

Susan Kent, *Chair*  
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Antony Wong, *Treasurer*  
Amy Brenna, *Secretary*  
Brian Pape, *Secretary*  
Mark Diller, *District Manager*

## COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE  
NEW YORK, NY 10012-1899

[www.manhattancb2.org](http://www.manhattancb2.org)

P: 212-979-2272 F: 212-254-5102 E: [info@manhattancb2.org](mailto:info@manhattancb2.org)

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

### FULL BOARD MEETING AGENDA

**DATE:** Thursday, September 21, 2023  
**TIME:** 6:30 PM  
**PLACE:** The New York City Fire Museum, 278 Spring Street and via Zoom Video-Conference

**I. PUBLIC SESSION:** Members of the community may speak for a time to be specified by the Board Chair on any issue of interest to the community. *\*In-person Public Speaker's Cards available at registration. \*Virtual Public Speaker's cards must have been submitted before 5:00 p.m. to [info@manhattancb2.org](mailto:info@manhattancb2.org)*  
Written correspondence received in lieu of spoken testimony will be summarized.

**II. ADOPTION OF AGENDA**

**III. REPORTS TO THE PUBLIC**

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

**BUSINESS SESSION**

**V. APPROVAL OF THE JULY FULL BOARD MINUTES**

**VI. RESOLUTIONS FROM STANDING COMMITTEES**

- |                                 |                 |
|---------------------------------|-----------------|
| 1. Cannabis Licensing Committee | Mar Fitzgerald  |
| 2. Landmarks                    | Chenault Spence |
| 3. Parks & Waterfront           | Rich Caccappolo |
| 4. Quality of Life              | William Benesh  |
| 5. Schools & Education          | Patricia Laraia |
| 6. Traffic & Transportation     | Shirley Secunda |
| 7. SLA Licensing                | Donna Raftery   |

**VIII. APPROVAL OF THE AUGUST EXECUTIVE COMMITTEE RESOLUTIONS**

**IX. RESOLUTION TO ESTABLISH A PROCEDURE TO CLAIM A QUALIFYING DISABILITY TO ENABLE BOARD MEMBERS TO PARTICIPATE REMOTELY AT MEETINGS**

**X NEW BUSINESS**

**ADJOURNMENT**

# October 2023

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	10 CANNABIS LICENSING	11 LAND USE & HOUSING	12 LANDMARKS	13	14
15	16 SCHOOLS & EDUCATION	17 EXECUTIVE	18	19 FULL BOARD	20	21
22	23	24	25	26 HUMAN SERVICES	27	28
29	30	31				



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The Cannabis Licensing Committee of Community Board 2, Manhattan, held a meeting at 6:30PM on Tuesday, September 12, 2023.

*In Attendance:*

**CLC Committee Members:** Mar Fitzgerald (Chair), Cheryl Wu (Vice-Chair), William Benesh, Antony Wong, Patricia Laraia, Chris Dignes

Committee Members Absent with Notice: Juan Osario

**CB2 Board Members/Staff:** Susan Kent (Chair), Mark Diller (District Manager), Emma Smith,  
*Virtual:* CB2 Members: Donna Raftery, Zachary Kazzaz, Carter Booth

**Applicant:** Jennifer Tzar - Owner Robin Hood Cannabis, LLC d/b/a Dagmar

**Attendees:** *Virtual:* Max Heckler, Michael Savio, Ronnie Wolf, Ash Custer, Clay Brier, Mark Harvey, Darlene Lutz

### Community Board 2 Manhattan Resolution • Robin Hood Cannabis, LLC d/b/a Dagmar September 2023

Item #1 Robin Hood Cannabis, LLC d/b/a Dagmar. (Applicant), 412 West Broadway St., NY, NY 10012 (New Dispensary)

1. Whereas, Robin Hood Cannabis, LLC d/b/a Dagmar. was granted a provisional license under the [Conditional Adult-Use Retail Dispensary \(CAURD\) program](#) to sell retail cannabis, approved by the [New York State Cannabis Control Board](#) (OCM), and issued by the [New York State Office of Cannabis Management](#) (CCB) on [date]; and
2. Whereas, §119.2 10(b) [Proposed Adult-Use Cannabis Regulations](#) Authorizes municipalities to “have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit application, and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application”, and that this resolution shall serve as Community Board 2 Manhattan’s expression of that opinion regarding this license; and
3. Whereas, section §119.2 Authorizations for Municipality Rulemaking Of the NYS 9/12/202 [Adult-Use Cannabis Regulations](#) empowers municipalities to enact “permissible time, place, and manner restrictions” related to the “time, place and manner” of cannabis retail dispensaries and on-site consumption sites operations; and

4. Whereas, the Licensees, appeared before Community Board 2, Manhattan's CLC Committee to present plans for a new Adult-Use Retail Dispensary in a commercial building at 412 West Broadway; and
5. Whereas, the storefront was previously a jewelry/keepsakes store, but has been vacant since 2016.
6. Whereas, this application, being subject to proximity rules, as defined by §119.4 of the Adult-Use Cannabis Regulations, the subject premises is not within 1000 feet of any licensed cannabis establishments, 500 feet of buildings exclusively used as schools, or within 200 feet of buildings used exclusively as houses of worship;
7. Whereas, the dispensary will utilize the ground and cellar level of the storefront premises, which is a mid-block location, on the south side of West Broadway, with a main entry door between Prince Street to the north and Spring Street to the south; and
8. Whereas, the ground level storefront has approximately 400 square feet of retail space, a 300 sq. ft. storage cellar with an employee restroom. The mezzanine and 3rd floors will be offices.
9. Whereas, the Applicant has no plans to structural make changes to the facade, and signage will be per OCM's [Store Exterior and Outdoor Areas](#) guidelines (p 20, #26); and
10. Whereas, uniformed security will manage customer queues and steward the sidewalk in front of the premises to ensure pedestrian access; and
11. Whereas, a Certificate of Occupancy was provided by the Department of Buildings; and
12. Whereas, no music or sound will be audible in any adjacent residences at any time; and
13. Whereas, the Applicant has conducted significant outreach and positive engagement within the immediate community, which included residents, community groups, neighboring businesses and the local precinct council; and
14. Whereas, listed below are the details of the establishment's operations as presented to Community Board 2 CLC Committee in the Applicant's questionnaire and live testimony concerning the premises, as follows:
  - A. The premises will operate as a dispensary selling cannabis products per state law.
  - B. The dispensary's retail operating hours are 10:00AM-9:00PM 77hrs/week). No patrons will remain after the stated closing times.
  - C. Decorative exterior planters will be removed from the sidewalk for interior storage outside of operating hours.
  - D. No sound will be audible in any adjacent residences at any time.
  - E. Will keep doors closed other than ingress and egress.
  - F. Patron ingress/egress will be through the front doors at 412 West Broadway only, and the dispensary security will prevent loitering and ensure that only individuals engaging in activity, expressly or by necessary implication, permitted by the Cannabis Law are allowed to remain on the premises of the licensee.
  - G. Will have uniformed security personnel managing the queue, checking the IDs of patrons, and will utilize stanchions and ropes as necessary.
  - H. Will appear before CB2, Manhattan before submitting any changes to the stipulations agreed to herein as they comply with State regulations.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **approval** of the new Adult-Use Retail Dispensary License for Robin Hood Cannabis LLC d/b/a Dagmar at 412 West Broadway, NY, NY 10012, provided that the above-stated conditions A-H as agreed to by the Applicant *"be part of the record upon which the Office makes its recommendation to the Board"* per §119.2 10(b) of the [Proposed Adult-Use Cannabis](#)

**CLC Committee Vote: Unanimous - Yea/6 Nay/0 Abstention/0 Recusal/0**

## Resources/Links

Contact the Community Board 2 Cannabis Licensing Committee: <https://bit.ly/ask-clc>

NYS Cannabis Control Board: <https://cannabis.ny.gov/cannabis-control-board-meetings>

NYS Office Cannabis Management: <https://cannabis.ny.gov/>

Adult-Use Cannabis Information: <https://cannabis.ny.gov/adult-use-information>

Proposed Adult-Use Cannabis Regulations

<https://cannabis.ny.gov/system/files/documents/2022/12/adult-use-cannabis-proposed-regulations.pdf>

Guidance for Adult-Use Retail Dispensaries

[https://cannabis.ny.gov/system/files/documents/2022/12/guidance-for-adult-use-retail-dispensaries\\_0.pdf](https://cannabis.ny.gov/system/files/documents/2022/12/guidance-for-adult-use-retail-dispensaries_0.pdf)

NYS CAURD Program: <https://cannabis.ny.gov/caurd-faq>

Submit a Public Comment on the Proposed Regulations: [regulations@ocm.ny.gov](mailto:regulations@ocm.ny.gov)

Report illicit activity/OCM Enforcement Unit: [enforcement@ocm.ny.gov](mailto:enforcement@ocm.ny.gov)

Legal Dispensary Verification Signage PDF:

[https://cannabis.ny.gov/system/files/documents/2022/12/ocm-licensed\\_dispensary\\_seal.pdf](https://cannabis.ny.gov/system/files/documents/2022/12/ocm-licensed_dispensary_seal.pdf)

**Dispensary Location Verification:** <https://cannabis.ny.gov/dispensary-location-verification>

Report illicit activity to the OCM Enforcement Unit: <https://cannabis.ny.gov/report-an-incident>

When possible, please include the following information:

- Name of business
- Location
- Date/Time of illicit activity
- If you are aware of previous complaints/law enforcement contact (i.e., 911, 311 calls)
- Proximity to sensitive use locations (e.g., school, house of worship)
- Contact info of the person reporting illicit activity (i.e., phone number for follow-up)

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The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held its monthly meeting on September 14, 2023, by hybrid video conferencing.

**Committee Members Present:** Chenault Spence (Chair) (remote), Valerie De La Rosa, Brian Pape, Eugene Yoo (remote), Anita Brandt

**Board Members Absent with Notice:** Susan Gammie, Zachary Roberts, Bo Riccobono

**Public Members Present:** Brenden Fitzgerald

**Public Members Absent with notice:** Albert Bennett, Andy Clark

**Board members:** Carter Booth

**Guest:** Dena Tasse-Winter (Village Preservation)

**There was not a quorum present.**

**1. \*1 Bond St. – Application is to replace windows on the alley (west) side of the building and install three transom windows above top floor existing windows.**

**Whereas:**

- A. The building is a distinguished, intact individual landmark, worthy of special consideration with respect to its preservation and any exterior alterations should do no harm to its existing condition; and
- B. The 4' x 3' windows are proposed to be installed in the west facade above a row of three top-floor large windows facing an alleyway and are obliquely viewable from a public thoroughfare; and
- C. The three windows introduce an unwelcome intervention and asymmetrical fenestration pattern to the apparently original strictly symmetrical facade configuration; and
- D. The applicant made vague references to the possibility that there had been similar windows in the past and provided neither documentation nor photographs to support this view and there was testimony from Village Preservation that they had not found such documentation; and
- D. The applicant did not present a proposal for the window replacement noted in the application description; now

**Therefore be it resolved that CB2, Manhattan recommends:**

- A. **Denial** of the three windows as an unwelcome intrusion into the intact side facade of an individual landmark; and
- B. Review by the Commission of any proposed window replacement and that the applicant come before the CB2 Manhattan Landmarks Committee for a public hearing provided that the replacements cannot properly be approved by the Commission staff.

Vote: Unanimous

**2. \*77 Bleecker St. – Application is to replace windows on the Broadway and Mercer St. elevations and establish a Master Plan regarding window replacement.**

**Whereas:**

- A. The building’s facade is in pristine condition and appears to retain its original design throughout; and
- B. The existing condition is a random assortment of non-historic windows which are represented by the applicant as being in poor condition and not in compliance with energy efficient regulations; and
- C. Throughout the facade, the replacement is proposed to be outward opening casement windows whose design is intended to replicate a double-hung historic design and conform to energy efficiency regulations; and
- D. The casement windows have no historical precedent for a building of this design and, when open, will unacceptably intrude on the overall appearance; and
- E. The applicant represented that the cost of replacing the windows with historic double hung windows is prohibitive, the necessary interior work associated with their installation would unduly disturb the shareholder occupants, and that double hung windows are not available that meet energy standards; and
- F. There was testimony from knowledgeable members of the Committee that double hung windows that meet energy standards are indeed available and that those of unusual size could be fabricated; and
- G. Numbers of NoHo and SoHo buildings of similar design have carried out window replacements with satisfactory double hung windows; now

**Therefore be it resolved** that CB2, Manhattan recommends **denial** of the application for installation of casement windows and that the replacement be of double hung windows in a historic design appropriate to the building.

Vote: Unanimous

**3. \*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.**

- A. A deck with simple modern metal railing is to be added atop an existing extension; and
- B. An existing window in a mid-level stair landing is to be lowered to provide a door to access the deck and a simple metal spiral staircase is to provide access to the deck; and
- C. The railing and stairs design are utilitarian modern and have no relationship to the historic house and neighborhood; and
- D. The stair and a portion of the railing are clearly visible from a public thoroughfare; and
- E. The applicant represented that it is not possible to provide access to the deck from the lower floor, eliminating the need for a stair, when it is clear from the cross-section provided by the applicant that with minimal alteration to the deck, such access could be provided; now

**Therefore be it resolved that CB2, Manhattan recommends denial of the application as an unwelcome intrusion of non-historic elements to the building, especially in that they are clearly visible from a public thoroughfare and that there are other possibilities to providing access to the proposed deck.**

Vote: Unanimous

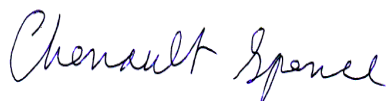
**4. \*17 Barrow St. Application is to install a metal gate at the stoop entrance. (withdrawn)**

Business Session:

Report: Letter sent to the National Parks Service concerning the impact of the SoHo rezoning on the landmark district. SoHo is a National Historic Landmark. This designation is based largely on the district's having remained essentially intact.

