hold a two-day activation on the Gansevoort Plaza in conjunction with Pride month; and

Whereas, the event will begin load-in during the early morning of June 20th, and will be open to the public from 10 AM – 4 PM on June 20th and June 21st; and

Whereas, the event’s footprint is expected to be approximately 45’ x 30’, consisting of a branded mobile pop-up trailer and a “swag hut” on the north end of the plaza; and

Whereas, attendees at the event will have the opportunity to interact with and learn about Maybelline products, though there will be no on-site sale or purchase of products; and

Whereas, the applicant is partnering with non-profit The Trevor Project for the event, an organization which is focused on suicide prevention for LGBTQ youth; and

Whereas, the event will not offer food or beverages, but the applicant does intend to hand out flyers promoting local coffee shop The Coffee Project, which has multiple locations in NYC including one at the LGBT Center on 13th street; and

Whereas, the event will not include amplified sound, and will not require the use of a generator; and

Whereas, the applicant plans to leave the existing chairs and umbrellas on the portion of the Gansevoort Plaza not being used for the event; and

Whereas, while CB2 continues to generally oppose the use of the Gansevoort Plaza for commercial purposes, there was general support for the partnership with The Trevor Project and with The Coffee Project; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Maybelline Pride Pop Up Tour**, **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.

**6. 7/27/23 – Maybelline National Lipstick Day Tour Pop Up 2023, W. 13th/14th
Sts./Gansevoort Pedestrian Plaza [in front of Lucid]**

Whereas, cosmetics brand Maybelline seeks to hold an additional activation on the Gansevoort Plaza on July 27th, this time for one-day only and focused on a promotion around National Lipstick Day; and

Whereas, the event is expected to have the exact same footprint as the Maybelline Pride event, i.e. 45' x 30' with a branded pop-up trailer and tent; and

Whereas, the event will feature opportunities for attendees to learn about and interact with various lipstick products, including giveaways; and

Whereas, setup will begin in the early morning of July 27th, with the activation occurring between 10 AM – 4 PM, and loadout complete by 8:30 PM; and

Whereas, the event will not require use of a generator and will not include amplified sound; and

Whereas, there will be no food, drink or products for sale at the event; and

Whereas, similar to the Maybelline Pride event, the applicant intends to keep in place the existing chairs, tables and umbrellas on the portion of the plaza not being used for the event; and

Whereas, unlike the Maybelline Pride event, this event features no partnership or coordination with local nonprofits or local businesses; and

Whereas, CB2 continues to oppose the use of Gansevoort Plaza for purely commercial activations; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Maybelline National Lipstick Day Tour Pop Up 2023**.

Vote: Adopted unanimously.

7. 6/22/23 – Violife Cheese (sponsor: GIOMART PROMOTIONS, INC. on behalf of Epic Cheese), Spring St. bet. Mercer St. & Broadway [curb lane only]

Whereas, the applicant, a vegan cheese brand, seeks to hold a food truck activation on June 22nd in the north curb lane of Spring Street; and

Whereas, the applicant intends to park the approximately 35' long truck in the curb lane beginning at 8 AM, with the activation running from approximately 11 AM – 4 PM; and

Whereas, the activation will consist of giveaways of cheese products from the food truck, brand ambassadors stationed in front of the truck interacting with guests, and an approximately 10' x 10' canopy in the curb lane for food preparation; and

Whereas, the applicant intends to have two trash receptacles on site for waste management; and

Whereas, the event will not feature amplified sound; and

Whereas, the proposed location for the event is on one of the busiest blocks of Soho, and multiple residents from the area spoke in opposition to the event, citing concerns including crowding and congestion issues; and

Whereas, the applicant was unable to commit to moving the event to a less congested / more appropriate location; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Violife Cheese**.

Vote: Adopted unanimously.

- 8. 6/22/23 – (Start Date) – 6/24/23 (End Date & Breakdown Date) Kiss Cosmetics Events & Pop Up (3 events) (sponsor: TH Experiental), 1) W. 13th/W. 14th Sts./Gansevoort Pedestrian Plaza [full closure]; 2) & 3) Gansevoort St./W. 13th St./Gansevoort Pedestrian Plaza [full closure]**

Whereas, cosmetics brand Kiss Cosmetics seeks to hold a two-day activation on the Gansevoort Plaza; and

Whereas, the event will begin load-in / set-up during the evening of June 22nd, with the event open to the public on June 23rd and June 24th; and

Whereas, on the morning of June 23rd, the applicant will hold a private catered event from 8 AM – 10 AM for press and media, but the event will then be fully open to the public from 10 AM – 7 PM on June 22nd and from 10 AM – 6 PM on June 24th; and

Whereas, the event’s footprint is expected to be approximately 65’ x 30’, consisting of a set-up of fabricated cabanas and umbrellas, following the general theme of a “Hamptons inspired” summer event; and

Whereas, various activities will take place within the cabanas including nail services and product giveaways; and

Whereas, the event will not offer food or beverages, other than bottles of water and the catering for the catered press / media event from 8-10 AM on June 23rd; and

Whereas, the event will include amplified sound and a DJ, but the applicant promised to keep the sound at reasonable levels; and

Whereas, the event will include private security throughout the day to manage check-in and line, management, as well as overnight security; and

Whereas, the applicant plans to pick up and dispose of any trash from the event each evening so as to keep the plaza and surrounding area clean; and

Whereas, the applicant plans to leave the existing chairs and umbrellas on the portion of the Gansevoort Plaza not being used for the event; and

Whereas, the Quality of Life committee noted that the event does not seek to partner with or support any local organizations, nor does Kiss have any storefronts within CD2, though Kiss products may be sold within certain stores within CD2; and

Whereas, CB2 continues to oppose the use of Gansevoort Plaza for purely commercial activations; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Kiss Cosmetics Events & Pop Up**.

Vote: Adopted unanimously.

FYI: Renewals

9. 6/17/23 – Summer Pride Block Party (sponsor: Children’s Museum of the Arts), 6th Ave. bet. Spring & Dominick Sts. [full street closure]-closure pertains to Little 6th Ave. along Spring St. Park]
10. 6/21/23 – Make Music New York (sponsor: Make Music New York), Astor Place Plaza (South) [entire plaza]
11. 6/24/23 – Washington Square North Fair/ Stonewall Democratic Club (sponsor: Greenwich House), Washington Sq. No. bet. Washington Sq. W. & Washington Sq. E. [full street closure]
12. 6/25/23 – Take Control, Take Action Health Fair (sponsor: Treatment Action Group), Thompson St. bet. Washington Sq. So. & W. 3rd St. [full street closure]
13. 6/25/23 – Family Fest at PrideFest 2023 (sponsor: Heritage of Pride, Inc.), Astor Place Plaza (South) [pedestrian plaza, side street full]
14. 6/25/23 – PrideFest 2023 (sponsor: Heritage of Pride, Inc.), 1) 4th Ave. bet. E. 10th & E. 13th Sts.; 2) E. 13th St. bet. Broadway & 4th Ave.; 3) E. 12th St. bet. Broadway & 3rd Ave.; 4) E. 10th St. bet. Broadway & 4th Ave. [full street closures]
15. 6/25/23 – StageFest at PrideFest 2023 (sponsor: Heritage of Pride, Inc.), 4th Ave. bet. E. 9th & E. 10th Sts. [full street closure]
16. 7/8/23 – 12th Annual WitchesFest USA (sponsor: NYC Wiccan Temple), Astor Pl. bet. Broadway & Lafayette Sts. [sidewalk & street closure]
17. 7/8/23 – V.I.D. Bleecker Street Fair (sponsor: Village Independent Democrats), Bleecker St. bet. Bank & Christopher Sts. [full street closure]
18. 7/22/23 – Our Lady of Pompeii Church Bleecker Street Fair (additional sponsor: none), 1) Bleecker St. bet. 6th Ave. & 7th Ave. So.; 2) Carmine St. bet. 6th Ave. & Bedford St.
19. 7/23/23 – Astor Alive Friday Night Cabaret (sponsor: Village Alliance), Astor Place Plaza (South) [pedestrian plaza, side street full]
20. 7/28/23 – Astor Alive Silent Disco (sponsor: Village Alliance), Astor Place Plaza (South) [pedestrian plaza, side street full]
21. 7/29/23 – OCM Street Fair (sponsor: Overseas Chinese Mission), Hester St. bet. Elizabeth & Mott Sts. [full street closure]
22. 8/5/23 – VRDC Bleecker Street Fair (sponsor: Village Reform Democratic Club), Bleecker St. bet. 7th Ave. So. & 8th Ave. [full street closure]
23. 8/6/23 – GVCCC Washington Sq. Summer Fair (sponsor: Greenwich Village-Chelsea Chamber of Commerce), Washington Sq. No. bet. Washington Sq. W. & Washington Sq. E.)

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.

DRAFT

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

Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*



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PARKS & WATERFRONT COMMITTEE MEETING

June 7, 2023

The Parks & Waterfront Committee of Community Board #2, Manhattan held its monthly meeting on Thursday, June 7, 2023, at 6:30 via Zoom.

The meeting covered three topics:

1. NYC Department of Parks and Recreation (DPR) provided its periodic Washington Square Park status update including recent expansion of the Administrator's role and a request concerning off-leash time for dogs.
2. NYC DPR presented a plan for updating William F. Passannante Ballfield.
3. Elizabeth Street Garden Executive Director provided calendar/programs as well as legal and political updates.

Board Members Present: Rich Caccappolo (Chair); Susanna Aaron (Vice Chair); Ritu Chattree; Chris Dignes; Matthew Metzger; Daniel Miller; Shirley Secunda; Kristin Shea; Frederica Sigel

Board Members Absent with Notice:

Public Members Present: Sharon Woolums

Public Members Absent with Notice: Coral Dawson; Elizabeth Gilmore

Other Board Members Present: Carter Booth; CB2 Board Chair, Susan Kent; Jeannine Kiely; Valerie De La Rosa, Erika Olson, Emma Smith, Donna Raftery

In total, approximately 70 people attended the meeting.

There were three resolutions resulting from this meeting.

1. NYC Department of Parks and Recreation (DPR) provided its periodic Washington Square Park status update

Will Morrison, Administrator of Washington Square Park (<https://www.nycgovparks.org/parks/washington-square-park>) for the DPR, and newly-assigned Executive Director of The Washington Square Park Conservancy, provided an update on activities and events in the park. He listed the various organizations with whom he interacts as Administrator, including Washington Square Park Conservancy (WSPC), the Washington

Square Park Association, the Washington Square Music Festival, NYU, dog park groups, etc. These groups each play various roles in making contributions to the park.

Questions were raised about the decision to allow Mr. Morrison to serve the dual role of administrator of a public park as well as Executive Director of WSPC, a private 501(c) (3) organization. Mr. Morrison is the third person to occupy this dual position, following his predecessors George Vellonakis and Sarah Neilson. Steve Simon, DPR Chief of Staff for Manhattan, explained that the decision to create a dual role was made after the renovation of the park, in order to provide a high level of maintenance through added private funding while ensuring that the activities of a conservancy would be aligned with the interests of NYC DPR. At the time of the WSPC's founding ten years ago CB2 passed a resolution, approving the organization while demanding that it follow best practices for governance and transparency in order to protect the public's enjoyment of the park. Mr. Morrison and Mr. Simon cited the value of the support provided by WSPC as well as by the other organizations that contribute to the park's funding and programming. Mr. Morrison said he maintains an "open door" policy and gives no preference to any group or person with an interest in the park.

Mr. Morrison receives his salary from DPR. Mr. Morrison also receives a stipend from the conservancy. The New York City Conflict of Interest Board has ruled that, given the legitimate additional duties required by his work for WSPC, the stipend does not reflect a conflict of interest.

Questions were asked about how the Washington Square Park Conservancy funds are utilized and, for example, specifically who decides what to plant (answer is the DPR gardeners).

Questions and comments were also posed about various activities that are occurring in the park that are prohibited: skateboarding, bike riding, smoking, sales of drugs and other products. Mr. Morrison explained that Parks Enforcement Patrol (PEP) officers and, when available, assigned police officers do try to curb these activities but face challenges, such as skateboarders speeding away when they are approached. Mr. Morrison said that a way to diffuse negative activities at various areas of the park is to program events there, e.g., events at Garibaldi Plaza that make the area less attractive to skateboarders. Committee members expressed understanding about the challenges of homelessness (Mr. Morrison explained that many agencies provide services in the park). General sense is that rules (including no smoking of tobacco or cannabis, including vaping) should be enforced consistently and completely. One committee member wondered why illegal activities, particularly the selling of items, in Washington Square Park appear different and much more widespread than in Madison Square Park.

In addition, Mr. Morrison was asked about requests for off-leash times for dogs, outside of the two dog runs. He stated that this goes against DPR policy and would be detrimental to the park and its users.

An attendee noted that CB2's 2013 resolution called for WSPC to appear before CB2 every six months. While this pace has not been kept, the reason has been the need for the committee to schedule competing agenda items, and not any unwillingness on the part of WSPC or the park administrator. In fact, sometimes Washington Square Park has occupied CB2's attention with

greater frequency. Nonetheless, the committee agreed that it should aim to meet with WSPC twice a year when possible.

2. NYC DPR presented a plan for updating William F. Passannante Ballfield.

Max Goodstein, Landscape Architect Project Manager and Deputy Chief of Staff for Manhattan for DPR, presented a plan for the reconstruction of William F. Passannante Ballfield, which is located at Houston St. between McDougal St and Ave. of Americas.

<https://www.nycgovparks.org/parks/william-f-passannante-ballfield> He explained that the goals of the reconstruction of this multi-purpose, active play space at which many different sports are played (basketball, kickball, pickleball, roller hockey, softball, foursquare, etc.) by adults and children, including during recess time from several local schools. He explained that park needs not just a new surface coating, but an entirely new asphalt layer to repair cracks that have developed over the years. Mr. Goodstein also explained that the work will include improvements for ADA compliance, new trees on the east side, and new water fountains.

The project is scheduled to begin in late August and is expected to take four months to complete, during which time the park will be closed.

The park is mostly unpermitted with two exceptions: there has been a permit for many years for roller hockey (though that use has diminished as the park surface has deteriorated, and pickleball receives a permit for three hours on Sunday morning (when as many as eight or more courts are set up).

Many questions were posed by attendees over the schematic design. Some requested more pickleball courts than the four presented. Others focused more on how the space is going to be managed to accommodate competing uses, and what the process would be for permitting and enforcing permits. Some support the painting of lines and different colors for different uses, etc. and the clarification of hours of permits versus time for free play. Most welcomed the plan and shared an interest in maximizing flexibility and adaptability so that sports can coexist, but concerns of the timing and duration of the effort were expressed. It was suggested that use by the local schools be a priority and that written rules be posted at the playground near the entrances. We passed a resolution conveying our support for the project.

3. Elizabeth Street Garden Executive Director provided calendar/programs as well as legal and political updates.

Joseph Reiver, the Executive Director of Elizabeth Street Garden (ESG), gave an update on that space between Elizabeth, Mulberry, Prince and Spring streets.

<https://www.elizabethstreetgarden.com>

He described upcoming events, including community gardening, tai chi, yoga, and an upcoming summer solstice celebration - see <https://www.elizabethstreetgarden.com/calendar>.

He also updated news about the lawsuit filed in New York State Supreme Court by ESG in March 2019 to save the park from development, which was victorious, but stated that the fight is not over because the City is appealing the decision and ESG has filed a response. He noted that Councilmember Christopher Marte has filed an amicus brief in support of ESG's case and Mr. Reiver also shared his belief that saving ESG might best be done through a conservation land trust, details of which are on their website.

Respectfully submitted,

Rich Caccappolo,
Chair, Parks & Waterfront Committee
Community Board 2, Manhattan

DRAFT

**A Resolution in Support of the Dual Role of Administrator of Washington Square Park
and Executive Director of The Washington Square Park Conservancy**

WHEREAS:

1. Will Morrison, NYC Department of Parks and Recreation (DPR) employee who since December, 2021 has filled the role of Administrator of Washington Square Park, has recently also been named as Executive Director of The Washington Square Park Conservancy (WSPC);
2. Mr. Morrison is the third person to occupy this dual position, following his two previous predecessors, George Vellonakis and Sarah Neilson;
3. Some representatives of the community expressed concerns about this dual role of Administrator of a public park as well as Executive Director of WSPC, a private 501(c) (3) organization;
4. Persons who fill this dual role receive salary from DPR and also receive payment in the form of a stipend from the conservancy;
5. The New York City Conflict of Interest Board has ruled that, given the legitimate additional duties required by his work for WSPC, the stipend does not reflect a conflict of interest.

