

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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE  
NEW YORK, NY 10012-1899

[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:** Tuesday, December 19, 2023  
**TIME:** 6:30 PM  
**PLACE:** In Person at The Whitney Museum of American Art, Hess Theater, 99 Gansevoort Street, and Remotely Via Zoom

**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 NOVEMBER FULL BOARD MINUTES**

**VI. ADOPTION OF THE JANUARY 2024 MEETING CALENDAR**

**VII. RESOLUTIONS FROM STANDING COMMITTEES**

- |                                   |                 |
|-----------------------------------|-----------------|
| 1. Street Activities & Resiliency | William Benesh  |
| 2. Human Services                 | Susanna Aaron   |
| 3. Traffic & Transportation       | Shirley Secunda |
| 4. Schools & Education            | Patricia Laraia |
| 5. SLA Licensing                  | Donna Raftery   |
| 6. Cannabis Licensing Committee   | Mar Fitzgerald  |
| 7. Landmarks 1 and 2              | Chenault Spence |

**VIII. NEW BUSINESS**

**ADJOURNMENT**

◀ December		January 2024					February ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat	
	1	2 SLA-1	3 PARKS & WATERFRONT	4 SLA-2	5	6	
7	8 STREET ACTIVITIES & RESILIENCY	9 CANNABIS LICENSING  LANDMARKS 2 (if needed)	10 LAND USE	11 LANDMARKS  HUMAN SERVICES – JOINT WITH COMMUNITY BOARD 6	12	13	
14	15 MLK Birthday	16 EXECUTIVE	17	18 FULL BOARD	19	20	
21	22 SCHOOLS & EDUCATION	23	24	25	26	27	
28	29	30	31				

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

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

### STREET ACTIVITIES AND RESILIENCY COMMITTEE

December 2023

The Street Activities and Resiliency Committee of Community Board #2, Manhattan held its monthly meeting on Monday, December 4<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, Rocio Sanz, Erika Olson, Wayne Kawadler, Ryder Kessler

**Committee Member Present Remotely:** Erika Olson

**Committee Members Absent with Notice:** Zachary Roberts, Amy Brenna, Ed Ma, Julian Horkey

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

#### Street Activity Applications

1. **\*12.6.23-12.12.23 – Pinterest POP-UP 2023 (Sponsor: Amplify, Inc.), 1) Gansevoort St. bet. Washington St. & 10th [sidewalk & curb lane closure So.]; and 2) Washington St. bet. Gansevoort & Horatio Sts. [partial sidewalk closure]**

**Whereas**, the applicant is seeking a sidewalk and curb lane closure in support of a pop-up store which will be in place for 6 days on Gansevoort Street between Washington and 10<sup>th</sup> Streets; and

**Whereas**, the applicant is requesting the ability to park support vehicles in the curb lane and to place a 3 foot station line on the sidewalk; and

**Whereas**, given that the event has a timed schedule and reservations have already been made by attendees, the applicant is not expecting any lines to form outside of the building; and

**Whereas**, no other activation will take place on the sidewalk or curb lane; now

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

**Vote: Adopted unanimously.**

- 2. \*12.7.23 – Hempz – NYFTA at West Broadway (Sponsor: New York Food Truck Association), W. Broadway bet. Prince & W. Houston Sts. [partial sidewalk closure]**

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

**Whereas**, community members and CB2 members raised concerns around potential sound and music associated with the event; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of **American Eagle Event**.

**Vote: Adopted unanimously.**

- 3. 12.13.23 – Valentino Beauty Holiday Double Decker Bus (Sponsor: Valentino Beauty Holiday Double Decker Bus), 9th bet. Little W. 12th & W. 13th Sts. [curb lane only-in front of Sephora]**

**12.16.-12.23.23 (new dates: \*12.19.23 & 12.12.23) – Valentino Beauty Holiday Double Decker Bus Lafayette (Sponsor: Valentino Beauty Holiday Double Decker Bus), Lafayette St. bet. Prince & Spring Sts. [curb lane only-E.]**

**Whereas**, the applicant, in collaboration with retailer Sephora, is seeking to hold a “double decker bus” activation, similar to previous activations that the applicant has staged in the past; and

**Whereas**, the event will consist of a double decker bus parked in the curb lane, which attendees can enter to sample various products, and with a DJ playing background music at a reasonable volume; and

