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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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AGENDA

Executive Committee
Tuesday, August 22, 2023

1. Approval of July Executive Committee Minutes
2. Chair's Report
3. District Manager's Report
4. Review of Draft August and Future Calendars
5. Standing Committee Reports and Resolutions for Executive Committee Vote:
 - a. Landmarks
 - b. Quality of Life
 - c. SLA-1 and SLA-2
6. Standing Committee and Working Group Reports without Resolutions:
 - a. Arts & Culture
 - b. Cannabis Licensing Committee
 - c. Economic Development, Small Business & Institutions
 - d. Equity, Race & Justice
 - e. Human Services
 - f. Land Use & Housing
 - g. Parks & Waterfront
 - h. Schools & Education
 - i. Traffic & Transportation
7. New Business
 - Resolution to establish a procedure to claim a qualifying disability to enable Board Members to be participate at meetings remotely.

Adjournment

September 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 LABOR DAY	5 SLA-1	6 PARKS & WATERFRONT	7 SLA-2 TRAFFIC & TRANSPORTATION	8	9
10	11 QUALITY OF LIFE	12 [CANNABIS LICENSING – if needed] EQUITY, RACE & JUSTICE	13 LAND USE & HOUSING	14 LANDMARKS	15 ROSH HASHANA (begins at sundown)	16
17	18 Landmarks 2 (if needed) SCHOOLS & EDUCATION	19 EXECUTIVE	20	21 FULL BOARD	22	23
24	25 YOM KIPPUR - ends at sundown	26	27 ECONOMIC DEVELOPMENT & SMALL BUSINESS	28 HUMAN SERVICES	29	30

◀ September

October 2023

November ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 QUALITY OF LIFE	3 SLA-1	4 PARKS & WATERFRONT	5 SLA-2 TRAFFIC & TRANSPORTATION	6	7
8	9 COLUMBUS DAY or INDIGENOUS PEOPLES' DAY SCHOOLS & EDUCATION Reschedule?	10 [CANNABIS LICENSING if needed] EQUITY, RACE & JUSTICE	11 LAND USE & HOUSING	12 LANDMARKS	13	14
15	16 [Landmarks 2 – if needed] SCHOOLS & EDUCATION Reschedule?	17 EXECUTIVE	18	19 FULL BOARD	20	21
22	23	24 ARTS & INSTITUTIONS	25 ECONOMIC DEVELOPMENT & SMALL BUSINESS	26 HUMAN SERVICES	27	28
29	30	31				

November 2023						
◀ October						December ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 PARKS & WATERFRONT	2 SLA-4 TRAFFIC & TRANSPORTATION	3	4
5	6 QUALITY OF LIFE	7 ELECTION DAY	8 SLA-1 ARTS & INSTITUTIONS ?? 2 meetings in 2 weeks?	9 SLA-2 TRAFFIC & TRANSPORTATION	10	11
12	13 SCHOOLS & EDUCATION	14 CANNABIS LICENSING (if needed) EQUITY, RACE & JUSTICE	15 LAND USE & HOUSING	16 LANDMARKS	17	18
19	20 Landmarks 2 (if needed)	21 EXECUTIVE	22	23 THANKSGIVING	24	25
26	27 ARTS & INSTITUTIONS	28 HUMAN SERVICES	29 ECONOMIC DEVELOPMENT & SMALL BUSINESS	30 FULL BOARD		

December 2023						
◀ November						January ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 QUALITY OF LIFE	5 SLA-1	6 PARKS & WATERFRONT SLA-2	7 HANNUKAH (begins at sundown)	8	9
10	11 SCHOOLS & EDUCATION	12 CANNABIS LICENSING (if needed) EQUITY, RACE & JUSTICE	13 LAND USE & HOUSING	14 LANDMARKS TRAFFIC & TRANSPORTATION	15	16
17	18 Landmarks 2 (if needed)	19 EXECUTIVE	20 ARTS & INSTITUTIONS	21 FULL BOARD	22	23
24	25 CHRISTMAS	26	27 ECONOMIC DEVELOPMENT & SMALL BUSINESS	28 HUMAN SERVICES	29	30
31						

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The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held the second of two July meetings on August 17, 2023 by hybrid video conferencing.

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

Members Absent with Notice: Zachary Roberts, Bo Riccobono

Public Members Present: Andy Clark (remote), Brenden Fitzgerald

Public Members Absent with notice: Albert Bennett

Board members: Susan Kent (Board Chair), Carter Booth, Donna Raftery

1. *1 Bond St. – Application is to replace windows on the alley side of the building and install additional transom windows.

The applicant did not appear as scheduled for the hearing and therefore there is no recommendation concerning the application. The applicant must appear for a public hearing before the CB2 Landmarks Committee prior to the consideration of the application by the Landmarks Commission.

2. *110 Greene St. -The application is to replace infill at the ground floor.

Whereas:

- A. The existing condition is a central entrance with glass doors to the retail store flanked by plate glass windows and more elaborate entrances to the right and left of the central bays; and
- B. The proposed windows and the central door are full height glass. Behind the window is a ceiling suspended box that houses shades, roll down gates and conceals the interior ceiling.
- C. Discreet signage is 18” high and in keeping with the building,

- D. The north entrance door is not part of this application, and the south entrance is to be converted to a show window that is essentially replacing the door with plate glass and is easily reversible; and
- E. The non-historic sign boxes on either side of the south door are to be removed; now

Therefore be it resolved that CB2 Manhattan recommends approval of this application which minimally changes the existing condition and preserves the architectural integrity of the building.

Unanimous

3. *92 Horatio St. – Application is to apply new brownstone stucco facade the entire ground floor, install new wood entry doors in the existing opening and replace existing window security grilles.

Whereas:

- A. The corner building is comprised of five buildings, originally with commercial space on the ground floors, and now a completely residential building with unified façades; and
- B. The ground floor current condition is shorn of its detail and the ground floor windows are of random size and rhythm resulting from the conversion from commercial to residential use, and there is an undistinguished entrance door; and
- C. The ground floor is proposed to be smooth grayish stucco and gives the appearance of a separate base imitating a stone (with no scoring) other than brownstone, when a brownstone-like finish would both better serve the applicant’s stated intention of unifying the façades and be more in keeping with the district and suitable to the building’s color and style; and
- D. The proposal organizes numerous larger windows with simple security grills in an agreeable configuration with modifications on the secondary facade recalling the commercial use of the ground floor; and
- E. The proposed plain entry door is in mahogany veneer and lacks the detailing that would make it more in keeping with the building’s existing detailing on the upper floors and neighboring buildings; and
- F. Missing headers are to be replaced and are designed after existing headers on the upper floors; now

Therefore be it resolved that CB2 Manhattan recommends:

A. Approval of the ground floor windows, security grills, and the replacement of the headers; and

B. Denial of the stucco coating unless it is of a brownstone color and tooled in a traditional manner to suggest actual brownstone in keeping with the style of the building; and

C. Denial of the entry door unless it has detailing suitable to the style of the building.

Unanimous

4. *338 W. 12th St. – Application is to reduce the existing 4th floor, construct a new rooftop stair bulkhead and mechanicals, construct a one-story rear yard extension and to alter the rear façade, excavate and alter within the horse-walk.

Whereas:

A. Work on the front façade - notably masonry, stoop, windows is considered by Commission Staff; and

B. The stoop was removed in the distant past and was restored in 2004; and

C. The horse walk gate is to be retained and to have a dark wall installed 2'6" behind the gate which the applicant represents will not be noticeable to the passerby; and

D. The areaway is to be lowered to provide proper entrance below the stairs and causes no harm to the appearance; and

E. There are alterations to the existing non-visible rooftop addition and bulkhead with change in volume at the rear, and windows in the front preserve it's non-visible condition; and

F. The rear facade brick is considerably degraded, likely from crude removal of a coating, and is to be restored in the parts that are not replaced by the extension; and

G. The basement and parlor floors have modest wooden extensions somewhat recalling a two-story tea porch with windows and doors that are within the width of the three original windows and are divided into three sections, recalling the original punched windows; and

H. The cellar and garden are to be excavated and the garden area rebuilt lower to align with basement level, and the excavation, as proposed, abuts the adjoining houses on each side of the cellar and rear buildings in the adjoining gardens; and

I. The application was deficient in that no detailed designs for the excavation and no engineering studies were provided concerning the excavation and the critical matter of underpinning of the adjoining houses and rear garden buildings, and the applicant's vague representations concerning the excavation and underpinning details left the impression that they had not yet been seriously considered; now

Therefore be it resolved that CB2 Manhattan recommends:

- A. That the wall in the horse walk door be approved in that it does not disturb the historic view from a public thoroughfare; and**
- B. That the areaway modifications be approved; and**
- C. That the alterations to the non-visible rooftop addition, the restoration of the rear facade upper floors, the additions on the basement, parlor and second floor be approved; and**
- D. That the excavation of the cellar and garden be denied until detailed plans and engineering studies are provided to the Commission which, in their view, ensure that the work does not endanger the integrity of the subject building, the adjoining buildings, and adjoining gardens and rear garden structures and that the Commission, in its discretion, return the application to CB2 Community Board for a public hearing if it deems this appropriate.**

Unanimous

5. *130 Bank St. – Application is to install new steel deck at first floor level over existing cellar extension, including new pavers, steel structure, railings and stair access to interior stair hallway, replace one window with a door to the stair, and add new lighting at exterior façade.

The is no recommendation for this application - The application is incomplete in that the required mockup has not been built and therefore no recommendation could be made concerning he critical matter of its visibility from a pubic thoroughfare. The applicant agreed request a layover for the scheduled Commission hearing and to return to the CB2 Landmarks Committee for a public hearing with the required materials and photographs illustrating the visibility from public thoroughfares.

Unanimous

6. *51 Downing St. – Application is to replace the entry doors, garage door, 4th floor windows and replace existing roof top addition with a new mezzanine addition.