THEREFORE BE IT RESOLVED, that Manhattan Community Board 2:

1. Supports the dual role of Administrator of Washington Square Park and Executive Director of The Washington Square Park Conservancy; and
2. Supports the assignment of Will Morrison to this dual role; and
3. Reserves the right to express a different opinion if and when a different person were to be assigned to the dual role position

VOTE: Unanimous

A Resolution Requesting Consistent and Complete Enforcement of Rules in Washington Square Park

WHEREAS:

1. Washington Square Park is a vibrant and extremely well-attended park visited by crowds of both residents and visitors to our neighborhood;
2. The NYC Department of Parks and Recreation has tried to balance enforcement of citywide rules with requests from the local community to allow free expression in the park;
3. Community members have expressed concerns about park rules and city laws being broken, even flaunted, by visitors who skateboard, ride bicycles through the park, smoke and vape (tobacco and cannabis), sell illegal drugs and openly peddle other products, sometimes setting up tables for this purpose;
4. CB2 is very concerned about the safety of park visitors who are put at risk by skateboarding activity in the park as well as the damage this activity is causing;
5. CB2 is aware that Parks Enforcement Patrol (PEP) officers and, when available, assigned NYC police officers do try to curb these activities but face challenges when doing so;
6. CB2 is aware that the recent changed state cannabis laws may be contributing to a lack of clear understanding by visitors concerning sale and use of such products in Washington Square Park;
7. Other Manhattan parks such as Madison Square Park and Central Park do not appear to allow or abide vending as seen in Washington Square Park.

THEREFORE BE IT RESOLVED, that Manhattan Community Board 2:

1. that the NYC Department of Parks and Recreation work with the local police department to find ways to control these disturbing and dangerous activities, including stronger and more consistent enforcement of existing park rules, while working with CB2 and park users to develop approaches tailored to the special needs of the park; and
2. that the NYC Department of Parks and Recreation review its current policies and consider changes that would reduce activities that endanger the safety of visitors, particularly senior citizens, e.g., skateboarding.

VOTE: Unanimous

A Resolution in Support of plan for updating William F. Passannante Ballfield

WHEREAS:

1. Representatives of the NYC Department of Parks and Recreation (DPR) presented a plan for the reconstruction of William F. Passannante Ballfield, an asphalt covered, multi-purpose active play space located at Houston St. between McDougal St and Ave. of Americas;
2. Many different sports are played in this park including basketball, kickball, pickleball, roller hockey, softball, foursquare, etc., by adults and children;
3. DPR representatives explained that an entirely new asphalt layer is required to repair cracks that have developed over the years;
4. The design schematic presented showed painted lines and different colors for fields, courts and rinks;
5. The project is scheduled to begin in late August and is expected to take four months to complete, during which time the park will be closed;
6. The park is mostly unpermitted open play space with two exceptions - weekend times for roller hockey and pickleball;
7. Most attendees welcomed the plan and expressed a shared interest in maximizing flexibility and adaptability so that sports can coexist, but opinions differed on aspects of the design including number of pickleball court and overlapping painted lines as well as the processes for granting permits and enforcement of them.

THEREFORE BE IT RESOLVED, that Manhattan Community Board 2:

1. Endorses the plan to rebuild the ballfield as described by DPR as well as the goals expressed and the schematic presented, though it is not entirely clear how overlapping play will work without understanding the permit process; and
2. Encourages the DPR to determine the process by which permits will be granted and enforced; and
3. Suggests that park rules and the goal of co-existing play and any permits granted be posted online and at the entrances to the park; and
4. Requests that the needs of and usage by local schools be considered priorities including the timing and duration of the construction since closure will impact recess and after school activities; and
5. Looks forward to the installation of the new surface, the planting of new trees and the installation of improved water fountains included in the plan for the rebuilding of this important community space for active recreation.

VOTE: Unanimous

DRAFT

Susan Kent, Chair
Valerie De La Rosa, First Vice Chair
Eugene Woo, Second Vice Chair
Mark Diller, District Manager



Antony Wong, Treasurer
Amy Brenna, Secretary
Brian Pape, Assistant Secretary

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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, June 6, 2023, via Video Conference.

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

Committee Board Members Absent with Notice: L. Rakoff

Other Board Members Present: B. Pape, Stella Fitzgerald, Valerie De La Rosa

RESOLUTIONS:

1. **King Jade Garden Inc dba Lady Chow's Kitchen, 171 Hester St. 10013 (RW-Restaurant)** *(previously unlicensed)*
 - i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for a Restaurant Wine license for a local Chinese restaurant located on the ground floor of a C6-2G zoned, six (6)-story mixed-use building (c. 1900) on Hester Street between Elizabeth and Mott Streets (Block #238 / Lot #38), the building falling within the designated Special Little Italy District; and
 - ii. **Whereas**, the premises is roughly 1,600 sq. ft. comprised of the ground floor restaurant connected by an interior staircase to the basement, basement used for storage and patron bathroom access, there will be no service to patrons in the basement (no breakdown of square footage was provided with the floor diagram); there will be 11 tables with 53 seats and one (1) service bar with no seats for a total patron occupancy of 53 seats; there is one (1) entryway serving as both patron ingress and egress and one (1) bathroom; there will be no sidewalk café or roadbed seating; and
 - iii. **Whereas**, the hours of operation will be from 9:00AM to 11:00PM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs); there will be no dancing, DJs, no live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
 - iv. **Whereas**, the premises had been operating without a liquor license as a Chinese restaurant under the name of Canton Kitchen since approximately 2017 and prior to that as House

Special since at least 2009; there are currently 33 active liquor and six (6) pending licenses within 500' of this location; and

- v. **Whereas**, the Applicant appeared before CB2, Manhattan for an On-Premises license at this location in March/2022 where it appeared clear that the Applicant's premises was within 200' of the Oversea Chinese Mission located across the street on the southwest corner of Hester and Elizabeth Streets, therefore making the 200' rule being in effect and an On-Premises license not available to this location, with Community Board 2, Man. recommending approval of the On-Premises license while also stating that "should the NYSLA find that the premises does violate the 200 ft. rule, CB2, Man. recommends approval of a Restaurant Wine license at this location", the NYSLA finding that the premises is within 200' of a Place of Worship and therefore not able to apply for an On-Premises license, the Applicant returning for a Restaurant Wine application despite the previously written resolution stating CB2 had already recommended approval of the Restaurant Wine license should the NYSLA find that the 200' rule applied; and
- vi. **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 Chinese restaurant.
 2. The hours of operation will be 9:00AM to 11:00PM Sundays through Saturdays (7 days a week). All patrons will be cleared, and no patrons will remain after stated closing time.
 3. Will operate a full-service Chinese restaurant with the kitchen open and full menu items available until closing every night.
 4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 5. Will not operate a backyard garden or other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
 6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
 7. Will not have televisions.
 8. Will close all doors and windows at 10:00PM every night, allowing only for patron ingress and egress.
 9. Patron use of basement is for bathroom only. There will be no patron service in basement.
 10. Will not install or have French doors, operable windows or open façades.
 11. Will not make changes to the existing façade except to change signage or awning.
 12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
 13. Will provide a Letter of No Objection permitting eating and drinking for store front premises proposed to be licensed prior to issuance of license.
 14. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches."
 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 appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
18. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

vii. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License for **King Jade Garden, Inc. d/b/a Lady Chow's Kitchen, 171 Hester St. 10013**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the NYSLA Liquor License.

Vote: Unanimous in favor (4-0)

2. Meil W Corp dba Munchies, 126 MacDougal St 10012 (RW-Restaurant)

- i. **Whereas**, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the NYS Liquor Authority for a Restaurant Wine license to operate a Chinese fast casual restaurant specializing in buns and meals on Chinese bread fillings on the ground floor of a R7-2 zoned six-story, mixed-use building (circa 1890's) on MacDougal Street between West 3rd and Bleecker Streets (Block #54/Lot #12), the building falling within NYC LPC's South Village Historic District; and
- ii. **Whereas**, the storefront premises is approximately 800 sq. ft. on the ground floor and had been previously operated as a fast casual restaurant serving Gouku (Asian pizza) since 202 with a Restaurant Wine license and prior to that as a fast service sushi restaurant without the service of alcoholic beverages; there will be one (1) table with approximately five (5) seats with a maximum occupancy of 10 persons, there is no DCA sidewalk café at this time or other outdoor space for the service of alcohol, all doors and windows will be closed by 9PM every night, the premises has one bathroom for patron use and one entrance door will be used for patron ingress and egress; and
- iii. **Whereas**, the Applicant's hours of operation are 10AM to 10PM Sundays and 10AM to 12AM Mondays through Saturdays, music will be quiet background only consisting of music from iPod/CD's (i.e. no active manipulation of music – only passive prearranged music), there will be no dancing, no DJ's, no live music, no scheduled performances, no private parties, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; 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 NYSLA Restaurant Wine license, with those stipulations with respect to the premises, as follows:

1. Premises will be advertised and operated as a Chinese fast-food restaurant specializing in buns and specialized fillings in Chinese bread with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 10AM to 10PM Sundays and 10AM to 12AM Mondays 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 temporary 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 close all doors and windows at 9PM every night, allowing only for patron ingress and egress.
7. Will not install or have French doors, operable windows or open façades.
8. Will not make changes to the existing façade except to change signage or awning.
9. Will ensure there is an accessible bathroom for patrons available at all times.
10. There will be no food prep area or food items stored in area between the front of the premises and the bathroom.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will not have: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
15. Will not change principals prior to submission of original application to the NYSLA.
16. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

v. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the Restaurant Wine license for **MeiL W Corp dba Munchies, 126 MacDougal St 10012**, unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the NYSLA Liquor License.

Vote: Unanimous in favor (5-0)

3. DLYCanal LLC dba Da Long Yi Hot Pot, 159 Canal St, Suite 200 10013 (RW–Restaurant)

- i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application for a Restaurant Wine license to operate a Hot Pot Style Chinese Food Restaurant on the second floor of a C6-1G zoned, five (5)-story commercial building on Canal St. between Bowery and Elizabeth St. in Chinatown (Block #203/Lot #2), the building falling within the Special Little Italy District; and
- ii. Whereas,** this is a relatively newly built building (circa 2017), the second floor premises being approximately 3,500 sq. ft., the Applicant being one of the principals in the prior business at this location, CL&Y LLC dba Da Long Yi Hot Pot SN# 1320757 which was heard for a Restaurant Wine license in November/2018 by CB2, Man., the method of operation of the instant application being the same, prior to that the premises having been previously unlicensed, there being a public assembly permit (#M00118056-I1-PA issued 5/16/2019) in place but no current certificate of occupancy to operate in the manner requested, the temporary certificate of occupancy listed having expired 05/02/2021; and
- iii. Whereas,** the premises to be licensed will have 21 tables with 87 table seats, no bars, with an ordering counter without seats for a total patron seat capacity of 87 patrons, 3 TVs (up to 50" each), background music only, there will be one (1) entrance/exit for patrons on Canal Street, all other egress will be for emergency egress only, there will be two (2) patron bathrooms and a full service kitchen; and
- iv. Whereas,** the hours of operation will be from 12 PM to 12 AM Saturdays through Sundays (7 days a week), music will be background only, all facades will be fixed and there will be no operable doors or windows, no DJs, no promoted events, live music or TV’s, no sidewalk café or other outdoor areas for the service of alcohol; and
- v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the Method of Operation of the NYSLA Restaurant Wine license, with those stipulations with respect to the premises, as follows:
 1. Will operate a full service restaurant, specifically a Chinese hot-pot restaurant with the kitchen open and full menu items available until one hour prior to closing every night.
 2. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
 3. 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 temporary Open Restaurants program
 4. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
 5. Will have no more than 3 televisions no larger than 50" (There will be no projectors).

6. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
 7. Entrance/egress for all patrons will be on Canal Street only.
 8. Will not install 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 wine products.
 13. The premises will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, any scheduled performances, velvet ropes or metal barricades or security personnel.
 14. Will not change principals prior to submission of original application to the NYSLA.
 15. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
- vi. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a Restaurant Wine License in the name of **DLYCanal LLC dba Da Long Yi Hot Pot, 159 Canal St, Suite 200 10013**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

4. **Blue Stripes 13th Street LLC dba Blue Stripes, 28 E 13th St 10003** (New TW-Bar/Tavern) *(previously unlicensed)*
 - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate a coffee shop and wine bar on the ground floor of a C6-1-zoned, four (4)-story mixed-use building (c. 1899) on East 13th Street between University Place and Fifth Avenue (Block #570/Lot #19); and
 - ii. **Whereas**, the storefront premises is approximately 930 sq. ft. (approximately 630 sq. ft. on the ground floor and 300 sq. ft. in the cellar, the cellar being accessed via an internal staircase with no patron use of the cellar); there are approximately 11 tables with 35 seats and one food counter with no seats for a total interior seated occupancy of 35 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 fixed with no operable doors or windows that open out to the sidewalk; and

- iii. **Whereas**, the hours of operation will be from 8 AM to 12 AM Sundays through Saturdays (7 days a week); music will be ambient recorded background music only with the exception of Fridays and Saturdays when there may be live, acoustic (unamplified) music between the hours of 6 PM and 10 PM, musicians will be located in the rear of the premises consisting of not more than three (3) musician.; there will be no: dancing, DJs, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; there is sidewalk seating consisting of no more than four (4) tables and eight (8) patron seats, all service of alcohol to the sidewalk will be by wait staff, the outdoor seating closing at 10 PM nightly; and
- iv. **Whereas**, the premises to be licensed has been operating since approximately 2018 as a coffee bar specializing in food and beverage revolving around the cacao fruit and its health and wellness benefits with a low-key atmosphere, the instant application being to expand the current menu to offer tapas and charcuterie in addition to wine and beer into the evening hours while keeping the same atmosphere; 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 Tavern Wine License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a coffee shop / beer and wine bar with a limited food menu with less than a full-service kitchen but will serve food during all hours of operation.
 - 2. The hours of operation will be from 8 PM to 12 PM Sundays through Saturdays (7 days a week). 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 outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than four (4) tables and eight (8) patron seats. No roadbed seating.
 - 5. All outdoor seating will close no later than 10 PM. All tables and chairs from the sidewalk will be removed at this hour. No exterior music, speakers or TVs. No roadbed seating.
 - 6. All alcohol service to the exterior seats will be by wait staff to seated patrons in the sidewalk café area only.
 - 7. A-frame signs (sandwich boards) will be kept within 3' of the building line as per NYC Sidewalk Usage Guidelines.
 - 8. Will play quiet ambient recorded background music only with the exception of Fridays and Saturdays when there may be live, acoustic (unamplified) music between the hours of 6 PM and 10 PM. Musicians will be located in the rear of the premises consisting of

not more than three (3) musicians. No music will be audible in any adjacent residences at any time.

9. All alcohol service to the exterior sidewalk seats will be by wait staff to seated patrons only.
 10. Will not have televisions.
 11. Will close all doors and windows at all times, allowing only for patron ingress and egress
 12. Will not install or have French doors, operable windows or open facades.
 13. Will not make changes to the existing façade except to change signage or awning.
 14. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
 15. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 16. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
 17. Will not have any of the following: dancing, DJs, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
 18. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
 19. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
- vi. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Tavern Wine License in the name of **Blue Stripes 13th Street LLC d/b/a Blue Stripes, 28 E 13th St 10003** **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 Liquor License.

Vote: Unanimous in favor (6–0)

5. Host on Howard LLC dba Host on Howard, 21 Howard St 10013 (RW-Catering Facility)

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new Restaurant Wine Catering License to operate a wholesale fixture showroom and catering event space on the ground floor of a M1-5/R9x zoned, six (6)-story commercial building (c. 1857) on Howard Street between Lafayette and Crosby Streets (Block #209/Lot #28) the building falling within NYC LPC’s designated SoHo-Cast Iron Historic District Extension and the Special SoHo-NoHo Mixed Use District; and
- ii. **Whereas**, the ground floor storefront premises is approximately 2,300 sq. ft. (the approximately 1,600 sq. ft. ground floor showroom/event space is connected via an interior

stairway to the 700 sq. ft. cellar with no patron use of the cellar); the seating will vary per event with a total maximum occupancy of 60 persons, there is one (1) bar with approximately 7 (seven) seats; the premises has one (1) door on Howard Street which will serve as patron ingress and egress and one (1) patron bathroom; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and

- iii. **Whereas**, the hours of operation will be from 12 PM to 12 AM Saturdays through Sundays (7 days a week); there will be no sidewalk café or roadbed dining; music will be quiet background only inclusive of private events consisting of music from iPod/CDs/streaming; there will be no dancing, DJs, live music, promoted events, scheduled performances or cover fees, velvet ropes or movable barriers or security; and
- iv. **Whereas**, the premises to be licensed was previously a retail store, the method of operation for the instant application will be as an appointment/invitation-only commercial showroom for the new lighting and furniture business the Applicant is a partner in, as well as a catering event space to host events for the showroom as well as for other persons; there is a prep kitchen capable of providing food and service for not less than 50 persons but not a full kitchen; there is a bar as part of the showroom but there will be no service of alcohol from the bar in the course of daily showroom operations, the bar may be used during events; concerns were raised regarding traffic due to for-hire vehicles should events occur on a frequent basis, the Applicant stating there would not be more than four (4) events per month consisting of not more than 50 persons; 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 Catering License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as an appointment/invitation-only Wholesale Fixture Showroom and Catering Event Space.
 - 2. The hours of operation will be 12 PM to 12 AM Saturdays through Sundays (7 days a week). No patrons will remain after stated closing time.
 - 3. Will have not more than four (4) events per month consisting of not more than 50 person.
 - 4. Will ensure there is suitable and adequate facilities and accommodations to provide food and service for not less than 50 persons at any one function including a full electric prep kitchen and prep area in the basement.
 - 5. 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.
 - 6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 - 7. Will not have televisions.
 - 8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 - 9. Will ensure premises cellar doorway to larger cellar area of building is an alarmed door to prevent employee access aside from in case of emergency.