Report: An application was submitted to the Community Planning Fellowship Program for a Fellow to carry out a survey of landmark violations in a portion of CB2. This survey is the first of its kind and will serve as a model for a full survey of the designated areas in the district.

Respectfully submitted,



Chenault Spence, Chair



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### PARKS & WATERFRONT COMMITTEE MEETING

September 6, 2023

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

The meeting covered one subject: Presentation by New Yorkers for Parks group about their advocacy push to increase maintenance and operations funding for parks to 1% of the City Budget.

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

**Board Members Absent with Notice:**

**Public Members Present:** Coral Dawson;

**Public Members Absent with Notice:** Elizabeth Gilmore; Sharon Woolums

**Other Board Members Present:** Carter Booth; Donna Raftery, Susan Kent, Chair of CB2

In total, approximately 23 people attended the meeting.

#### **There was one resolution resulting from this meeting.**

Adam Ganser, Executive Director of New Yorkers for Parks, presented their advocacy initiative called "1% for NYC Parks".

He explained that the organization launched this campaign 20 years ago, but revived advocacy 3+ years ago during the Covid pandemic. He explained that currently NYC Parks' \$624 million operating budget comprises only 0.6% of New York City's operating budget, down from 1.4% in the 1960s and 1.3% in the 1970s, before it was reduced in 1978, when the City was bankrupt, to the 0.6% that remains in place today.

New Yorkers for Parks wants NYC Parks to receive 1% of the budget, to use to support the 1700 parks, 53 recreation centers and many pools - an increase of \$300+ million. They believe this extra budget would help optimize maintenance, preserve and grow the tree canopy, improve safety conditions for workers and grow programs that serve our communities. They have the support of the Mayor (at least they did when he was running for office) and almost all City

Council members and they are working to meet with all Community Boards in an attempt to obtain supporting resolutions.

Mr. Ganser gave us the history of the budget for Parks, provided comparison of budget size to other major cities (we do not compare well), and described what we have lost because of that lack of funding. Attendees asked questions which Mr. Ganser answered, then our committee went into Business Session and agreed to create a resolution. It is attached below.

Respectfully submitted,

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

DRAFT

**A Resolution in Support of New Yorkers for Parks' advocacy push to increase maintenance and operations funding for parks to 1% of the City Budget.**

WHEREAS:

1. Adam Ganser, executive director of New Yorkers for Parks, came to Manhattan Community Board 2's Parks & Waterfront Committee meeting on September 6th, 2023 to make a presentation in support of its 1% for NYC Parks funding initiative.
2. New Yorkers for Parks presented their perspective that there is a need to correct severe neglect that our parks are suffering and how dedicating 1% of the City Budget could help alleviate this extensive problem.
3. Parks and open spaces provide numerous benefits to communities, including promoting physical and mental health; providing spaces for community gatherings and events; improving air quality, climate resiliency and cooling; and enhancing the overall quality of life for residents.
4. Well-maintained parks mitigate the impact of the urban "heat island" effect and can protect people from heat waves and reduce summer energy use. They also absorb rainfall, reduce flooding and recharge drinking water supplies, while saving energy for water management.
5. Many of our City's parks and open spaces have experienced neglect and underfunding, resulting in deteriorating conditions and limited programming options.
6. The 1% for Parks campaign proposes that the City dedicate 1% of the City's annual budget towards parks and green spaces, ensuring adequate funding for staffing, operations, maintenance, and other critical needs.
7. Many large U.S. cities allocate more than 1% of their city budgets to parks, which has resulted in significant improvements in those communities. For example, San Francisco spends 1.6% of its municipal budget on parks, Los Angeles spends 2.9%, Chicago 4.3% and Minneapolis 5.3% percent.
8. The 1% for Parks campaign has garnered widespread support from community organizations, advocacy groups, and residents who recognize the importance of these spaces to the health and well-being of our community.

THEREFORE, BE IT RESOLVED that Manhattan Community Board 2:

1. Fully supports the 1% for Parks campaign and urges our elected officials to allocate this increased funding in the New York City budget.  
Believes that investing in parks and open spaces is essential to creating a healthy, vibrant, and sustainable environment for all residents.
2. Calls on our elected officials to prioritize parks and open space in budget decisions in order to ensure that each and every community in New York City has access to safe, clean, and well-maintained parks and open spaces.

Vote: unanimous

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### QUALITY OF LIFE COMMITTEE

September 2023

The Quality of Life Committee of Community Board #2, Manhattan held its monthly meeting on Monday, September 11<sup>th</sup>, 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, Zachary Roberts

**Committee Member Present Virtually (Excused):** Ed Ma

**Committee Member Present Virtually:** Rocio Sanz

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

#### Street Activity Applications

1. **9.15.23 – The Ordinary x Sephora (sponsor: The RHO Collective, LLC), \*WEST Broadway bet. Prince & Spring Sts. [partial sidewalk closure]**

**9.15.23 – The Ordinary x Sephora (sponsor: The RHO Collective, LLC), 9th Ave. bet. W. 12th & 13th Sts. (in front of 27 9th Ave. Sephora) [partial sidewalk closure-north]**

**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 **The Ordinary x Sephora**.

**Vote: Adopted unanimously.**

2. **9.19.23 – On My Proactiv Journey Consumer Activation (sponsor: Department of Wonder, Inc.), Astor Place Plaza (South) [full]**

**Whereas**, the applicant wishes to stage an activation on Tuesday, September 19<sup>th</sup>, on the Astor Place Plaza to promote the cosmetic brand Proactiv; and

**Whereas**, the installation will consist of a photo backdrop, a step-and-repeat wall, a chalk wall, and a branded tote bag giveaway; and

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

**Whereas**, the applicant has copied members of the Village Alliance BID on communications with SAPO, but has not coordinated with the BID in an in-depth manner; and

**Whereas**, the proposed event, being scheduled for a Tuesday, would directly conflict with the weekly Greenmarket which takes place on Tuesdays on the Astor Place Plaza, a fact about which the applicant was unaware; 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 **On My Proactiv Journey Consumer Activation**.

**Vote: Adopted unanimously.**

**3. 9.19.23 – World Animal Protection 2023 (sponsor: Promobile Kitchen), Washington Sq. No. bet. 5th Ave. & Macdougall St. [curb lane only]**

**Whereas**, World Animal Protection, a 501c(3) non-profit organization supporting animal welfare, has partnered with mushroom food brand Meati to stage a food truck activation promoting a diet less dependent on animal products; and

**Whereas**, the activation will consist of an environmentally-friendly food truck parked in the north curb lane of Washington Square North between 5<sup>th</sup> and Macdougall; and

**Whereas**, the truck is expected to arrive around 8:30 AM, serving food from 11 AM – 3 PM, and departed by 4 PM; and

**Whereas**, high-top tables as well as an informational table will be placed in the curb lane alongside the truck; and

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

**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 World Animal Protection 2023, provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Vote: Adopted unanimously.**

4. **9.21.23 – Dewy Dumpling Delights (sponsor: Tenfour Group, LLC), 1) Prince St. bet. Greene & Mercer Sts. [partial sidewalk closure-No.]; 2) West Broadway bet. Prince & Spring Sts. [partial sidewalk closure-E.]; 3) Bowery bet. E. Houston & Prince Sts. [partial sidewalk closure-So.]**

**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 **Dewy Dumpling Delights**.

**Vote: Adopted unanimously.**

5. **9.22.23 – Doritos Food Truck – Bleecker St. (sponsor: Event Permits, LLC), Bleecker St. bet. LaGuardia Pl. & Thompson St. [curb lane only-So.]**

**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 **Doritos Food Truck – Bleecker St.**

**Vote: Adopted unanimously.**

6. **9.29.23 – Lavazza (sponsor: Nick D’Apice), Broadway bet. Bleecker & W. Houston Sts. [curb lane closure, partial sidewalk closure-E.]**

**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 **Lavazza**.

**Vote: Adopted unanimously.**

7. **9.30.23 – West Side Fest (sponsor: Meatpacking District Management Association), Gansevoort/13thSts./Gansevoort Pedestrian Plaza [full]**

**Whereas**, the Meatpacking BID, in collaboration with cultural institutions and businesses located in the Meatpacking District, is seeking to hold the inaugural “West Side Fest” on Saturday, September 30<sup>th</sup>; and

**Whereas**, the event will be free and open to the public and is designed to be an event celebrating the Meatpacking District and cultural institutions on the west side of Manhattan such as the Whitney Museum and the High Line; and

**Whereas**, as part of the event, the applicant wishes to stage an activation of the Gansevoort Plaza in order to raise awareness around the participating cultural institutions and businesses; and

**Whereas**, the activation will consist of a small 10' x 10' tent on the east side of the plaza, featuring live musical performances, a 10' x 15' tent on the west side of the plaza featuring meatpacking BID staff handing out information on participating local businesses and cultural institutions, and a portrait artist ; and

**Whereas**, the hours of the activation will be from 11 AM to 5 PM; and

**Whereas**, the event will not feature any food or beverages; and

**Whereas**, the majority of the plaza will remain open throughout the event for use by the public; now

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

**Vote: Adopted unanimously.**

**8. 10.6.23 (Setup & Start Date)- 10.7.23 (End Date & Breakdown) Olay Serum Swap @ Target (sponsor: DotDash Meredith), Broadway bet. E. Houston & Prince Sts. [sidewalk & curb lane closure-E.]**

**Whereas**, cosmetics brand Olay, in partnership with retailer Target, seeks to stage a curbside activation in the curb lane in front of the Target store on Broadway, near the corner of Houston Street; and

**Whereas**, the activation will be free and open to the public, with an 8' x 70' footprint, and will provide the opportunity for customers to attend and trade in their old bottles of Olay serum for a brand new bottle of Olay "super serum"; and

**Whereas**, in addition to the Olay bottle swap, the activation will feature a photo moment, sampling / demo station, as well as a step-and-repeat wall; and

**Whereas**, the activation is targeted to take place over two days, October 6<sup>th</sup> and 7<sup>th</sup>, with setup beginning at 8 AM on the 6<sup>th</sup>, and with the activation running from 2 PM – 7 PM on the 6<sup>th</sup> and from 10 AM – 3 PM on the 7<sup>th</sup>, and breakdown complete by 7 PM on the 7<sup>th</sup>; and

**Whereas**, 15 brand ambassadors are expected to be on site for line management, as well as security on site during the activation and overnight; and

**Whereas**, the event will not feature amplified sound; and

**Whereas**, the applicant stated that they expected up to 4,000-5,000 guests at the event over the two day period, despite the application being for a “medium” street event with fewer than 1,000 attendees; and

**Whereas**, concern was expressed by community and board members over the disruption that such a large event would cause, running on a Friday and Saturday on one of the busiest corners of Soho; and

**Whereas**, concerns were expressed specifically around pedestrian safety, as large crowds generated by the event would be likely to force pedestrians to walk in the street; and

**Whereas**, holding the event inside the Target store or at a less busy corner would be a more appropriate location for such an activation; now

**Whereas**, the applicant intends to use a rope and stations for line management if needed; now **Therefore Be It Resolved** that CB2 Manhattan recommends **denial of Olay Serum Swap @ Target**.

**Vote: Adopted unanimously**

**9. 10.6.23 (Start Date – 10.7.23 (End Date & Breakdown) Fragrance Launch Activation (sponsor: IDEKO), 13th/14th/Gansevoort Pedestrian Plaza [full]**

**Whereas**, consumer brand Burberry is seeking to hold an activation on the Gansevoort Plaza to raise awareness of a new Burberry fragrance being launched; and

**Whereas**, the applicant stated that they had updated the SAPO activation to reflect a 5-day (October 5<sup>th</sup> – 9<sup>th</sup>) period instead of a two day period, with October 5<sup>th</sup> being a load-in day, the activation running from October 6<sup>th</sup> – 8<sup>th</sup>, and October 9<sup>th</sup> being a load-out day; and

**Whereas**, as part of the activation, the applicant seeks to build a large, circular, wavy structure, meant to be reminiscent of the “grasslands of the Serengeti”; and

**Whereas**, guests would be able to enter the structure and engage with the brand through watching a commercial, speaking with brand ambassadors and getting samples; and

**Whereas**, the applicant plans to maintain space for passers-by to walk around the outside of the structure, though the structure would take up most of the plaza; and

**Whereas**, the activation will not feature amplified sound outside of the structure; and

**Whereas**, the activation will include 2 security guards at all times as well as around 10-12 brand ambassadors, and a sanitation team on site; and

**Whereas**, the proposed activation will impact the plaza for 5 days in a row, a significantly larger impact than even other large commercial events which have been previously staged on the Gansevoort Plaza; and



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

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial of Fragrance Launch Activation**.

**Vote: Adopted unanimously.**

**10. 10.7.23 – Malbon Golf NY One-Year Anniversary (sponsor: Malbon Golf), Crosby St. bet. Groome & Grand Sts. [full street closure]**

**Whereas**, the applicant is seeking to organize a block party in celebration of the one year anniversary of the opening of the Malbon Golf store, consisting of a golf simulator, taco truck, food stand on the street and beer served inside the Malbon store; and

**Whereas**, the applicant will have amplified sound from 2 PM to 6 PM with speakers on the street and a DJ booth; and

**Whereas**, the applicant plans to have security on site during the event and a licensed bartender in the Malbon store; and

**Whereas**, multiple members of the community appeared to testify that the prior year's block party was exceedingly loud, that the event blocked access to a building on the block, and that the event staff was rude and inconsiderate to neighbors; and

**Whereas**, the applicant had not conducted any outreach to the members of the community and did not present any testimony, written or spoken, in favor of the event; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial of Malbon Golf NY One Year Anniversary**.