Whereas:

- A. The existing non-historic entry doors and garage door and window above (at the original horse entrance) are to be removed and replaced by plain wooden doors suitable to the stable building with transoms at the entry doors and a solid wooden header above the garage door; and
- B. There is unobtrusive recessed lighting above the entry doors; and
- C. A non-historic gabled rooftop addition which was represented by the applicant as not being compliant with building codes and the bulkhead are to be removed; and
- D. The new rooftop addition is a full width, 22' high structure in dark grey metal with north and south curtain walls, partially fitted with dark grey fixed metal louvers; and
- E. The proposed new bulkhead is 10' above the roof, resulting its extending 30' above the original roof; and
- F. Numerous photographs of the mockup from various points clearly show the rooftop structure is visible, most notably from Varick Street and Carmine Street where its extremely visible and boldly modern design aggressively asserts itself, bearing no relationship to either the building or to the historic district; and
- G. This combination of volume, which makes the addition highly visible, and design, which in no way relates to the building or the historic neighborhood, are unacceptable in the Greenwich Village Extension II historic district.

Therefore be it resolved that CB2 Manhattan recommends:

- A. Approval of the garage door and the entrance doors together with their lighting; and**
- B. Absolute denial of the rooftop addition as of a design that does great harm to the historic district and is unacceptably visible by the standard of “minimal visibility” for rooftop additions that has guided the Commission with respect to the district.**
- C. That if the applicant wishes to have consideration of an addition that it be of a design that is in harmony with the building and the district and is greatly reduced in size and visibility in order that it is in tune with the district and that the applicant be instructed by the Commission to return to CB2 for a public hearing on the revised proposal.**

Chenault Spence

**Unanimous Respectfully
submitted,**

Chenault Spence, Chair

A letter from the Board to the National Parks Service concerning the SoHo rezoning as it affects the landmark aspects of the district:

ATTACH LETTER HERE

DRAFT

Susan Kent, Chair
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August 22, 2023

Charles F. Sams III
Director, National Park Service 1849
C Street NW
Washington, D.C. 20249

RE: Soho Cast-Iron Historic District

Dear Mr. Sams,

A National Historic Landmark, the Soho Cast-Iron Historic District, is in danger.

As the steward of our nation's most significant historic sites, we ask the National Park Service (NPS) to partner with us to provide critical guidance under challenging circumstances to ensure SoHo's future as a neighborhood synonymous not only with the cultural, social, and economic identity of New York City, but with the broader narrative of American history. NPS is uniquely positioned to provide us with critical guidance, examine the potential impacts of changes on the District's integrity, and to educate policymakers and the public on the importance of preserving our national historic landmarks.

We represent Manhattan Community Board 2 (CB2), the home of the SoHo Cast-Iron Historic District (SoHo). Due to a recent decision to upzone the district, we are deeply concerned that historic SoHo, designated a National Historic District in 1978, is in grave danger of forever losing its unique character and unequalled importance as a living example of 19th century commercial urban architecture. The upzoning of Soho (& NoHo) is expected to unleash potentially millions of square feet of new construction in this historic district and adjacent neighborhoods. Such a massive intrusion by non-contextual high-rise construction and big box retail would forever destroy the cohesiveness and alter the character of this beloved and world-renowned district. We reiterate the concerns expressed in the City's Final Environmental Impact Study (FEIS), which in the section entitled "Historic and Cultural Resources" concluded, "that [t]he

Proposed Actions would result in significant adverse impacts to historic and cultural resources, including archaeological and architectural resources.” FEIS for SoHo/NoHo Neighborhood Plan Proposal, Ch. 7, p. 7-1.

Community Boards are official municipal bodies whose primary mission is to advise elected officials and government agencies on matters affecting the social welfare of their respective districts. They exist “for the planning of community life within the city, the participation of citizens in City government within their communities, and the efficient and effective organization of agencies that deliver municipal services in local communities.” NYC Charter § 2700. As members of CB2, as uncompensated public servants, our mandate includes providing crucial input on local landmarks and zoning issues.

Our board has been engaged in a protracted and uphill fight to save Soho from massive amounts of deregulated new construction. We fear that the window for preserving Soho may be closing: in June, developers submitted the first post-rezoning construction proposal. Inspired by the powerful impact the National Park Service had in Savannah, we hope your agency can prepare an evaluation of Soho comparable to the Savannah Integrity and Condition Assessment of 2018. Attached to this letter is CB2’s resolution against the upzoning. It includes our detailed evaluation of the upzoning’s expected impact on SoHo, and in Section B, part 4 (pp. 5-6), our concerns specific to the preservation of historic districts. We have also attached similar findings by three major NYC preservation groups: the Municipal Arts Society, the Historic Districts Council, and the New York Landmarks Conservancy.

We respectfully seek your support and guidance to protect the Soho Cast-Iron Historic District. Please let us know if you require additional information or how we can be of assistance in this matter.

Thank you for considering our request. Sincerely,

Susan Kent
Chair
Manhattan Community Board 2

Chenault Spence
Chair, Landmarks & Public Aesthetics Committee
Manhattan Community Board 2

cc: Hon. Charles Schumer
Hon. Kirsten Gillibrand
Hon. Jerrold Nadler Hon.
Daniel Goldman
Hon. Brad Hoylman-Sigal Hon.
Deborah Glick
Amanda Casper, NPS Interior Region 1
Catherine Turton, NPS Interior Region 1
[others?]

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QUALITY OF LIFE COMMITTEE

August 2023

The Quality of Life Committee of Community Board #2, Manhattan held its monthly meeting on Monday, August 14th, 2023, at 6:30 p.m. in person in the CB2 office and via Zoom.

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

Committee Member Present Virtually (Excused): Ed Ma

Committee Member Present Virtually: Zachary Roberts

Public Members Absent with Notice: Johanna Lawton, Karen Eckhoff

Other CB2 Members Present Virtually: Carter Booth, Susan Kent, Valerie de la Rosa, Donna Raftery

Street Activity Applications

- 1. 9/7/23 - Flash Flamboyance (sponsor: DunnCo. on Behalf of Tourism Corporation Bonaire) Astor Place Plaza South (Full)**

Whereas, the applicant wishes to stage an activation on Thursday, September 7th on the Astor Place Plaza to promote tourism to the island of Bonaire; and

Whereas, the installation will consist of a photo backdrop, a step-and-repeat wall, and an array of 120 flamingos on the plaza; and

Whereas, a team will be present on site to educate visitors on Bonaire and to give away promotional luggage tags; and

Whereas, attendees will have the opportunity to enter a sweepstakes to win a free trip to Bonaire; and

Whereas, the event will not feature amplified sound or food/beverages; and

Whereas, the applicant has no real connection to the CB2 community, with the applicant stating that this location was chosen for this activation because New York is one of the only cities with direct flights to the island; and

Whereas, CB2 continues to oppose the use of public plaza space for purely commercial activations, especially when the applicant has no connection to CD2; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Flash Flamboyance**.

Vote: 6 in favor with 1 abstain (Sanz).

- 2. 9/5/23 (Setup & Start Date) – 9/6/23 (End Date & Breakdown) – Rachel Comey Fashion Show (sponsor: Rachel Comey Studio) Crosby St. bet. Bleecker & E. Houston St. [partial sidewalk closure on East side only]**

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 **Rachel Comey Fashion Show**.

Vote: Adopted unanimously.

- 3. 9/5/23 (Setup & Start Date) – 9/6/23 (End Date & Breakdown) Aldo Astor Place (sponsor: Amir Shayegan) Astor Place Plaza South (full)**

Whereas, shoe brand Aldo is seeking to hold an activation on the Astor Place Plaza on Wednesday, September 6th; and

Whereas, the activation will feature a promotion for a new brand from Aldo called the “Pillow Walk”; and

Whereas, the activation will not consist of any sales or product giveaways, but rather is intended as an opportunity for attendees to learn more about the brand / products; and

Whereas, load in will begin overnight on September 5th, with a set up that is mostly inflatable and low impact, and load-out completed by 10 PM on September 6th; and

Whereas, the activation is expected to take up a space on the plaza sided approximately 35’ x 40’, consisting of a branded inflatable house, brand ambassadors to interact with the public regarding the product, and a cotton candy giveaway; and

Whereas, two security guards will be on site during the load-in with a third present during the activation hours, and sanitation staff will be on site throughout the event; and

Whereas, the activation will not include amplified sound; and

Whereas, Aldo currently had a physical store within CD2, on Broadway between Prince and Spring streets; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Aldo Astor Place**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

- 4. 9/6/23 – Breitling Vehicle Display (sponsor: IDEKO) 1) Washington St. bet. W. 13th & 14th Sts. [curb lane only – E.]; 2) W. 14th St. bet. Washington St. & 9th Ave. [curb lane only – So.]**

Whereas, watch brand Breitling is planning on opening a retail location on the corner of 14th Street and Washington Street, with opening day planned for Wednesday, September 6th; and

Whereas, in connection with the store opening, the applicant plans to park Breitling-branded vehicles in the curb lanes on Washington and 14th Streets, with two cars parked in the curb lane on Washington and two cars parked in the curb lane on 14th; and

Whereas, the cars are expected to be parked starting at 3 PM and moved out of the curb lane by 10 PM; and

Whereas, the cars are meant to be for display purposes only; and

Whereas, the event will not feature any food, beverages or amplified sound; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Breitling Vehicle Display**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

- 5. 9/7/23 Lingua Franca FW (sponsor: Lingua Franca) Washington St. bet. Jane & Horatio Sts. {E.}; [full sidewalk closure cnr. Jane & Washington Sts.]**

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 **Lingua Franca FW**.

Vote: Adopted unanimously.

- 6. 9/8/23 Lingua Franca Embroidery Event 2023 (sponsor: Lingua Franca) Jane St. bet. Greenwich & Washington Sts. [No. partial SW closure]; Washington St. bet. Jane & Horatio Sts. [E. partial SW closure] In front of 95 Jane St.**

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 **Lingua Franca Embroidery Event**.

Therefore Be it Further Resolved that CB2 Manhattan notes that the proposed event location is in an extremely residential area, and should any event be held in such location despite CB2's recommended denial, no amplified sound should be allowed.

Vote: Adopted unanimously.

- 7. 9/8/23 (Setup & Start Date) – 9/9 /23 (End Date & Breakdown) Steve Madden Shoe Closet – Glass Truck (sponsor: Steve Madden Glass Truck) Broadway bet. Broome & Spring Sts. [in front of store]**

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 **Steve Madden Shoe Closet – Glass Truck**.

Vote: Adopted unanimously.