10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
11. Bar area will be used for showroom purposes only without alcohol storage outside of any private catered events which include food and alcohol.
12. Will not install any French doors, operable windows or open facades.
13. Will not make changes to the existing façade except to change signage or awning.
14. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
15. Will provide a Letter of No Objection or Certificate of Occupancy permitting a catering establishment and commercial wholesale showroom for store front premises proposed to be licensed (21 Howard) prior to opening
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 not change principals provided to CB2 prior to submission of original application to the NYSLA.
18. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
19. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

vi. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine Catering License in the name of **Host on Howard LLC dba Host on Howard, 21 Howard St 10013**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

6. Bowery Bungalow NYC LLC d/b/a Bowery Bungalow, 359 West Broadway aka 495 Broome St 10013 (OP-Restaurant)

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a modern Middle East and Mediterranean restaurant on the ground floor of a M1-5/Rx7-zoned, 7 (seven)-story mixed-use building (c. 1896, altered 1983, 2006) on Broome Street Howard Street between West Broadway and Wooster Street (Block #475/Lot #14) the building falling within NYC LPC’s designated SoHo-Cast Iron Historic District and the Special SoHo-NoHo Mixed Use District; and
- ii. **Whereas**, the ground floor premises is approximately 3,827 sq. ft. consisting of 2,002 sq. ft. on the ground floor and 1,825 sq. ft. in the cellar, the two floors connected by an interior

stairway in addition to a sidewalk hatch on West Broadway with no patron use of the cellar; there will be approximately 28 tables and 106 seats and one (1) bar with 14–16 seats for a total seated patron occupancy of 122 and maximum occupancy of 130 persons; the premises has one (1) door on Broome Street which will serve as the main door for patron ingress and egress, one (1) additional door for emergency exit on West Broadway and staff access to cellar sidewalk hatch and three (3) patron bathrooms; and

- iii. **Whereas**, the hours of operation will be from 10 AM to 12 AM Sundays through Saturdays (7 days a week); music will be quiet background music only; there will be no: dancing, DJs, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; there are operable windows on Broome Street that will be kept closed at all times; there is no sidewalk café or roadbed seating or other exterior area for the service of alcohol; and
- iv. **Whereas**, the premises to be licensed was previously licensed under The Cupping Room Café (SN#1025379) which had been a fixture of the neighborhood from 1977 to 2020; and
- v. **Whereas**, the Applicant, a native New Yorker, owns a number of restaurants in the Los Angeles area including one with the same DBA name as the instant application, the New York version will be operating in a similar manner albeit with some menu changes to take advantage of East Coast local ingredients; the interior of the premises undergoing significant upgrades including enhancements for ADA accessibility, there being a number of violations on the building itself with DOB, the previous restaurant operating with temporary Certificate of Occupancy permits, there never having been a final Certificate of Occupancy issued, the Applicant explaining there is a plan with the landlord for fixing the violations and obtaining a final Certificate of Occupancy; and
- vi. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that public interest and public convenience would be served by the granting of a liquor license at this location, where there already is a significant number of licensed establishments in the immediate area, there being 41 active licensed premises within 750 feet of the subject premises, in addition to 8 pending licenses, the Applicant having reasonable closing hours with background music only, with the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and
- vii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Liquor License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a modern Middle Eastern and Mediterranean restaurant with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be 10 AM to 12 AM Sundays through Saturdays, 7 days a week. No patrons will remain after stated closing time.

3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the temporary 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 use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or doorman or security personnel.
15. Will not change principals prior to submission of original application to the NYSLA.
16. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Restaurant Liquor License in the name of **Bowery Bungalow NYC LLC d/b/a Bowery Bungalow, 359 West Broadway aka 495 Broome St 10013** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

7. **Wolf of 6th Ave LLC d/b/a Balkan StrEAT, 353 6th Ave 10014** (New Restaurant Wine) (*previously unlicensed*) (renotification)
 - i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a restaurant specializing in the street food from the Balkan

region of southeastern Europe on the ground floor of a R7-2/C1-5 overlay-zoned, four (4)-story mixed-use building (c. 1829) on Sixth Avenue between West 4th Street and Washington Place (Block #592/Lot #22); and

- ii. **Whereas**, the Applicant will operate a fast-casual full-service restaurant with a total interior premises of approximately 1,908 sq. ft. comprised of a ground floor of approximately 1,400 sq. ft. that is connected by an interior staircase to a basement (for use by employees only) of approximately 508 sq. ft.; there will be a total of 22 patron seats, comprised of 6 tables with 14 seats and 1 stand-up bar with no (0) seats, for a total of 14 interior seats, and a sidewalk café (operated under the temporary Outdoor Restaurants program) with an additional 2 (two) tables and 8 (eight) seats; the premises has 1 (one) entrance/exit and 1 (one) bathroom; and
- iii. **Whereas**, the agreed-to hours of operation will be 11 AM to 11 PM Mondays through Thursdays, 11 AM to 1 AM on Fridays and Saturdays, and 10 AM to 11 PM on Sundays; 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; the sidewalk café will close by 11 PM every night and there will be no roadbed dining; and
- iv. **Whereas**, the Applicant is seeking a Restaurant Wine License for a premises located approximately 160 sq. ft. from a house of worship and is aware that it will be barred from upgrading to an On-Premises Liquor License in the future; and
- v. **Whereas**, the Applicant first appeared before CB2, Manhattan with this same application for a restaurant wine license in September/2021 where the full board unanimously recommended approval with signed stipulations (<https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2021/10/09-September-2021-FB-Minutes.pdf>), the Applicant then unable to move forward with their prior application at the NYSLA due to issues with the gas line, the gas line issues now resolved, the Applicant providing a new 30-day notice and returned to CB2, Man. re-affirming that there has been no change in principals and there will be no change in the method of operation, the premises having opened in January/2023 without the service of alcohol; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Liquor License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a fast-casual restaurant specializing in Balkan/Southeast European food with the kitchen open and all menu items available until closing every night.
 - 2. The hours of operation will be 11 AM to 11 PM Mondays through Thursdays, 11 AM to 1 AM on Fridays and Saturdays, and 10 AM to 11 PM on Sundays.
 - 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 - 4. Will not operate a backyard garden or other outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Outdoor Restaurants program

located immediately adjacent to storefront with no more than 2 tables and 8 patron seats. No roadbed seating.

5. Sidewalk café will close by 11 PM every night. All tables and chairs will be removed at closing. No exterior music/speakers.
6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.
7. Will not have televisions.
8. Will not install or have French doors, operable windows or open facades.
9. Will close all doors and windows by 10 PM every evening.
10. No patron occupancy/service to any portion of basement to licensed premises.
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 keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. 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.
16. Will not change any principals prior to submission of original application to SLA
17. Will appear before CB2, Man. 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 an Restaurant Wine License in the name of **Wolf of 6th Ave LLC d/b/a Balkan StrEAT, 353 6th Ave 10014**, unless the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

8. **357WBroadway, LLC dba The Residence + Cavi-AIR Café, 357 W. Broadway 10013, Grnd., 2nd & 3rd Flrs.** (New On-Premises–Restaurant) (*previously unlicensed*)
 - i. **Whereas**, the Applicant and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a restaurant, deli goods alimentari and caviar and champagne lounge on three floors of a M1-5/R7X-zoned, three (3)-story commercial building (c. 1830, altered 2013) on West Broadway between Broome and Grand Streets (Block #475/Lot #10), the building falling within NYC LPC’s designated SoHo-Cast Iron Historic District and the Special SoHo-NoHo Mixed Use District; and

- ii. **Whereas**, the full building has been undergoing a renovation to expand the previously ground floor-only restaurant to the 2nd and 3rd floor, roof and rear yard; the interior premises is approximately 1,599 sq. ft. on the ground floor, 1,209 sq. ft. on the second floor and 670 sq. ft. on the third floor, the renovation also consisting of the addition of an exterior rooftop area of approximately 609 sq. ft. on the third floor; the interior premises being connected by two staircases, one in the front part of the premises and another in the middle rear of the premises which also leads to the exterior third floor rooftop; and
- iii. **Whereas**, the proposed method of operation varies between floors; the ground floor will function as a full-service restaurant with weekly rotating guests chefs, there will be eight (8) tables with twenty eight (28) seats, one (1) counter with three (3) seats and one (1) bar with eight (8) seats for a total of thirty nine (39) seats on the ground floor; the 2nd floor will function as a deli goods alimentari as well as caviar for tasting and/or purchase, there will be one banquet with three (3) tables and ten (10) seats and one bar/island with eight (8) seats for a total of eighteen (18) seats on the 2nd floor; the 3rd floor will be an intimate caviar, champagne and cocktail lounge, there will be two (2) tables with eight (8) seats, a large banquet with five (5) tables and twelve (12) seats and one (1) bar with eight (8) seats for a total of twenty eight (28) seats on the 3rd floor interior, the floor plans indicating an additional 28 seats on the exterior rooftop; the provided questionnaire listing the total overall number of seats in the premises to be 136; there are two (2) doorways serving as both patron ingress and egress, there is one (1) bathroom on each floor for a total of three (3) bathrooms; there is a kitchen on both the ground and 2nd floors; and
- iv. **Whereas**, the Applicant appeared before CB2, Man. in July/2021 for an On-Premises Restaurant liquor license at this location with the exact same method of operation as the instant application, after meeting with a local block association (West Broadway Block Association) the Applicant agreed to a number of stipulations including but not limited to that there would be no open rooftop bar or use of the rooftop, there would be no live music and/or DJs, the hours of operation would be from 12 PM to 12 AM Sundays through Saturdays (7 days a week) with last call being at 11 PM Saturdays through Sundays (seven days a week); at the time the Applicant also held a Restaurant Wine license at another location in CB2, Man. (Badhair LLC SN#1315500, still active) at 43 MacDougal Street, where she had been operating in derogation of her stipulation agreements, the application in July/2021 being subject to the 500 foot rule requiring the Applicant to satisfy the public interest standard for adding another licensed establishment in this area, the area being saturated with licensed establishments (40 active licensed establishments and 5 pending within 750'), there having been real concerns raised about possible outdoor rooftop use, despite any stipulations agreements that might have been entered into, based on the past history of the Applicant blatantly disregarding stipulations agreements, CB2, Man. unanimously recommending denial of the On-Premises liquor license application; the Applicant returning to CB2, Man. in October/2022 with the same method of operation but for a Restaurant Wine license which does not have the public interest standard that the On-Premises license had, the Applicant signing a stipulation agreement with CB2, Man. with one of those stipulations being that she would return to CB2, Man. to address the issues regarding the method of operation for Badhair LLC, SN#1315500, located at 43 MacDougal St., CB2, Man. therefore recommending

approval of the Restaurant Wine license; the Applicant being one of the principals on the transfer application of the Restaurant Wine license for Badhair LLC that came before CB2, Man. in April/2023, the new managing principal appearing and presenting a different method of operation than what currently existed at that location, the new method being of an Italian restaurant operating as one DBA on the ground floor and cellar level with reasonable hours, CB2, Man. unanimously recommending approval of that license dependent on the Applicant signing stipulations, those stipulations being incorporated into the method of operation of the new Restaurant Wine license (<https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2023/04/04-April-2023-SLA-Resolutions.pdf>); and

- vi. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that public interest and public convenience would be served by the granting of a liquor license at this location, where there already is a significant number of licensed establishments in the immediate area, there being 40 active licensed premises within 750 feet of the subject premises, in addition to 10 pending licenses, the Applicant taking steps to bring the method of operation at 43 MacDougal Street into alignment with agreed-upon stipulations, the instant application having reasonable closing hours, with the agreed upon stipulations being reasonable and including those made with the West Broadway Block Association originally, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and
- vii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new On-Premises Liquor License, with those stipulations as follows:
1. Premises will be advertised and operated as a seated pre-fixe dinner restaurant with weekly rotating guest chefs on the first floor, a deli goods market as well as caviar for tasting and/or purchase on the second floor and an intimate caviar and champagne lounge on the third floor.
 2. The hours of operation will be 12:00 PM to 12:00 AM Sundays through Saturdays (7 days a week) with last call at 11:00 PM nightly. No patrons will remain after stated closing time.
 3. Will operate a full-service restaurant on the first floor, specifically a seated dinner series with rotating chefs serving a prefixed menu and deli goods, caviar and a more limited menu on the second and third floors with the kitchen open and full menu items available until closing every night.
 4. Will not operate a backyard garden or other outdoor area for commercial purposes including the adjacent third floor rooftop in addition to any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
 5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
 6. Will not have televisions.
 7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 8. Will not install or have French doors, operable windows or open facades.
 9. Will not make changes to the existing façade except to change signage or awning.

10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to opening.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, or velvet ropes or barricades.
15. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a new On-Premises Restaurant Liquor License in the name of **357WBroadway, LLC dba The Residence + Cavi-AIR Café, 357 W. Broadway 10013, Grnd., 2nd & 3rd Flrs.,** unless the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Restaurant Wine License.

Vote: Unanimous in favor (6–0)

9. **Sunset Select Inc. dba TBD, 173 Elizabeth St 10012** (OP-Restaurant) *(previously unlicensed)*
 - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a full-service restaurant with a small, rotating chef’s menu on the ground floor of a C6-2-zoned, five (5)-story tenement style building (c. 1900) on Elizabeth Street between Spring and Kenmare Streets (Block #479/Lot #21), the building falling within the Special Little Italy District; and
 - ii. **Whereas**, the ground floor premises is approximately 300 sq. ft.; there will be six (6) tables and 20 seats and one (1) bar with four (4) seats for a total seated patron occupancy of 24; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom, the kitchen being all electric, the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and
 - iii. **Whereas**, the hours of operation will be from 11 AM to 11 PM Sundays, 5 PM to 11 PM Mondays through Wednesdays and 5 PM to 12 AM Thursdays and Fridays and 11 AM to 12 AM Saturdays; music will be quiet background music only; there will be no: dancing, DJs, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or

security personnel; there will be no sidewalk café or roadbed seating operating under the temporary Open Restaurants program; and

- iv. **Whereas**, the Applicant is the sole principal of 14 Spring Café LLC dba RinTinTin (OP SN# 1270562) located next door in the same building with the address of 14 Spring St. that has been at the location since approximately 2013, local residents spoke about the disruption to their quality of life due to the noise from the open French doors and the extensive sidewalk café located on both Spring and Elizabeth Streets with seating expanding into the required 8' clear path, in addition to a roadbed shed that extends past the restaurant blocking the residential entryway, concerns were raised that the instant application will not run independently of the adjacent restaurant, that the instant application may operate as a lounge for patrons of RinTinTin either before or after their meals there and additionally that the area is already over-saturated with liquor licenses; and
- v. **Whereas**, the premises to be licensed was previously unlicensed and had been a pop-up boutique and retail store; and
- vi. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that public interest and public convenience would be served by the granting of a liquor license at this location, where there already is a significant number of licensed establishments in the immediate area, there being 93 active licensed premises within 750 feet of the subject premises, in addition to 9 pending licenses, the Applicant working with the community and agreeing to have closing hours of midnight Thursdays through Saturdays with background music only with all doors and windows remaining fixed, that there will be no outdoor seating at this location now or in the future, that the Applicant will remain knowledgeable of and abide by all rules and regulations at all times pertaining to outdoor dining and will operate the outdoor dining for 14 Spring St Café in compliance with all NYC outdoor dining regulations; with the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and
- vii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Restaurant Liquor License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a full-service restaurant with a small, rotating chef's menu with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be 11 AM to 11 PM Sundays, 5 PM to 11 PM Mondays through Wednesdays and 5 PM to 12 AM Thursdays and Fridays and 11 AM to 12 AM 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 including any sidewalk café and/or roadbed seating for commercial purposes now or in the future.