**Vote: Adopted unanimously.**

**11. 10.11.23 – Triangle Fire Memorial Dedication (sponsor: Remember the Triangle Fire Coalition, Inc), 1) Washington Pl. bet. Washington Sq. E. & Broadway [full street closure]; 2) Greene St. bet. W. 4th St. & Waverly Pl. [full street closure]**

**Whereas**, the applicant is dedicating the memorial to the Triangle Shirtwaist Factory Fire, an installation long planned and approved by CB2's Landmarks committee in 2018; and

**Whereas**, the applicant seeks a full street closure from 5 AM to 3 PM, with the event taking place from 11 AM-12 PM, with breakdown complete by 3 PM; and

**Whereas**, the memorial has significant cultural & historical value to the community as a commemoration of the historic fire which took place in 1911; and

**Whereas**, the proposed street closures are concentrated on two streets (Greene & Washington Pl) which due to dead ends at 8th Street, Washington Sq, and Broadway respectively do not carry significant through traffic; now

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

**Vote: Adopted unanimously with one abstention (Benesh).**

**12. 10.12.23 (Start Date) – 10.15.23 (End Date & Breakdown) Meatpacking by Design (sponsor: Meatpacking BID) Gansevoort/13th Sts./Gansevoort Pedestrian Plaza [full]**

**Whereas**, the sponsor is seeking an installation of a public art sculpture of the dimensions 40'x20'x15' as part of the Archtober festival celebrating architecture & design in New York City; and

**Whereas**, installation would take place from 10.10-10.12, with breakdown on 10.19; and

**Whereas**, the sculpture would occupy ~40% of the pedestrian plaza, with the sponsor maintaining the rest of the plaza for public use during the installation period; and

**Whereas**, the sculpture would include a public seating area and be open to passersby; and

**Whereas**, the sculpture would host informational lectures on design & architecture, and these lectures would be open to the public free of charge; and

**Whereas**, these lectures would use amplified sound at a low volume and no music; and

**Whereas**, in keeping with the committee's stance on use of pedestrian plazas, this event would both maintain use of the plaza for the public and provide cultural information free of charge; now

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

**Vote: Adopted unanimously with one abstention (Benesh).**

**13. 10.21.23 – P.S.3 Fall Fest (sponsor: School Community Council John IVleiser Charrette School PS 3), Grove St. bet. Bedford & Hudson Sts. [full street closure]**

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

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of **P.S.3 Fall Fest.**

**Vote: Adopted unanimously.**

**14. 10.26.23 (Start Date) – 10:30.23 (End Date)– Feastables Shopify Launch (sponsor: Set Creative), Greene St. bet. Prince & W. Houston Sts. [sidewalk & street closure-W.]**

**Whereas,** Shopify and Feastables are partnering to create an event celebrating the success of the Feastables brand on Shopify, featuring a scavenger hunt inside the Shopify event space on Greene St; and

**Whereas,** the event will take place from 10.26 to 10.28; and

**Whereas,** the event will be open only to guests with pre-purchased tickets, with 60 guests per hour, consisting of 6 groups of 10 entering every 10 minutes from 10 AM to 8 PM each day; and

**Whereas,** the event will take place entirely inside the Spotify event space, with the street being used for the queue, a photo stand, and a restroom; and

**Whereas,** there will be will be no amplified sound on the street; and

**Whereas,** there will be at least 16 security staff on hand to direct the queue and control crowds; and

**Whereas,** the Feastables brand was started by and owned by the YouTube celebrity Mr. Beast, who has a following of 180MM+; and

**Whereas,** due to the fame of Mr. Beast, there was concern voiced on the committee about the size of the crowd that may show up to enter the event, with the applicant admitting they expected people without tickets to show up; and

**Whereas,** this is a private commercial event that does have any cultural or historical significance in the community; and

**Whereas,** multiple community members voiced concerns over traffic, noise and excessive crowds; and

**Whereas,** despite the applicant stating that they were working with the 1st Police Precinct, a representative of the 1st Precinct Community Council testified that the Precinct was unaware of the event and had not been contacted; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of **Feastables Shopify Launch**.

**Vote: Adopted unanimously with one abstention (Benesh).**

**FYI: Renewals**

15. 9.19.23 – National Voter Registration Day (sponsor: NYC Civic Engagement Commission), Washington Sq. No. bet. 5th Ave. & University Pl. [sidewalk & curb lane closure-No.]
16. 9.19.23 – National Voter Registration Day (sponsor: NYC Civic Engagement Commission), LaGuardia Pl. bet. Washington Sq. So. & W. 3rd St. [sidewalk & curb lane closure-No.]
17. 10.1.23 – Cycle for the Cause (sponsor: LGBT Community Center), W. 13th St. bet. Greenwich & 7th Aves. [full street closure]
18. 10.7.23 – 4th Avenue Fair (sponsor: Avenues for Justice), 4th Ave. bet. E. 9th & E. 14th Sts. [full street closure]
19. 10.15.23 – Neighborhood Sidewalk Sale (sponsor: Neighborhood Sidewalk Sale), 6th bet. Bedford & Downing Sts. [partial sidewalk closure-W.]
20. 10.28.23 – Astor Place Fair (sponsor: 9th Precinct Community Council), Astor Pl. bet. Broadway & Lafayette 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.

**Vote: Adopted unanimously.**

21. 11.11.23 – Village Fall Fair (sponsor: Basilica of St Patricks Old Cathedral), Broadway bet. E. 8th & E. 14th [full street closure]

**Whereas**, members of the committee wished to invite the applicant to present at a future meeting in order to hear more details and ask questions regarding this event; now

**Therefore Be It Resolved** that CB2 Manhattan recommends that **Village Fall Fair** be **laid over** to a future meeting.

**Vote: Adopted unanimously.**

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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### SCHOOLS & EDUCATION COMMITTEE MEETING September 2023

The Schools & Education Committee met on Monday, September 18, 2023, at 6:30PM, in the conference room of the CB2 office (hybrid).

**CB 2 Schools & Education Members Present (in-person):** Patricia Laraia (Chair), Dr. Cheryl Wu (Vice Chair), Dr. Akeela Azcuy, Keen Berger, Mar Fitzgerald, Anne Hager, Matthew Metzger and Emma Smith

**CB 2 Committee Members Present (remote):** Rich Caccappolo

**CB 2 Schools & Education Members Absent w/ Notice:** Ed Ma

**Non-Voting CB 2 Members Present:** Mark Diller (District Manager), Jeannine Kiely (remote), Dr. Shirley Smith

**Elected Officials Present:** Nicole Barth for Councilmember Erik Bottcher (remote), and Lupe Hernandez for Public Advocate Jumaane Williams

**Speaker:** Kelly McGuire, Superintendent District 2, [Department of Education](#)

**Public Attendees:** Jacqueline Garcia, Gavin Healy (CECD2), Shira Laskin, Jasmin Ma, Celina Maduc, Lizbet Ramirez, Jeffrey Rowland, Sara Schacter (CECD2) Sonal Patel (CECD2), Alex Tschinkel

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

**Agenda:** Back to School 2023 Information session about the initiatives, goals, and programs that will enhance the educational experience for our students and shape the year ahead, with speaker District 2 Superintendent Kelly McGuire

Superintendent Kelly McGuire provided updates and information about the 2023-2024 school year in District 2:

Summer learning focused on reducing the achievement gap among students, including those from different racial demographics, students with disabilities, and English language learners.

The DOE hosted workshops for teachers on various topics like foundational literacy, middle school mathematics, and building a positive school climate.

A successful Summer Rising program served nearly 2,000 students across the district.

During Q&A a parent was concerned about the availability and quality of after-school enrichment programs in middle schools in District 2. They mention that the current offerings are not very substantial or meaningful for students and express the need for more robust programs, including homework help and real enrichment activities.

In response to a question about English Language Learners and Students in Temporary Housing, Superintendent McGuire discussed the efforts implemented to support these students and mentioned the hiring of additional teachers and the involvement of district teams. Kelly also mentions that students are generally attending schools zoned for the shelters they are in and that the district is in compliance with relevant laws. The challenges mentioned include the turnover of students and the difficulty of transition.

Kelly further discussed recent changes in teacher certification requirements, particularly for bilingual teachers. Parents applauded the decision to make it easier for teachers to obtain bilingual certification and ask about the potential impact on the number of certified teachers in District 2.

Questions and comments submitted to the committee involved support for unscreened admissions, and inquiry about the Bleecker School. The committee discussed the topic of middle school admissions policies and the potential impact on student opportunity. There was a resolution to maintain the current admissions policy, which was discussed and voted on.

**Business Session:** Schools & Education Committee met and discussed a resolution in Support of Streamlined Middle School Admissions Policies. The resolution passed unanimously.

Meeting was adjourned at 8:20PM.

## **Resolution in Support of Streamlined Middle School Admissions for Education District 2**

1. **Whereas**, in recognition of the significance of equitable access to quality education for all students within District 2 (D2), CB2 has consistently passed resolutions and letters in support of the elimination of admissions screens for intermediary schools including;
  - *Resolution in Support of Eliminating Screens for District 2 Middle School Admissions For Fall 2021 and Using New York State Integration Grant Funds to Enhance These Changes for Subsequent Admissions Years*<sup>1</sup>

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<sup>1</sup> <https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/11/01-January-2021-Full-Board-Minutes.pdf>

- *Community Board 2 Letter to Support Middle School Admissions Policy November 17, 2022*<sup>2</sup>

2. **Whereas**, NYC DOE Chancellor David Banks is quoted as saying he is “not a big believer in screens.”<sup>3</sup>; and
3. **Whereas**, the previous system of screened admissions placed undue burdens on families such as convoluted rubrics, metrics and requirements that varied school to school, further exacerbating educational inequalities; and
4. **Whereas**, in 2020 NYC announced sweeping changes to middle and high school application process that included the suspension of enrollment barriers including test scores and other academic “screens” to select students<sup>4</sup>; and
5. **Whereas**, in 2021, NYC announced 2022-23 admissions policies that extended the pause on middle school academic screens; and
6. **Whereas**, Chancellor Banks directed the superintendents of each of the city’s 32 geographic districts to engage the community to determine whether middle schools would use screened admissions<sup>5</sup>; and
7. **Whereas**, after extensive community engagement, District 2 Superintendent Kelly McGuire implemented a simplified middle school admissions process for the academic years 2023-2024; and
8. **Whereas**, District 2 schools should reflect the demographic and academic diversity of the district; and
9. **Whereas**, this unscreened middle school admissions process has resulted in improvements in demographic and academic diversity in some of the most sought after middle schools in district 2<sup>6</sup>; and
10. **Whereas**, District 2 Superintendent McGuire's revised middle school admissions policy has helped all students have increased access to rigorous and accelerated instruction, addresses "scarcity" concerns, establishes honors programs and access to Regents-level coursework in every school, allowing more students’ participation in these curricula.<sup>7</sup>; and
11. **Whereas**, this streamlined admissions process addressed challenges for families still grappling with the lingering impacts of the pandemic face; and
12. **Whereas**, admissions screens criteria might include without limitation: state test scores, course grades, attendance, punctuality, and behavior; and
13. **Whereas**, last year’s transition to unscreened middle school admissions has begun to level the educational landscape by prioritizing the development and elevation of all students over a mere sorting process; and

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<sup>2</sup> [CB2-Letter-to-Support-MS-Admissions](#)

<sup>3</sup> <https://ny.chalkbeat.org/2021/12/14/22834144/nyc-middle-high-school-admissions-changes-2022>

<sup>4</sup> <https://ny.chalkbeat.org/2020/12/18/22188384/changes-nyc-school-application-process>

<sup>5</sup> <https://ny1.com/nyc/all-boroughs/news/2022/09/29/city-changes-admissions-process-for-middle-schools--selective-high-schools>

<sup>6</sup> [Demographic-Snapshot-2018-2023](#)

<sup>7</sup> <https://twitter.com/456trainMama/status/1585273875113431040/photo/2>

14. **Whereas**, The D2 community, comprising parents, educators, students, and community members, has consistently and emphatically supported the discontinuation of middle school admissions screens; and
15. **Whereas**, this support has been demonstrated through various initiatives;
- Educators for an End to Middle School Screening: 585 educators, 113 parents - including 14 of 16 District 2 middle school principals<sup>8</sup>
  - Call to Permanently End Middle-School Screens 45 organizations, 469 students, parents, educators, and community members<sup>9</sup>
  - Support for D2 Superintendent McGuire, 169 parents, educators, and community members<sup>10</sup>

**Now, Therefore, Be It Resolved**, CB2 firmly and resolutely endorses and supports Superintendent McGuire's continued leadership in fostering a streamlined middle school admissions process for the academic year 2023-2024.

Vote: Unanimous in favor

Respectfully Submitted,

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

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<sup>8</sup> [https://docs.google.com/document/d/1QAVva-Qg8FmMukoiqA\\_xJny49z8YOsM4v89IVB5vjts/edit](https://docs.google.com/document/d/1QAVva-Qg8FmMukoiqA_xJny49z8YOsM4v89IVB5vjts/edit)

<sup>9</sup> [https://www.nyappleseed.org/wp-content/uploads/End-MS-Screens-Permanently\\_Oct82022-1.pdf](https://www.nyappleseed.org/wp-content/uploads/End-MS-Screens-Permanently_Oct82022-1.pdf)

<sup>10</sup> <https://docs.google.com/document/d/1fy4kviuUgge6yvIemPcGBJnMDRIBITTiEdgnXPEqdnU/edit?usp=sharing>



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### TRAFFIC AND TRANSPORTATION COMMITTEE

September 2023

The Traffic and Transportation Committee of Community Board #2, Manhattan held its monthly meeting on Thursday, September 7, 2023, at 6:30 p.m., in Hybrid format (in person at CB2 office and online).