- 8. 9/8/23 (Setup & Start Date) – 9/10/23 (End Date & Breakdown) SkinCeuticals 2023 (sponsor: L'Oréal) Washington St. bet. 8th and 9th Avenues**

Whereas, SkinCeuticals, a new brand from cosmetics & personal care company L'Oreal, is planning a three-day "mobile tour" in the Meatpacking District on September 8th, 9th, and 10th; and

Whereas, the activation will not take place on the Gansevoort Plaza, but rather will consist of a glass-sided truck parked in the curb lane on Washington Street between 8th and 9th Avenue; and

Whereas, the approximately 28' long truck will be parked in the curb lane by 7 or 8 AM each day, with the activation beginning at 11 AM, and load-out completed by 8 PM each day; and

Whereas, the applicant plans to give attendees free skincare treatments inside the truck, with advance registration suggested but not required; and

Whereas, the event will not feature food, beverage or amplified sound; and

Whereas, the applicant intends to have security on site while the truck is present in the curb lane; and

Whereas, the applicant intends to use a rope and stations for line management if needed; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of SkinCeuticals 2023, provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously with 1 recusal (Roberts).

9. 9/10/23 – Cornelia St. Block Party (sponsor: Park Avenue LASEK), Cornelia St. bet. Bleecker & W. 4th Sts. [full street closure]

Whereas, the applicant, claiming to be the chair of the Cornelia Street Block Association, is seeking approval for the revival of a block party which has been held on the block for many years in the past; and

Whereas, the applicant is looking to provide an opportunity for residents of the block as well as visitors to meet & greet each other / interact in different ways; and

Whereas, as part of the block party, the applicant plans to have many activities available for participants, including an item “swap”, lending library, block beautification, mini golf & cornhole, and pickleball; and

Whereas, the applicant intends to have amplified sound provided by a violinist; and

Whereas, the applicant intends to begin setting up at noon, with the block party running until 6 PM, and approximately an hour of break-down; and

Whereas, the applicant expects approximately 100-200 residents of the block to attend throughout the day; and

Whereas, CB2 members noted that a pickeball court had previously been illegally painted on the block, though the applicant stated this was not done by them or the block association; and

Whereas, other residents of the block appeared in person at the CB2 QoL meeting to speak in support of the event, noting that the block was already quite busy from tourists visiting in relation to Taylor Swift’s previous residency on the block, and that the proposed event should be less disruptive than the “everyday” conditions on the block; and

Whereas, CB2 members noted that the application as filed with SAPO currently lists the applicant as Park Avenue Lasik, and that commercial entities are not allowed to apply for block parties;

Whereas, CB2 members additionally noted that organized sports are not allowed within block parties; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval Cornelia St. Block Party, provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements, and **further provided that** the application is amended to reflect a non-

commercial applicant for the block party and that no organized sports, including pickleball, are allowed.

Vote: Adopted unanimously.

10. 9/14/23 – MDMA Plaza Hold (sponsor: Meatpacking District Management Association): 1) 13th/14th/Gansevoort Pedestrian Plaza; 2) Gansevoort St. /13th/Gansevoort Pedestrian Plaza [full]

Whereas, the applicant is seeking to hold a large event within the Meatpacking District on the evening of September 14th, running from 6 PM to 10 PM; and

Whereas, the event will take place on the Gansevoort Plaza, as well as portions of Gansevoort Street, Little West 12th Street, West 13th Street, 9th Avenue, and Washington Street; and

Whereas, setup for the event is expected to begin at 7 AM on September 14th, with load-out completed from 11 PM to midnight; and

Whereas, the event is expected to be a ticketed event with fewer than 5,000 attendees, though the applicant was unable to provide more precise details as to the expected number of attendees; and

Whereas, the event will feature amplified sound and live performers, as well as on-site sanitation teams and portable restrooms for event attendees; and

Whereas, the event will feature seated dining, with attendees bringing their own food, and with wine / champagne sales on site under an SLA permit with a single point of distribution; and

Whereas, access to the sidewalks will be maintained for pedestrians for the duration of the event; and

Whereas, the live performers at the event will not be celebrity musicians; and

Whereas, the applicant stated they were unable to divulge more details of the event due to a Non-Disclosure Agreement that they had signed with the applicant, despite numerous questions from QoL committee members; and

Whereas, one of the principal functions in CB2 reviewing proposed street events is to discern whether the content and impact of such events merit the closing of public streets as well as the disruption to the public that such events may cause, which is impossible to do when CB2 is unable to learn specific details of such events; and

Whereas, approval of any event without knowing the specific details of such event would set an unacceptable precedent for future events; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **MDMA Plaza Hold**.

Vote: Adopted unanimously.

**11. 9/16 /23– Oktoberfest at The Biergarten (sponsor: The Standard Hotel, Highline)
Washington St. bet. Little W. 12th & W. 13th Sts. [full street closure]**

Whereas, The Standard Hotel, Highline, which has for years operated a German-themed Biergarten, is seeking a street closure to expand its annual Oktoberfest event; and

Whereas, the event is proposed to take place on Washington St. between Little West 12th and West 13th streets, right in front of the Standard Hotel, from 12 PM – 8 PM, with load-on beginning at 9 AM and load-out completed shortly after the event ends; and

Whereas, the event is meant to be an event that appeals to a wide range of community members, and will consist of a tent with a stage and music, picnic tables, carnival games, and other entertainment; and

Whereas, the event will feature no amplified sound, but will feature live music, mostly consisting of an “Oompah” polka band; and

Whereas, the event will have a standard 15-foot emergency lane, with 8 security guards on site as well as 8 sanitation team members present; and

Whereas, mobile bathroom facilities will be located on site for attendees; and

Whereas, while the event itself is free to attend, attendees would be paying for food and beverage as well as to play / participate in the carnival games; and

Whereas, beer, wine and food would be bought inside the Biergarten by attendees and then could be taken out to be consumed on the street, but no food/beverage sales will take place on the street itself; and

Whereas, the applicant expects approximately 500 attendees at any given time throughout the day; and

Whereas, CB2 members expressed some concerns about the traffic disruption that the proposed event might cause; and

Whereas, QoL committee members, while recognizing the applicant’s longstanding presence in the community, were generally not supportive of a daylong street closure for a for-profit event for a single private business, which while “free” to attend would in reality be a paying event for attendees to participate in any meaningful way; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Oktoberfest at The Biergarten**.

Vote: Adopted unanimously.

12. 9/18/23 – Audible Theater 5th Anniversary (sponsor: Audible Theater) Minetta Lane bet. 6th Ave. & Macdougall St. [full street closure] primarily in front of Minetta Lane Theater

Whereas, Audible Theater, an offshoot of Amazon-owned audiobook and podcast company Audible, has been partnering with Minetta Lane Theater for five years and is seeking to hold a 5th anniversary celebration on Monday, September 18th; and

Whereas, while much of the celebration will occur inside the theater, the applicant wishes to hold a small street event in front of the theater from 5:30 – 7:00 PM, with setup beginning at around 12 PM and breakdown occurring by 7:30 PM; and

Whereas, the event would consist of a red carpet, step-and-repeat wall, a seating area with hedges/umbrellas, and a pop-up bar; and

Whereas, the event would include amplified sound in the form of atmospheric music, as well as food and alcoholic beverages being served; and

Whereas, the applicant has not yet chosen a caterer, having asked nextdoor restaurant Da Toscano who has decided not to participate and will be closed that day, but is hoping to choose a local caterer for the event; and

Whereas, the applicant stated that they had hoped to only apply for a closure for a portion of Minetta Lane (between 6th Ave and Minetta Street), but QoL members pointed out that due to traffic patterns, this would require a full closure of both Minetta Lane and Minetta Street, which the applicant was unaware of; and

Whereas, QoL committee members were concerned about emergency access during the event, given the narrow width of Minetta Lane, and did not see any way that a 15-foot fire lane could be maintained during the event; and

Whereas, while CB2 strongly supports the cultural institutions, including theaters, in CD2, the proposed event is a private event with no public benefit, thrown for the benefit of a large for-profit corporation; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Audible Theater 5th Anniversary**.

Vote: Adopted unanimously.

13. 9/21/23 (Setup Date) – 9/23/23 (End Date & Breakdown) Joah Pop Up (sponsor: TH Experiential 1) 13th/14th Sts. Gansevoort Pedestrian Plaza [full]; 2) 9th Ave. bet. Gansevoort & W. 13th Sts.)

Whereas, Korean skincare brand Joah is seeking to hold an activation on the Gansevoort Plaza on Friday, September 22nd and Saturday, September 23rd; and

Whereas, the activation is expected to take up an approximately 50' x 30' footprint on the plaza, with the rest of the plaza remaining open for seating and public use; and

Whereas, the activation will a 360-degree photo booth, lounge seating, and free giveaways; and

Whereas, the activation will feature amplified sound with a DJ, about which some concern was expressed by CB2 members; and

Whereas, load in will occur from 6 PM – 9 PM on Thursday, September 21st, with the activation itself running from 9 AM – 6 PM on the 22nd, 12 PM – 6 PM on the 23rd, and load-out occurring on September 24th; and

Whereas, the applicant intends to use a virtual line management tool in order to prevent overcrowding in the plaza; and

Whereas, no food is intended to be served, and beverages would be limited to free water bottles and potentially Korean tea; and

Whereas, two security guards will be on site during off-hours with a third present during the activation hours; and

Whereas, no products will be sold at the event; and

Whereas, the applicant is partnering with NY-based nonprofit organization Bottomless Closet, with planned donations based on the number of attendees at the event; and

Whereas, while continuing to generally oppose the use of public plazas for purely commercial events, CB2 appreciates the fact that effort was made to partner with a NY-based nonprofit as well as the effort to use virtual line management to limit overcrowding; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of Joah Pop Up, provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Therefore Be It Further Resolved that CB2 Manhattan further recommends that the use of a DJ at this event be eliminated or reduced.

Vote: Adopted unanimously with 1 recusal (Roberts).

14. 9/21/23 – SNS Block Party (sponsor: SNS Block Party-Sneakers N Stuff) Little W. 12th St. bet. Washington St. & 9th Ave. [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; and

Whereas, concern was expressed by CB2 and community members around possible disruption from this event, given the proposed full block closure, amplified sound, and the fact that loud music is frequently heard coming from the store and the club below the store; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of SNS Block Party.

Vote: Adopted unanimously.