**Whereas**, hot chocolate will be served at the event, with the applicant expressing openness to partner with local business to provide; and

**Whereas**, the activation is expected to take place from 11 AM – 7 PM, with load-in beginning between 7-9 AM depending on location; and

**Whereas**, similar to previous years, security will be present during load in as well as during the event itself, and additional staff will be on site to deal with sanitation and crowd management; and

**Whereas**, the applicant plans to park the double decker bus in front of the 9<sup>th</sup> Ave store in the “opposite direction” to allow access directly to the curb, as suggested by CB2 for a previous iteration of this event; and

**Whereas**, the applicant promised to be considerate of neighbors regarding the sound level of the DJ and promised to be highly responsive to any noise complaints; and

**Whereas**, while the 9<sup>th</sup> Avenue location has been used previously by the applicant, the proposed Lafayette Street location is not possible due to no-standing zones and reserved fire department parking on the proposed block, with the proposed site being adjacent to a fire station; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **Valentino Beauty Holiday Double Decker Bus (Sponsor: Valentino Beauty Holiday Double Decker Bus), 9th bet. Little W. 12th & W. 13th Sts., provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Therefore Be It Further Resolved** that CB2 Manhattan recommends **denial** of **Valentino Beauty Holiday Double Decker Bus Lafayette (Sponsor: Valentino Beauty Holiday Double Decker Bus), Lafayette St. bet. Prince & Spring Sts.**

**Vote: Adopted unanimously.**

4. **\*12.13.23 – YankeeKicks Grand Opening (Sponsor: Preferred Security Investigations, Inc.), 1) Bond St. bet. Broadway & Lafayette St. [full sidewalk closure-store at 666 Broadway-So.]; 2) Bond St. bet. Broadway & Lafayette St. [curb lane only-So.]; and 3) Broadway bet. Blecker & Bond Sts. [curb lane only E.]**

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

**Whereas**, community members and CB2 members raised concerns around potential sound and music associated with the event; and

**Whereas**, the proposed sidewalk closure would create unsafe conditions for pedestrians in the vicinity of the location, with pedestrians being forced off of the sidewalk onto the cobblestone street and creating risk of falling; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of **YankeeKicks Grand Opening.**

**Vote: Adopted unanimously.**

5. **\*12.13-12.14.23 – Amazon Faves (Sponsor: IDEKO), Broome St. bet. Crosby & Lafayette Sts. [partial sidewalk closure-No.]**

**Whereas**, the applicant is seeking to place a scenic element outside of a pop-up being used as a private event at 425 Broome Street, between Crosby and Lafayette Streets; and

**Whereas**, the scenic element consist of a ski gondola to be placed on a sidewalk, as well as a bench to be placed in front of the store; and

**Whereas**, the applicant plans to load-in the gondola on December 11<sup>th</sup> and 12<sup>th</sup>, with the Gondola being on site on the sidewalk on December 13<sup>th</sup> and 14<sup>th</sup>, and with load-out on December 15<sup>th</sup>; and

**Whereas**, the gondola is expected to be around 7 feet in length, 5 feet in width, and 9 feet in height; and

**Whereas**, the applicant expects there to be 6 or 7 feet of clearance on the sidewalk for pedestrian right-of-way, in excess of the 5-foot SAPO requirement; and

**Whereas**, the sidewalk activation will be fully open to the public, despite the event inside the building being a private event; and

**Whereas**, the applicant stated that there would be no advertising or Instagram promotion for the activation; and

**Whereas**, the applicant plans to have on-site staff to deal with any garbage (though none is expected) and to prevent congestion on the sidewalk; and

**Whereas**, concern was expressed by board members and members of the public regarding the narrow pedestrian right-of-way, especially with the bench being sited right across the sidewalk from the gondola, and the applicant mentioned that they would consider moving the bench around the corner; now

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

**Vote: Adopted unanimously.**

- 6. \*12.16.23 – Miniso December 2023 Event (Sponsor: Chao’s Public Relations, Inc.), Broadway bet. Broome & Spring Sts. [partial sidewalk closure-both] [to perform in front of each store area starting at 490 Broadway]**