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 will keep current at all times required Permits and Certificates.
11. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to opening.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or doorman or security personnel.
15. Will not change principals prior to submission of original application to the NYSLA.
16. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
17. Being the sole principal of Sunset Select Inc at 173 Elizabeth St and also sole principal of 14 Spring Street Café LLC dba RinTinTin (OP SN# 1270562) located next door in the same building with the address of 14 Spring St. affirm that the two businesses will be operated completely independently without any overlap or interconnect, and that as part of creating public interest for the issuance of a new on-premise liquor license where none has previously existed at 173 Elizabeth St. affirm in response to significant community opposition that I will remain knowledgeable on all rules and regulations at all times pertaining to outdoor dining and will, while a principal of 14 Spring Street Café Inc., operate my outdoor dining for 14 Spring Street Café LLC in complete and absolute compliance with all NYC outdoor dining regulations including no seating in amenity zones, no outdoor host stands, will maintain proper clearance from all cross walks, and will not have seating outside of any clearly designated roadway areas (ie only within existing barriers) and will maintain an 8' clear path on the side walk at all times.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Restaurant Liquor License in the name of **Sunset Select Inc. dba TBD, 173 Elizabeth 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 Liquor License.

Vote: Unanimous in favor (6–0)

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

10. Sum Yung Gai LLC dba Char'd, 17 E 13th St 10003 (OP) (Corporate Change) (Change in Method of Operation) (Alteration Application)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on June 6, 2023, the Applicant requested **to lay over** this application to July/2023 and will resubmit the applications 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, change in method of operation, alteration, transfer or other changes to any existing license for **Sum Yung Gai LLC dba Char'd, 17 E 13th St 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

11. Pro Action Holdings Ltd, 195 Spring St 10012 (OP-Restaurant) (Change in Method of Operation – Increase outdoor seating)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 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, change in method of operation, alteration, transfer or other changes to any existing license for **Pro Action Holdings Ltd, 195 Spring St 10012** **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. Melda Comedy LLC, dba 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 June 6, 2023, the Applicant requested **to lay over** this application to July/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, change in method of operation, alteration, transfer or other changes to any existing license for **Melda Comedy LLC, dba 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

- 13. 219 Mulberry LLC dba Ruby's, 219B Mulberry St 10012 (RW) (Change in Method of Operation – adding cellar use as storage and a kitchen) (DOT Open Restaurant Program – roadway)**

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on June 6, 2023, the Applicant requested **to lay over** this application to July/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, change in method of operation, alteration, transfer or other changes to any existing license for **219 Mulberry LLC dba Ruby's, 219B Mulberry St 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

- 14. Italia Like Locals Inc, 171 Canal St 3rd Fl 10013 (Catering Establishment – Wine, Beer, Cider)**

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on June 6, 2023, the Applicant requested **to lay over** this application to July/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, change in method of operation, alteration, transfer or other changes to any existing license for **Italia Like Locals Inc, 171 Canal St 3rd Fl 10013** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

15. Babak Khorrami, 29 Kenmare St 10012 (OP–Restaurant) (previously unlicensed)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on June 6, 2023, the Applicant requested to lay over this application to July/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, change in method of operation, 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

16. Entity to be formed by 224 Lafayette St, 224 Lafayette St 10012 (OP–Restaurant) (DOT Open Restaurant Program – sidewalk)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on June 6, 2023, the Applicant requested to lay over this application to July/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, change in method of operation, alteration, transfer or other changes to any existing license for **Entity to be formed by 224 Lafayette St, 224 Lafayette 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

17. Entity to be formed by Cristian Macancela dba The Original Benito One, 174 Mulberry St 10013 (OP–Restaurant) (DOT Open Restaurant Program – sidewalk, covered structure)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on June 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, change in method of operation, alteration, transfer or other changes to any existing license for **Entity to be formed by Cristian Macancela dba The Original Benito One, 174 Mulberry 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

18. Uchi New York 206-210 Elizabeth Street fka Entity to be formed by Todd D. Reppert, 204-206 Elizabeth St 10012 (OP–Restaurant) (Courtyard) (previously unlicensed)

Whereas, at this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on June 6, 2023, the Applicant requested **to lay over** this application to July/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, change in method of operation, alteration, transfer or other changes to any existing license for **Uchi New York 206-210 Elizabeth Street fka Entity to be formed by Todd D. Reppert, 204-206 Elizabeth 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

19. Westside Museum LLC, 427 Broadway 10013 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 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, change in method of operation, alteration, transfer or other changes to any existing license for **Westside Museum LLC, 427 Broadway 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

20. Astor Entertainment LLC, 163 Bleecker St 10012 (OP-Restaurant) (Live Music-Entertainment Level) (Scheduled Performances, Promoted Events)

Whereas, at this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on June 6, 2023, the Applicant requested **to lay over** this application to July/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, change in method of operation, 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

21. Entity to be formed by John McDonald, 65 Bleecker St 10012 (OP-Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 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, change in method of operation, alteration,

transfer or other changes to any existing license for **Entity to be formed by John McDonald, 65 Bleecker St 10012** 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

22. Aime Leon Dore Soho LLC d/b/a Aime Leon Dore, 214 Mulberry St 10012 (OP-Bar/Tavern)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on June 6, 2023, the Applicant requested to lay over this application to July/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, change in method of operation, alteration, transfer or other changes to any existing license for **Aime Leon Dore Soho LLC d/b/a Aime Leon Dore, 214 Mulberry St 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

23. Davida I Inc dba Marchellino, 178 Mulberry St 10013 (OP-Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on June 6, 2023, the Applicant requested to lay over this application to July/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, change in method of operation, alteration, transfer or other changes to any existing license for **Davida I Inc dba Marchellino, 178 Mulberry St 10013** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

Respectfully submitted,

Donna Raftery, Chair, SLA Licensing Committee
Community Board 2, Manhattan

DRAFT

Susan Kent, Chair
Valerie De La Rosa, First Vice Chair
Eugene Woo, Second Vice Chair
Mark Diller, District Manager



Antony Wong, Treasurer
Amy Brenna, Secretary
Brian Pape, Assistant Secretary

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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, June 8th, 2023, via Zoom Conferencing.

Committee Board Members Present: D. Raftery (Chair), K. Bordonaro, and R. Ely, C. Flynn (Presiding), B. Pape, and Dr. S. Smith

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

RESOLUTIONS:

1. Bleecker Street Pizza Corp d/b/a Bleecker Street Pizza, 69 71 7th Ave S 10014 (RW)

i. Whereas, the Applicants and the Applicants' attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a Corporate Change on the existing Restaurant Wine License for a Pizzeria Restaurant in a ground floor storefront located in a 1-story 1900 commercial building on Seventh Avenue South between Bleecker and Barrow Streets in the Greenwich Village Historic District; and,

ii. Whereas, the current license holder has operated the premises for the last four years, and now seeks to transfer ownership to her two daughters, and said daughters have been managing the premises for most of the last four years; and,

iii. Whereas, the premises to be transferred has operated as Bleecker Street Pizza for over 4 years under its current owner, and is roughly 1000 sq. ft.; with 16 tables with 32 seats and one (1) stand-up bar with no (0) seats, and has a sidewalk café located immediately adjacent to the storefront frontage which is approximately 70 sq. ft., and has two (2) tables and four (4) seats; and there is a kitchen and two patron bathrooms, the storefront infill is fixed and there are no operable French doors or windows, and 2 entrances on Seventh Avenue South; and,

iv. Whereas, the Applicant's hours of operation will remain Sunday to Wednesday from 10:00 AM to 1:00 AM, and Thursday to Saturday from 10:00 AM to 2:00 AM; music is quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no television, doors are closed at 10:00 PM allowing only for patron ingress and egress, the sidewalk café hours are 10:00 AM to 10:00 PM, and include waitstaff for service of alcohol as required by SLA regulations, and there is no roadbed seating included in this application; and

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

1. Premise will be advertised and operated as a Pizzeria.
2. Hours of operation: Sunday to Wednesday from 10:00 AM to 1:00 AM, and Thursday to Saturday from 10:00 AM to 2:00 AM. (Premises will open no later than stated opening time and **NO** patrons will remain after stated closing time.)
3. Will operate a full-service restaurant, specifically a Pizzeria, with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 2 tables and 4 patron seats. No roadbed seating.
6. All outdoor seating will close no later than 11:00 PM. All tables and chairs will be removed at this hour. No exterior music, speakers, or TVs. No roadbed seating.
7. 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. Will close all doors and windows at 10PM every night, and anytime there is live music, amplified music or DJ.
10. allowing only for patron ingress and egress.
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 keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
16. Will not change principals prior to submission of original application to the NYSLA.
17. Will appear before CB2, Man. 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 On Premises Liquor License to **Bleecker Street Pizza Corp d/b/a Bleecker Street Pizza, 69 71 7th Ave S 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the

Applicant remain incorporated into the “Method of Operation” of the SLA Restaurant Wine License.

Vote: Unanimous in favor (6-0)

2. The Whitney Museum of American Art and Hudson Yards Catering LLC d/b/a Whitney Museum; Whitney Café; Studio Bar, 99 Gansevoort St 10014 (OP-Restaurant)

i. Whereas, the Applicant and the Applicant’s representatives appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a Corporate Change, changes to the Method of Operation involving seating and hours, and alterations involving renovations of the interiors, for their licensed spaces on the ground floor and the 8th floor of the museum, a 2011 public facility building on Gansevoort Street between Washington Street and Tenth Avenue/West Street; and,

ii. Whereas, the licensee seeks a corporate change to add additional principals to the license, including members from Galactus Group, LLC dba Frenchette Bakery, a catering and events provider; and,

iii. Whereas, the Applicant further seeks the following changes to the licensed restaurant on the ground floor: Custom wooden shelving behind the bar, and on countertops for food and bottle display and storage; custom lighting fixtures and art installation; new seating and furniture in a new layout; and, reduction of patron seating in the interior of the restaurant space by 30, resulting in 58 patron seats, including eliminating all bar seats, and expanding seating in the restaurant’s exterior space by 4, resulting in 56 patron seats, and opening the restaurant (interior and exterior spaces) 1 hour earlier at 8:00 AM daily, with no change to the current stipulated closing hours of 12:00 AM Sunday through Thursday and 1:00 AM Friday and Saturday for the interior, with the exterior spaces opening at the same time but closing 1 hour earlier than the interior, advertised/posted restaurant closing hours will remain 2 hours earlier than the stipulated closing hours above; and,

iv. Whereas, the Applicant further seeks the following changes to the licensed café on the 8th floor: redesigned shelving with added lighting and storage, new tables, chairs and banquettes, at varying heights: high top tables with stools, dining table height with banquette seating and lower lounge style seats with accompanying tables; and, reduction of patron table seating by 4, resulting in 62 seats, expansion of bar seating by 2, resulting in 12 bar seats and overall interior patron seating for 74, and reducing patron seating on the exterior terrace by 20, resulting in 32 exterior seats, and increasing interior closing hours to 12:00 AM Sunday to Thursday and 1:00 AM Friday & Saturday from the current stipulated hours of 6:00 pm and 9:30 respectively, with no change to the current daily opening time of 10:30 AM, and exterior hours will remain 10:30 AM to 6:00 PM Sunday to Thursdays and 10:30 AM to 9:30 PM Fridays & Saturdays, and the Applicant will return to the Community Board should they decide to seek a change in the exterior hours on the 8th Floor café terrace, and other stipulations and representatives remain unchanged; 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 Liquor License, with those stipulations as follows:

1. **Restaurant and Café Hours of Operation:**

Ground Floor Restaurant

Interior Space – 58 seats, 0 (zero) bar seats:

Posted Operating Hours will include soft closing hours – no reservations will be accepted after posted soft closing hours and no patrons without reservations will be seated after posted soft closing hours — Sunday to Thursday at 10:00pm and Friday to Saturday at 11:00pm.

Hard Operating Hours – No Patrons shall remain after closing hour or be seated prior to opening hour: Sunday to Thursday from 8:00am to 12:00am, Friday and Saturday from 8:00am to 1:00am.

Exterior space — 56 outdoor seats:

Soft and Hard Operating Hours: will open at same time and close one hour earlier than the interior restaurant. Tables and chairs shall be removed at those closing times. Stanchions will be placed around the adjacent exterior space for the restaurant on the ground floor and entry will be from a fixed point which will managed by a staff member and patrons will be seated at specific tables. A waitlist will be maintained as necessary and if needed will be managed with electronic notifications. At no time will there be more patrons in the adjacent exterior space to the ground floor restaurant than there are patron seats in the ground floor area — there will be no standing patrons drinking any beverages without an available seat.

8th Floor Café and Adjoining Exterior Terrace

62 indoor seats, 12 bar seats, 32 outdoor seats:

The indoor café will be operated with hard operating hours of Sunday to Thursday from 10:30am to 12:00am and Friday and Saturday from 10:30am to 1:00am. The exterior terrace will be operated with hard operating hours of Sunday to Thursday from 10:30am to 6:00pm and Friday and Saturday from 10:30am to 9:30pm. At the closing time, no patrons or guests shall remain in those areas.

2. In the interior of the Ground Floor Restaurant and the 8th Floor Café, there will be quiet background music only; there will be no DJ, no live music, no dancing, and no scheduled performances. There will be no music or amplified sound in the exterior spaces of the Ground Floor Restaurant and the 8th Floor Café at any time. Any sound or music from the interior of the Ground Floor Restaurant or 8th Floor Café will not be heard in the adjoining exterior space.

3. Any Windows, Doors or French Doors adjoining the cafe, bar, or dining areas will be closed no later than 10:00pm (remain in a fixed closed position except for ingress and egress).

4. For all parties or events held on any of the museum's exterior spaces, no music or amplified sound will be permitted. However, there may be up to 6 special events per calendar year identified well in advance with exterior music or amplified sound that may be held only on

the 5th floor terrace. The volume at which any music or amplified sound is utilized for those 6 events must conform to the limits described in #5 below and all such parties and events will end by 11:00pm with all patrons and guests having left the 5th floor terrace at 11:00pm. Those 6 exceptions for music or amplified sound on the 5th floor terrace must be identified well in advance and made known to any local residents who request to be notified at least 2 weeks in advance (email notice is acceptable) and to the 6th Precinct and CB2.

5. For all exterior art or programmatic activity, the Whitney will ensure that at no time will sound levels exceed 10db (7db after 10pm) over the ambient noise level when measured using both A-weighted and C-Weighted decibel scales. [From January/2017 forward, should there be complaints and after meeting with and at the request of CB2 regarding those complaints, the Whitney would resume at CB2's request for all exterior art or programmatic activity to monitor and gather accurate db readings at frequencies down to 25hz will ensure that at no time will sound levels exceed 10db (7db after 10pm) over the ambient noise level when measured using both A-weighted and C-Weighted decibel scales. These measurements will be taken 15 feet away from, and at the same height as, the railings which mark the boundaries of the space where the music is being played.] Sub-woofers will not be installed. All individuals, artists or companies responsible for any aspect of music or amplified sound or any sound affiliated with exterior art or programmatic activity in exterior areas will be made aware of these requirements and a specific individual shall be identified for ensuring compliance during all times of operation. That individual may be an employee of the Whitney. The Whitney and the Community will revisit these sound limits as necessary should residents or the museum be experiencing any sound related issues. All exterior art or programmatic activity involving music or amplified sound or other sound will finish by 11:00pm with 6 exceptions allowed per year.

6. The Whitney agrees to revisit any DOT related issues as necessary to mitigate traffic impacts.

7. The Whitney will station one or more properly attired and well identified traffic management agents outside the Museum during any events that are expected to draw unusually high numbers of vehicles, especially taxis and for hire vehicles, to help insure that Gansevoort Street and 10th Avenue adjoining the Museum do not at any time become blocked or obstructed by double-parked or standing vehicles.

8. All parties and special events in any of the interior areas of the Museum will end by midnight with all patrons and guests having left at that time. There may be up to 6 exceptions per year for special events lasting until 2:00am in the interior areas of the museum only. Those 6 exceptions must be identified well in advance and made known to any local residents who request to be notified at least 2 weeks in advance (email notice is acceptable) and to the 6th Precinct and CB2. At 2 am for the 6 exceptions, all patrons and guest shall have exited the premises.

9. No outside caterers or outside groups will serve alcohol within the premises except those that appear on the license. Should there be any changes to the operators of the Ground Floor Restaurant, 8th Floor Cafe or event caterer for any portion of the premises, The Whitney will return to CB2 Manhattan to present the alteration with the new operators who will agree to the

existing stipulations and any modifications as necessary to reflect any ongoing documented issues.

10. All information and details as presented to CB2 in December of 2014 and January of 2017 except as modified in this agreement are presented in good faith and are accurate and complete. Should there be any changes, The Whitney will return to CB2 as soon as practical to present those changes.

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a Corporate Change, Change in Method of Operation and Alterations to the On-Premises Restaurant Liquor License of the **Whitney Museum of American Art and Hudson Yards Catering LLC d/b/a Whitney Museum; Whitney Café; Studio Bar, 99 Gansevoort St 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA On Premises License.