FYI: Renewals

15. 8/19-8/23/23 – New School Orientation Store (sponsor: N Ventures/The New School) 5th Ave. bet. E. 12th & 14th Sts. [partial sidewalk closure]
16. 8/23/23 – Pigeonwing Dance (sponsor: Unique Projects) Astor Place Plaza South (Full)
17. 8/30/23 – Films on the Cobble (sponsor: Meatpacking District Management Association) Gansevoort/13th/Gansevoort Pedestrian Plaza [full]
18. 9/7/23 – The New School 26th Annual Block Party (sponsor: The New School University) W. 12th St. bet. 5th & 6th Aves. [full street closure]
19. 9/23/23 – Astor Alive with Joe’s Pub Dance Event (sponsor: Village Alliance) Astor Place Plaza South (Full)
20. 9/23/23 – Bleecker Street Fair Village Center for Care (sponsor: Village Center for Care) Bleecker St. bet. 7th Ave. So. & 8th Ave. [full street closure]
21. 9/30/23 – Greenwich Ave Spring Fair Village Visiting Neighbors (sponsor: Village Visiting Neighbors) Greenwich Ave. bet. 7th Ave. So. & W. 12th St. [full street closure]

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

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

Vote: Adopted unanimously.

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

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SLA LICENSING COMMITTEE 1

The SLA Licensing Committee #1 of Community Board 2, Manhattan, held an in person non-hybrid meeting at 6:30PM on Tuesday, August 1, 2023, at Church of St. Anthony of Padua, Lower Hall, 154 Sullivan St.

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

Committee Board Members Absent with Notice: C. Flynn, L. Rakoff

RESOLUTIONS:

- 1. 450 West Broadway LLC dba Principe, 450 W Broadway 10012 (Existing OP–Restaurant, SN#1346923, Alteration Application)**
 - i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an Alteration to the existing On-Premises Restaurant Liquor License (SN#1346923, exp. 1/31/2025) to continue to operate a neighborhood restaurant serving breakfast, lunch and dinner in the ground floor and cellar of an M1-5/R7X-zoned, six (6)-story commercial building (c. 2002) on West Broadway between Prince and West Houston Streets (Block #516/Lot #37) the building falling within NYC LPC’s designated SoHo-Cast Iron Historic District Extension; and
 - ii. Whereas**, the Applicant has been in operation at this location since February/2023, the original application being heard by CB2, Manhattan in February/2022, the Alteration Application is to add sidewalk seating within the building’s property line consisting of five (5) tables and ten (10) seats; and
 - iii. Whereas**, the hours of operation will continue to be from 11 AM to 12 AM Sundays through Saturdays (7 days a week) with the additional sidewalk seating ending at 11 PM nightly; music will be quiet background only consisting of music from iPod/CDs/streaming services); there will be two (2) TVs operating in closed-caption mode; 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 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. Will operate a full-service restaurant, specifically a neighborhood restaurant with an Italian menu with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be from 7 AM to 12 AM Sundays through Thursdays and 7 AM to 1 AM Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk café located immediately adjacent to the storefront within the building line leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 5 tables and 10 patron seats. No roadbed seating. Service to patrons seated on the sidewalk will be through the separate doors located to the south of the main entry. Seating may be reduced to accommodate access from those doors.
5. All outdoor seating will close no later than 11 PM Sundays through Saturdays. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs. No roadbed seating
6. Will play quiet ambient recorded background music only on the ground floor. Acoustic live music is permitted in the cellar only and only when a private event is being held in that location.
7. Will have no more than an average of two (2) private events per month. All private events will take place in the cellar space only. No private events on the ground floor.
8. Will not have televisions.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will 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, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or barricades or doormen/security personnel.
16. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
17. Will appear before CB2, Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for an alteration to the existing On-Premises Restaurant Liquor License (SN#1346923, exp. 1/31/2025) for **450 West Broadway LLC dba Principe, 450 W Broadway 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)

2. 174 Mulberry Inc, 174 Mulberry St 10013 (OP–Restaurant) (Transfer)

- i. Whereas, Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a family-style Italian restaurant on the ground floor of a C6-2G-zoned seven (7)-story mixed-use building (c. 1900) on Mulberry Street between Grand and Broome Streets (Block #471 / Lot #34), the building falling within the Special SoHo-NoHo Little Italy District; and
- ii. Whereas**, the ground floor premises is approximately 1,480 sq. ft.; (880 sq. ft on the ground floor and 600 sq. ft. in the cellar, the cellar being accessed by a sidewalk hatch and used for storage purposes only), there will be 11 tables and 44 seats and one service bar with no seats for a total seated patron occupancy of 44 and a maximum legal occupancy of 74 persons; the premises has one (1) door which will serve as patron ingress and egress and two (2) bathrooms; and
- iii. Whereas**, the hours of operation will be continue to be from 11 AM to 12 AM Sundays through Saturdays (7 days a week); music will be quiet background music only consisting of music from iPod/CD’s/streaming services; there will be no: dancing, DJs, promoted events, scheduled performances or cover fees, velvet ropes or movable barriers, or security personnel; and
- iv. Whereas**, there will be sidewalk and roadbed seating and operating under the temporary Open Restaurants program on Mulberry Street. Sidewalk café is located immediately adjacent to the storefront leaving a minimum clearance of 8’ to the curbside for pedestrian passage with no more than two (2) tables and four (4) patron seats and roadbed seating not exceeding the business frontage of licensed premises with 7 tables and 14 patron seats; all outdoor seating will close no later than 10 PM; and
- v. Whereas**, the premises to be licensed has been operated under the same DBA name since 1968, this being a transfer of the business from the current owners who have been in operation since 2011 with an On-Premises Liquor License (St. Jude Enterprises LLC DBA Benito One, SN#1252546, exp. 5/31/2025) to the Applicant, the Applicant being a principal in another nearby restaurant since 2011 (132 Mulberry Inc, DBA Umberto’s Clam House, SN#1252377), with no change in method of operation; 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, there being 60 active licensed premises within 750 feet of the subject premises, in addition to 7 pending licenses, the Applicant's history and familiarity of operating restaurants in the immediate neighborhood, the method of operation remaining the same and agreed upon stipulations establishing public interest; 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 family-style Italian restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be from 11 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 outdoor area for commercial purposes except for a sidewalk café and roadbed seating operating under the temporary Open Restaurants program on Mulberry Street. Sidewalk café is located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than two (2) tables and four (4) patron seats and roadbed seating not exceeding the business frontage of licensed premises with 7 tables and 14 patron seats.
 5. All outdoor seating will close no later than 10 PM. All tables and chairs will be removed from the sidewalk at this hour and tables and chairs in the roadbed will be secured. No exterior music, speakers or TVs.
 6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 7. Will not have televisions.
 8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 10. Will not install or have French doors, operable windows or open facades.
 11. Will not make changes to the existing façade except to change signage or awning.
 12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
 13. Will 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 doormen/security personnel.
 16. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a On-Premises Restaurant Liquor License in the **174 Mulberry Inc, 174 Mulberry 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 (5–0)

3. **337B West Broadway, LLC dba Mezcal & Amaro, 337B W. Broadway 10013** (new OP – Coffee & Cocktail Bar) (*previously unlicensed*)
 - i. **Whereas**, the Applicant and the Applicant’s Attorney originally appeared before Community Board 2, Manhattan’s SLA Committee #1 via video conference in December/2021 to present an application to the NYS Liquor Authority for an On-Premises license for a coffee shop and cocktail lounge located on the ground floor of a M1-5A zoned, two (2)-story commercial building (c. 1910) on West Broadway between Grand and Broome Streets (Block #475 / Lot #1) located in the SoHo-Cast Iron Historic District; and
 - ii. **Whereas**, at its December/2021 full board meeting CB2, Manhattan unanimously recommended approval of the On-Premises Liquor license; and
 - iii. **Whereas**, the premises being ineligible for a temporary On-Premises permit for the service of alcohol and the NYSLA being backlogged in processing On-Premises Liquor applications, in July/2022 the Applicant notified CB2, Manhattan that it would like to amend its application to a Tavern Wine license, the Tavern Wine license allowing the Applicant to get a temporary permit; there being no other changes to the application aside from the change in licensing class, the Applicant agreeing to and signing the same stipulations as December/2021, the full board unanimously recommending approval of the Tavern Wine license at its September/2021 meeting; and
 - iv. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #1 this month (August/2023) to present an application to the NYS Liquor Authority for an On-Premises Liquor License, the method of operation being the same as in December/2021, the Applicant explaining there have been and continues to be significant construction delays with the project rendering the need for the temporary liquor license permit associated with the Tavern Wine license irrelevant, the Applicant having withdrawn their application at the NYSLA for the Tavern Wine license, there being no changes to the method of operation or principals; and
 - v. **Whereas**, the premises is roughly 1,070 sq. ft.; there will be 10 tables with 27 seats and one (1) bar with 10 seats for a total patron occupancy of 37 seats; there is one (1) entryway which serves as patron ingress and egress and one (1) patron bathroom; and

- vi. Whereas**, the hours of operation will be from 7AM to 2AM Sundays through Saturdays (7 days a week); all doors and windows will be closed by 10 PM nightly; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- vii. Whereas**, there will be sidewalk seating operating under the temporary Open Restaurants program on West Broadway with no more than two (2) tables and four (4) patron seats; sidewalk café hours will end by 11 PM Sundays through Saturdays (7 days a week); and
- viii. 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 coffee shop and cocktail lounge.
 2. The hours of operation will be 7AM to 2AM Sundays through Saturdays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
 3. Will operate with less than a full service kitchen but will serve food during all hours of operation.
 4. Will not operate as a Sports Bar or allow any portion of premises to be operated in that manner.
 5. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk café operating under the temporary Open Restaurants program on West Broadway. Sidewalk café is located immediately adjacent to the storefront with no more than two (2) tables and four (4) patron seats. No roadbed seating.
 6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No speakers will be positioned on the interior facing the sidewalk and none placed directly adjacent to the operable front façade. No music will be audible in any adjacent residences anytime.
 7. Will not have televisions.
 8. Will have not more than four (4) private parties/year.
 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 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 appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
16. Any sidewalk or roadbed seating operating under the temporary Open Restaurants program ends by 11PM (all patrons will be cleared by this hour and area closed); no exterior music, speakers or TVs.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Liquor License for **337B West Broadway, LLC d/b/a Mezcal & Amaro, 337B W. Broadway 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” of the NYSLA Liquor License.