**Whereas**, the applicant, representing a global brand, seeks to hold a “guerilla” promotional event consisting of a 1-2 minute “TikTok Dance” in front of an LED advertising truck backdrop; and

**Whereas**, the applicant wishes to stage an activation at 490 Broadway, between Broome and Spring, with a vehicle dropping the dancers and the LED truck parking in the curb lane temporarily; and

**Whereas**, the activation is expected to take place around 1 PM and should not last more than 15 minutes; and

**Whereas**, the applicant was informed by the committee that LED billboard trucks are not legal in New York City, and did not appear to be previously aware of this rule; and

**Whereas**, CB2 Manhattan generally recognizes the overall low impact of such a short event, but can not support the use of an illegal LED billboard truck; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval Miniso December 2023 Event, provided that** no LED billboard truck or LED signage is used, and **further provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Vote: Adopted unanimously.**

**7. \*12.16.23 – Bleecker Street Holiday Block Party 2023 (Sponsor: West Village BID), Bleecker St. bet. Perry & W. 10th [full street closure]**

**Whereas**, the applicant, the newly formed West Village BID, is seeking to hold a family-friendly block party on Bleecker on Saturday, December 16<sup>th</sup>; and

**Whereas**, the party will consist of a number of activities including cookie decoration, holiday card making, a photobooth, and giveaways of hot chocolate and popcorn; and

**Whereas**, set-up will take place from 10 to 11 AM, with the event running from 11 AM to 4 PM, and the street reopened by 5 PM; and

**Whereas**, the event will be completely free to the public; and

**Whereas**, local businesses along Bleecker will have the opportunity to participate, with at least 8 business having already committed; and

**Whereas**, the event will have a 4-person sanitation team on site; now

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

**Vote: Adopted unanimously.**

**8. \*1.13-2.1.24 – SCOTTSDALE TOURISM (Sponsor: Sharon Marie Miller, Coast to Coast Permits), Gansevoort St./13th/Gansevoort Pedestrian Plaza [full]**

**Whereas**, the tourism board of the city of Scottsdale, Arizona, is seeking to hold an activation on the Gansevoort Plaza to promote tourism to Scottsdale; and

**Whereas**, the activation is planned to take place for two full days, on January 31<sup>st</sup> and February 2<sup>nd</sup>, with setup beginning at 5 AM on the 31<sup>st</sup> and the activation “live” on both days from 10 AM – 6 PM; and

**Whereas**, as activation is meant to facilitate an immersive art experience reminiscent of the desert landscape surrounding Scottsdale, and will consist of an airstream trailer and “globe” placed on the Ganservoort Plaza that can be entered for a photo opportunity; and

**Whereas**, free hot cocoa and pastries will be handed out to attendees; and

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

**Whereas**, security will be on site for the entire activation; and

**Whereas**, the entire activation appears that it will take up less than 25% of the plaza; and

**Whereas**, while the activation appears to be lower impact compared to other activations which have been staged on the Gansevoort Plaza, CB2 continues to oppose the use of Gansevoort Plaza for purely commercial activations; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial of SCOTTSDALE TOURISM**.

**Vote: Adopted unanimously.**

**FYI: Renewals**

9. 2.1.24 – Mt Sinai Mobile Van – Prostate Cancer Screening (Sponsor: Mount Sinai Hospital), Hudson St. bet. Charlton & Vandam Sts. [curb lane-E.]
10. 3.23.24 – Astor Place Spring Fair (Sponsor: Stonewall Democratic Club), Astor Pl. bet. Broadway & Lafayette St. [full street closure]
11. 5.3.24 – NYU Strawberry Festival (Sponsor: New York University Center for Student Life), W. 3rd St. bet. LaGuardia Pl. & Mercer St. [full street closure]
12. 5.4.24 – Grace Church School 68th Annual May Fair (Sponsor: Grace Church School), E. 10th St. bet. Broadway & 4th Ave. [full street closure]
13. 5.26.24 – Washington Sq Spring Fair (Sponsor: Bailey House), Washington Sq. No. bet. Macdougall St. & University Pl. [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.**

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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[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

The Social Services Committee of Community Board No. 2, Manhattan held its regular monthly meeting on November 20, 2023, at 6:30pm by Zoom videoconference.