Vote: Unanimous in favor (6-0)

While We Were Young, LLC, d/b/a While We Were Young Kitchen & Cocktails, 183 W. 10th St., Space #2 10014 (OP – Alteration to add Open Storefront)

i. Whereas, the Applicant and his Attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application for an alteration to its existing on premise liquor license (Lic. # 1290230), to open, via operable French style doors, the entire storefront façade to the public sidewalk during operating hours; and,

ii. Whereas, the Applicant has been operating a small restaurant serving specialty cocktails at this location since 2017, the licensed premise being roughly 400 sq. ft., with 4 tables and 12 seats, one bar with 9 seats and 4 additional window counter seats facing the sidewalk, for a total patron seating capacity of 25, the licensed storefront being located in a five story residential building at the corner of West 4th and West 10th Street, this same corner building also containing and consisting of three separate licensed establishments running along West 10th Street, at street level, including a jazz club located immediately next door resulting in long lines queuing on the public sidewalk for multiple shows each evening, the sidewalk due to its location at this intersection in a landmarked district being subject to heavy use and congestion, on a narrow street which also includes an adjacent bike lane and a NYC Transit Bus service line, the M8, the narrowness of the sidewalk being further exacerbated by the Applicant’s use of the sidewalk for additional seating on the narrow sidewalk; and,

ii. Whereas, over the prior objections of Community Board 2—as set forth in its previous resolution from June/2017—the Applicant has been operating and providing service to the sidewalk in question, with 7 exterior tables and 20 patrons seats, while not leaving the requisite 8 foot passage on the sidewalk for pedestrian traffic, forcing pedestrians to walk between the tables on both sides of the sidewalk, with wait service to patrons crossing over such passage, the Applicant also having built a roofed structure/shed on the public sidewalk without permits, blocking use and emergency egress from a fire escape located directly above the storefront down to the sidewalk, the safety concern relating to this fire escape being an objection voiced to the

placement of sidewalk seating at this location in the past, the above-described structure having been built on the sidewalk immediately under the fire escape, in addition to the use of the tree pit and amenity zone running along the edge of the curb for tables and seats, both shed and amenity zone seating being in derogation of and a departure from the temporary program introduced by the City of New York in reaction to the Covid Pandemic; and,

iii. Whereas, in addition public interest objections were raised when this license was first made and when first approved at the NYSLA in 2017, those objections relating to pre-existing conditions within the immediate area where there already existed a large quantity of licensed premises, this particular location having never held an on premise liquor license, the proposed establishment not being unique, with 2 existing licenses already in the same building, the area generating noise and sidewalk congestion complaints, the intersection of West 4th and 10th Streets also having experienced a significant increase in late night eating and drinking establishments, the area being greatly saturated with liquor licenses, where there are currently 75 liquor licenses within 750 feet of the Applicant's licensed premise, with 14 additional pending licenses; and,

iv. Whereas, in an attempt to meet the public interest standard and alleviate the concerns raised by those residents living in the same building and immediate area in 2017, the NYS Liquor Authority approved the license albeit derived from certain representations by the Applicant to the NYS Liquor Authority which was later determined and found to be material misrepresentations, resulting in disciplinary proceedings at the NYSLA: to wit the Applicant in March 2016 appeared before the Full Board of the Liquor Authority and the Members of the Authority and after a lengthy discussion, question and answer period where the Applicant and his Counsel unambiguously represented to the Authority (in order to persuade the Full Board of the NYS Liquor Authority that a public interest could be found) that its front façade to the storefront would be fixed and that there would be no exterior seating that would add to noise or sidewalk congestion in light of where the license was being sited; and,

v. Whereas, before the Liquor Authority, the Applicant's attorney is recorded as making several statements to persuade the Liquor Authority that the license was in the public interest, including "We'll be soundproofing the floor, the ceiling, the walls, replacing the frontage of the building with soundproof glass." and, "They're soundproofing this place like crazy" and "I don't think that adding a full bar and a full food menu and soundproofing is going to net us a louder establishment. They've taken advice from the Community Board in respect to getting a security person or someone to keep the front area clean. They've come done that, keeping the façade fixed";

vi. Whereas, during the same hearing before the Liquor Authority, the Applicant Bradford Dunnigan was also recorded as follows: "I've done everything I've been asked." and, "As far as the storefront goes, we've already had an initial meeting with LPC and we will be replacing the whole storefront."; and in response to a query from Chairman Bradley "are those windows going to open?", Mr. Dunnigan responded "no fixed"; and,

vii. Whereas, shortly after the applicant appeared before the NYSLA and made those material representations to the Chairman and the Licensing Board to garner the approval of his

liquor license, the Applicant installed an operable façade with large accordion style windows across the entire façade in contradiction of his promises; and,

viii. Whereas, in June 2017, when the Applicant returned to Community Board 2 Man., seeking to add service to the public sidewalk, residents living in the area appeared in opposition, citing such misrepresentations, providing photos demonstrating that the front façade was reconstructed with operable accordion doors running along the entire front façade, allowing the entire storefront to open up which was exactly what he was promised and affirmed would not occur in order to garner it's liquor license, while also objecting to sidewalk congestion and the aforesaid fire escape egress concerns; and,

ix. Whereas, because the Applicant asserted material misrepresentations to the NYSLA to obtain his initial liquor license, the NYSLA brought disciplinary proceedings (1790-2021/Case No. 154671) against the Applicant warranting revocation, cancellation or suspension of the license, the Applicant in 2021 not contesting those charges, compromising such charges levied against him with the NYSLA by paying fines to avoid but not losing the privilege of operating with an on premise license; and,

x. Whereas, despite such misrepresentations, disciplinary actions and fines, the Applicant has returned with a new attorney seeking to open the windows he represented would never be installed, seeking to horse trade with this Community Board by proposing a reduction in sidewalk seating and the removal of the unpermitted sidewalk shed in exchange for the right to open his storefront; and,

xi. Whereas, there was opposition to this application from the Tenant's Association representing the residents living in the same building where the license was issued, the local block association and residents living in the immediate neighborhood; and, there was support of the instant application from other residents living within and outside the neighborhood, in addition to a member of Community Board 2; and,

xii. Whereas, in addition to the concerns outlined above, it is difficult to take any representations by this applicant on their face as accurate, complete or correct; the material misrepresentations, if known at the inception of this license, would have resulted in this liquor license not being approved by the Liquor Authority – this is clear from the record of the meeting, and subsequent disciplinary proceedings that followed, with the Applicant not contesting those charges; so to extend this particular aspect of this license at this time would specifically reward the Applicant for the very same material misrepresentations from which he improperly derived his liquor license; and,

xiii. Whereas, CB2 Man. is always in a position where it must rely upon Applicants to be honest and truthful in their presentations and that statements made are accurate and complete; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends **denial** of the alteration application to the existing on-premise license Serial Number 1290230 for **While We Were Young, LLC, d/b/a While We Were Young Kitchen & Cocktails, 183 W. 10th St., Space #2 10014**; and,

THEREFORE, BE IT FURTHER RESOLVED that CB2, Manhattan respectfully requests that this alteration application be calendared to be heard before the Full Board of the New York State Liquor Authority prior to any determination.

Vote: Unanimous in favor (6-0)

4. Cappone Foods Inc dba Cappone's, 11 Abingdon Square (aka 4 Eighth Ave.) 10014 (RW-Restaurant)

i. Whereas, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate an Italian specialties sandwich shop in a ground floor storefront located in an 1856 mixed-use building on Eighth Avenue between West 12th and Bleecker Streets in the Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed has operated in the past as Injera Restaurant, the interior is roughly 1300 sq. ft., with 650 square feet on the ground floor and a 650 sq. ft. basement, there is a full-service kitchen, with all patron service on the ground floor with 6 tables with 12 seats and 1 lunch counter/snack bar with 5 seats for a total indoor seated patron occupancy of 17 persons, the storefront infill being fixed and there are no operable French doors or windows, 1 entrance on Eighth Avenue and 2 patron bathrooms, there will be sidewalk café operating under the temporary Open Restaurants Program with seating located immediate adjacent to the storefront frontage with 2 tables and 4 seats; and,

iii. Whereas, the Applicant's interior hours of operation will be Sunday to Saturday from 8:00 AM to 12:00 AM, music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and 1 television; the sidewalk café hours will be 8:00 AM to 10:00 PM, and include waitstaff service as required by SLA regulations, and there is no roadbed seating included in 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 Restaurant Wine Liquor License, with those stipulations as follows:

1. Premise will be advertised and operated as a sandwich-focused Italian restaurant.
2. Hours of operation will be: Sunday to Saturday from 8:00 AM to 12:00 AM. (**NO** patrons will remain after stated closing time.)
3. Will operate a full-service restaurant, specifically a "Italian-specialty restaurant with an emphasis on traditional New York sandwiches," with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront leaving a minimum clearance of 8' to the

curbside for pedestrian passage with no more than 2 tables and 4 patron seats. No roadbed seating.

6. All outdoor seating will close no later than 10:00 PM. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers, or TVs. No roadbed seating.
7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
8. Will have no more than 1 television(s) no larger than 40". There will be no projectors and TV will operate in "closed caption" mode only without sound.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
14. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
16. Will not change principals prior to submission of original application to the NYSLA.
17. Will appear before CB2, Man. 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 to **Cappone Foods Inc dba Cappone's, 11 Abingdon Square 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the SLA Restaurant Wine License.

Vote: Unanimous in favor (6-0)

5. A24 Commerce St LLC, 38-42 Commerce St 10014 (OP-Restaurant | Theatre)

i. Whereas, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a restaurant within a legitimate theatre (the Cherry Lane Theatre) housed in an 1838 theater building and the ground floor of an adjacent 1858 mixed-use building both on Commerce Street between Bedford and Barrow Streets in the Greenwich Village Historic District; and,

ii. Whereas, the space proposed to be licensed has operated for many years as the Cherry Lane Theatre, the interior is roughly 4404 sq. ft., with the theatre portion having an occupancy of 220 and the dedicated restaurant space of 60, with the restaurant having 15 tables with 46 seats and 1 bar with 8 seats for a total seated restaurant capacity of 54 persons, and the theatre has 166 seats, and there is a full-service kitchen, there will be two patron entrances on Commerce Street and no more than 1 operable window, and 3 patron bathrooms, there will be no sidewalk café, roadbed seating or other outdoor food or beverage service or seating; and,

iii. Whereas, the restaurant's hours of operation will be Sunday to Saturday from 11:00 AM to 11:00 PM; music in the restaurant will be quiet recorded background only; the restaurant area will not have DJ's, promoted events, live music, scheduled performances, cover fees, or televisions; and.

iv. Whereas, the Applicant has met with neighboring tenants and other block residents and committed to sophisticated soundproofing of the restaurant space and design and management steps to mitigate impact of theatre queuing and traffic as well as prevent queuing for the restaurant, and a number of local residents testified and testimony was mostly supportive although concerns about noise, queuing and especially traffic were expressed; and,

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

1. Premise will be advertised and operated as a Theatre, with a restaurant in it.
2. Hours of operation: Sunday to Saturday from 11:00 AM to 11:00 PM (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
3. Will operate as a theatre and full-service restaurant. The restaurant may operate at times when there is no performance. The restaurant kitchen will be open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the temporary Open Restaurants program.
6. Will play quiet ambient recorded background music only in the restaurant, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Restaurant will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk. Theatre will accommodate queuing/gathering/waiting inside as much as possible and will direct any outside line towards the East end of the block.
9. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
10. Will not make changes to the existing façade except to change signage or awning.

11. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. The restaurant will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
15. Street ushers, line control, and traffic control for theatre performances will be provided as needed.
16. Will not change principals prior to submission of original application to the NYSLA.
17. Will appear before CB2, Man. 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.

vi. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being 43 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 3 additional pending licenses, the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises Liquor License to **A24 Commerce St LLC, 38-42 Commerce St 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA On Premises License.

Vote: Unanimous in favor (6-0)

6. Retro Japan Inc d/b/a Retro, 87 7th Ave South 10014 (OP-Restaurant)

i. **Whereas**, the Applicants and the Applicants’ 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 traditional Japanese restaurant in a 1923 (extensively renovated in 2006) commercial building on Seventh Avenue South between Barrow and Grove Streets in the Greenwich Village Historic District; and,

ii. **Whereas**, the location proposed to be licensed has operated in the past as Sushisamba, a restaurant with a heavy record of negative community impacts, the interior is roughly 6064 sq. ft., with 2465 sq. ft. on the ground floor, 1790 sq. ft. on the second floor, and 1807 sq ft in the basement, there are 26 tables with 80 seats and 2 stand-up bars with 16 seats for a total of 96 patron seats, there is a full-service kitchen, a service bar, 1 patron entrance on Seventh Avenue

South, and 3 patron bathrooms, there are to be no operable windows and no use of any preexisting operable windows, any entrances on Barrow Street will not be used for patron access; and,

iii. Whereas, the hours of operation will be Sunday to Thursday from 9:00 AM to 12:30 AM, and Friday to Saturday from 9:00 AM to 2:00 AM, with last seating on Fridays & Saturdays no later than 12:30 AM, there is no stand-up service and all patrons are seated, and 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; and,

iv. Whereas, there was opposition to elements of the presented application, specifically the hours, a proposal (since withdrawn) to use the rooftop for outdoor dining, and a planned reclassification of the site zoning to allow for entertainment venues; and, community opinion on appropriate closing times ranged from 11 PM and 12 AM for weeknights and 12 AM and 1 AM for weekends, concerns about rooftop dining was rooted in the experience of negative impact from use of that space in the past and the neighboring recently renovated and partially already occupied residential apartment building where some of the units directly abut and face the rooftop space; and, the Applicants in response to such concerns offered and agreed to mitigate their weekend hours and forego the use of the roof, and later upon consultation with the landlord's representatives, committed to maintain the current zoning use group, which is appropriate to their application and proposed use; and,

v. Whereas, the location has a history of being very disruptive and diminishing of community, local residential quality of life, and businesses, public interest would not likely exist without the inclusion of specific elements in the Applicants' final proposal such as the seated, food-driven and quiet atmosphere concept of the establishment, the commitment to maintain an appropriate zoning use group for a restaurant, the focusing of the establishment on the Avenue and not the side street, and the commitment not to use the roof or include outdoor dining on Barrow Street; and,

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

1. Premise will be advertised and operated as a "traditional Japanese restaurant with a menu thoughtfully crafted to capture the essence of Japanese culinary traditions."
2. Hours of operation: Sunday to Thursday from 9:00 AM to 12:30 AM, and Friday to Saturday from 9:00 AM to 2:00 AM (Premises will open no later than stated opening time and **NO** patrons will remain after stated closing time.)
3. Last seating on Friday's and Saturday's will be no later than 12:30 AM.
4. Will operate a full-service restaurant, specifically a traditional Japanese restaurant with the kitchen open and full menu items available until closing every night.
5. 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, terrace, rooftop, or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the temporary Open Restaurants program.
7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time. No exterior music, speakers, or TVs.
8. Will not have televisions.
9. Will not have patron service to any portion of the basement of licensed premises.
10. Will not install or have French windows/French doors, operable windows or open facades.
11. Will close all doors and windows at all times except for patron egress.
12. All changes to the existing façade will be approved by the Landmarks Preservation Commission.
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 provide a Letter of No Objection or Certificate of Occupancy specifying NYC Zoning Use Group 6 (allowing for eating and drinking establishments) for premises proposed to be licensed prior to opening. Will not apply for Use Group 12.
15. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
16. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
17. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
18. Will not change principals prior to submission of original application to the NYSLA.
19. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
20. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

vii. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, where there are 61 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 9 additional pending licenses, the method of operation being reasonable when compared to what was licensed and operated at the same location in the past, the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises Liquor License to **Retro Japan Inc d/b/a Retro, 87 7th Ave South 10014**. **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA On Premises License.

Vote: Unanimous in favor (6-0)

7. LLC to be formed by Cesar Ramirez d/b/a Cesar's, 333 Hudson St 10013 (OP-Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new On Premises Liquor License to operate a fine dining French-Japanese restaurant in a ground floor storefront located in a 1925 commercial building on Hudson Street between Charlton and Vandam Streets; and,

ii. Whereas, the storefront proposed to be licensed was previously the Hudson Food Court, the location being roughly 6200 sq. ft., with 2500 sq. ft. ground floor and 3700 sq. ft. basement in the basement, with 22 interior tables with 64 interior seats, 1 stand up bar with 23, for a total interior seating of 87 patrons, a full kitchen, and 3 patron bathrooms, all on the ground floor, with no patron access to the basement, there no operable windows and no outdoor seating or service; and,

iii. Whereas, the Applicant's proposed hours of operation are Wednesdays to Mondays and from 12:00 PM to 12:00 AM (closed Tuesdays); music 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 Restaurant Wine License, with those stipulations as follows:

1. Premise will be advertised and operated as a "fine dining Japanese restaurant."
2. Hours will be Sunday through Monday 12:00 PM to 12 AM, Closed Tuesdays, Wednesday through Saturday 12:00 PM to 12:00 AM. (Premises will open no later than stated opening time and **NO** patrons will remain after stated closing time.)
3. Will operate a full-service restaurant, specifically a fine-dining restaurant with Japanese cuisine with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the temporary Open Restaurants program.
6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Will not install or have French doors, operable windows, or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and will 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: Dancing, DJs. live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
14. Will not change principals prior to submission of original application to the NYSLA.
15. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

vii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, where there are 20 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 5 additional pending licenses, the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises Liquor License to **LLC to be formed by Cesar Ramirez d/b/a Cesar's, 333 Hudson St 10013** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA On Premises License.