Vote: Unanimous in favor (5–0)

4. Mishka SoHo Inc dba Mishka SoHo, 519 Broome St 10013 (RW–Restaurant)

- i. Whereas,** the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application to the NYS Liquor Authority for a new Restaurant Wine license to operate a full service restaurant described as a “family friendly neighborhood restaurant that will serve authentic Eastern European cuisine” on the ground floor of a M1-5B-zoned, five (5)-story commercial building (c. 1890) on Broome Street between Sullivan and Thompson Streets (Block #476 / Lot #25) located in the Sullivan-Thompson Historic District; and
- ii. Whereas,** the storefront premises to be licensed is approximately 800 sq. ft. with 8 tables and 32 seats and 1 standup bar with 8 seats, for a total occupancy of 40 patron seats in the premises, there will be one set of double doors at the entrance of the restaurant on Broome Street and two bathrooms; there is an existing Certificate of Occupancy for the premises which permits eating and drinking, Use Group 6 on the ground floor storefront level; the instant application also includes 24 seats in the adjacent, separate lot to the East at 517 Broome Street (Block #476 / Lot #26) for which there is no Certificate of Occupancy permitting eating and drinking; and
- iii. Whereas,** the hours of operation will be from 8:00 AM to 9:30 PM Sundays and 8:00 AM to 10 PM Mondays and Wednesdays, 8:00 AM to 11:00 PM Thursdays through Saturdays and closed on Tuesdays; music will be quiet background music only consisting of music from iPod/CD’s/streaming services, there may be DJs at private parties with not more than 16 private parties/year; there will be no: dancing, live music, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; and

- iv. **Whereas**, the Applicant originally appeared before CB2, Manhattan in May/2020 for an On-Premises Liquor License with a similar method of operation but without the use of the adjacent lot or any other outdoor space; CB2, Manhattan recommending approval of the application with signed stipulations with one of the stipulations being there will be no use of any outdoor space for commercial purposes; and
- v. **Whereas**, the Applicant's Attorney states that they withdrew the On-Premises Liquor License application with the NYSLA; they have been operating the restaurant with a similar method of operation since approximately mid-2020, albeit without the service of alcohol; and
- vi. **Whereas**, the instant application includes 24 seats in the adjacent lot to the East at 517 Broome Street (Block #476 / Lot #26) which was previously an open-air parking garage and is a separate zoning lot with a separate deed with no certificate of occupancy showing the use being requested as permitted; the Applicant currently using the lot for seating, with a commercial outdoor kitchen with charcoal/wood burning grill located in the lot for outdoor cooking without providing documentation that proper permits have been acquired for an outdoor commercial kitchen or grilling in the adjacent lot; there being no direct access to the lot from the 519 Broome Street premises, patrons/servers need to exit the premises and go onto the sidewalk / city property to enter the adjacent lot by a separate entry on Thompson Street, alternately food and drink may be dispensed through windows inside 519 Broome Street into what is shown in supplied diagrams and described by the Applicant as a one-story food prep area, that food prep area located within the adjacent building lot line which the Applicant's Attorney described incorrectly as being within the building lot line of 519 Broome Street, the building lines being straight and this food prep area and adjacent lot not being part of the Certificate of Occupancy of 519 Broome Street; it being unclear how a food prep area and adjacent seating can be located in a separate and distinct building lot but still be included as part of the instant application with there being no plans filed with DOB to conjoin the two zoning lots and no specific permission for use of the building for eating and drinking-related uses; and
- vii. **Whereas**, the premises to be licensed was previously licensed under Anyway SoHo LTD dba Anyway Café (SN#1306122) from 2018 to 2020 with conditions on that license imposed by the NYSLA specifically including that the Eastern separate side lot, 517 Broome Street, was never to be used for outside dining, only for parking cars and that there be no sidewalk café; and
- viii. **Whereas**, the Applicant, after stating that the adjacent lot was simply an extension of the 519 Broome Street premises, proposed removing the outdoor seating from the instant application, there being significant concerns that the Applicant would not relinquish the use of the adjacent lot as the Applicant is already operating their restaurant without the service of alcohol in that lot and its use is part of their method of operation, that lot not being permitted for an eating and drinking establishment; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine License for **Mishka SoHo Inc dba Mishka SoHo, 519 Broome St 10013**; and

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

Vote: Unanimous in favor (5–0)

5. M588 Catering Group d/b/a Mangia, 588 Broadway 10012 (new RW–Restaurant)
(previously unlicensed)

- i. Whereas, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing #1 to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a restaurant serving made-to-order, farm-to-table meals in sustainable, eco-friendly packaging on the ground floor of a M1-5B- zoned, 12-story commercial building (c. 1900) on the Broadway between East Houston and Prince Streets (Block #511/Lot #8) 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 storefront premises is approximately 1,835 sq. ft.; there are four (4) tables and 18 seats with one (1) bar and no seats for a total interior seated occupancy of 18 persons; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom; the store front infill being fixed without operable doors or windows that open out to the sidewalk; there will be four (4) tables and eight (8) chairs on the sidewalk operating under the temporary Open Restaurants program without the service of alcohol; and
- iii. **Whereas**, the hours of operation will be from 7 AM to 6 PM Mondays through Fridays, the premises will be closed Saturdays and Sundays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. **Whereas**, the premises to be licensed was previously unlicensed and most recently operated as a Beauty Supply Store; and
- v. **Whereas**, there Applicant has three other outposts in Manhattan, the original opening in 1981, and is known for their sandwiches and bakery in addition to their catering business; the instant application originally being for the service of beer, wine and liquor and while the instant application is for the westernmost 1,835 sq. ft. of the ground floor fronting Broadway, the Applicant has leased a total of 10,000 sq. ft. on the ground floor, going east to Crosby Street; and
- vi. **Whereas**, there were concerns raised about the precedent of any sidewalk seating on Broadway, these sidewalks having some of the highest density of sidewalk foot traffic in CB2, Manhattan, this stretch of Broadway serving multiple bus stops and subway stations where just walking the sidewalk is often brought to “snail’s pace”; additional concerns being raised about any trash placed out on Broadway due to the congested nature of the sidewalk, the

Applicant stating the trash would be put out on Crosby Street and receptacles brought back in soon after; and

vii. Whereas, questions were raised by residents and the Committee regarding the need for an On-Premises Liquor License for sandwich shop with a significant “to-go” business and small on-premises seating, open weekdays only with 6 PM closing and the eventual overall use of the 10,000 sq. ft. premises, the Applicant stating future plans were to have a large bakery and retail shop in the Eastern part of the ground floor, fronting Crosby Street, operating independently from the instant application, there currently being no plans to add a separate catering kitchen to the premises; it being questionable how a full liquor license serves the public interest considering the described method of operation including the lack of a catering business operating out of the premises, the Applicant agreeing to downgrade the application to a Restaurant Wine license and thus is not subject to the public interest standard of the 500 Foot Rule; concerns and

viii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Restaurant Wine License, with those stipulations as follows:

1. Premise will be advertised and operated as a space offering made-to-order, farm-to-table meals in sustainable, eco-friendly packaging focused on artisanal Italian dishes as well as catering for large events.
2. The hours of operation will be 7 AM to 6 PM Mondays through Fridays and closed Saturdays and Sundays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program 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. There will be no service of alcohol to the outdoor seating. No roadbed seating.
5. All outdoor seating will close no later than 6 PM. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed.
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 doormen/security personnel.
16. Will not change principals prior to submission of original application to the NYSLA.
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 a new Restaurant Wine License in the name of **M588 Catering Group d/b/a Mangia, 588 Broadway 10012** unless the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (5–0)

6. Amis79 LLC, 79 MacDougal St., Ground Fl/Basement 10012 (OP–Restaurant)

- i. Whereas**, the Director of Operations and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Liquor License for a French-inspired fine dining restaurant located in ground floor of a R7-2-zoned, seven (7)-story, mixed-use tenement building (c. 1910) on MacDougal Street between Bleecker and Houston Streets (Block #526/Lot #28) located in the South Village Historic District; and
- ii. Whereas**, the interior ground floor premises is approximately 2,400 sq. ft. with approximately 1,400 sq. ft. on the ground floor and 1,000 sq. ft. in the basement, the basement being accessed by an exterior sidewalk hatch with no patron access; there will be 18 tables with 54 seats and one (1) bar with ten (10) seats, for a total patron occupancy of 64 seats; there is one (1) entryway serving as patron ingress and egress and two (2) patron bathrooms; and
- iii. Whereas**, the hours of operation will be from 5 PM to 12 AM Mondays through Fridays and 12 PM to 12 AM Sundays and Mondays; music will be quiet background only consisting of music from iPod/CDs except for 2x/year where they may be acoustic live music only (including up to one saxophone, no other horns or percussion). Live music will end no later than 9 PM; there will be no dancing, DJs, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. Whereas**, the Applicant (who is the chef) and Director of Operations (a husband and wife team) operate two other well-regarded restaurants in Manhattan serving Korean food in collaboration with HAND Hospitality (Atoboy, opened in 2016 and Atomix, opened in 2018),

the instant application will be a separate and different venture, specializing in French-inspired food; and

- v. **Whereas**, roadbed dining was included in the instant application to which residents raised significant concerns regarding the noise and trash quality of life impacts of an additional roadbed structure, this block being residentially zoned where outdoor seating had previously been prohibited, almost every single ground floor retail space becoming an eating and drinking establishment with either an existing or pending liquor license and outdoor seating over the past few years, the opposite side of the street consisting of mid-block ground floor apartments and residences also surrounded by eating and drinking establishments to the north and south, there being significant issues with patron noise and music from other nearby establishments, while residents were supportive of the Applicant there was no support for the outdoor dining aspect of the application, the area already being over-saturated with outdoor dining and wall-to-wall roadbed structures, the street being a narrow residential street, with roadbed structures additionally making it difficult for emergency vehicles to access the street promptly and another roadbed structure with outdoor patrons would significantly impact the existing noise level; and
- vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the 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 136 active licensed premises within 750 feet of the subject premises, in addition to 10 pending licenses, the Applicant removing the outdoor dining component from their application and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the “Method of Operation” of the On-Premises Liquor License, with those stipulations as follows:
1. Premises will be advertised and operated as full-service restaurant French-inspired restaurant with the kitchen open and full menu items available until closing every night..
 2. The hours of operation will be 5 PM to 12 AM Mondays through Fridays and 12 PM to 12 AM Sundays and Mondays. 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 with the exception of 2x/year where they may be acoustic live music only (including up to one saxophone, no other horns or percussion). Live music will end no later than 9 PM. 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 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 any of the following: dancing, DJs, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades.
16. Will not change principals prior to submission of original application to the NYSLA.
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.