Committee Members Present: Susanna Aaron (Chair), Akeela Ascuy, Keen Berger, Wayne Kawadler, Ryder Kessler, Emma Smith

Committee Members Absent With Notice: Zachary Kazzazz

Committee Members Absent Without Notice: Ivy Kwan Arce, Ritu Chattree (Vice Chair), Juan Osorio

Other CB2 Members Present: Carter Booth, Donna Raftery

Elected officials' representatives: Nicole Barth, office of Council Member Erik Bottcher

### Guests:

Representatives of the Manhattan Outreach Consortium:

-Tamara Felix, Center for Urban Community Services (CUCS)

-Alyssa Wrinkle, Program Director, Goddard-Riverside – Homeless Outreach, Downtown Team

### WHAT THEY DO

The Manhattan Outreach Consortium (MOC) is under contract with the city to conduct outreach to street homeless adults. The program is managed by Center for Urban Services, which also conducts outreach in upper Manhattan; it includes Breaking Ground and Goddard Riverside as partners. Goddard's downtown division - Downtown Goddard (DG) - is responsible for the catchment area below 23<sup>rd</sup> St in Manhattan.

MOC teams do direct engagement with adults bedded down on the street. Even if assistance with housing is refused, the team is able to offer referrals for different wraparound case management services. If they see a child on the street they are required to call the Department of Homeless Services. (This has happened very rarely.) A psychiatrist joins DG 1.5 days/week to provide evaluations required for housing applications. Housing packets also require an ID, a Social Security card, other documents and evaluations that the MOC is able to assist with.

Its focus is to connect people to housing – first transitional, and ultimately, permanent. During its current fiscal year, which ends June 30, DG has made 272 Safe Haven placements, 82 stabilization bed placements, and 154 permanent housing placements. DG's caseload is 430, which has grown for reasons that are not clear. Ms. Wrinkle guesses that DG's caseload was closer to 300 two years ago.

### REFUSING TRADITIONAL SHELTER

New Yorkers have a right to be homeless and also a legally mandated right to shelter: anyone who seeks it must receive it. However, DG works with individuals who have traditionally refused to enter the city’s shelter system. They may have had negative experiences; they may have a mental health diagnosis; they may require more support. The MOC is able to offer them Safe Haven beds and short-term stabilization beds. These are more successful with this population: they are often single rooms rather than dorms; they don’t have curfews; they tend to be smaller and have more clinical staff. Paul’s Place, at 112-114 West 14<sup>th</sup> Street, is CD2’s only Safe Haven, with 24 beds. These beds are assigned through the MOC, not through the general intake of NYC Department of Homeless services (DOH), to assist chronically homeless individuals.

### THE SAFE HAVEN MODEL

Safe Haven shelters have been slowly brought online within the five boroughs as an alternative to conventional congregate shelters for unhoused New Yorkers. They are especially intended to serve the city’s street homeless population, many of whom refuse traditional congregate shelters because of sensitivity over privacy, dignity, and safety.<sup>1</sup> Alternatively, Safe Havens usually offer single rooms and are “lower-threshold,” meaning there is a lowered bar for measures like curfews and contraband confiscation.

In 2015, the city opened its tenth Safe Haven (and first since 2010), bringing the number of total Safe Haven beds to just under 700.<sup>2</sup> As of December 2022, that number had more than doubled to 1,640.<sup>3</sup> However, there is still far more demand for these beds than supply, as they are almost all full every night; and they are still a small fraction of the beds within the overall shelter system (in which just under 69,000 New Yorkers slept each night in December 2022).<sup>4</sup>

The Coalition for the Homeless reports that “the long-term retention rate for those accepting placements [in the main congregate shelter system] was just 24 percent, versus 63 percent for the rarely offered Safe Havens,” suggesting a preference for the latter<sup>5</sup> This success is also a reflection of Safe Havens’ superior ability to accommodate individuals with mental health and/or substance use challenges.

### NOT ENOUGH BEDS

Although it can be difficult building a rapport with some clients, others engage quickly and seek services immediately. Ms. Wrinkle reports, there are not enough Safe Haven beds or stabilization beds in our area for the individuals seeking them. More are needed in geographical proximity because many DG clients are reluctant to leave the area for various reasons that include difficulty traveling, issues with mobility, a PTSD diagnosis that prevents them from using mass transit.