Vote: Unanimous in favor (6-0)

8. LYN LLC, 55 Christopher St 10014 (OP-Restaurant)

i. Whereas, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate an Izakaya-style Japanese restaurant in a ground floor storefront located in a 1915 mixed-use building on Christopher Street between Waverly Place and Seventh Avenue South in the Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed has operated in the past as 55 Bar, the interior storefront is roughly 980 sq. ft., plus a 980 sq. ft. basement which is used only for storage (no patron access) there is a full-service kitchen, with 5 tables with 20 patron seats and 4 booths with an additional seating for 22 patrons and 1 stand-up bar with 8 seats for a total indoor seated patron occupancy of 50 persons, and there is no exterior seating and Applicant indicated that they will not seek such in the future, and the storefront infill being fixed and there are no operable French doors or windows, 1 entrance on Christopher Street and 2 ADA accessible patron bathrooms; and,

iii. Whereas, the Applicant’s hours of operation will be Sunday to Wednesday from 12:00 PM (Noon) to 1:00 AM, and Thursday to Saturday from 12:00 PM (Noon) to 2:00 AM; live music will be provided no more than once per week, will be acoustic and non-amplified, will consist of no

more than 2 musicians, and will end by 11 pm.; when there is no performance, recorded music will be quiet background only; there will be no DJ's, no promoted events, 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 On Premises Liquor License, with those stipulations as follows:

1. Premise will be advertised and operated as an "Izakaya-style Japanese restaurant."
2. Hours of operation will be: Sunday to Wednesday from 12:00 PM (Noon) to 1:00 AM, and Thursday to Saturday from 12:00 PM (Noon) to 2:00 AM. (**NO** patrons will remain after stated closing time.)
3. Will operate a full-service restaurant, specifically a "Izakaya-style Japanese restaurant," with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the temporary Open Restaurants or Open Streets programs.
6. Will not have televisions.
7. Will not install or have French doors, operable windows or open facades.
8. Will not make changes to the existing façade except to change signage or awning.
9. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
10. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
12. Will not have dancing, DJs, promoted events, any event where cover fee is charged, velvet ropes or metal barricades, security personnel/doorman.
13. Live performances will be not more than once per week, will be acoustic and non-amplified, consist of no more than 2 musicians and will end by 11 pm. Recorded music will be background level only. No music will be audible in nearby residential apartments or on the street at any time.
14. Will not change principals prior to submission of original application to the NYSLA.
15. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

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 62 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 8 additional pending licenses, the method of operation being similar to what was licensed and operated at the same location in the past, the agreed upon stipulations being

reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises Liquor License to **LYN LLC, 55 Christopher St 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA On Premises License.

Vote: Unanimous in favor (6-0)

9. Arthur & Sons NY Italian LLC, 38-40 8th Ave aka 328 W 4th St 10014 (Existing OP-Alteration to add Additional Exterior Sidewalk Seating)

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 an Expansion into Municipal Property to add exterior sidewalk seating to an existing On-Premises license for ground floor storefronts located in adjoining 1842 mixed-use buildings on Eighth Avenue between Jane and West 12th Streets in the Greenwich Village Historic District; and,

ii. Whereas, the proposed licensed sidewalk café is located immediately adjacent to the storefront on Jane and West 4th Streets, with seating parallel to the building and leaving a minimum clearance of 8' to the curbside for pedestrian passage, and will have no more than 7 tables and 14 patron seats on West 4th St and no more than 5 tables and 10 seats on the Jane St for a total of not more than 12 tables and 24 seats, and tables on Jane St will be two-tops only and all seating will be parallel to Jane St., and there is no roadbed seating; and,

iii. Whereas, the café shall comply with all NYC regulations regarding café footprints, pedestrian clearance, and public safety of the program, and will close at 10:00 PM, with all tables and chairs removed from sidewalk with no patrons remaining outside at this hour, and there will be no music, speakers, or televisions in the sidewalk café or exterior to the licensed premises, and the café shall have wait service as required of licensed premises by the SLA; and,

iv. Whereas, the Applicant’s interior hours of operation will remain Sunday to Thursday from 11:00 AM to 11:00 PM, and Friday to Saturday from 11:00 AM to 12:00 AM; and all existing stipulations concerning method of operation and other aspects of the business will remain; and,

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

1. Premise will be advertised and operated as a “classic Italian neighborhood restaurant.”
2. Hours will be: Sunday to Thursday from 11:00 AM to 11:00 PM, and Friday to Saturday from 11:00 AM to 12:00 AM. (Premises will open no later than stated opening time and **NO** patrons will remain after stated closing time.)

3. Will operate a full-service restaurant, specifically a “classic Italian neighborhood restaurant,” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for a certified sidewalk café operating under the temporary Open Restaurants program on W 4th St. and Jane St. Sidewalk café is located immediately adjacent to the storefront with seating parallel to the building and leaving a minimum clearance of 8' to the curbside for pedestrian passage. Side café' shall have no more than 7 tables and 14 patron seats on West 4th St and no more than 5 tables and 10 seats on the Jane St for a total of not more than 12 tables and 24 seats. All tables on Jane St will be two-tops only and all seating will be parallel to Jane St. No roadbed seating.
6. All outdoor seating will close no later than 10:00 PM. All tables and chairs will be removed from sidewalk with no patrons remaining outside at this hour. No exterior music, speakers or TVs.
7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
8. Will not have televisions.
9. Will not install or have French doors, operable windows or open facades.
10. Will close all doors and windows at 10:00 PM every evening.
11. No patron occupancy/service to any portion of premises' basement.
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 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: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
17. Will not change principals prior to submission of original application to the NYSLA.
18. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
19. 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 an alteration to its existing On Premises Liquor License to **Arthur & Sons NY Italian LLC, 38-40 8th Ave aka 328 W 4th St 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA On Premises License.

Vote: Unanimous in favor (6-0)

**9. Chez Group Inc d/b/a Chez Omar, 394 West St 10014 (OP-Restaurant)
(Renotification)**

i. Whereas, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Committee in March/2022 to present an application to the NYS Liquor Authority for a new On-Premises Restaurant Liquor License to operate a full-service restaurant serving French-Caribbean fare within a ground floor storefront on the corner of West Street and West 10th Street within a three-story brick residential building (circa 1910) in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District and were unanimously recommended for approval by CB2, Manhattan

(<https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/05/03-March-2022-Full-Board-Minutes.pdf>); and

ii. Whereas, in reviewing the application, the NYSLA noted the original 30-day notice sent to CB2, Man. was an outdated form and requested the Applicant to re-submit the notice using the updated form; and

iii. Whereas, prior to this month’s meeting the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the On Premises Liquor License, those stipulations being the same as the ones executed in March/2022, there being no change in principals or change in method of operation therefore appearance by the Applicant was waived; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new on premise liquor license to **Chez Group, Inc. d/b/a TBD, 395 West St. 10014** **unless** the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the Method of Operation on the SLA On Premise License.

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

**11. 182 West 4th Hospitality LLC, 182-184 West 4th St 10014 (OP-Restaurant)
(Temporary Retail Permit) (Scheduled Performances, Promoted Events) (Live Music) (DJ)
(Security) (4AM) (laid over)**

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on June 8, 2023, the Applicant sought more time and requested **to lay over** this application to July/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 **182 West 4th Hospitality LLC, 182-184 West 4th 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. ReBoot West Village LLC, 101 7th Ave South 10014 (RW-Restaurant) (Temporary Retail Permit) (DOT Open Restaurants-Sidewalk) (previously unlicensed) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 8, 2023, the Applicant sought more time and requested **to lay over** this application to July/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 **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

13. Sushi Nakazawa LLC, 23 Commerce St 10014 (RW) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 8, 2023, the Applicant sought more time and requested **to lay over** this application to July/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 **Sushi Nakazawa LLC, 23 Commerce 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

14. Uno Nove Otto Corp d/b/a Canto West Village, 117 Perry St 10014 (OP) (add sidewalk cafe under City Streets program, which will close at 10PM, amend operating hours on Thursday-Saturday from 11 A.M.-12 A.M. to 11 A.M. to 1 A.M.) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 8, 2023, the Applicant sought more time and requested **to lay over** this application to July/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 **Uno Nove Otto Corp d/b/a Canto West Village, 117 Perry 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

15. RH NY Guesthouse LLC & RH NY Guesthouse F&B LLC dba RH, 55 Gansevoort St 10014 (OP-Hotel with Restaurant) (Update cellar's opening hour to 11 a.m.) (DJ, Live Music – full buyouts) (Rooftop) (DOT Open Restaurant Program – sidewalk café) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 8, 2023, the Applicant sought more time and requested **to lay over** this application to July/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 **RH NY Guesthouse LLC & RH NY Guesthouse F&B LLC dba RH, 55 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

16. Carmine Street Beers Inc d/b/a Carmine Street Beers, 52A Carmine St 10014 (TW-Alteration) (Include backyard as part of licensed premises) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 8, 2023, the Applicant sought more time and requested **to lay over** this application to July/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 **Carmine Street Beers Inc d/b/a Carmine Street Beers, 52A Carmine St 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous in favor

17. Hudson River Rice LLC dba Glaze, 350 Hudson St 10014 (RW-Restaurant) (Temporary Retail Permit) (*previously unlicensed*) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 8, 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 **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

18. Tomo Omakase Inc, 11 Barrow St 10014 (TW-Japanese Omakase) (Temporary Retail Permit) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 8, 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 **Tomo Omakase Inc, 11 Barrow 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

19. Entity to be formed by Gianna Groark, 38 8th Ave 10014 (OP-Restaurant) (Temporary Retail Permit) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 8, 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 Gianna Groark, 38 8th 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

20. LLC to be formed by Lina Goujjane d/b/a Kiko, 178 W Houston St 10014 (OP-Restaurant) (Temporary Retail Permit) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 8, 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 **LLC to be formed by Lina Goujjane d/b/a Kiko, 178 W Houston 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

Respectfully submitted,

Donna Raftery, Chair, SLA Licensing Committee
Community Board 2, Manhattan

DRAFT



COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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LAND USE & HOUSING COMMITTEE

June 14, 2023

**Manhattan Community Board 2 Land Use & Housing committee met Wednesday, June 14, 2023
@ 6:30 PM via video conferencing.**

Land Use committee members present : Katy Bordanaro (Co-Chair), Eugene Yoo (Co-Chair), Michael Levine, Susan Wittenberg, David Gruber, Donna Raftery, Frederica Segal, Stella Fitzgerald

Land Use committee members absent with notice: Anita Brandt and John Paul DeVerna

Land Use public members absent with notice: Sean Sweeney

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

1. *388 Hudson Street – Update on the initiative to build affordable housing on a portion of this City-owned site with representatives of the NYC Departments of Housing Preservation & Development (HPD); Environmental Protection (DEP); Parks & Recreation (DPR); and City Planning (DCP).

City Councilmember Erik Bottcher attended.

1. HPD

- a. There is a powerpoint presentation at this address:
- b. Community Engagement:
 - i. Will end in September
 - ii. There will be an in-person event tentatively scheduled for July 27 at 75 Morton Street
 - iii. There will be a virtual event in September
 - iv. Tabling events may continue in the area
 - v. There will be a Summary Meeting in September or October. Open to the public.

2. RFP

- a. Expected to be issued in late Fall of 2023
- b. The Community Visioning Report will be attached to the RFP
- c. A developer will be designated in the Summer of 2024
- d. The Construction Phase will take 2 years.
- e. Comments on current thinking about the size of the building
 - i. 13,625 sq feet are available for housing
 - ii. HPD and the other agencies are exploring increased development capacity

- iii. The possibility of the transfer of development rights from the DEP portion to the HPD portion.
 - iv. The possibility of rezoning the entire lot.
 - v. Additional zoning map actions to increase the building the envelope.
 - vi. The possibility of an MX district to pair M and R zoning.
 - f. HPD is open to including 1 to 3 floors of community space.
 - g. HPD does not design the building. The selected developer is in charge of design.
 - h. HPD is thinking of an L-shaped building on the parcel.
3. Parks
- a. The Hudson Square BID is in the process of bringing in a design team for the open space through an RFP process
 - b. There will be community input sessions in the fall.
4. DEP
- a. They are working with the Hudson Square BID on the open space
 - b. There are security issues which prevent the department from describing the underground infrastructure.
 - c. The 1999 figure of the space needed for the open space was an estimate.
 - d. The current figure is 11,395 sq feet for the open space portion.
5. Committee questions and concerns
- a. The community is fatigued from the SoHo/NoHo process. It is hard to get local residents to gear back up for community engagement at this point.
 - b. The committee is concerned about the lack of transparency on the part of DEP.
 - c. The committee had questions about the envisioning report
 - i. More data was requested
 - ii. Please provide the number of comments or responses for each idea so that we can weigh the relative importance of the ideas.
 - d. Why is the BID using their active open space money for this project.
 - e. More outreach to known local organizations and residents is needed.
 - f. Be cognizant of the context of the area.
 - g. Construct buildings as far south on the parcel as possible
 - h. The online survey seems to exclude older residents.
 - i. Where do those surveyed live?
 - j. Use the building envelope efficiently.
 - k. Reduce shadows on the park as much as possible.
 - l. Avoid the problems cropping up at the open space called Rapkin-Gale.
 - m. A community member never found the outreach van on May 11
 - n. A community member was pleased about the extended timeline of the project.

69-71 MacDougal Street (Block 526, Lots 33,34). Application 292-01-BZ to the Board of Standards and Appeals pursuant to ZR 72-21 seeking an extension of term for a 20-year period, or in perpetuity, of a previous variance relating to the enlargement of the dining room of an eating and drinking establishment (Villa Mosconi) with accessory cellar-level storage in an R7-2 zoning district.

Whereas:

- 1. The application was presented to the committee by Fredrick Becker, representing the applicant;

2. The application is for an extension of 20 years, or in perpetuity, term of a previously granted variance to allow an enlarged dining room and accessory cellar-level storage in this R7-2 district;
3. There were no changes to the terms, other than duration, proposed to the prior variance;
4. No one appeared at the hearing to speak for or against the proposal;
5. This establishment is a non-conforming use (UG 6) in an R-district;
6. The usual term of a variance of this type is 10 years and this establishment already has had two such terms of variance;
7. The Committee prefers to continue with 10-year terms and not set a precedent for longer terms.

Therefore be it resolved that CB #2 Manhattan recommends approval of this extension of a previously granted variance for a term of 10 years.

Vote: Unanimous.

3. ***City of Yes – Carbon Neutrality** – Discussion and resolution concerning the series of text amendments to the NYC Zoning Resolution relating to efforts to meet the City’s goals to address climate change and meet the goals for reducing greenhouse gas emissions.

<https://www.nyc.gov/site/planning/plans/city-of-yes/city-of-yes-carbon-neutrality.page>

Whereas:

1. New York City is proposing a Zoning Text Amendment consisting of 17 proposals across four categories: Energy, Buildings, Transportation, and Waste & Water:
2. The goal of this zoning text amendment is to address climate change and reduce greenhouse gas emissions by promoting carbon neutrality.
3. Several of these proposals are not relevant to areas within Community Board 2/Manhattan:
 - a. Proposal 2: solar parking canopies,
 - b. Proposal 3: as-of-right renewable energy generation,
 - c. Proposal 4: on-shore wind,
 - d. Proposal 5: energy storage,
 - e. Proposal 12: automated parking, and
 - f. Proposal 13: bicycle and e-mobility.
4. Community Board #2 has many older and smaller buildings that present hurdles to retrofitting, for example, and cannot benefit from economies of scale.
5. CB2 has specific comments and/or concerns relating to the following proposals from the City of Yes Carbon Neutrality zoning text amendment
 - A. The zoning text change for the following proposals:
 - a. Proposal 1: Rooftop solar
 - b. Proposal 6: Electrification retrofits
 - c. Proposal 7: Building exterior retrofits
 - d. Proposal 8: Fix/simplify “Zone Green” thickness exemption
 - e. Proposal 14: Permeable paving

f. Proposal 17: Rooftop greenhouses

should be accompanied by guidance for the Landmarks Preservation Commission as to how these proposals would be implemented in historic districts and for individual landmarks. These proposals touch on issues related to visibility from the street as well as potential changes to the overall character for historic districts. Due to the potential aesthetic considerations, these proposals merit further discussion and guidance for what is permissible and mechanisms for the approval process.

Furthermore, the potential for Proposal 8 to change the FAR for buildings within historic districts should be studied.