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 **Amis79 LLC, 79 MacDougal St., Ground Fl/Basement 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (5–0)

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

7. **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 August 1, 2023, the Applicant requested **to lay over** this application to September/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

8. Organic Grill Inc d/b/a Organic Grill, 133 West 3rd St 10014 (RW–Restaurant) (Change in Method of Operation)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on August 1, 2023, the Applicant requested to lay over this application to September/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 **Organic Grill Inc d/b/a Organic Grill, 133 West 3rd St 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

9. 219 Mulberry LLC dba Ruby's, 219B Mulberry St 10012 (RW) (Alteration)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on August 1, 2023, the Applicant requested to lay over this application to September/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

10. Le Comptoir Inc dba Chateau Rouge, 137 Thompson St 10012 (TW) (previously unlicensed)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on August 1, 2023, the Applicant requested **to lay over** this application to September/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 **Le Comptoir Inc dba Chateau Rouge, 137 Thompson St 10012 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

11. De Xiang Inc. dba Genki Omakase, 552 LaGuardia Pl, no 4 10014 (RW)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 1, 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 **De Xiang Inc. dba Genki Omakase, 552 LaGuardia Pl, no 4 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. Cantiere NY LLC d/b/a Cantiere Hambirreria, 41 Kenmare St 10012 (TW)

Whereas, at this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on August 1, 2023, the Applicant's Attorney requested **to lay over** this application to September/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 **Cantiere NY LLC d/b/a Cantiere Hambirreria, 41 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

13. 130 Bowery OPCO Tenant LLC, 130 Bowery 10013 (OP-Catering Facility)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on August 1, 2023, the Applicant requested **to lay over** this application to September/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 **130 Bowery OPCO Tenant LLC, 130 Bowery 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

14. Felix Greene Street Soho LLC dba Felix Roasting Co., 145 Greene St 10012 (OP-Tavern)
(previously unlicensed)

Whereas, following this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on August 1, 2023 there were items that had not yet been resolved and the Applicant requested **to lay over** this application to September/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 **Felix Greene Street Soho LLC dba Felix Roasting Co., 145 Greene St 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

15. Grande Gusto Ristorante LLC, 188 Grand St 10013 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on August 1, 2023, the Applicant requested to lay over this application to September/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 **Grande Gusto Ristorante LLC, 188 Grand 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

16. LH NYC LLC, 155 Bleecker St 10012 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on August 1, 2023, the Applicant requested to lay over this application to September/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 **LH NYC LLC, 155 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

17. Juicerie LLC dba The Butcher's Daughter, 19 Kenmare St, Corner Store 10012 (OP–Restaurant) (Expansion into Municipal Property)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 1, 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 **Juicerie LLC dba The Butcher's Daughter, 19 Kenmare St, Corner Store 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

Respectfully submitted,

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

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*

COMMUNITY BOARD NO. 2, MANHATTAN

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SLA LICENSING COMMITTEE 2

The SLA Licensing Committee #2 of Community Board 2, Manhattan, held a non-hybrid meeting at 6:30PM on Tuesday, August 3, 2023, at Lenox Health Greenwich Village, 200 West 13th Street, 6th Floor conference room.

Committee Board Members Present: D. Raftery (Chair), C. Booth, B. Pape, and Dr. S. Smith,
Committee Board Members Absent with Notice: K. Bordonaro, C. Flynn
Public Members Present: R. Ely
Other Board Members Present: None

RESOLUTIONS:

1. **Delice & Sarrasin LLC, 178 West Houston 10014** (RW–Restaurant)

- i. **Whereas**, the Applicant and the Applicant's Representative appeared before Community Board 2, Manhattan's SLA Licensing Committee #2 to present an application for a Restaurant Wine license to operate a family-owned restaurant serving French vegan cuisine on the ground floor of a R7-2 /C1-5 overlay-zoned, six (6)-story walk-up building on West Houston between Sixth Avenue and Downing St. (Block #527/Lot #51), the building falling within NYC LPC's designated Greenwich Village Historic District Extension II; and
- ii. **Whereas**, the storefront premises is approximately 1,600 sq. ft. (approximately 1,000 sq. ft. on the ground floor and 600 sq. ft. in the cellar, the cellar being accessed via an internal staircase with no patron use of the cellar); there are approximately 16 tables with 32 seats and one bar with six (6) seats for a total seated occupancy of 38 persons; 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 but there are operable windows in the rear opening to the rear yard which will be kept closed at all times; 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 ambient recorded background music only; there will be no: dancing, DJs, live music, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; and

- iv. **Whereas**, the premises to be licensed was previously licensed with a Restaurant Wine License under Houston Hospitality Group LLC dba Biamo (SN#1324972) from early 2022 with hours from 11 AM to 11 PM nightly with a NYSLA stipulation stating no outdoor seating, prior to that the premises was previously unlicensed; and
- v. **Whereas**, the Applicant has been in operation and operating without a liquor license under the same DBA at 20 Christopher, also in CB2, since 2015, having relocated and opening at this new location in June/2023; and
- vi. **Whereas**, the application originally heard in July/2023 included the use of the rear yard; local residents appeared in opposition to the use of the rear yard, the rear yard being surrounded by a donut of residential apartments, with sound from the rear yard causing adverse quality of life impacts on those residents; the Applicant unable to provide a certificate of occupancy or letter of no objection allowing for the use of the rear yard for an eating and drinking establishment, additional safety concerns were raised due to the lack of any plans showing appropriate egress; the Applicant returning this month for reconsideration of the application without the inclusion of the rear yard, local residents supporting the application as presented this month with no use of the rear yard; and
- vii. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule; and
- viii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Restaurant Wine License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a full-service family-owned French vegan 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 PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
 - 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 not have televisions.
 - 6. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 - 7. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 - 8. Will not install or have French doors, operable windows or open facades/
 - 9. Will not make changes to the existing façade except the installation of operable windows and to change signage and/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. 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 security personnel/doorman.
13. Will not change principals prior to submission of original application to the NYSLA.
14. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a Restaurant Wine License in the name of **Delice & Sarrasin LLC, 178 West Houston 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 (4–0)

2. **Pier55, Inc and USE LI F&B Management LLC dba Little Island, Pier 55 Hudson River Park 10014** (OP–Public Park)
 - i. **Whereas**, the Applicants and their Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for an upgrade of their Tavern Wine license (SN#1332421, exp. 4/30/25) to operate a three acre extension to the Hudson River Park, the extension of the existing public park being built upon cement pylons over the Hudson River, designated as Little Island, where a 689 seat waterfront Amphitheater has been built in addition to new park land, including trees, lawns, a myriad of walking pathways and stairs traversing a series of hills, a glade area with bleacher/grandstand style tier seating supplemented by a sloped grassy area immediately above it, in addition to multiple lookouts with views of the Hudson River and beyond, the park area being located across the West Side Highway or West Street generally south of West 14th across from the Meatpacking District and the southern end of the elevated High Line Park; and
 - ii. **Whereas**, the Little Island extension to the Hudson River Park will have the same hours as the entire Park, operated by the Hudson River Park Trust, from 6:00 am to 1:00 am every day/night of the week; and
 - iii. **Whereas**, except for one 344 sq. ft. section of the public park designated as the “Southwest Lookout”—the new park’s highest elevation—there may be service of alcoholic beverages throughout the entire three-acre park from 11 AM am to 12 AM Saturdays through Sundays (7 days a week); and

- iv. **Whereas**, there are currently four (4) customer bars located on Pier 55/Little Island for the sale of Alcoholic beverages, the first two being located in the “Main Plaza,” the third being located at the Glade area and the fourth located at the “Northwest Overlook” of the Little Island next to the Amphitheater; and
- v. **Whereas**, as part of the instant application in addition to the upgrade to an On-Premises Liquor License, the “Main Plaza” will be renamed “The Play Ground,” the fourth customer bar currently located in the “Northwest Overlook” will be moved to the rear of the amphitheater, a fifth bar will be added to “The Play Ground” for a total of three bars in “The Play Ground” and the service bar will be removed from the “Undercroft;” and
- vi. **Whereas**, all alcoholic beverages containing spirits will be served out of ready-to-drink cans of not more than 12 ozs. with an Alcohol by Volume (ABV) of 15% or less with the exception of 12x/year where there may be one specialty cocktail in addition to the ready-to-drink cans of cocktails, and that specialty cocktail may be of a higher ABV; and
- vii. **Whereas**, as drinking is permitted throughout the majority of the park, concerns were raised regarding the impact of the upgrade in connection with having open bars throughout the public park, the Applicant ensuring that was not their intention and that there would be no open bars when the park was open to the public, the service of spirits being limited to ready-to drink cans with the exception of when there may be specialty cocktails as stated in “vi.” above, those specialty cocktails being limited to one type per occurrence; and
- viii. **Whereas**, with the method of operation being as stated above, it appears there will not be an expansion of the impacts of drinking throughout the public park and therefore there was no discussion of a reduction in hours of the service of alcohol or other methods of mitigation of impacts; and
- ix. **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. No alcohol will be sold before 11 AM.
 2. There will be five (5) Point of Sale (“POS”) locations where alcoholic beverages will be available for sale to the public as per diagrams attached.
 3. There are three (3) POS in the Main Plaza; one (1) POS in the Glade; and one (1) POS in the rear of the Amphitheatre.
 4. All alcoholic beverages containing spirits will be sold in ready-to-drink cans of not more than 12 ozs. with an ABV of 15% or less with the exception of item #5.
 5. Not more than 12x/year there may be the addition of one (1) specialty cocktail available in addition to the ready-to drink cans of cocktails.
 6. At no time will there be an open bar at any of the POS locations when open to the public.
 7. No alcoholic beverages may be brought into or taken out of Little Island.
 8. No pitchers of beer or bottles of wine will be sold or permitted.