**Board Members Present:** (In Person) Shirley Secunda (Chair); Daniel Miller (Vice Chair), Amy Brenna, Stella Fitzgerald, Susan Gammie, Lois Rakoff, Antony Wong.

**Board Members Absent with notification:** Juan Osorio.

**Board Members Absent:**

**Public Members Present:** (In Person) Joseph Flahaven.

**Public Members Absent with notification:**

**Public Members Absent:** George Haikalis, Janet Liff.

**Other Board Members Present:** (In Person) Jeannine Kiely; (Online) Coral Dawson, Michael Levine.

**Guests:** Roy Ruiz (Assembly Member Glick), Stacie Johnson (State Senator Brian Kavanagh), Jackie Lazaro (NYC DOT), Nicole Barth (Council Member Eric Bottcher), Sean Sweeney (SoHo Alliance), John Fratta, Karen Kaufman, David Kaufman, David Jimenez, Joe Fratta, Beatrice Fratta, David Fratta, Philip Maier, Susan Blakeley, Oliver Sarfati, Sarvi Shahbazi, Mercedes Martinez, Susan Nathanson, Carol Chen, Tsipi Ben-Haim, Phillip Galgiani, Patricia Ali, Pete Davies, Linn Broessel, Carol Sloan, Michael Schmutzer, Darlene Lutz, Jeffrey Rowland.

### RESOLUTIONS:

**1. Resolution in support of and requesting to co-name the S.W. corner of Mulberry and Grand Sts. 'Vincent "Vinny Peanuts" Cirelli Sabatino Corner'.**

**Whereas** numerous friends, neighbors and admirers have requested that the S.W. corner of Mulberry and Grand Sts. be co-named for 'Vincent "Vinnie Peanuts" Cirelli Sabatino, a beloved Little Italy activist and constant presence who died of COVID-19 in 2020; and

**Whereas** Vincent Cirelli Sabatino lived and worked in Little Italy his entire life, selling peanuts and all kinds of Italian candies (hence his "Vinnie Peanuts" nickname) at the Mulberry/Grand St. corner site requested, a spot where neighborhood people gathered, socialized and shared information, along with many visitors who joined in the camaraderie, all drawn by the friendly community ambiance that "Vinnie Peanuts" instilled; and

**Whereas** "Vinnie Peanuts" was dedicated to his Little Italy community and generous in devoting his time to fostering improvements and preserving the neighborhood's cultural traditions. Among the many initiatives he championed and worked for was the establishment of the first new affordable housing in Little Italy in 75 years at 21 Spring St.; building support to assure the continuation of the San Gennaro Feast; improving and sustaining the Little Italy Mall; and creation of the Little Italy Special (zoning) District (He was often seen at Community Board 2 Manhattan (CB2) meetings); and

**Whereas** "Vinnie Peanuts" largesse also extended to raising money for charities, both for the community and beyond, carrying out campaigns with the Sons of Little Italy and Lt. Joseph Petrosino Lodge to collect funds for such causes as Autism, Alzheimer's, the Gift of Sight, and Cooley's Anemia, and helping the Henry Street Settlement. In his quest to gather support, he went around to businesses and stopped people on the street, all in the interest of helping neighbors and all those in need; and

**Whereas** CB2 has received a petition signed by Little Italy residents, many occupying the same block where "Vinnie Peanuts" lived and worked, requesting that the S.W. corner of Mulberry St. and Grand St. be co-named 'Vincent "Vinnie Peanuts" Cirelli Sabatino Corner' and praising his memory; and

**Whereas** this requested co-name is completely in keeping with CB2's Street Co-Naming Guidelines which state that "The person or entity proposed for the co-naming must have contributed in some extraordinary way to the welfare of the block and/or the community with a consistent voluntary commitment and dedication to improving community conditions....";

**Therefore be it resolved** that CB2 wholeheartedly supports and requests the co-naming of the S.W. corner of Mulberry and Grand Sts. 'Vincent "Vinnie Peanuts" Cirelli Sabatino Corner.'

**Vote:** Unanimous in favor.

## **2. Resolution requesting a traffic light at Houston and Wooster Sts.**

**Whereas** the SoHo Alliance has presented a request on the behalf of its constituents for installing a traffic light at Houston and Wooster Sts., an intersection and street crossing that has been dangerous for years and now is more dangerous than ever; and

**Whereas** with heavy, fast-moving traffic, Houston St. has traffic lights at every intersection - except Wooster St. This has led to a treacherous state of affairs at Houston and Wooster where motorists heading east from West Broadway (which is signalized) speed through, usually oblivious to people trying to cross at Wooster, indeed not even realizing that there is a pedestrian crossing at that location, and often fixated on making the green light at the Greene St. intersection and accelerating to get there (the converse also happens on Houston's north side, with traffic heading west from Greene speeding by Wooster to West Broadway). Even when the lights are red on Greene and West Broadway, drivers race by, ignoring waiting pedestrians; and

**Whereas** the Wooster St. corridor is heavily used by residents, tourists, people working in the area, local visitors, NYU students and others accessing the many shops, facilities, eateries and sites along the way, including a large supermarket, many NYU buildings, parks and a playground, underlining the exceptional importance for a signalized crossing at Wooster and Houston that ensures safe access between the neighborhoods for all those using Wooster; and

**Whereas** it has been observed that the Wooster/Houston St. intersection has always been hazardous, and the installation of a traffic light is long overdue, but people now report that the danger at that location has grown considerably in recent years because of the heavy increase in traffic. A large increase also has been noted of pedestrians in that area, all who are concerned about using that crossing, further demonstrating the necessity of a traffic light there; and

**Whereas** it was reported that a large segment of the population living at the location and in the vicinity of Houston and Wooster has aged in place, exacerbating the difficulty of crossing that intersection for both seniors and the physically challenged who often walk slowly and have difficulty getting across the street in the absence of controls that provide for traffic stops and adequate crossing time while also finding it difficult to walk to another intersection. This difficulty is also experienced by parents with children and strollers or those with shopping carts and others who cannot move quickly; and

**Whereas** an unusually large influx of correspondence was received from the surrounding community, all strongly supporting the traffic light request and expressing their need for a safer crossing; and

**Whereas** a considerable representation from the community appeared in person and online to voice their concerns about the hazardous location and emphasize how much the requested traffic light is crucial for people's safety and accessibility, as well as for the proper management of traffic with pedestrian safety the priority; and

**Whereas** in the past, the absence of a traffic light at Houston and Wooster Sts. has led to serious crashes at that intersection, e.g., some years back as a car made a U-turn from the north side to the south side of Houston St. at Wooster, a speeding taxi traveling east on the south side there unconstrained by any traffic control swerved to avoid running into the car, lost control and smashed into the lobby of 61 W. Houston St. (fortunately in the early morning with the doorman still in back and no one else there). Another past incident was cited, in which a woman, crossing the same intersection early on a Sunday morning was hit and killed by a car; and

**Whereas** there is no crosswalk on Houston St. at Wooster St.;

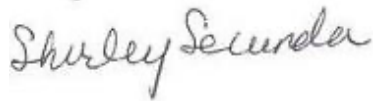
**Therefore be it resolved** that Community Board No. 2 Manhattan (CB2) urges the NYC Dept. of Transportation (DOT) to speedily install a traffic light at Houston and Wooster Sts.; and

**Be it further resolved** that CB2 asks that this traffic light include an accessible pedestrian signal (APS) to help all those who are visually challenged to cross the street safely; and

**Be it finally resolved** that CB2 requests that DOT install a crosswalk on Houston St. at Wooster St.

**Vote:** Unanimous in favor.

Respectfully submitted,



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

DRAFT

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



Antony Wong, *Treasurer*  
Amy Brenna, *Secretary*  
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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 6:30 PM on Tuesday, September 5, 2023, at Church of St. Anthony of Padua, Lower Hall, 154 Sullivan St.

Committee Board Members Present: D. Raftery (Chair), C. Booth, L. Rakoff and A. Wong

Committee Board Members Absent with Notice: C. Flynn, Dr. S. Smith, S. Wittenberg

Other Board Members Present: Brian Pape, Valerie De La Rosa

#### **RESOLUTIONS:**

- 1. Felix Greene Street Soho LLC dba Felix Roasting Co., 145 Greene St 10012** (New OP–Tavern) (*previously unlicensed*)
  - i. Whereas**, the Applicant and the Applicant’s Representative appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present a new application for a Tavern Wine license to operate a luxury café and coffee shop on the ground floor of an M1-5A/R7X-zoned, eight (8)-story mixed-use building on Greene Street between East Houston and Greene St. (Block #514/Lot #7505), the building falling within NYC LPC’s SoHo-Cast Iron Historic District and the Special SoHo-NoHo Mixed Use District; and
  - ii. Whereas**, the storefront premises is approximately 1,200 sq. ft. (approximately 650 sq. ft. on the ground floor and 550 sq. ft. in the cellar, the cellar being accessed via an internal staircase with no patron use of the cellar); there are approximately 13 tables with 25 seats and one bar with no (0) seats for a total interior seated occupancy of 25 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; and
  - iii. Whereas**, the hours of operation will be Sundays from 8 AM to 10 PM, Mondays through Saturdays from 9 AM to 10 PM; music will be quiet background music only from iPod/CDs/streaming services; there may be private parties of not more than 20/year; 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**, there will be a sidewalk café located adjacent to the building leaving a clear path of 8' and consisting of six (6) tables and 18 patron seats on East Houston Street only; all sidewalk seating will end at 8 PM Sundays through Thursdays and 10 PM Fridays and Saturdays; and

- v. **Whereas**, the premises to be licensed was previously unlicensed and operated as a Bubble Milk Tea Shop; and
- vi. **Whereas**, the Applicant had been operating with an On-Premises Liquor License and with the same method of operation at 104 Greene Street from November/2021 until January/2023 (Felix Green Street SoHo LLC dba Felix Roasting Co SN#1330133) with approval from the NYSLA despite CB2, Man.'s denial recommendation ([CB2, Manhattan June/2020 full board](#)); a committee member spoke to the crowding of the sidewalk due to their sidewalk café seating arrangement and piling of trash by the roadbed structure at the prior location creating an eyesore, that the neighbors were pleased when area could finally get cleaned up once the roadbed structure was gone, the Applicant apologizing for the way they had been operating during the pandemic, stating there would be no roadbed area associated with the instant application, a nearby resident to the instant application also expressing concern about sidewalk lines and trash, 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 Tavern Liquor License, with those stipulations as follows:
1. Premise will be advertised and operated as advertised and operated as a café focused primarily on high-end premium coffee with the addition of evening cocktails with less than a full service kitchen, but will serve food during all hours of operation.
  2. The hours of operation will be 8 AM to 10 PM, Mondays through Saturdays from 9 AM to 10 PM 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 sidewalk café located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than six (6) tables and 18 patron seats. No roadbed seating.
  5. All outdoor seating will close no later than 8 PM Sundays through Thursdays and 10 PM Fridays and Saturdays. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs. No roadbed seating.
  6. All service of alcohol to the sidewalk seating will be by waitstaff only. Patrons will not bring drinks to outside seating area.
  7. All trash pick up will occur on Houston Street.
  8. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
  9. Will not have televisions.
  10. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  11. Will not have patron occupancy/service to any portion of the basement of licensed premises.
  12. Will not install or have French doors, operable windows or open facades.
  13. Will not make changes to the existing façade except to change signage or awning.

14. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
15. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed.
16. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
17. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
18. 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.
19. Will not change principals prior to submission of original application to the NYSLA.
20. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
21. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk, roadbed or other outdoor seating; and

**viii. 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 both Community Board 2 and in the immediate area, there being 32 active licensed premises within 750 feet of the subject premises, in addition to 3 pending licenses, the application being for the service of beer, wine and spirits for a coffee shop with 42% of its seating on the sidewalk, the Applicant agreeing to all of the above stipulations and therefore meeting the public interest; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a On-Premises Restaurant Liquor License in the **Felix Greene Street Soho LLC dba Felix Roasting Co., 145 Greene St 10012** **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

**Vote:** Unanimous in favor (4-0)

**2. Davida 1 Inc dba Marcellino, 178 Mulberry St aka 388 Broome St 10012** (OP–Restaurant) (Transfer)

**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 an On-Premises Liquor License to operate a full-service Italian restaurant on the ground floor of a C6-2G-zoned seven (7)-story tenement-style residential building (c. 1900) on the northeast corner of Mulberry and Broome Streets (Block #480 / Lot #1), the building falling within the Special SoHo-NoHo Little Italy District; and

- ii. **Whereas**, the ground floor premises is approximately 1,750 sq. ft.; (875 sq. ft on the ground floor and 875 sq. ft. in the cellar, the cellar being accessed by a sidewalk hatch and used for storage purposes only), there will be 15 tables and 32 seats and one bar with ten (10) seats for a total seated patron occupancy of 42 and a maximum legal occupancy of 74 persons; the premises has one (1) entry which will serve as patron ingress and egress on Mulberry Street with an additional door for egress on Broome Street and one (1) bathroom; and
- iii. **Whereas**, the premises to be licensed has operated under the same DBA name since approximately 2018, this being a transfer of the business from the current owners who have been in operation at the location since 2014 with an On-Premises Liquor License (Sud 123 Inc, SN#1305656, exp. 12/31/2024) to the their son with the only change in method of operation being an extension of hours on Fridays and Saturdays from midnight to 1 AM, the Applicant being a principal in another nearby restaurant since 2018 (New Zoe 21 Inc, SN#1281635, 244 Mulberry St); and
- iv. **Whereas**, the hours of operation will be from 10 AM to 12 AM Sundays, 11 AM to 12 AM Mondays through Thursdays, 11 AM to 1 AM Fridays and 10 AM to 1 AM Saturdays; 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
- v. **Whereas**, there will be a sidewalk café immediately adjacent to the storefront on Broome Street leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 7 tables and 15 patron seats with no sidewalk seating on Mulberry Street; seating will follow the same layout as the DCWP-approved sidewalk café for the previous operator; all outdoor seating will close no later than 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays as was previously approved; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Restaurant Liquor License, with those stipulations as follows:
1. Premises will be advertised and operated as a full-service Italian restaurant with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be from 10 AM to 12 AM Sundays, 11 AM to 12 AM Mondays through Thursdays, 11 AM to 1 AM Fridays and 10 AM to 1 AM Saturdays. No patrons will remain after stated closing time.
  3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  4. Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café located immediately adjacent to the storefront on Broome Street leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 7 tables and 15 patron seats. No sidewalk seating on Mulberry Street. Seating will follow the same layout as the DCWP-approved sidewalk café for the previous operator



(Sud 123 Incorporated dba Ciao SN#1305656). All service will be by wait staff. No roadbed seating.