- B. Proposal 9: Vehicle charging does not address on-street chargers and thus misses a large majority of the use cases for vehicle charging in the community and the City.
 - C. Proposal 15: Tree pit enhancements including raingardens –
Has the potential to reduce sidewalk space and negatively impact accessibility to building entrances for those with accessibility needs. The average sidewalk width in Community Board 2/Manhattan is much narrower than the city average.
 - D. Proposal 16: Composting and recycling. CB2 commends the inclusion of composting and recycling proposals as a part of the proposed changes
6. The success of these proposals will depend on the roll-out of education for the various stakeholders so that the community can fully understand and implement the program
 7. Attaining the goals of these proposals will depend on the availability of funding and deep coordination between various city, state, and federal programs for many of the requirements. Simply listing sources of funding will not be sufficient in order to ensure the success of these programs.

Therefore be it resolved that Community Board 2/Manhattan recommends approval of the City of Yes – Carbon Neutrality Proposal, taking into account the concerns and issues raised above.

Vote: Unanimous
Respectfully submitted,

Eugene Yoo
Co-Chair

Katy Bordonaro
Co-Chair

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

Antony Wong, *Treasurer*
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The Cannabis Licensing Committee of Community Board 2, Manhattan, held a meeting at 6:00PM on, June 13, 2023 via Video Conference.

Committee Board Members Present: Mar Fitzgerald (Chair), Cheryl Wu (Vice-Chair), William Benesh, Antony Wong, Patricia Larcia

Committee Board Members Absent w/ Notice: Juan Osario, Chris Dignes

CB2 District Manager: Mark Diller

Other CB2 Board Members Present: Susan Kent (CB2 Chair), Carter Booth, Donna Rafferty,

Applicant Representatives: On behalf of Union Sq. Travel Agency: Arana Hankin-Bigger, Robert Cornege, Jennifer Mitchell

Attendees: John Sullivan, Josh Tepperberg, John Sullivan, Darlene Lutz, Will Liao, Jesse Tolz, Renee Montrose, Pete Davies

Agenda

1. *The Doe Store, LLC. D/B/A, Union Sq. Travel Agency 835 Broadway 10013: Alteration of an Existing Licensed Premises

Summary: CLC Committee Chair, Mar Fitzgerald, introduced the Cannabis Licensing Committee and acknowledged the presence of elected officials' representatives and CB2 Board members in attendance. Chair Fitzgerald gave a brief overview of new illicit cannabis enforcement legislation that includes expanded fines, penalties, and powers to seize and shut down illegal dispensaries, and a recent enforcement action where several dispensaries were shut down, including four in CB2. Mar Fitzgerald welcomes Arana Hankin-Biggers, the CEO of Union Square Travel Agency, to present plans for expansion to a larger location.

Arana Hankin-Biggers appeared on behalf of Union Sq. Travel Agency. She began her presentation by introducing Jennifer Mitchell, the new CEO of the Doe Fund, who has a long history of involvement with the organization, and Robert Cornege, USQTA's special adviser. Hankin-Biggers gave an update on the dispensary in the four months it has been in operation. She shared that its presence has had minimal impact on the community and no significant queuing outside the facility, thanks to a well-designed space with a sizable vestibule. She also highlights their strong security team and efforts to maintain cleanliness, security, and good relationship with the neighborhood, as well as their partnerships with organizations like the Cannabis Justice & Equity Initiative and UNLOC, which aim to support individuals affected by the war on drugs and provide employment opportunities. She mentions USQTA's commitment to hiring people of color from low-income communities, offering them benefits, training, and networking opportunities.

Hankin-Biggers presented plans for expansion to a larger location at 835 Broadway, on or around July 20, 2023. mentioning that they have shared plans with the committee and obtained support from various businesses and not-for-profit organizations. Store hours remain the same. The current retail space at 62 East 13th Street will be used for delivery service, staff training, and educational programming. They also discuss the architectural design of their new space, which aims to contribute to the beautification of the neighborhood. The interior retail floor will have three additional POS stations, and blacked-out windows, except for the vestibule area. This is because regulations prohibit cannabis products from being visible from the street. Customers

will wait around an interior circular installation limiting street queues. The new retail space will also include a "flower lounge," a back room in the retail space that will serve as an educational exhibit area about cannabis.

CLC Chair Fitzgerald presented CB2's stipulations and Hankin-Biggers agreed to all. The discussion concluded with Fitzgerald asking if the dispensary would include a directive not to smoke in Union Sq. Park in its customer exit package, and CB2 Chair, Susan Kent, inviting USQTA to return in a year to share an update on its progress.

Business Session: CLC Chair, Mar Fitzgerald, asked if everyone had reviewed the resolution and if there were any comments or questions. William Benesh mentioned that the resolution was straightforward and expressed interest in learning about the dispensary's revenue. The committee cast votes on the resolution which passed unanimously.

Community Board 2 Manhattan • Cannabis Licensing Committee

Resolution Regarding The Doe Store, LLC. d/b/a Union Sq. Travel Agency: A Cannabis Store

13 June 2023

Item #1 The Doe Store, LLC. d/b/a Union Sq. Travel Agency, 835 Broadway, NY, NY 10013 (Alteration of existing licensed premises per [Revised Adult-Use Regulations](#) §119.3(iv))

1. Whereas, The Doe Store, LLC. (heretofore referred to as Applicant) was granted a provisional license to sell retail cannabis under the [Conditional Adult-Use Retail Dispensary \(CAURD\) program](#), as a Qualifying Nonprofit 51% owned by The Doe Fund and 49% owned by the Harbour Community. It was approved by the [New York State Cannabis Control Board](#) (OCM), and issued by the [New York State Office of Cannabis Management](#) (CCB) on November 21, 2022; and
2. Whereas, on December 12, 2022, the Applicant appeared before Community Board 2, Manhattan's Cannabis Licensing Committee (heretofore referred to as CLC) to present plans for a new Adult-Use Retail Dispensary to operate in a mixed-use commercial and residential building at 62 East 13th Street; and
3. Whereas, on December 20, 2022, Community Board 2, Manhattan's Full Board voted in favor of the CLC resolution to deny/unless agreed upon stipulations were accurate and complete; and
4. Whereas, The Doe Store LLC. opened for business under the d/b/a Union Square Travel Agency: A Cannabis Store (heretofore referred to as USQTA) at 62 East 13 St. on February 18, 2023, and has complied with the agreed upon stipulations; and
5. Whereas, USQTA now seeks to expand retail operations to include 835 Broadway; a six-story prewar building with 7 residential condominium units, five of which are occupied by rental tents, and 1 commercial unit; and
6. Whereas, the applicant's current premises is located on the ground floor of 62 East 13th Street, which is a mid-block location with an entry door on 13th Street west of Broadway; and
7. Whereas, the 2,100 sq. ft. ground floor interior premises consisting of one main entrance, one bathroom, and 2,160 sq. ft. cellar level will be expanded to include 2,700 sq. ft. of new retail space, with a delivery entrance on the westernmost corner of the retail space; 62 East 13th Street will be used for outgoing delivery orders; and
8. Whereas, the new retail space will include 3 additional POS stations, 2 additional self-serve kiosks, and approximately 5 additional budtenders; and
9. Whereas, the Applicant stated that the landlord was "in the process of making improvements to the facade to restore the [historic character of the building](#), adding large windows along the length of 13th Street and exposing the original cast iron columns", the current design is modern in style; and
10. Whereas, signage will be per OCM guidelines; and
11. Whereas, a Dept. of Buildings Certificate of Occupancy was provided; and
12. Whereas, this application being subject to proximity rules as defined by §119.4 of the [Revised Adult-Use Cannabis Regulations](#), is not within a 1000-ft radius of any licensed cannabis dispensary or microbusiness; and
13. Whereas, the subject premises is not on the same road and 500 ft. of buildings exclusively used as school grounds, occupied exclusively as a public youth facility, or within 200 ft. and on the same road as buildings used exclusively as houses of worship; and

14. Whereas, there will be TV monitors and music will be at background level, only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees; and
15. Whereas, the Applicants original hours of operation, Sunday-Thursday 10:00 AM-10:00 PM and 10:00 AM-11:00 PM Friday-Saturday, totaling 86 hours per week will be increased by 9 hours: Sunday - Thursday 9 AM - 11 PM, Friday & Saturday 9 AM - 12 AM, totaling 95 hours per week; and
16. Whereas, the Applicant will not operate any part of the business outdoors; and
17. Whereas, the delivery operation will utilize one mid-sized van to fulfill orders and pass orders off to cyclists in adjacent neighborhoods so delivery staff will not congregate outside the dispensary; and
18. Whereas, the Applicant will not operate on-site or congruent cannabis consumption areas; and
19. Whereas, the Applicants is in the process of installing extensive drywall, a drop ceiling, and sufficient insulation to ensure that noise in the retail space will not be audible in any adjacent residences; and
20. Whereas, outreach was conducted by the Applicant including regular contact with the residents who live above, ongoing communication with the Community Affairs and Risk Units at the 6th Police Precinct, Union Square Partnership, Pure Barre, and NYC Council Member Carlina Rivera. Letters of support were submitted by the 853 Condominium Board, Strand Bookstore, Everything's Jakes and Josh Tepperberg, Executive Director of the Unified Legacy Operators Council (UNLOC); and
21. Whereas, §119.2 10(b) [Proposed Adult-Use Cannabis Regulations](#) Authorizes Municipalities to *"have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit application, and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application"*, and that this resolution shall serve as Community Board 2 Manhattan's expression of that opinion regarding this license; and
22. Whereas, section §119.2 Authorizations for Municipality Rulemaking of the CCB's 11/21/2022 [Proposed Adult-Use Cannabis Regulations](#) States that, *"To the extent the following is not unreasonably impracticable, the Board authorizes municipalities to pass local laws and regulations governing the time, place, and manner"*, of cannabis retail dispensaries and on-site consumption sites, including retail hours, traffic, odor, and noise; and
23. Whereas, listed below are the details of the establishment's operations as presented to Community Board 2 CLC Committee in the Applicant's questionnaire and live testimony concerning the premises, as follows:
 - a. Premises will operate as a dispensary selling allowable cannabis products and cannabis paraphernalia to cannabis consumers in compliance with state laws and regulations; and
 - b. Sunday - Thursday 9 AM - 11 PM, Friday & Saturday 9 AM - 12 AM, totaling 95/week.
 - c. The premises, or any portion of the premises, will not operate as a consumption lounge.
 - d. Will not operate any outdoor area, including the sidewalk, for any purpose.
 - e. Will keep doors closed other than entrance and egress, stanchions and ropes will be utilized as necessary, and no patrons will remain after stated closing times.
 - f. Patron egress into/out of the establishment will be through the front doors at 835 Broadway only.
 - g. Will prevent loitering and ensure that only individuals engaging in activity expressly or by necessary implication permitted by the Cannabis Law are allowed to remain on the premises of the licensee.
 - h. There will be no patron use, services, deliveries, or trash transport via doors on Broadway.
 - i. Will comply with NYC Department of Buildings Regulations and keep current at all times with required Permits & Certificates.
 - j. Music will not be at entertainment levels but background only, and no sound will be audible in any adjacent residences at any time.
 - k. The retail space at 835 Broadway will not close for private events.
 - l. The applicant will require customers to show a valid federal, state, or local government identification stating the customer's age and a photograph of the individual's face per State Law.

m. Will appear before CB2, Manhattan before submitting any changes to the method of operation agreed to herein.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new Adult-Use Retail Dispensary License for The Doe Store, LLC. d/b/a Union Sq. Travel Agency, 835 Broadway, NY, NY 10003, **unless** the information the Applicant has presented is accurate and complete and that the above-stated conditions A-M are agreed to by the Applicant and *“be part of the record upon which the Office makes its recommendation to the Board”* for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

Vote: Unanimous 5-Yea

DRAFT

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



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SCHOOLS & EDUCATION COMMITTEE MEETING June 2023

The Schools & Education Committee met via Video Conference on Monday, June 12, 2023, at 6:30PM.

CB 2 Schools & Education Members Present: Patricia Laraia (Chair), Dr. Cherly Wu (Vice Chair), Keen Berger, Rich Caccappolo, Mar Fitzgerald and Matthew Metzger

CB 2 Schools & Education Members Absent w/ Notice: Akeela Azcuy

CB 2 Schools & Education Public Board Members absent w/ Notice: Michael Markowitz and Barbara Glassman

Other CB 2 Members Present: Carter Booth, Mark Diller (District Manager), Anne Hager, Susan Kent (CB2 Chair), Jeannine Kiely, and Erika Olsen

Speaker: Emily Hellstrom, Co-Founder of [Literacy Academy Collective](#)

Public Attendees: Darlene Lutz, Jeffrey Rowland

The meeting was called to order at 6:33PM.

Agenda: Presentation from [Literacy Academy Collective](#), which designs and supports NYC Public Schools to bring evidence-based literacy instruction into the classroom.

Literacy Landscape. Literacy Academy Collective's presentation focused on evidence-based literacy instruction in NYC public schools. Emily Hellstrom began her presentation by discussing the current literacy landscape in NYC, with a specific emphasis on the literacy rates of Black, brown, and dyslexic students. She highlighted the challenges faced by dyslexic students and the slow progress in teacher training and the adoption of evidence-based practices. Emily also addressed the financial barriers and limited access to resources for parents seeking specialized instruction, and the consequences of low literacy rates, such as the school-to-prison pipeline. She emphasized the importance of early intervention, structured literacy instruction for dyslexia remediation, and teacher training in structured literacy.

The LAC Model. Emily then presented her school's approach to literacy instruction, emphasizing the importance of teaching literacy throughout the day, focusing on the five pillars of reading. The school is committed to equity, serving communities in need and students who traditionally do not have access to dyslexia remediation. They

implemented integrated supports to address social and emotional learning and comorbid conditions. Emily stressed the significance of [Culturally Responsive Sustaining Education](#) and highlighted the need for highly-trained teachers, with professional development focusing on struggling readers and executive functioning needs. The school's design and DOE negotiations resulted in smaller class sizes, programmatic services, and evidence-based literacy instruction. Emily shared preliminary data that showed tremendous advances made by students in the LAC pilot in District 7 this year.

District 1 Pilot. The presentation also discussed the expansion of the School and Teacher Training Pilot Program, particularly in District One on the Lower East Side. The program aimed to bring effective teaching practices to different educational settings and received a grant from Trinity for Structured Literacy classes and deep training for District 1 teachers. The long-term goal was to establish a network of schools in every borough, focused on development, training, community engagement, and identifying new school sites. The positive impact of skills-based learning on struggling readers was highlighted, along with the challenges and negotiations during the expansion. The importance of proper teacher training and ongoing support was emphasized to ensure the effective scaling of the program while maintaining high standards.

Broader Dyslexia Landscape. Addressing systemic racism in education was another important topic discussed during the presentation. The financial cost to secure a fair and appropriate education through legal action, such as Carter Cases, was acknowledged, and the importance of teacher training, curriculum development, and ongoing professional development was stressed. We discussed efforts by State lawmakers to pass dyslexia-related legislation. Parents and teachers lamented the lack of handwriting instruction and read-aloud activities in the curriculum in many schools. Overall, the presentation provided a comprehensive overview of evidence-based literacy instruction for New York City (NYC) public schools, including the challenges faced, the City's new approach, the expansion of the pilot program, the positive impact of skills-based learning, the implementation of tier-one instruction, the challenges of systemic racism, and concerns about current literacy practices.

Business Session: Schools & Education Committee met and discussed writing a resolution to support the efforts of enhancing evidence-based literacy instruction in the classroom for all New York City public school children.

The meeting was adjourned at 8:15PM.