9. All permitted and fund-raising events at Little Island will be announced and scheduled in advance, such schedule being published to the general public consistent with the terms of its lease agreement with the Hudson River Park Trust.
10. Permitted events and scheduled events will be those described in Pier 55 Inc.'s lease agreement with the Hudson River Trust, such agreement and terms therein being incorporated into this stipulation agreement for that limited purpose.
11. Permitted events in the amphitheater POS will end by midnight.
12. Permitted events will be open to the public. There may also be fund raising events as permitted by the lease that may be private.
13. Little Island will engage an outside New York State licensed security company with properly trained staff. Will have 24/7 security cameras and two blue light tower assistant call boxes maintained by the NYPD. It will be staffed with year-round park supervisors and park attendants during all park operating hours and will have 2 security personnel during the peak summer season 10 PM – 6 AM Monday to Sunday, and 1 security guard 2 PM – 10 PM Wednesday to Sunday. Someone will be on site 24/7 all year.
14. Little Island will always employ Park Staff to monitor the premises when it is open. Staff, including security, will be attired to be easily identifiable by the public.
15. No patron or customer will be allowed to order or purchase more than one alcoholic drink at a time. Staff will ID patrons as required.
16. There will be no happy hour.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Liquor License in the name of **Pier55, Inc and USE LI F&B Management LLC dba Little Island, Pier 55 Hudson River Park 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 (5–0)

3. Sappesuk LTD dba Sappe, 240 W 14th St 10011 (OP–Restaurant)

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for a new On-Premises license to operate a full-service Thai restaurant focusing on Thai street food in the “ping yang” tradition located in a subsurface, below grade level basement storefront of a C6-2A -zoned, four (4)-story walk-up building on 14th Street between Seventh and Eighth Avenues (Block #618/Lot #13); and
- ii. Whereas**, the ground floor premises is approximately 4,500 sq. ft. consisting of 3,500 sq. ft. in the basement and 1,000 sq. ft. in the cellar, the two floors connected by an interior stairway with no patron use of the cellar; there will be approximately 18 tables and 36 seats and one (1) bar with ten (10) seats for a total seated patron occupancy of 46 and maximum occupancy of 125 persons; the premises has one (1) door which for patron ingress and egress and four (4) patron bathrooms; and

- iii. **Whereas**, the hours of operation will be from 12 PM to 11 PM Sundays through Thursdays and 12 PM to 12 AM Saturdays and Sundays; 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 doors on 14th Street that will be kept closed at all times; there is no rear yard, sidewalk café or roadbed seating or other exterior area for the service of alcohol; and
- iv. **Whereas**, the premises to be licensed was previously operated as a full service restaurant known as Crispo's (2000–2020), which operated with closing hours of 11 PM during the week and 11:30 PM on the weekends, following that it was operated by 240 West 14th St Corp dba Death By Pizza who never obtained a liquor license for the premises; and,
- v. **Whereas**, the Applicant appeared in July/2023 with the same application except it included the use of the rear yard of the adjacent but separate building known as 242 West 14th Street (Block #618 / Lot #12), a certificate of occupancy from 2008 being presented for the 240 West 14th St building which allows for restaurant occupancy and use of the interior only in the basement, but not for any exterior space; no certificate of occupancy or permit was produced for the ancillary outdoor rear yard which is located in the rear of the next door building known as 242 West 14th St., the Certificate of occupancy for 242 West 14th St. showing no permitted commercial outdoor uses; residents in the adjacent building wrote in objection to any use of the rear yard, their apartments directly overlooking the yard and having been negatively impacted by its illegal use of the rear yard by the prior occupant; the Applicant had requested in July/2023 to layover the application to August/2023 in order to establish that the use of the rear yard is permitted and demonstrate proper soundproofing and diagrams; and
- vi. **Whereas**, the Applicant returned this month August/2023 but was unable to provide a Certificate of Occupancy or Letter of No Objection or any other permit showing the use of the adjacent 242 West 14th St. rear yard was legal, the rear yard being located in a separate building lot, there being serious safety concerns about proper egress, the Applicant choosing to move forward with the application without the use of the rear yard or inclusion in the diagrammed premises; and
- vii. **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 50 active licensed premises within 750 feet of the subject premises, in addition to 7 pending licenses, the Applicant having reasonable closing hours with background music only and having been operating another restaurant in Manhattan seemingly without complaints, 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
- viii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would

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

1. Premises will be advertised and operated as a full service Thai restaurant serving Thai street food in the “ping yang” tradition with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be from 12 PM to 11 PM Sundays through Thursdays and 12 PM to 12 AM Saturdays and Sundays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any 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 close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not have patron occupancy/service to any portion of the cellar of licensed premises.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
13. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or doorman 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 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 **Sappesuk LTD dba Sappe, 240 W 14th St 10011** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (5–0)

4. 11 Sushi Kai Inc, 11 Barrow St 10014 (RW–Restaurant Wine)

- i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for an Restaurant Wine License to operate an Omakase sushi restaurant on the ground floor and cellar of a R6/C1-5-zoned, eight (8)-story mixed-use building (c. 1897) on Barrow Street between West 4th Street and 7th Avenue South (Block #590/Lot #7502) the building falling within NYC LPC’s designated Greenwich Village Historic District; and
- ii. Whereas,** the ground floor premises is approximately 600 sq. ft.; there will be one (1) bar with 15 seats for a total seated patron occupancy of 15; the premises has one (1) door for patron ingress and egress and one (1) bathroom; and
- iii. Whereas,** the hours of operation will be from 5 PM to 10 PM Sundays through Thursdays and 5 PM to 11 PM Fridays and Saturdays; music will be quiet background music only consisting of music from iPod/CDs/streaming services; there will be no: dancing, DJs, promoted events, scheduled performances or cover fees, velvet ropes or movable barriers; and
- iv. Whereas,** the premises to be licensed was previously licensed under Rockmei Inc dba Rockmeisha (SN# 1156197) with a similar method of operation; and
- v. Whereas,** this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule; 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 Restaurant Wine License, with those stipulations as follows:
 1. Premises will be advertised and operated as a full-service Omakese-style sushi restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be 5 PM to 10 PM Sundays through Thursdays and 5 PM to 11 PM Fridays and Saturdays. No patrons will remain after stated closing time.
 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the 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 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 the installation of operable windows and to change signage and/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. 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 security personnel/doormen.
13. Will not change principals prior to submission of original application to the NYSLA.
14. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Restaurant Liquor License in the name of **11 Sushi Kai Inc, 11 Barrow 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 NYSLA Liquor License.

Vote: Unanimous in favor (5–0)

5. **AW Hospitality LLC, d/b/a TBD, 244 West 14th Street 10014** (OP–Restaurant) (renotification)
 - i. **Whereas**, in March/2021 the Applicant appeared before Community Board 2, Manhattan’s SLA Committees #1 & #2 to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a full service, high-end steakhouse restaurant in the ground floor and basement of a C6-2A-zoned, 2-story commercial building (c. 1920) on West 14th Street between 7th and 8th Avenues (Bock #618/Lot #10); and
 - ii. **Whereas**, at its March/2021 full board meeting, CB2, Manhattan unanimously approval of their application conditioned provided the statements presented by the Applicant were accurate and complete and that the conditions and stipulations agreed to by the Applicant remained incorporated into the "Method of Operation of the SLA On-Premises License ([CB2, Manhattan March/2021 SLA resolutions](#)); and
 - iii. **Whereas**, the Applicant was unable to move forward at the NYSLA at that time and on July 17/2023, CB2 Manhattan received renotification of their intention to move forward with the application no change in principals or method of operation; the application affirming this by re-signing stipulations and confirming the principals; 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 a high-end steakhouse on both floors of the premises, with the kitchen open and full menu items available until closing every night..
2. The hours of operation will be from 12:00 PM to 12:00 AM Sundays through Tuesdays and 12:00 PM to 2:00 AM Wednesdays through Saturdays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not have televisions.
5. Will not operate a backyard garden or any outdoor area for commercial purposes.
6. Will not have a sidewalk café now or in the future.
7. Will play quiet ambient recorded background music only throughout entire licensed premise with the exception of private parties in the basement, at which time there may be occasional live music (acoustic only – no brass or percussion) and/or a DJ. No music will be audible in any adjacent residences anytime.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. Will not install or have French doors, operable windows or open façades.
10. 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. No patron lines/ID checks on sidewalk. ID/Security checks to take place inside 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 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 wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: dancing, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.
17. Will not change any principals prior to submission of original application to SLA.
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 a new On-Premises Restaurant Liquor License in the name of **AW Hospitality LLC, d/b/a TBD, 244 West 14th Street 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (5–0)

- 6. 78 5th Avenue Kafeneio Inc. dba Ariston Flowers & Cafe, 78 5th Ave 10011 (TW–Flower Shop with Ancillary Café)**
- i. Whereas,** the Applicants and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 in July/2023 to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate a retail flower shop with ancillary café in the rear within a ground floor storefront in a ten-story mixed-use building (c. 1900) on Fifth Avenue between West 13th and West 14th Streets in Greenwich Village; and
 - ii. Whereas,** prior the CB2, Manhattan’s July/2023, the Applicant was unable to reach a compromise on the requested live music and insisted on having percussion and amplified microphones; therefore, the recommendation was to deny the application, which recommendation was approved by CB2, Manhattan at its July/2023 full board meeting ([CB2, Manhattan July/2023 SLA resolutions](#)); and
 - iii. Whereas,** on August 28/2023 the Applicant had 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, that stipulation agreement had been supplied to the Applicant following the July/2023 CB2, Manhattan Committee meeting, with those stipulations as follows:
 1. Premise will be advertised and operated only as a flower shop and coffee bar / wine bar with light food throughout hours of operation.
 2. Will not operate as a “bar,” the primary use is as a flower shop and café.
 3. The hours of operation will be from 9 AM to 10 PM on Sundays, 7:30 AM to 11 PM Mondays through Wednesdays and Thursdays, 7:30 AM to 12 AM Thursdays through Saturdays. (NO patrons will remain after stated closing time.)
 4. Will not operate a backyard garden or any other outdoor area for commercial purposes except for sidewalk café consisting of not more than four (4) tables and eight (8) seats. There will be no service or consumption of alcohol in the sidewalk seating.
 5. All outdoor seating will close no later than 5 PM. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs. No roadbed seating.
 6. Will play quiet ambient recorded background music only. There may be acoustic live jazz (no horns or percussion) consisting of not more than 3 persons with no amplification or microphones up to 2x/week. All live music will end by 9 PM. No music will be audible in any adjacent residences at any time.
 7. Will not have televisions.
 8. Will close for private parties not more than 6x per year.
 9. Service of alcohol is by wait staff to seated patrons only.
 10. Will close all doors at all times, allowing only for patron ingress and egress.
 11. Will not install or have French doors, operable windows or open facades.
 12. Will not make changes to the existing façade except to change signage or awning.
 13. Will comply with NYC Department of Buildings Regulations and will 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. 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 security personnel / doormen.
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, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