---

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

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

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

<sup>4</sup> <https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/>

<sup>5</sup><https://www.coalitionforthehomeless.org/wp-content/uploads/2023/06/StateoftheHomeless2023.pdf>

Tamara Felix, of CUCS, seeks housing primarily for individuals facing discharge from a hospital. These clients tend to be more willing to accept small-scale dormitory settings.

In winter, beds are harder to come by, and clients are more willing to come indoors. Nighttime temperatures below freezing trigger a “Code Blue,” when DG will canvas for a specific list of individuals they have deemed especially vulnerable and resistant to shelter. They will offer shelter or the chance to warm up in a hospital or warming center. If they are in danger, DG might call EMS. Individuals are not required to go indoors.

The only time DG will forcibly remove someone is for a “958 removal”<sup>6</sup> where they are a danger to themselves or others.

### 958 REMOVALS

In November of 2022 Mayor Adams announced a plan<sup>7</sup> encouraging broader use of forced transport for psychiatric evaluation. This was not a new law, but rather encouragement to embrace a more liberal interpretation of existing law. One year later, Adams recently claimed progress with this approach.<sup>8</sup> For her part, Ms. Wrinkle says that while she has had the 958 designation for five years, she has employed it only twice. If the number of 958 removals has gone up, as she suspects it has since November of 2022, it could be that DHS outreach teams are ordering them more often. DG is very careful in its own use of 958 removals. A client refusing transport will be forcibly taken in handcuffs if necessary, and DG is reluctant to take actions that strip an adult of his liberty and agency. At the same time, it can save a life. It is a necessary tool, to be used only in extreme cases.

958 removals are not always effective. The law allows for the forcible transport of a client for psychiatric evaluation. However, the legal authority of transport – of a clinician, of NYPD, of EMS - ends as soon as the client steps foot into the hospital, where the authority transfers to hospital staff. There is nothing to prevent an individual from leaving if he is left waiting in an unlocked waiting room, ER, or medical evaluation room.

### ASYLUM SEEKERS

The influx of asylum seekers has had no impact on the MOC’s work. The city has created a separate intake system for migrants and the MOC has been instructed to transport migrants there.

### NOT ENOUGH STAFF

DG is fully reliant on contracts from the Department of Homeless Services. DG has so far not suffered from city budget cuts. It does suffer from low pay rates permitted by its contract. Its staff is usually 21 people, including management and administration, but has lost employees and is down to 50% at the moment, so caseloads have gone from an intended 25 to about 50 per

---

<sup>6</sup> <https://www.nysenate.gov/legislation/laws/MHY/9.58>

<sup>7</sup> <https://www.nyc.gov/office-of-the-mayor/news/870-22/mayor-adams-plan-provide-care-individuals-suffering-untreated-severe-mental#/0>

<sup>8</sup> <https://www.nyc.gov/office-of-the-mayor/news/907-23/mayor-adams-more-half-hardest-to-reach-new-yorkers-have-moved-street-into#/0>

caseworker. It is hard to staff positions. The starting salary for a housing outreach specialist at Goddard Riverside is \$36,454.60.<sup>9</sup> The jobs are difficult, busy and stressful.

#### HOW THE COMMUNITY CAN HELP HOMELESS NEIGHBORS

Neighbors who want to help homeless neighbors should call 311 or use the 311 app.

They should call 911 in cases of danger. However, if a case is NOT urgent, 311 is better because it will alert the MOC.

Choose words carefully in reporting to 311. Use the terms “homeless person in need of assistance.” Do not describe a “homeless encampment” unless there is an actual built structure. Built structures are illegal and will be diverted to the NYPD for response rather than to the MOC.

The MOC is required to respond quickly, but their response can be delayed if they receive two 311 referrals at once; if they are doing a transport with a client; or if they are, for example, accompanying a client through the intake process at a shelter site.

311 calls during “code blue” weather conditions are directed to NYPD.