Resolution to Support Enhancing Evidence-based Literacy Instruction in the Classroom for All New York City Public School Children

Whereas:

1. Low literacy rates in NYC have become a civil rights issue, including contributing to the school-to-prison pipeline, and it is crucial to address these issues proactively:

- a. Dyslexia affects as much as 10-20% of the population, regardless of primary language or background¹; it is a learning disability, characterized by difficulties with specific language skills, particularly reading, but also spelling, writing, and pronouncing words, and is often unexpected in relation to other cognitive abilities;
 - b. Historically, the NYC Department of Education (DOE) has failed to develop comprehensive early screenings, curriculums, teacher trainings, programs, or district schools to support and teach children with dyslexia, creating a deeply inequitable system that is out of reach for the vast majority of New York City families with a child with dyslexia;
 - c. NYC State test data, most recently in 2022, show that 51% of the city's third through eighth-grade students did not score "proficient" on reading, with significant disparities by race: 30% of Asian students are not proficient in reading, 33% of White students, 63% of Latino students, and 64% of Black students²;
2. A Structured Literacy (SL) approach to literacy instruction and early intervention are key to remediate dyslexia and support struggling readers;
 - a. SL must include both foundational skills (e.g., decoding, spelling) and higher-level literacy skills (e.g., reading comprehension, written expression)³;
 - b. Currently, Structured Literacy is not taught to teachers graduating at State University of New York (SUNY) or City University of New York (CUNY) schools;
 3. [Literacy Academy Collective](#) (LAC) was founded by a group of parents whose children faced reading challenges and who advocated to open the first DOE district public school to help students with dyslexia, language-based learning disabilities, and struggling readers — a group that traditional public schools often struggle to serve;
 - a. In summer 2021, LAC partnered with the [Windward Institute](#) to lead a summer pilot in District 4 in East Harlem; this included a one-week professional development course in a structured literacy followed by a five week practicum, with trainees paired with a mentor teacher;
 - b. In Summer 2021, LAC led a teacher training program in District 7 in the South Bronx;
 - c. During the 2022-23 school year, LAC led a model classroom pilot at PS 161 in the South Bronx and assessments show that the 2nd and 3rd grade students have made significant progress:
 - i. Initial assessments showed students with a *mid-year kindergarten* level;

¹ <https://dyslexiaida.org/dyslexia-basics> and <http://dyslexia.yale.edu/dyslexia/what-is-dyslexia/>

² With Test Scores Low, NYC Schools Turn To New Approach for Reading, <https://gothamist.com/news/with-test-scores-low-nyc-schools-turn-to-new-approach-for-reading-instruction>

³ What is Structured Literacy <https://dyslexiaida.org/heres-why-schools-should-use-structured-literacy/#:~:text=What%20is%20Structured%20Literacy%3F,reading%20comprehension%2C%20written%20expression>

- ii. After just eight weeks of targeted instruction, 28 out of the 31 students tested demonstrated *end-of-year kindergarten* proficiency; making half a year’s worth of progress in eight weeks;
 - iii. The expected weekly rate of improvement for a kindergarten student mastering this skill is 1.1 additional words per week; LAC students improved at a rate of 6.97 words per week;
 - iv. If this progress continues, LAC has the chance to improve literacy for a group of students who had previously experienced no measurable academic success;
 - d. In Summer 2023, LAC will lead a summer pilot in District 1, which will expand to an after-school program for the 2023-24 school year;
 - e. In Fall 2023, South Bronx Literacy Academy (SBLA) will open as the first stand-alone NYC school for grades 2-8 specifically designed to serve students with diagnosed dyslexia, language based learning difficulties, and other struggling readers;
 - i. SBLA will have two teachers and 18 students per grade, initially enrolling students in grades 2 and 3;
 - ii. SBLA is designed to meet the unique needs of students two or more years behind in fundamental literacy skills, will offer intensive Tier 1 instruction⁴ in structured literacy throughout the day and embed consistent and purposeful practices to support social emotional learning and executive functioning skill development to meet the needs of our student population, including co-occurring conditions such as Attention deficit hyperactivity disorder (ADHD), anxiety and depression;
- 4. In May of 2023, Mayor Eric Adams and DOE Chancellor David C. Banks announced, “New York City Reads,” a major city-wide campaign to dramatically strengthen literacy in New York City’s public schools⁵;
 - a. As part of NYC Reads, all NYC elementary schools will be required to begin implementing one of three evidence-based literacy curricula; Each district superintendent will select from *Into Reading, Wit & Wisdom* and *EL Education*;
 - b. One criticism is that these curricula currently lack culturally responsive literature;
 - c. In June 2021, the DOE announced Universal Mosaic Curriculum but Mayor Adams and Chancellor Banks paused the full implementation of the mosaic curriculum, while retaining the recommended literature for use in NYC schools; and
 - d. The DOE will implement NYC Reads over two years with our local schools in Phase 2 in 2024-25.

⁴ Tier 1, also known as the universal tier, refers to the curriculum, instruction, and assessments offered to all students within a grade level. It is the guaranteed instruction provided to everyone. Typically, universal tier instruction emphasizes the state’s grade-level standards. <https://www.renaissance.com/2022/06/02/blog-understanding-tier-1-instructional-strategies-that-support-an-engaged-classroom/#:~:text=The%20universal%20tier%E2%80%94%20Tier,level%20standards%20for%20your%20state.>

⁵ Mayor Adams and Chancellor Banks Launch Major new Citywide Campaign to Dramatically Strengthen Literacy, <https://www.nyc.gov/office-of-the-mayor/news/325-23/mayor-adams-chancellor-banks-launch-major-new-citywide-campaign-dramatically-strengthen#/0>

Therefore Be It Resolved that CB2 urgently implores the DOE to:

1. Provide unfailing support for Literacy Academy Collective’s approach to teaching children with language-based learning disabilities how to read and write to close the educational gap among NYC children;
2. Expand the Literacy Academy Collective pilots to additional schools districts;
3. Create a dyslexia-focused public school program at the Bleecker Street site to cater to and support dyslexic students' educational needs;
4. Ensure that each borough add a stand-alone DOE public school for students with dyslexia, language-based learning disabilities and who struggle to read;
5. Allocate sufficient funding to ensure proper implementation of Mayor Adams’ and Chancellor Banks’ *New York City Reads* Initiative, for Fall 2023 and beyond, including initial and ongoing professional development to ensure the implementation of evidence-based literacy instruction;
6. Emphasize and include the importance of cultural responsiveness in literacy education, and encourages schools to integrate culturally sustaining practices and materials from the “mosaic curriculum” to engage students from diverse backgrounds;
7. Collaborate with organizations like LAC and similar stakeholders to develop comprehensive literacy programs for NYC students; and,
8. Address systemic racism in the education system and promote inclusive and equitable practices that meet the needs of all students.

Vote: Unanimous in favor

Respectfully Submitted,

Patricia Laraia
Chair, Schools & Education Committee
Community Board 2, Manhattan

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*

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TRAFFIC AND TRANSPORTATION COMMITTEE

June 2023

The Traffic and Transportation Committee of Community Board #2, Manhattan held its monthly meeting on Thursday, June 1, 2023, at 6:30 p.m. via Video Conference.

Board Members Present: Shirley Secunda (Chair), Amy Brenna, Janet Liff, Daniel Miller (Vice Chair), Lois Rakoff, Antony Wong.

Board Members Absent with notification:

Board Members Absent:

Public Members Present: Joseph Flahaven, George Haikalis.

Public Members Absent with notification:

Public Members Absent:

Other Board Members Present: Susan Kent (CB2 Chair), Jeannine Kiely, Carter Booth, David Gruber, Valerie De La Rosa, Katy Bordonaro, Brian Pape, Stella Fitzgerald, Ryder Kessler, Donna Raftery, Mark Diller (CB2 District Manager).

Guests: Meera Dheer (Presenter, Congressman Goldman's office), Charles Komanoff (Presenter), Nicole Barth (Council Member Bottcher), Roy Ruiz (Assembly Member Glick), Tevin Williams (Congressman Goldman), Kate Scherer (NYC DOT), Jake McNally (Hudson Sq. BID), Pete Davies, Katherine Jason, Darlene Lutz (1st Pct Comm Council), Jeffrey Rowland, Linda Jacobson, Judy Pesin, Jonathan Weizmann, Michael Markowitz, Lora Tenenbaum, Charles Weissman, Norbert Masal, Amber Ott, Karen Bernsohn, Stephen Miller, Joe Ogara, Susan Parker, Cathy Spears, Ronnie Wolf, Judith Monaco-Callet, Marna Lawrence, Jon Giacobbe, Frank Stewart, Susan Ginsberg, Laura Hoffman, Anne Mitcheltree, Sean Lewin (Hudson Sq. BID), Staci Barber, Len Murach, Maureen Remacle, Kathleen Faust, Dennis Lee, Lucien Crowley.

MEETING REPORT:

Congestion Pricing Update and Q&A Session

On May 5, 2023, the Federal Highway Administration approved release of the Final Environmental Assessment (EA) for New York City's Central Business District Tolling Program (more familiarly known as Congestion Pricing) along with a Draft Finding of No Significant Impact (FONSI), both available for public review (but not public comment) on May 12, 2023 for 30 days. A final FONSI, expected to be issued after June 12, 2023, would lead to the development of final recommendations for tolling rates, credits, discounts and exemptions by the Traffic Mobility Review Board (TMRB), specially set up for this purpose, and a public hearing conducted by the Triborough Bridge and Tunnel Authority (TBTA).

Recognizing the need for an update on the status of the Congestion Pricing program, Community Board #2 Manhattan's (CB2) Traffic and Transportation Committee organized a question and answer session at its June 1, 2023 meeting with short overviews on the need for and benefits of congestion pricing and the process used to develop and assess the program given by two congestion pricing experts, Charles Komanoff, who developed the "Balanced Transportation Analyzer" that helped New York State frame the legislation authorizing congestion pricing, and Meera Dheer, who handles transportation and infrastructure issues in Congressman Daniel S. Goldman's office. 33 people attended from the community in addition to the CB2 Traffic and Transportation Committee and other CB2 members, some public officials' representatives and NYC DOT's liaison to CB2.

The questions that were submitted revealed many varied concerns, as follows.

A. Charging Congestion Zone Residents

1. The most frequent concern was about tolling of residents in the congestion zone who need their cars to get around and would have difficulty affording the extra charge.
2. It was pointed out that residents in the zone will be financially burdened for going in and out of their neighborhoods. Their need for a discount or full exemption was emphasized.
3. There was concern about the added tolling costs for those doing a reverse commute, especially for seniors, with the only alternative option to driving being a long, involved mass transit trip, e.g. one route would involve taking 2 subways and 2 buses.
4. Concern was expressed about charging those who have to drive to places in the absence of transit options (and therefore have no choice).

B. Boundaries

1. There were questions about why 60th St, is the northern boundary.
2. Many claimed there's excessive traffic north of 60th and in other areas.
3. There was a suggestion to confine congestion pricing to midtown where it was claimed congestion is more intense, e.g. 34th to 59th Sts. btw. Madison and 8th Aves.
4. There was concern that tolling residents in the Central Business District (CBD) zone alone and not those above 60th St. (at least to 96th St., e.g. it was observed that the Upper East Side and Upper West Side have heavy traffic congestion), and not sharing the burden is inequitable. It was suggested that sharing the toll charge among those below

96th St. would be more equitable and also, being more spread out, less costly per person/vehicle tolled.

C. Impact of Congestion Pricing in Community Board 2 Manhattan (CB2)

1. It was asked if any measurements had been conducted on the impact of congestion pricing on:
 - CB2 residents.
 - On CB2 businesses and small businesses in the congestion zone in general.
 - On the cost of living (It was recognized that shops, businesses, car services, etc. are expected to pass along their increased costs as would deliveries).
 - Retention of small businesses in the Zone.
 - Property Values and development.
2. It was also asked whether measurements have been done of how many commuters vs. how many residents drive in and out of the congestion zone each day, with the questioner's rough guess being 1 million vs. 1,000, i.e. 100:1 ratio, noting that comparative impact studies need to be done.

D. Mitigation of Existing Impacts by Congestion Pricing

1. People were interested in learning what mitigations were planned to offset expected impacts.
2. It also was asked if measurements have been quantified in any way of negative impacts that can be reversed by Congestion Pricing in calculating the cost of car trips entering the CBD, e.g., the cost of air conditioning because of the need for closed windows, the cost of replacing equipment damaged by fumes, the cost of the impact of vibrations on historic buildings and other ancillary negative impacts (i.e., impacts that might be reduced through Congestion Pricing).

E. Special Discounts

1. There were questions about whether there would be specific discounts/carve-outs for:
 - Seniors.
 - CB2 residents.
 - HOVs.
 - Policemen, firemen, sanitation workers, teachers, essential workers, elected officials, i.e., those who need to enter the CBD to do their jobs.
2. It was also asked if the fee will vary for type and size of vehicles.

F. Exemptions for Those with Physical Challenges

1. There were concerns about the need for exemptions for people with physical disabilities, e.g. using wheelchairs, when making trips for medical appointments. It was answered that in the original law (New York State's MTA (Metropolitan Transportation Authority) Reform and Traffic Mobility Act, April 2019) there was discussion and specific stipulation for exemptions for qualifying vehicles transporting people with disabilities and that it is something very much on MTA's radar, and they're working on carving out exemptions.

2. A related concern was if people with medical issues who aren't able to use public transportation and have to get places in a private car or taxi because they have no choice, will have an exemption.

G. Tax Credit for Residents in the Congestion Zone earning under \$60,000 a year

1. There was concern that a tax credit will be meaningless to many of those earning under \$60,000, since they often don't pay taxes for which they could get a rebate against.
2. It was noted that if people do qualify for a rebate, they still would have to lay out their own scarce assets while waiting to be reimbursed.
3. The general opinion was that \$60,000 is too low a threshold, because there are more people in the Zone who make more than that but still have problems with affordability.
4. People asked whether the tax credit is per person, per family, and how will that be accountable.

H. Differences in Time of Day/Week Charges

1. There were questions about whether there would be differences in weekday and weekend charges.
2. It was asked if there are Peak and Off-Peak periods (like PANYNJ tolls) and different charges at different hours.
3. Concerns were expressed about night-time deliveries increasing in response to reduced night-time fees and the need for this to be addressed.

I. Physical Infrastructure

1. It was asked what physical infrastructure will be installed within CB2 - on or around or above the streets - to capture identification of vehicles passing through (entering) the community/congestion pricing zone and what would be the specific components and location of those various installations.
2. There was concern about visual and other environmental impacts in response to some renderings that show massive steel installations above the entire width of the street

J. Pass-Alongs

1. It was recognized and concerning that shops, businesses, car services, etc. are expected to pass along their increased costs.
2. Residents were worried about impacts on the estimated 85% of households in CB2 that are car-free who occasionally use Uber or Lyft or taxis to transport heavy packages and other items and would have to pay congestion pricing costs passed on to them, as well as about Pass-Alongs in general to those who use for hire vehicles.
3. Concerns were expressed that the cost of deliveries will increase and be passed on to recipients.
4. It was asked if those who don't own a car and have medical conditions or disabilities that prevent them from taking public transportation or Access-A-Ride and require them to use For Hire vehicles and/or taxis would have to pay these services' added congestion pricing costs.

K. Congestion Piling Up Outside the CBD

1. It was asked if there is any plan to increase parking facilities outside the CBD to encourage people to use public transit.
2. Related to this, it was also asked if any consideration has been given to increasing the parking facilities at Pier 40 (part of CB2), which is outside the congestion zone, in order to keep cars outside the zone.
3. There was also a concern for how to stop people from parking and crowding the border where the toll is located.

L. Miscellaneous Other Questions and Concerns

1. People were concerned whether vehicles using and remaining on 9A or the FDR Drive (which are exempt from the congestion zone) except for crossing the few blocks to access the Holland or Lincoln Tunnels would be charged.
2. Sentiments were expressed about the need to cap the number of Ubers and Lyfts.
3. Some wondered if this influx of money would help keep fares more level.
4. Some preference was voiced for dedicating some congestion pricing funds to improving bus service.
5. There was a question of how long it will take for improvements to result, the response being that pedestrian improvements would happen right away, and that it would take 5 to 10 years to complete transit improvements (subway), half overnight; the other half up to 10 years).
6. Those present wondered what kind of impact as a community we can still have.

Ms. Dheer left the meeting before it was over, but invited attendees to reach out and submit their questions and suggestions to Congressman Goldman's office which will be working with different stakeholders at the state and local levels to make sure their constituents are heard. Mr. Komanoff stayed throughout the meeting to provide comments and field questions.

The questions that have been assembled here don't necessarily reflect the opinion of CB2, however, they are being submitted to Congressman Goldman's office and the members of the TMRB as well as to the MTA, the TBTA, and the NYS and NYC Departments of Transportation to apprise them of CB2 constituents' concerns for evaluating, formulating and running the Congestion Pricing program.

This report along with its cover letter that are being sent to Congressman Goldman, the TMRB and city and state agencies will appear on CB2's website, with a link to the transcript of CB2's Traffic and Transportation Committee's 11/01/2023 meeting.

Some Useful Information

Final EA Executive Summary - CBD Tolling Program/Congestion Pricing:

<https://new.mta.info/document/110756>

MTA description of Central Business District Tolling Program:

<https://new.mta.info/project/CBDTP>

MTA press release re Central Business District Tolling Program:

<https://new.mta.info/press-release/icymi-governor-hochul-announces-central-business-district-tolling-program-final>

Congressman Daniel Goldman:

https://goldman.house.gov/address_authentication?form=/contact

London's congestion pricing program info:

<https://www.curbed.com/2023/05/congestion-pricings-pitfalls-promise-londonlessons.html>

CB2 Manhattan website:

<https://cbmanhattan.cityofnewyork.us/cb2/>

Tolls will be paid either by E-Z pass or through bills mailed to the vehicle owner who will pay using Tolls By Mail.

Congestion Pricing "Alphabet Soup"

EA - Environmental Assessment

FONSI - Finding of No Significant Impact

TMRB - Traffic Mobility Review Board

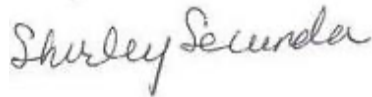
TBTA - Triborough Bridge & Tunnel Authority

FHWA - Federal Highway Administration

CBD - Central Business District

MTA - Metropolitan Transportation Authority

Respectfully submitted,



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