5. All outdoor seating will close no later than 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs
  6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
  7. Will not have televisions.
  8. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
  9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
  10. Will not make changes to the existing façade except to change signage or awning.
  11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
  12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
  14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
  15. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
  16. Will appear before CB2, Man, for alteration to license if changes are sought to the previously approved sidewalk seating, or if roadbed or other outdoor seating is sought in the future; 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 are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being 101 active licensed premises within 750 feet of the subject premises, in addition to 6 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

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a On-Premises Restaurant Liquor License in the **David 1 Inc dba Marcellino, 178 Mulberry St aka 388 Broome St 10012** **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (4–0)

**3. LH NYC LLC, 155 Bleecker St 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 English-inspired breakfast and lunch restaurant located in the ground floor of a R7-2 with a C1-5 overlay-zoned, four (4)-story, mixed-use building (c. 1835, renovated 2014) on the northwest corner of Bleecker and Thompson Streets (Block #539/Lot #35), the building falling within NYC LPC’s designated South Village Historic District; and
- ii. Whereas**, the ground floor premises is approximately 2,100 sq. ft. with approximately 1,300 sq. ft. on the ground floor and 800 sq. ft. in the basement, the basement being accessed by an interior stairway and being used for storage and patron bathroom access, there being no service of alcohol to patrons in the basement; there will be 17 tables with 52 seats and one (1) bar with seven (7) seats for a total patron occupancy of 59 seats with a maximum legal occupancy of 74 persons; there is one (1) entry which will serve as patron ingress and egress at the corner of Bleecker and Thompson Streets with an additional door for egress on Thompson Street and two (2) bathrooms; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; there will be no outdoor seating; and
- iii. Whereas**, the hours of operation will be from 8 AM to 10 PM Sundays through Saturdays (7 days a week), with operations usually closing by 8 PM, the 10 PM closing being for private parties; music will be quiet background only consisting of music from iPod/CDs/streaming services; 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 storefront premises was previously operated since 2020 with an On-Premises license as Citizens of Bleecker LLC (SN#1323941) and from 2016–2020 as 155 Bleecker PB LLC and Pig Beach BBQ LLC (SN#1294276); and
- v. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Restaurant Liquor License, with those stipulations as follows:
  1. Premises will be advertised and operated as an English-inspired breakfast and lunch restaurant focused on high-quality and freshly sourced ingredients with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be 8 AM to 10 PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
  3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
  5. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.

6. Will not have televisions.
  7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  8. Will not have service of alcohol to any portion of the basement of licensed premises. Patron use is for bathroom access only.
  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 will keep current at all times required Permits and Certificates.
  12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
  14. Will not have any of the following: dancing, DJs, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades.
  15. Will not change principals prior to submission of original application to the NYSLA.
  16. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
  17. Will appear before CB2, Man. for alteration to license prior to submitting plans for any permanent sidewalk, roadbed or other outdoor seating.
- 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 are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being 112 active licensed premises within 750 feet of the subject premises, in addition to 11 pending licenses, the method of operation being similar to past licensees with the hours of operation being reasonable, the Applicant executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, and

**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 **LH NYC LLC, 155 Bleecker St 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 (4–0)

4. **Boni Restaurant LLC dba Boni & Mott, 238 Mott St 10012** (New RW–Restaurant) *(previously unlicensed)*
  - i. **Whereas**, the Applicants appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for a new Restaurant Wine license for a full-service, family-oriented Mediterranean restaurant located on the ground floor of a C6-2 zoned, six (6)-story tenement-style residential building (c. 1900) on Mott Street between

Prince and Spring Streets (Block #493 / Lot #13), the building falling within the designated Special Little Italy District; and

- ii. **Whereas**, the storefront premises is roughly 1,400 sq. ft. with approximately 700 sq. ft. on the ground floor and 700 sq. ft. in the basement, the basement being accessed by both an interior stairway and exterior sidewalk hatch, there is no patron use of the basement; there will be 9 tables with 33 seats and one (1) bar with three (3) seats for a total patron occupancy of 36 seats; there is one (1) entryway serving as both patron ingress and egress and one (1) bathroom; and
- iii. **Whereas**, the hours of operation will be from 10 AM to 12 AM Sundays, 11 AM to 12 AM Mondays through Wednesdays and 11 AM to 1 AM Thursdays through Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, no live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. **Whereas**, the premises had previously been operating as three separate retail shops, the instant application being to combine the three stores into one restaurant and install operable French doors across the street frontage, the Applicant who has had other establishments in the area (Tava Café dba Balzem SN#1276835) agreeing to close those doors by 10 PM nightly; the instant application also included 10 tables and 20 seats on the sidewalk, there currently being no program through which to apply for sidewalk seating, the applicant providing no diagram or measurements of the tables, sidewalk or any obstructions, the sidewalk width measuring approximately 9' at the location, it being unclear if proper passage could be maintained for pedestrians, the Applicant agreeing to return to the Community Board if they decide to go forward with sidewalk seating in the future; and
- v. **Whereas**, concerns were raised about the loss of three small retail spaces and that they were being replaced with another eating and drinking establishment, where there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being 81 active liquor licenses within 750 feet and an additional 3 pending licenses within this same area, with the removal of the sidewalk seating from the instant application, the additional concerns over any sidewalk seating on the narrow sidewalk were eliminated at this time, 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 new Restaurant Wine License, with those stipulations as follows:
  - 1. Premises will be advertised and operated as a family-oriented neighborhood Mediterranean restaurant with the kitchen open and full menu items available until closing every night.

2. The hours of operation will be 10 AM to 12 AM Sundays, 11 AM to 12 AM Mondays through Wednesdays and 11 AM to 1 AM Thursdays through Saturdays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
6. Will not have televisions.
7. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
8. Will not have patron occupancy/service to any portion of the basement of licensed premises.
9. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
10. Will provide a Letter of No Objection permitting eating and drinking for store front premises proposed to be licensed prior to issuance of license.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.”
12. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
13. Will not change principals prior to submission of original application to the NYSLA.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for alteration to license prior to submitting plans for any permanent sidewalk, roadbed or other outdoor seating.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License for **Boni Restaurant LLC dba Boni & Mott, 238 Mott St 10012**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the NYSLA Liquor License.

Vote: Unanimous in favor (4–0)

5. **Organic Grill, Inc., 133 W. 3<sup>rd</sup> St. 10012** (RW – Restaurant) (Change in Method of Operation)
  - i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application to the NYS Liquor Authority for a Change in Method of Operation to their Restaurant Wine Liquor License (SN#1346335, exp 11/30/23) to operate a family oriented Vegan restaurant on the ground floor of a R7-2 zoned 4-story, mixed-use building (c. 1900) on West 3<sup>rd</sup> Street between MacDougal Street and Sixth Avenue (Block

#543/Lot #67), the building falls within NYC LPC's designated South Village Historic District; and

- ii. **Whereas**, the Applicant came before Community Board 2, Manhattan in May/2022 after relocating from the East Village where they had been operating a Vegan restaurant under the same DBA for the past twelve years, the Community Board recommending approval of the application with hours of operation from 12 PM to 12 AM Sundays through Saturdays (7 days a week); quiet background music only consisting of music from iPod/CDs; no dancing, DJs, live music, promoted events, scheduled performances or cover fees; and
- ii. **Whereas**, the instant application is to add live music, poetry readings and comedy nights to the venue, the Applicant admitting that they had already been having those performances listed on their calendar and occurring for many months not realizing they had signed stipulations stating there would be no performances; concerns were raised by the committee regarding competition with the significant number of long-standing comedy and performance venues in addition to bars with live music already existing on the block, the Applicant stating the performances are by members of the local Vegan restaurant community and are a means of bringing that community together, there are no fees or cover charges and they are very casual in nature; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Man. 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-oriented vegan restaurant with the kitchen open and full menu items available until closing every night.
  - 2. The hours of operation will be 12 PM to 12 AM Sunday through Saturday (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 the premises to be operated in that manner.
  - 4. Will not operate a backyard garden or any outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
  - 5. Will play quiet ambient recorded background music only except there may be acoustic, non-amplified music (no brass, percussion or piano) consisting of not more than three (3) performers between the hours of 6 PM and 9 PM. No music will be audible in any adjacent residences anytime.
  - 6. All performances will be end by 9 PM and may consist of comedy and/or poetry readings as well as acoustic music.
  - 7. Will not have any televisions.
  - 8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  - 9. Will not install or have French doors, operable windows or open facades.
  - 10. Will not make changes to the existing façade except to change signage or awning.
  - 11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.

12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will appear before CB2, Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Man. recommends **denial** of the application for a Change in Method of Operation of the existing Restaurant Wine License in the name of **Organic Grill, Inc., 133 W. 3<sup>rd</sup> St. 10012**, **unless** the statements presented by the Applicant are accurate and complete and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the NYSLA Liquor License.

Vote: Unanimous in favor (4–0)

6. **Little Rest, LLC, dba Raf’s, 290 Elizabeth St. 10012** (OP – Restaurant) (Change in Method of Operation, Alteration)
  - i. **Whereas**, the Applicant and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an Alteration and Change in Method of Operation to their existing On-Premises Restaurant Liquor License (SN#134376, exp. 12/31/24) to the existing French Italian bistro and bakery located in a four (4)-story tenement building with ground floor retail (c. 1878) on Elizabeth Street between West Houston to the south and Bleecker Street to the north (Block #521/Lot #64) in Greenwich Village, the building falling within NYC LPC’s designated NoHo East Historic District; and
  - ii. **Whereas**, the Applicant has been in operation at this location since January/2023, the original application being heard by CB2, Manhattan in December/2021; and
  - iii. **Whereas**, the Alteration Application is to increase the number of ground floor tables from 12 to 18, increasing the number of seats from 41 to 44, decrease the size of the customer bar and reduce the bar seats from 14 to 8, add a private dining area in the cellar consisting of one (1) table and 20 seats as well as a service bar, the total seated occupancy increasing from 55 seats to 72 seats and a maximum legal occupancy of 74 persons; in addition the ground floor restroom has moved from the north of the premises to the south of the premises and the door to the residential hallway has been removed; and
  - iv. **Whereas**, the Change in Method of Operation is to change the use of the cellar from storage to patron use and request closing hours of 2 AM for private/special events; and

- iii. **Whereas**, when the Applicant originally appeared before CB2, Manhattan in December/2021 the board unanimously recommended denial of the application in large part due to closing hours of midnight and 1 AM as opposed to 11 PM on a small, quiet, primarily residential block and the quality of life impacts the later hours would have on the adjacent residents, the NYSLA approving the application with the current hours of 9 AM to 12 AM Sundays through Thursdays and 9 AM to 1 AM Fridays and Saturdays; and
- iv. **Whereas**, concerns were again raised regarding late hours with the instant Change in Method of Operation application requesting a 2 AM closing when there are events, resulting in 72 persons leaving the premises at around the same time, after midnight, the noise of patrons gathered outside as they say goodnight and the traffic congestion of for-hire vehicles congregating pick up departing patrons, the Applicant reluctantly agreeing to keep the hours for private/special events the same as those for the regular operation of the restaurant; and
- v. **Whereas**, the hours of operation will continue to be from 9 AM to 12 AM Sundays through Thursdays and 9 AM to 1 AM Fridays and Saturdays with no exceptions for private/special events; music will be quiet background only consisting of music from iPod/CDs/streaming services); there will be no dancing, no DJs, no live music, no promoted events, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel and no use of the outdoor area for commercial purposes; and
- vi. **Whereas**, the Applicant had stated both this month and at their initial meeting with CB2 Manhattan, in addition to materials presented to the NYSLA, that they would handle the building's trash pick up so as not to have residential refuse placed outside their restaurant, residents commenting that they were unaware of the building's new trash procedures since the Applicant took over responsibility for the building's trash; and
- vii. **Whereas**, the applicant specifically did not inform the most impacted residents living immediately above their premises both in the front and rear of the building and other residents of the building in which they are located of the instant application and their plans despite claims of being a good neighbor and professional operator, instead utilizing the standing request for all applicants in CB2 to reach out to ALL immediately impacted residents to only reach out to neighbors who support the instant application thereby undermining the intent of the request for public outreach by CB2; there being testimony and written submission from those immediately impacted receiving no notice from the applicant despite having their homes in the same building and outlining outstanding issues, concerns and objections which have not been resolved; the applicant also presented letters in support from other immediate residents who they had reached out to directly; and
- viii. **Whereas**, following this month's CB2, Manhattan SLA1 committee meeting, but prior to CB2's Full Board meeting, it was brought to the Committee's attention that the Applicant held a private event with security, rope lines and tables and chairs on the sidewalk adjacent to their storefront serving gelato, with for-hire vehicles blocking the street causing quality of life issues for residents; the Applicant attesting to no outdoor activity not only in their application to CB2 but in their application to the NYSLA as well; CB2 Manhattan presenting the



Applicant with the standard stipulation used when there is no outdoor seating applied for with the application stating “Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating,” the Applicant wanting to quantify that they will only stipulate to not using the outdoor for the service of food and alcohol, the Applicant previously stating to secure their initial liquor license application on all questionnaires and statements to both CB2, Manhattan and the NYSLA, including in their 500' statement to the ALJ, that there is no outdoor use and therefore no impact on the local community; and

**ix. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Man. 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 an upscale French-Italian restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 9 AM to 12 AM Sunday through Thursdays and 9 AM to 1 AM Fridays and Saturdays. 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.
4. Will play quiet ambient recorded background music only, inclusive of any private parties or events, so as not to cause a disturbance in any adjacent residences at any time.
5. Will have not more than six (6) private events per year (full closure of restaurant) which will end by 12 AM Sunday to Thursday and 1 AM Fridays and Saturdays.
6. There will be no exceptions to any stipulation for private events.
7. Patron use of cellar will be for guests in the Private Dining Room only and service will be to seated guests only.
8. Will use the main entrance to Raf's for patron access to the cellar Private Dining Room.
9. Will work with building management to ensure clarity to all building residents regarding building trash operations including bulk item disposal. The licensee has made an agreement with building management to store and include residential trash as part of their commercial waste instead of utilizing NYC Department of Sanitation services for residential building.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
13. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or security personnel.
14. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for alteration to license prior to submitting plans for any permanent sidewalk, roadbed or other outdoor seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Man. recommends **denial** of the application for a Change in Method of Operation and Alteration Application of the existing On-Premises Restaurant Liquor License in the name of **Little Rest, LLC, dba Raf's, 290 Elizabeth St. 10012**, **unless** the statements presented by the Applicant are accurate and complete and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the NYSLA Liquor License.