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 **78 5th Avenue Kafeneio Inc. dba Ariston Flowers & Cafe, 78 5th Ave 10011** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (5–0)

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

7. **RH NY Guesthouse LLC & RH NY Guesthouse F&B LLC dba RH, 55 Gansevoort St. 10014** (OP-Hotel with Restaurant) (Change in Method of Operation)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on August 3, 2023, the Applicant requested **to lay over** this application to September/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 **RH NY Guesthouse LLC & RH NY Guesthouse F&B LLC dba RH, 55 Gansevoort St. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

8. **ReBoot West Village LLC, 101 7th Ave South 10014** (RW-Restaurant) (*previously*)

unlicensed)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on August 3, 2023, the Applicant requested **to lay over** this application to September/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 **ReBoot West Village LLC, 101 7th Ave South 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

9. Sofia's Bagels LLC dba Hudson Bagels, 535 Hudson St 10014 (RW)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on August 3, 2023, the Applicant requested **to lay over** this application to September/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 **Sofia's Bagels LLC dba Hudson Bagels, 535 Hudson St 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

10. People's NYC LLC, 113 West 13th St 10011 (OP-Tavern)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on August 3, 2023, the Applicant requested **to lay over** this application to September/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 **People's NYC LLC, 113 West 13th St 10011** **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. Par Avion Group LLC dba Par Avion, 37 Carmine St 10014 (OP-Bar/Tavern)

Whereas, during this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on August 3, 2023, the Applicant requested **to lay over** this application to September/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 **Par Avion Group LLC dba Par Avion, 37 Carmine St 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

12. Sedona Club Inc, 39 Clarkson St, 6th Fl and rooftop 10014 (OP-Private Members Club)

Whereas, during this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on August 3, 2023, the Applicant requested **to lay over** this application to September/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 **Sedona Club Inc, 39 Clarkson St, 6th Fl and rooftop 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed

directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous 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 Yoo, *Second Vice Chair*

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



COMMUNITY BOARD NO. 2, MANHATTAN

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PARKS & WATERFRONT COMMITTEE MEETING

August 2, 2023

The Parks & Waterfront Committee of Community Board #2, Manhattan held its monthly meeting on Wednesday, August 2, 2023, at 6:30 in person and via Zoom.

The meeting covered one subject - Updates from the Hudson River Park discussing four topics: Marine Operator at Pier 40, Status of Gansevoort Peninsula Park, Pier 45 Decking replacement and Summer Events

Board Members Present: Rich Caccappolo (Chair); Susanna Aaron (Vice Chair); Chris Dignes; Matthew Metzger; Kristin Shea; Frederica Sigel

Board Members Absent with Notice: Ritu Chattree; Daniel Miller; Shirley Secunda

Public Members Present: Coral Dawson; Sharon Woolums

Public Members Absent with Notice: Elizabeth Gilmore

Other Board Members Present: Carter Booth; Katy Bordonaro; Jeannine Kiely; Donna Raftery

In total, approximately 24 people attended the meeting.

There were no resolutions resulting from this meeting.

1. Updates on Hudson River Park Trust

Robert Atterbury, Executive Vice President, Park Relationships and Programs for the Hudson River Park Trust (HRPT) provided an update on activities and events in the park. The discussion covered four topics

Marine Operator at Pier 40: The contract for the Pier 40 Marine Operator is up at the end of the year. HRPT will likely be issuing an RFP for a new operator this summer. Hornblower is current holder of the license and has been a solid partner for many years, but due to a review by the New York Attorney General of antitrust issues Hornblower was told to take on a subtenant for their pier 40 uses. They assigned the subtenancy to Cornucopia, a company based in New Jersey. The Trust did not have a say in the assignment, but Hornblower passed along HRPT's lease requirements and Cornucopia was required to adhere to them. There have been some issues since

the assignment – operational problems, noise complaints, administration challenges – and enforcement by HRPT has been challenging due to the 3rd party relationship. HRPT wants the community to know that they have been working to address these issues as the current contract approaches expiration.

HRPT will publish an open RFP for a marine operator for both the north and west sides of Pier 40. It is not certain that Hornblower or Cornucopia will respond. This program is an important revenue generator for HRPT, so it is hoped worthwhile proposals will come in from potential partners that can also be good neighbors.

New Gansevoort Peninsula Park in the Hudson River Park: The project is on track; HRPT believes the park will be opened early this fall. The south edge is done and sand for the beach is soon to arrive. The pedestrian walkway and the improved bike way on the eastern edge have been completed. The sports field turf has been installed.

Pier 45 Decking: has been much used over the 20 years since installation and it needs to be replaced – it has reached the end of its useful life. This is a capital maintenance item – one of many that occur over time in the park. HRPT has put out a bid request for a contractor to do the work. Budget is not yet set, but Councilmember Bottcher has offered funds. The goal is to do the work when the pier is least active, that is, in late fall and early winter, then a break during the coldest period, before resuming and hopefully completing in early spring. HRPT will come back to our committee when they have selected a contractor and together, they have set plans, phasing and timelines.

Summer Events: There are many activities and events in the park throughout the summer. Details can be found at www.hudsonriverpark.org. Some that were highlighted by Mr. Atterbury: there is a sunset concert every Friday through August at Pier 45, the Blues BBQ Festival on Saturday, the 19th of August at Pier 76, the Healthy on Hudson series of yoga, meditation, high-intensity workouts, etc., an indoor yoga class series on Wednesday mornings inside at Pier 57, sensory science classes for young kids, the Discovery Tank, etc. Many of these events have been extremely well-attended, even with rainy periods and smoke from Canadian fires.

Also discussed: 2 weeks ago there was a stabbing in the park after hours and the victim, unfortunately, passed away. NYPD investigated, HRPT supplied videos, the alleged perpetrator has been captured (after fleeing to Chicago) and will be prosecuted. Park is closed every evening, but with 51 crosswalks into it, the park cannot really be locked down and though PEP officers try to maximize their efforts aimed at safety and security, sometimes unfortunate events such as this one occur.

Respectfully submitted,

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

**Resolution Authorizing the Use of Remote Technology
by Members with a Qualifying Disability**

Whereas, on May 5, 2023 the Open Meetings Law (“OML”)¹ was amended to address remote participation by members of public bodies who are unable to attend meetings in person due to a physical or mental impairment (a “Qualifying Disability”)²; and

Whereas, this amendment to the OML allows members with a Qualifying Disability to attend public meetings remotely and still fully participate in the meeting, including counting towards quorum and casting votes; and

Whereas, while the amended statute is silent as to how Qualifying Disability determinations should be made and whether documentation must be provided to support a claim of a Qualifying Disability, should a public body elect to implement the Qualifying Disability option it must state its intention to permit the option, and the methodology for doing so, through an amendment to the bylaws or by a resolution; and

Whereas, Manhattan Community Board 2 (“MCB2”), being a public body, must therefore determine whether, and how, it will implement the OML’s Qualifying Disability option and ensure that any such implementation is fair and consistent; and

Whereas, MCB2 has previously authorized the use of remote technology, when in response to Governor Hochul’s amendment of the OML in April 2022 the board authorized the use of video teleconferencing for the purposes allowable under the revised statute; and

¹ NYPL Art. 7, § 103-a(2)(c).

² “Notwithstanding the in person quorum requirements set forth in this subdivision, the public body may determine, through its written procedures governing member and public attendance established pursuant to and consistent with this section, to allow for any member who has a disability as defined in section two hundred ninety-two of the executive law, where such disability renders such member unable to participate in-person at any such meeting location where the public can attend, to be considered present for purposes of fulfilling the quorum requirements for such public body at any meetings conducted through videoconferencing pursuant to this section, provided, however, that the remaining criteria set forth in this subdivision are otherwise met; and provided, further, that the public body maintains at least one physical location where the public can attend such meeting.” *Id.*

Whereas, MCB2 now wishes to extend the use of remote technology to also permit its use by board members with a Qualifying Disability.

Therefore, be it resolved that MCB2 elects to permit its members the option to claim a Qualifying Disability and participate using remote technology at any MCB2 meeting³ *provided* a remote option is generally available at such meeting; and

Therefore, be it further resolved that MCB2 will recognize that a member has a Qualifying Disability, provided such member attests to their status by completing a copy of the form attached hereto, which copy shall remain on file in the Board's office; and

Therefore, be it further resolved that MCB2 members claiming a Qualifying Disability shall not be required to produce documentation, medical or otherwise, to support their claim.

³ A "meeting" shall include all public full Board, committee, working group, task force, or other group constituted of MCB2 members.

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

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



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Request for Remote Participation Pursuant to [NY Public Officers Law Section 103-a\(2\)\(c\)](#) and Self-Certification of Qualifying Disability

I, _____, request to participate in Manhattan Community Board 2 (“MCB2”) meetings remotely pursuant to New York Public Officers Law section 103-a(2)(c).

I certify that I have a physical or mental impairment that prevents me from attending MCB2 meetings in-person and otherwise meets the definition of disability found in section 292 of the New York Executive law.¹

The above-referenced disability is permanent.

The above-referenced disability is not permanent, and

I anticipate that I will be able to resume participating in-person at MCB2 meetings beginning _____.

I am unable at this time to determine when I will be able to resume participating, but when knowledge of my condition changes I will inform MCB2 of when I anticipate resuming in-person attendance.

Signature _____ Date _____

Print Name _____

¹ “The term “disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.” NY Exec Law § 292(21).