Vote: Unanimous in favor (4–0)

- 7. Tartinery W3, LLC dba Tartinery, 233 Thompson Street aka 78 W. 3<sup>rd</sup> St. 10012 (RW–Restaurant)**
- i. Whereas**, the Applicant and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application for a new Restaurant Wine License to operate a French sandwich shop serving tartines and salads on the ground floor of an R7-2 with a C1-5 overlay zoned 4-story, residential building (c. 1900) on Thompson Street between West 3<sup>rd</sup> and Bleecker Streets (Block #543/Lot #67), the building falls within NYC LPC’s designated South Village Historic District; and
  - ii. Whereas**, the premises was previously licensed with a Tavern Wine license (SN# 1303099) as part of a larger space by Irving Farm Coffee Roasters from 2017–2019, with fixed windows and no outdoor seating, which was preceded by two storefronts comprised of a deli and a laundromat, both of which served the surrounding local community; and
  - iii. Whereas**, the ground floor storefront is roughly 2,400 sq. ft. (1,200 sq. ft. on the ground floor and 1,200 in the cellar, the floors connected by two interior staircases with no patron use of the cellar); there will be 18 tables with 46 seats and one (1) bar with 11 seats for a total patron occupancy of 57 seats and a maximum legal occupancy of 74 persons; there is one (1) entry which will serve as patron ingress and egress and two (2) bathrooms; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and
  - iv. Whereas**, the hours of operation will be from 8 AM to 12 AM Saturdays and Sundays and 7 AM to 12 AM Mondays through Fridays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no: dancing, DJs, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers and no security personnel/doormen; and
  - v. Whereas**, the Applicant came before CB2 Manhattan’s SLA Licensing Committee in November/2021 for an On-Premises Liquor License at this location but with the inclusion of the corner storefront located at the southwest corner of West 3<sup>rd</sup> and Thompson Streets, currently, and at that time, occupied by Irving Farm coffee, to operate three distinct businesses under one license with one business operating out of the cellar and there being co-mingling of the two ground floor business, in addition to the inclusion of an excessive amount of

outdoor seating (98 seats) at which time CB2, Manhattan unanimously recommended denial of the application ([November/2021 SLA resolutions](#)); and

- vi. **Whereas**, following CB2, Manhattan’s denial resolution the Applicant chose to move forward with a Restaurant Wine application in 2022 because they could not afford to wait the lengthy NYSLA processing time for an On-Premises Liquor License, bypassing a hearing with CB2, Manhattan; the Applicant receiving a temporary license for Restaurant Wine (SN#131667) but received a deficiency notice on their NYSLA application which prompted a new 30-day notice for a Restaurant Wine license to be sent to CB2, Manhattan in July/2023, the Applicant then laying over the application from August/2023 to September/2023; and
- vii. **Whereas**, the instant application no longer includes the approximately 600 sq. ft. northern corner part of the premises currently occupied by Irving Farm Coffee, there having been a wall built to separate the corner space from the southern part of the storefront that is accessed via doors on Thompson Street, the cellar currently shared by the Applicant and Irving Farm Coffee being one large space and not delineated by a wall, the cellar storage of alcohol by the Applicant being in a location that may be accessed by Irving Farm Coffee and therefore not permitted by the NYSLA; and
- viii. **Whereas**, the instant application includes both sidewalk seating consisting of 12 seats and roadbed seating consisting of 34 seats for a total of 46 exterior seats; the Applicant failed to apply for a permit for outdoor sidewalk or roadbed seating under the Temporary Open Restaurant program before the temporary program stopped receiving application on August 3, 2023 and has not been able to apply to any permanent program because the program has not commenced, but has nevertheless been seating customers on the sidewalk and serving alcohol to them without having secured permission from the City of New York for the utilization of Municipal Space for outdoor seating or permission from the NYSLA for the service of alcohol because there is no permit or permission to use the sidewalk space; the applicant stated that they believed they were able to use permission granted to another licensed entity previously located in that location (Irving Farm Coffee) to both use the sidewalk and serve alcohol, that clearly not being allowed; and
- ix. **Whereas**, the Applicant stating they would not install any roadbed seating at this time and would cease the service of alcohol to the exterior premises, agreeing that when a program is announced in the future, the applicant will return to CB2 prior to submitting applications or plans for permanent outdoor seating to both the City and NYSLA and agreed that any future outdoor seating would close no later 10 PM; and
- x. **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 French sandwich shop serving tartines, sandwiches and salads with the kitchen open and full menu items available until closing every night.

2. The hours of operation will be 8 AM to 12 AM Saturdays and Sundays and 7 AM to 12 AM Mondays through Fridays. No patrons will remain after stated closing time.
  3. The applicant does not have a permit for outdoor sidewalk or roadbed seating. Applications are no longer being accepted under the temporary Open Restaurants program. When a program is announced in the future, the applicant will return to CB2 prior to submitting plans for permanent outdoor seating. Applicant agreed that any future outdoor seating would close no later 10 PM.
  4. Will not have any service of alcohol to the exterior sidewalk café.
  5. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
  6. Will not have televisions.
  7. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
  8. Will not sublease any part of the cellar of licensed premises.
  9. Will not have patron occupancy/service to any portion of the cellar of licensed premises.
  10. Will not make changes to the existing façade except to change signage or awning.
  11. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
  12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  13. Will not have any of the following: dancing, DJs, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or security personnel/doormen.
  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 any permanent sidewalk, roadbed or other outdoor seating.
- xi. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being 86 active liquor licenses within 750 feet and an additional 10 pending licenses within this same area, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule; and

**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 **Tartinery W3, LLC dba Tartinery, 233 Thompson Street aka 78 W. 3<sup>rd</sup> St. 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 (4–0)

8. **Cinque Restaurant Inc. fka Entity to be formed by Iyad Hamsho, 133 Mulberry Street 10013 (OP–Restaurant)**

- i. Whereas,** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing #1 via video conference in January/2023 to present an application to the NYS Liquor Authority for a new On-Premises Restaurant License under the name of “Entity to be formed by Iyad Hamsho” to operate a full-service, Italian restaurant on the ground floor of a C6-2G-zoned, six (6)-story mixed-use building (c. 1920) on Mulberry Street between Hester and Grand Streets (Block #236/Lot #7503) the building falling within the designated Special Little Italy District; and
- ii. Whereas,** at the January/2023 CB2 Manhattan full board hearing the board recommended approval of the application ([January/2023 SLA resolutions](#)); and
- iii. Whereas,** prior to this month’s Community Board 2, Manhattan’s SLA Licensing Committee meeting, the Applicant submitted an amended 30-day notice to update the Licensee name to “Cinque Restaurant”; and
- v. Whereas,** prior to the SLA Committee meeting, the Applicant had executed and had notarized an amended Stipulations Agreement with Community Board 2, Manhattan to include the updated Licensee name with no other changes from those stipulations signed in January/2023 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 Italian restaurant with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be from 11:00 AM to 11:00 PM Sundays through Thursdays and 11:00 AM to 12:00 AM Fridays and Saturdays. No patrons will remain after stated closing time.
  3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
  5. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
  6. Will not have televisions.
  7. Will close all doors and windows at 9PM every night, allowing only for patron ingress and egress.
  8. Will not make changes to the existing façade except to change signage or awning.
  9. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
  10. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.

12. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, or velvet ropes or barricades, doorman or security personnel.
  13. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
  14. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
- vi. **Whereas**, there being no change in principals or method of operation, with stipulations signed and executed prior to the SLA#1 Committee meeting, reappearance by the Applicant was waived; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Restaurant License in the name of **Cinque Restaurant Inc. fka Entity to be formed by Iyad Hamsho, 133 Mulberry Street 10013**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA On-Premises Liquor License.

Vote: Unanimous in favor (4–0)

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

9. **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 September 5, 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 **Melda Comedy LLC, dba Greenwich Village Comedy Club, 99 MacDougal St. lower level 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

**10. 770 Kitchen LLC dba Sweet Rehab, 135 Sullivan St. 10012 (TW–Bar/Tavern) (Change in Method of Operation)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on September 5, 2023, the Applicant requested **to lay over** this application to October/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 **770 Kitchen LLC dba Sweet Rehab, 135 Sullivan St. 10012 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

**11. 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 September 5, 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 **219 Mulberry LLC dba Ruby’s, 219B Mulberry St 10012 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

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

**Whereas**, during this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on September 5, 2023, the Applicant requested **to lay over** this application to October/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

**13. Cantiere NY LLC dba Cantiere Hambirreria, 41 Kenmare St 10012 (TW)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on September 5, 2023, the Applicant's Attorney requested **to lay over** this application to October/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 dba 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

**14. Oujj 196 Inc, 196 Prince St 10012 (RW)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on September 5, 2023, the Applicant's Attorney requested **to lay over** this application to October/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 **Oujj 196 Inc, 196 Prince 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

**Vote:** Unanimous in favor

**15. Union Square Rice LLC dba Glaze Teriyaki, 110 University Place 10003 (RW)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on September 5, 2023, the Applicant's Attorney requested **to lay over** this application to October/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 **Union Square Rice LLC dba Glaze Teriyaki, 110 University Place 10003 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully

**Vote:** Unanimous in favor

**16. Nolita Pizza Inc dba Nolita Pizza, 68 Kenmare St 10012 (RW)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on September 5, 2023, the Applicant's Attorney requested **to lay over** this application to October/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 **Nolita Pizza Inc dba Nolita Pizza, 68 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

**Vote:** Unanimous in favor

**17. ER Hotpot 8 St Inc dba Six Hotpot, 51 E 8th St 10003 (RW) (previously unlicensed)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on September 5, 2023, the Applicant's Attorney requested **to lay over** this application to October/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 **Nolita Pizza Inc dba Nolita Pizza, 68 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

**Vote:** Unanimous in favor

**18. 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 September 5, 2023, the Applicant requested **to lay over** this application to October/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

**19. Grande Gusto Ristorante LLC, 188 Grand St 10013 (OP-Restaurant) (previously unlicensed)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on September 5, 2023, the Applicant requested **to lay over** this application to October/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

**20. The Strangers Club NY LLC dba The Strangers Club, 264 Bowery 10012 (OP–Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on September 5, 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 **The Strangers Club NY LLC dba The Strangers Club, 264 Bowery 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

**21. Citizens of Soho LLC dba Citizens of Soho, 201 Lafayette St, 10012 (OP–Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on September 5, 2023, the Applicant requested **to lay over** this application to October/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 **Citizens of Soho LLC dba Citizens of Soho, 201 Lafayette St, 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2

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

**Vote:** Unanimous in favor

**22. Babak Khorrami, 29 Kenmare St 10013 (OP–Restaurant))**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on September 5, 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 **Babak Khorrami, 29 Kenmare St 10013** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

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 an in-person, non-hybrid meeting at 6:30 PM on Thursday, September 7, 2023, at Church of St. Anthony of Padua, Lower Hall, 154 Sullivan St.

Committee Board Members Present: D. Raftery (Chair), C. Booth and K. Bordonaro  
Committee Board Members Absent with Notice: K. Bordonaro, C. Flynn, B. Pape and Dr. S. Smith  
Public Members Present: R. Ely  
Other Board Members Present: Susan Kent (CB2 Board Chair), William Benesh

### **RESOLUTIONS:**

- 1. Big Love Cooking LLC, 90 Bedford St 10014 (RW–Restaurant)**
  - i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application for a Restaurant Wine license to operate a neighborhood restaurant focusing on seasonal Mediterranean cuisine on the ground floor of an R6-zoned, six (6)-story, tenement-style residential building (c. 1899) on Bedford Street between Grove and Barrow Streets (Block #588/Lot #6), the building falling within NYC LPC’s designated Greenwich Village Historic District; and
  - ii. Whereas**, the storefront premises is approximately 1,200 sq. ft. (600 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 four (4) tables with 22 seats and one bar with four (4) seats for a total seated occupancy of 26 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; and
  - iii. Whereas**, the hours of operation will be from 9 AM to 12 AM Saturdays and Sundays and 11 AM to 12 AM Mondays through Fridays; 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; there is no back yard, sidewalk or roadbed seating; and

- iv. **Whereas**, the premises to be licensed was previously licensed with a Restaurant Wine License under Bedford Pizza Corp dba Moustache Restaurant (SN#1029378), the restaurant opening in 1992 and having a Restaurant Wine license since 1996; and
- v. **Whereas**, the Applicant is a principal in the adjacent restaurant at 90 Bedford Street, Store 1 (Blackfoot Consulting LLC dba Little Owl, SN#1174868) which has been at the location since the mid-2000's with a similar method of operation in addition to being a principal in four (4) other restaurants in CB2, with three of those located on similarly narrow streets that are primarily residential in character; and
- vi. **Whereas**, members of the public appeared to voice concerns about the over-saturation of liquor licenses in this residential neighborhood with 86 active licenses and 11 pending within 750' of the premises, this storefront being a non-conforming pre-existing use in the residentially only zoned area, there frequently being crowds gathering outside the Applicant's other establishments, including next door, creating quality of life issues for nearby residents, additional concerns were raised regarding the extensive amount of outdoor seating in roadbed structures at the adjacent restaurant extending well beyond the restaurant frontage in addition to his other restaurants also utilizing roadbed seating beyond the store frontage, Bedford Street being a narrow residentially only zoned street making it difficult for emergency vehicles to pass and the additional pedestrian congestion of servers and diners congregating on the sidewalk entering and leaving roadbed structures on the very narrow sidewalks of Bedford Street making pedestrian passage all the more difficult; and
- vii. **Whereas**, the Committee raised concerns as to whether the instant application would act independent of the Applicant's adjacent restaurant or whether it would serve as essentially a private dining room for the adjacent restaurant, the diagram illustrating the four (4) dining tables set up as one large table, the Applicant stating that the new premises would host private parties but that it would act entirely independent of the adjacent restaurant, with its own menu and chef, purchase and storage of alcohol and separate bookkeeping; and
- viii. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being 86 active liquor licenses within 750 feet and an additional 11 pending licenses within this same area, this application being for the service of Beer and Wine only and thus not subject to the 500' Rule; 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 Restaurant Wine License, with those stipulations as follows:
  - 1. Premises will be advertised and operated as a full-service neighborhood restaurant serving Mediterranean cuisine with the kitchen open and full menu items available until closing every night. with the kitchen open and full menu items available until closing every night.

2. The hours of operation will be 9 AM to 12 AM Saturdays and Sundays and 11 AM to 12 AM Mondays through Fridays. 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.
4. 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.
5. Will not have televisions.
6. 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 .
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 basement of licensed premises.
9. Will not install or have French doors, operable windows or open facades/
10. Will not make changes to the existing façade except the installation of operable windows and to change signage and/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. 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.
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 any permanent sidewalk, roadbed or other outdoor seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a Restaurant Wine License in the name of **Big Love Cooking LLC, 90 Bedford 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 (4–0)

2. **Par Avion Group LLC dba Nightingale, 37 Carmine St 10014** (New OP–Bar/Tavern) (installing operable windows) (*previously unlicensed*)
  - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On Premise License to operate a bar/wine bar in a five-story, tenement-style residential building (c. 1910) on a residentially zoned block of Carmine Street between Bleecker and

Grove Streets (Block #586/Lot #36), this building and area falling within Greenwich Village's Landmarked Historic District; and

- ii. **Whereas**, the Applicant seeks to gut renovate the existing ground floor storefront, which was previously operated for decades as a printing solutions business closing every evening by 8 PM, to open a “sophisticated and intimate bar and restaurant serving classic French fare paired with French wines and curated cocktails” despite there being no kitchen planned, while also seeking to install operable French doors that will open up the entire interior premises to the exterior public sidewalk in front, with the premise proposed to be licensed having never previously been licensed for the service of alcohol or for eating/drinking purposes; and
- iii. **Whereas**, the ground floor premise is roughly 830 sq. ft., with an additional 830 sq. ft. in the cellar/basement, the cellar/basement being for storage purposes; there is no kitchen, a food prep space is identified behind a large 28' stand up, no Letter of No Objection from the NYC Dept. of Buildings was presented, there are 16 interior tables with 44 patron seats, with the aforementioned stand up bar with 18 additional seats and one (1) service counter for a total of 59 patron seats in the premises, and one (1) bathroom; and
- iv. **Whereas**, the proposed hours of operation are from 12 PM to 12 AM on Sundays, 5 PM to 12 AM Monday through Wednesday, 5 PM to 1 AM Thursdays and Fridays, and 12 PM to 1 AM on Saturdays; music will be recorded background, no DJ's, no live music or televisions; and
- v. **Whereas**, the Applicant also seeks to serve alcohol to tables on the public sidewalk in front of the premises proposed to be licensed, with 6 tables and 12 seats until 10:00 PM every night within a few feet of ground floor residential apartments, there will be no roadbed seating, the ground floor residential apartments being a conforming use in this residentially only-zoned area; and
- vi. **Whereas**, there was significant opposition to this application from residents living on Carmine Street, and the storefront's immediate neighbors living adjacent to and next door, as well as multiple block associations (Carmine Street, Bedford Downing Street, Central Village and West Village Residents), the Church on the same block (Our Lady of Pompei) also submitting documentation confirming its church building is exclusively used as a place of worship, with its frontage and doors on Carmine Street being within 200 feet of the premises proposed to be licensed; and
- vii. **Whereas**, those who appeared in opposition voiced concerns regarding about license saturation on their residentially only-zoned block and within the immediate area, with Carmine Street having transformed over the last decade from one that offered dry retail business that predates the residential zoning to one lined with licensed late night establishments, with no business diversity, exacerbated by the open restaurant's program allowing **all** the existing and future licensed establishments to open out onto the sidewalk and roadway where they were previously not permitted, the block being currently zoned for residential use only, many of the licensed storefronts having open facades allowing interior music to escape out to the public sidewalk, the impacts of noise, trash, rodents and traffic



from such oversaturation taking over the neighborhood, having significant impacts on residents; and

- viii. **Whereas**, still other long-time residents living immediately next door on the ground floor appeared in opposition, with their building sharing a wall with the proposed bar, voicing concerns overhearing the activities of a bar just a few feet away from their windows with interior music having a devastating impact on their lives; and
- ix. **Whereas**, the Applicant did submit a petition with signatures from residents but the petition did not properly identify the address and its proposed method of operation, and long-time residents living next door and in the immediate area appearing in opposition questioned the credibility of the petition, further indicating no attempt was made to contact them; and
- x. **Whereas**, no one appeared in support of the application; and
- xi. **Whereas**, this application being subject to the 500' Rule requiring the Applicant to demonstrate that the public interest would be served by the addition of another On-Premises Liquor license at this location, the storefront premise having never been licensed for the service of alcohol, there being a significant number of licensed establishments throughout Community Board 2 and the immediate block, there being 94 active SLA licenses within 750 feet of the location proposed to be licensed, with 7 additional pending licenses, the location to be licensed is located in a residentially zoned community, has no kitchen, which limits its method of operation to one based on the service of alcohol, the transformation of this area causing existing residents to absorb many adverse impacts that the addition of another license will exacerbate; and
- xii. **Whereas**, it also appears the premises proposed to be licensed is within 200 feet from Our Lady of Pompei on the same side of Carmine Street, an active place of worship; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends denial of the application for a new On-Premises Liquor License for **Par Avion Group LLC dba Nightingale, 37 Carmine St 10014**; and

**THEREFORE BE IT FURTHER RESOLVED** that prior to the issuance of an On-Premises Liquor license at 37 Carmine Street, New York, NY 10014, **a measurement should be undertaken** from the closest, active entrance of Our Lady of Pompei, an existing place of worship, to determine if it is located within 200 feet of premises proposed to be so licensed; and

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

Vote: Unanimous in favor (4–0)

**3. People's NYC LLC, 113 West 13th St 10011 (OP-Bar/Tavern)**

- i. Whereas,** the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application for an On-Premises Bar/Tavern license to operate a sophisticated neighborhood cocktail lounge on the below-grade ground floor/basement of an R6-zoned, three (3)-story residential building (c. 1835, renovated 1985) on 13th Street between 6<sup>th</sup> and 7<sup>th</sup> Avenues (Block #609/Lot #52), the building falling within NYC LPC's Greenwich Village Historic District; and
- ii. Whereas,** the ground floor premises is approximately 2,700 sq. ft. consisting of 1,800 sq. ft. on the ground floor/basement and 900 sq. ft. in the cellar, the two floors connected by an interior stairway with no patron use of the cellar; there will be approximately 17 tables and 40 seats and two (2) bars with 21 seats for a total seated patron occupancy of 61 and maximum occupancy of 74 persons; the premises has two (2) doors which will be used for patron ingress and egress and two (2) patron bathrooms; and
- iii. Whereas,** the hours of operation will be from 11 AM to 12 PM Sundays through Wednesdays, 11 AM to 1 AM Thursdays and 11 AM to 2 AM Fridays and Saturdays; music will originate from iPod/CDs/streaming services or may be curated by a DJ but at all times will be played at background levels and tied into the existing sound system with the limiter set following the recommendations made by Acoustilog in their August 22/2023 report and all recommendations for soundproofing made in that report will be followed; there will be no: dancing, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; the store front infill being fixed with no operable doors or windows that open out to the sidewalk aside from the entryway; there is an approximately 150 sq. ft. exterior area within the property line in the entryway which in the past included a display case with the menu and press clippings but 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 Spanish restaurant known as Spain (Val Mac Restaurant Inc, SN# 1028375, surrendered) which opened in 1966 and closed in early 2020 at the start of the pandemic and was once part of a small enclave called "Little Spain" when the neighborhood streets were lined with Spanish businesses, this mid-block building is in residential-only zoning and predates the existing zoning, but because of its low impact use as a neighborhood restaurant, it was consistent with the residential only character of the immediate community; despite the claims of the applicant that this location is not subject to the 500' rule, it should be noted among other facts that this space has been vacant since the previous restaurant closed in 2020, there is no transfer of assets and there is no active liquor license at this location, the applicant having not sought a declaratory ruling consistent with SLA Advisory 2022-35 and therefore the presumption should be that the location is subject to the 500 ft rule; and
- v. Whereas,** the Applicants originally proposed closing time was 2 AM, 7 days a week, the area being residentially zoned and surrounded by apartments including the rear area of the restaurant – a basement-level back room which includes a skylight that is surrounded by residential apartments; the prior use of the space being a neighborhood restaurant, the instant

application being for a bar with DJs, concerns were raised about the quality of life impacts to nearby residents of patrons arriving and leaving the bar at later hours, those impacts being significantly different than the prior operation as a restaurant with earlier hours and no DJs, the Applicant agreeing to close at midnight Sundays through Wednesdays and to adhere to all the recommendations in the Acoustilog report in regards to soundproofing and agreeing that Acoustilog would return after soundproofing was done to ensure that the system was performing to specifications; and

- vi. Whereas,** this application being subject to the 500' 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 a significant number of licensed establishments throughout Community Board 2 and in the immediate area of this residentially only-zoned block, there being 24 active licensed premises within 750 feet of the subject premises, in addition to 3 pending licenses, the Applicant having reduced their closing hours during the week with music at background levels only at all times, this space previously operating as a licensed neighborhood restaurant, with the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and
  
- vii. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Liquor License, with those stipulations as follows:
  - 1. Premises will be advertised and operated as a neighborhood cocktail lounge serving chef-driven light bites with the kitchen open and full food menu items available during all hours of operation.
  - 2. The hours of operation will be from 11 AM to 12 PM Sundays through Wednesdays, 11 AM to 1 AM Thursdays and 11 AM to 2 AM Fridays and Saturdays. No patrons will remain after stated closing time.
  - 3. Will not operate as a 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.
  - 5. Will play recorded background music and may have a DJ curate music with all music at background levels at all times, inclusive of any private parties or events. Background music levels will be set so as not to cause a disturbance in any adjacent residences at any time.
  - 6. Will follow all recommendations made by Acoustilog in their August 22, 2023 report for soundproofing of premises, including the skylight, and will have Acoustilog inspect the premises prior to opening to ensure the system performs properly.
  - 7. Will not have televisions.
  - 8. 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.
  - 9. Will close all doors and windows at all times, allowing only for patron ingress and egress.

10. Will not have patron occupancy/service to any portion of the cellar of licensed premises.
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. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
16. Will not have any of the following: dancing, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or security personnel.
17. Will not change principals with greater than 20% share of business prior to submission of original application to the NYSLA.
18. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
19. Will appear before CB2, Man. for alteration to license prior to submitting plans for any permanent sidewalk, roadbed or other outdoor seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Bar/Tavern Liquor License in the name of **People’s NYC LLC, 113 West 13th 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 (4–0)

**4. Carmine Fine Foods LLC, 34 Carmine St 10014 (RW–Restaurant) (previously unlicensed)**

- i. **Whereas**, the Applicant’s appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for a Restaurant Wine License to operate an all-day café with full dinner service on the ground floor and cellar of a R6-zoned, five (5)-story tenement-style residential building (c. 1890) on Carmine Street between Bedford and Bleecker Streets (Block #527/Lot #64) the building falling within NYC LPC’s designated Greenwich Village Historic District Extension II; and
- ii. **Whereas**, the ground floor premises is approximately 1,350 sq. ft.; (1,100 sq. ft. on the ground floor and 250 sq. ft. in the cellar, the cellar being accessed via an external sidewalk hatch with no patron use of the cellar, the ground floor rear kitchen extending west behind the adjacent storefront); there are ten (10) tables with 26 seats, one food counter with seven (7) seats and one bar with eight (8) seats for a total seated occupancy of 41 persons and a maximum occupancy of 74; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and

- iii. Whereas,** the hours of operation will be from 8 AM to 11 PM Sundays through Thursdays and 8 AM to 12 AM Fridays and Saturdays; there may be not more than 15 private events per year at which time the restaurant will close by 12 AM regardless of the day of the week; 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 unlicensed and occupied as a retail store, most recently occupied by Karma Nepal Crafts and prior to that by Wisdom of Tibet; and
- v. Whereas,** there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being 114 active liquor licenses within 750 feet and an additional 7 pending licenses within this same area, 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 an all-day café with full dinner service with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be 8 AM to 11 PM Sundays through Thursdays and 8 AM to 12 AM Fridays and Saturdays; private events, not exceeding 15x/year, will end no later than 12 AM. 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.
  5. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
  6. Will not have televisions.
  7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  8. Will not have patron occupancy/service to any portion of the basement of licensed premises.
  9. Will not install or have French doors, operable windows or open facades.
  10. Will not make changes to the existing façade except the installation of operable windows and to change signage and/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 prior to opening.
  13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.

14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or security personnel/doormen.
15. Will not change principals prior to submission of original application to the NYSLA.
16. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for any permanent sidewalk, roadbed or other outdoor 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 **Carmine Fine Foods LLC, 34 Carmine 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 (4–0)

5. **Cornucopia Cruise Line NY, LLC, dba Destiny, Cornucopia Cruise Line NY, LLC, d/b/a Horizons Edge, Cornucopia Cruise Line NY, LLC, dba Sundancer and Cornucopia Cruise Line NY, LLC, dba Majesty, Pier 40, 353 West St. 10014** (New OP–Vessel/Boat/Ship)
  - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for four new Vessel Liquor licenses for four ships – Destiny, Horizon’s Edge, Sundancer and Majesty – considered together by Community Board 2 given the consistent nature of each application outside of the unique characteristics of each vessel, to operate chartered Hudson River cruises originating from and docked at Pier 40 in Hudson River Park on the West side of Manhattan at West Houston Street and West St.; and,
  - ii. **Whereas**, Majesty, the largest luxury yacht in the Northeast, is roughly 30,000 sq. ft. with 4 decks, 5 dance floors, bars and dining rooms and serves up to 1,200 guests; Destiny has 4 decks, 2 dance floors, 3 bars and a roughly 10,000 sq. ft. dining room and serves up to 420 guests; Horizon’s Edge has 3 decks, 3 dance floors, 3 bars, 2 dining rooms and serves up to 600 guests; Sundancer has 2 decks, 2 dance floors, 2 bars and can serve up to 130 guests; each are docked on the northern and western perimeters of Pier 40, and will operate for parties, weddings, events and dinner cruises on the Hudson River in and about New York and New Jersey harbor area, each vessel currently holding all USCG permits; and
  - ii. **Whereas**, the Applicant’s hours of operation are Sunday through Saturday from 6 pm to 1 am; there will be open air decks; music will be by DJ and from iPod/CD’s/streaming services at entertainment and at background levels, the Applicant agreeing to specific stipulations regarding music as indicated below; and

- iii. Whereas,** the Applicant came before CB2, Man. in May/2021 with the same application at which time the full board unanimously recommended approval with stipulations, the Applicant having signed those stipulations but failed to file their application with the NYSLA; at that time complaints had been received and observations were shared at the meeting by members of the community and members of CB2 Manhattan in regards to the music volume levels played on the previously licensed vessels owned and operated by Hornblower NY, LLC, when those ships are docked at Pier 40, when they disembark Pier 40 and when they return to Pier 40, the harmful quality of life impacts having been a persistent problem for the surrounding residential buildings, and to other users of the park, the Applicant understanding all the concerns and signing the stipulations that were put in place to mitigate the issues of the prior operators; and
- iv. Whereas,** at this month's CB2, Man. SLA #2 Committee meeting complaints were once again shared with the Applicant, this time about one of his boats around Pier 40 having originated from a NJ Pier, members of the Committee having filed complaints with Hudson River Park Trust regarding noise emanating from the boat "Majesty" in recent months, the ship operating in violation by not having a NYS liquor license despite travelling in NY waters and not purchasing alcohol from NY based wholesalers, the Applicant appearing before CB2, Man. to rectify the situation by filing with the NYSLA for the On-Premises Vessel liquor license; and
- iv. Whereas,** the Applicant (Mustafa Kilic) and his family having significant experience operating similar cruise ships across the Hudson River out of Hoboken and Jersey City, acknowledging in May/2021 an understanding of these persistent problems in the past by prior operators at Pier 40, stating affirmatively in May/2021 that none of his ships will be playing music at entertainment levels while embarking or disembarking from Pier 40, further agreeing to be individually responsible for any complaints that may come up and arise in the future, and agreeing to address those concerns should they come up directly and in a responsible manner, the Applicant hearing the recent complaints and agreeing to everything that had been agreed to, though not since followed, in May/2021; and
- v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be incorporated into the "Method of Operation" of the On Premises Vessel/Boat/Ship Liquor License for each license for Cornucopia Cruise Line NY, LLC, dba Destiny, Cornucopia Cruise Line NY, LLC, d/b/a Horizons Edge, Cornucopia Cruise Line NY, LLC, dba Sundancer and Cornucopia Cruise Line NY, LLC, dba Majesty, with those stipulations as follows:
1. The licensed vessels will be operated as an event and dinner boat rental business on open waters with passenger embark/disembark at Pier 40.
  2. The hours of operation will be from 10 AM to 1 AM 7 days a week. All disembarking patrons will disembark by 1 AM through Pier 40 and its parking lot and will not be permitted into Hudson River Park after closing time of 1AM.

3. When docked and/or during embarking or disembarking of passengers from Pier 40, will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.
4. All vessels will cease playing music within .5 nautical mile of shoreline and/or pier 40 (for all vessel approaching/leaving Pier 40 for purposes of dockage or berthing vessels at Pier 40).
5. Owner will provide dedicated, updated and shared contact number for members of the Community and Community Board 2 to contact the cruise line directly should there be noise complaints or other problems.
6. All noise complaints will be immediately shared with all managers and staff to prevent unreasonable noise intrusions to residents living nearby.
7. Will self-disclose to NYSLA that they have been operating in violation by not having a NYS liquor license for approximately the past year and half and have been serving alcohol in NYS waters and not purchasing alcohol from NYS wholesalers.
8. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
9. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
10. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
11. Will not change any principals prior to submission of original application to NYSLA.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends denial of an On-Premises Vessel Liquor License for **Cornucopia Cruise Line NY, LLC, dba Destiny, Cornucopia Cruise Line NY, LLC, dba Horizons Edge, Cornucopia Cruise Line NY, LLC, dba Sundancer and Cornucopia Cruise Line NY, LLC, dba Majesty, Pier 40, 353 West St. 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the NYSLA Vessel Liquor License.

**Vote:** Unanimous in favor (4–0)

6. **Shuuka, LLC dba Hirado, 357 Bleecker St. 10014** (RW–Restaurant) (*previously unlicensed*)
  - i. **Whereas**, the Applicant’s appeared before Community Board 2, Manhattan’s SLA Licensing Committee in June/2022 to present an application to the NYS Liquor Authority for a Restaurant Wine License to operate an Omakase-only restaurant on the ground floor storefront and Bleecker Street between West 10<sup>th</sup> and Charles Streets, at which time CB2 Manhattan’s full board recommended approval of the Restaurant Wine license ( see [June/2022 SLA Minutes](#)); and
  - ii. **Whereas**, the Applicant failed to file for the NYS liquor license at the time due to delays with the project, as required by NYSLA this is a renotification to Community Board 2 that they now intend to move forward with filing their Restaurant Wine license, there is no change in



principals or method of operation and the Applicant executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan prior to this month's SLA Committee meeting that they agreed to submit to the NYSLA and agreed would be incorporated into the "Method of Operation" of the new Restaurant License, with those stipulations as follows:

1. The premises will be advertised and operated as a full service restaurant, specifically a Japanese inspired Omakase-sushi with the kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday to Saturday from 5 PM to 11 PM.
3. Will not operate a backyard garden or any outdoor area for commercial purpose including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
4. Will obtain letter of no objection or proper certificate of occupancy permitting eating and drinking prior to opening.
5. Will not install or have French doors, operable windows or open façades.
6. Will keep closed all doors & windows at all times.
7. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
8. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
9. Will not have TVs.
10. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
12. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
14. Will not change principals prior to submission of original application to the NYSLA.
15. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for a change in method of operation to license prior to submitting plans for permanent sidewalk or roadbed seating; and

**iii. Whereas**, as there were no changes to the application as originally heard and the stipulation agreement was executed and notarized prior to this month's SLA Committee meeting, appearance by the Applicant was waived.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine License in the name of **Shuuka, LLC dba Hirado, 357 Bleecker 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 (4-0)

**7. One Tree Hill, LLC dba Westerly, 39 E. 13th St., 6th Fl (TW–Bar/Tavern)**

- i. Whereas,** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee in November/2022 to present an application to the NYS Liquor Authority for a Restaurant Wine License to operate an Asian restaurant on the 6<sup>th</sup> floor of a commercial building on 13<sup>th</sup> Street between University Place and Broadway, at which time CB2 Manhattan’s full board unanimously recommended approval of the Restaurant Wine license (see [November/2022 SLA Minutes](#)); and
- ii. Whereas,** at the time the Applicant submitted the 30-day notice incorrectly as a Restaurant Wine application as opposed to a Tavern Wine despite the fact that the premises does not have a full kitchen, the NYSLA now requiring the Applicant to re-file the 30-day notice as a Tavern Wine application, there is no change in principals and no change to the method of operation as presented in November/2022; and
- iii. Whereas,** Applicant executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan prior to this month’s SLA Committee meeting that they agreed to submit to the NYSLA and agreed would be incorporated into the “Method of Operation” of the new Tavern Wine License, with those stipulations as follows:
  1. Premises will be advertised and operated as an Asian restaurant with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be 6:00 PM to 11:00 PM Saturdays through Sundays (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 other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program except for a patio located on the 6<sup>th</sup> floor adjacent to the licensed premises with no more than six (6) tables and 12 seats.
  5. Patio use will be for seated patrons only and will close no later than 10:00PM nightly. No patrons will remain outside after 10:00PM. 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 operate primarily as a reservation-only restaurant and will have a staff member present on the ground floor of the building entrance at 39 East 13th Street to greet all guests. Guests will always be escorted in the elevator to and from the 6<sup>th</sup> floor as this elevator is shared with other building tenants and provides direct access to their space if elevator access to each floor is not locked.
  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.
- iv. **Whereas**, as there were no changes to the application as originally heard and the stipulation agreement was signed and executed prior to this month’s SLA Committee meeting, appearance by the Applicant was waived.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends denial of the application for a new Tavern Wine License in the name of **One Tree Hill, LLC dba Westerly, 39 E. 13th St., 6th Fl** 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)

**8. MT 181 Waverly LLC 150 W 10th St 10014 (OP–Restaurant)**

- i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee in October/2022 to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate a full-service restaurant showcasing culinary beers and seafood cuisine in the ground floor of a five-story residential building on 10<sup>th</sup> Street between Waverly Place and Greenwich Avenue, at which time CB2 Manhattan’s full recommended approval of the On-Premises Restaurant Liquor License (see [October/2022 SLA Minutes](#)); and
- ii. **Whereas**, the Applicant, being uncertain if the kitchen and food menu satisfied the NYSLA’s requirements to classify as a restaurant, submitted a second 30-day notice in October/2022 for an On-Premises Tavern Liquor License; and
- iii. **Whereas**, in October/2022 the application was listed on CB2, Manhattan’s agenda and reviewed as an On-Premises Restaurant Liquor License the Applicant having executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan at the time that they agreed to submit to the NYSLA and agreed would be incorporated into the “Method of Operation” of the new On-Premises Restaurant Liquor License, with those stipulations as follows:

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

**iii. Whereas**, as there was no change in what had been previously reviewed and submitted to the NYSLA by CB2, Manhattan regarding this application, there was no need for updated stipulations and appearance by the Applicant was waived; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Restaurant License in the name of **MT 181 Waverly LLC 150 W 10th 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 (4–0)

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

- 9. MCD Hospitality LLC dba Le Baratin, 26 Greenwich Ave 10011 (OP-Restaurant)**  
(Change in Method of Operation: adding outdoor seating)

**Whereas**, at this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on September 7, 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 **Kiko NYC LLC dba Kiko 19 Greenwich Ave 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

- 10. 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 September 7, 2023, the Applicant requested **to lay over** this application to October/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

- 11. Sofia's Bagels LLC dba Hudson Bagels, 535 Hudson St 10014 (RW)**

**Whereas**, at this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on September 7, 2023, the Applicant requested **to lay over** this application to October/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

**12. Slutty Vegan Inc, 280 Bleecker St 10014 (TW–Bar/Tavern)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on September 7, 2023, the Applicant requested **to lay over** this application to October/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 **Slutty Vegan Inc, 280 Bleecker 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

**13. Sedona Club Inc, 39 Clarkson St, 6<sup>th</sup> Fl and rooftop 10014 (OP–Private Members Club)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on September 7, 2023, the Applicant requested **to lay over** this application to October/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

**14. Kiko NYC LLC dba Kiko 19 Greenwich Ave 10014 (OP-Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on September 7, 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 **Kiko NYC LLC dba Kiko 19 Greenwich Ave 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license until this important step is taken and the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

**15. Chrome Flats LLC 366 W 12th St aka 767 Washington St, 2nd door 10014 (OP-Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on September 7, 2023, the Applicant requested **to lay over** this application to October/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 **Chrome Flats LLC 366 W 12th St aka 767 Washington St, 2nd door 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



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

**Whereas**, on May 5, 2023 the Open Meetings Law (“OML”)<sup>1</sup> 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”)<sup>2</sup>; 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

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<sup>1</sup> NYPL Art. 7, § 103-a(2)(c).

<sup>2</sup> “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 meeting<sup>3</sup> *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.

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<sup>3</sup> 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*



## COMMUNITY BOARD NO. 2, MANHATTAN

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

### 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.<sup>1</sup>

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 \_\_\_\_\_

<sup>1</sup> “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).