#### **RESOLUTION IN SUPPORT OF CITY ACTIONS TO REDUCE STREET HOMELESSNESS IN LOWER MANHATTAN AND IMPROVE OUTCOMES FOR UNHOUSED NEW YORKERS**

##### **WHEREAS:**

- 1) The New York City Department of Homeless Services contracts with nonprofit organizations through the Manhattan Outreach Consortium (MOC) to conduct outreach to street homeless New Yorkers in the borough; and
- 2) Goddard Riverside is a member organization of the MOC, with its Downtown Goddard program responsible for outreach to street homeless New Yorkers below 23rd Street; and
- 3) Downtown Goddard (DG) reports an increase in the number of street homeless New Yorkers within their case management program to 430, from roughly 300 two years ago, consistent with community members’ experience of increased numbers of unhoused neighbors living on the street; and
- 4) DG provides access when possible to Safe Haven shelter beds and stabilization beds, both of which offer more privacy and autonomy for residents than the city’s conventional congregate shelter model; and
- 5) The unhoused New Yorkers engaged by DG generally refuse entry into the congregate shelter system but do accept offers of Safe Haven and stabilization beds at much higher rates, moving them off the streets and into settings with support staff and pathways to permanent housing; and

---

<sup>9</sup><https://www.paycomonline.net/v4/ats/web.php/jobs/ViewJobDetails?job=176960&clientkey=2AF870DC98A05BDC667109DE9463BC04>

- 6) The ability of DG to make these placements is limited not by the interest of unhoused New Yorkers but by the availability of these private shelter options; and
- 7) Safe Haven and stabilization beds have higher uptake and long-term stay rates, demonstrating success at reducing street homelessness when compared to alternatives; and
- 8) There were only roughly 2,500 Safe Havens and stabilization beds at year-end of 2022; and
- 9) There is only one Safe Haven or stabilization bed shelter in Community District 2, Paul's Place, with 24 beds; and
- 10) DG affirms that the street homeless New Yorkers they engage are local to the neighborhoods in which they are living on the street and are far more likely to accept nearby placements; and
- 11) The ability of DG to respond to 311 calls and manage its full caseload is limited by its staffing levels, currently at a ~50% vacancy rate within its 21 team member allotment; and
- 12) The Adams administration committed to addressing the intersection of homelessness, serious mental illness and substance use,<sup>10</sup> and CB2, together with other Community Boards in Manhattan, have also identified these concerns as a high priority; and
- 13) Nonetheless, DG reports that its inability to fill these challenging jobs is largely a function of the low starting salary rate (of less than \$37,000) demanded by its budget accord with the city.

**THEREFORE, BE IT RESOLVED THAT COMMUNITY BOARD 2, MANHATTAN**

- 1) Commends Downtown Goddard, and the Manhattan Outreach Consortium, for their work to engage and support street homeless New Yorkers in service of assisting them in accessing safer housing and needed additional services; and
- 2) Supports the creation of more Safe Haven and stabilization bed sites in downtown Manhattan, commensurate to the need of the unsheltered homeless population, in order to better serve these New Yorkers and the communities in which they live; and

---

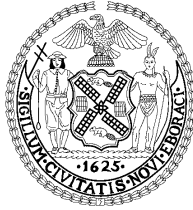
<sup>10</sup> <https://www.nyc.gov/office-of-the-mayor/news/140-23/mayor-adams-ambitious-mental-health-agenda-focused-improving-family-child-mental#/0>.

- 3) Calls upon the Mayor to fulfill his commitment to address mental health, homelessness and substance use disorder by increasing budgeted salary levels for housing outreach specialists, so that service providers can hire complete staffs.

**VOTE:** 6-0 Unanimous in favor

DRAFT

**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**

3 Washington Square Village

NEW YORK, NY 10012-1899

**www.manhattancb2.org**

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

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

## **TRAFFIC AND TRANSPORTATION COMMITTEE**

**December 2023**

The Traffic and Transportation Committee of Community Board #2, Manhattan held its monthly meeting on Thursday, December 14, 2023, at 5:30 p.m., in Hybrid format (in person at CB2 office and online).

**Board Members Present:** (In Person) Shirley Secunda (Chair), Amy Brenna, Susan Gammie, Lois Rakoff, Rocio Sanz; (Online) Daniel Miller (Vice Chair).

**Board Members Absent with notification:** Stella Fitzgerald, D. Kristin Shea, Antony Wong.

**Board Members Absent:**

**Public Members Present:** (In Person) Janet Liff; (Online) Joseph Flahaven.

**Public Members Absent with notification:**

**Public Members Absent:** George Haikalis.

**Other Board Members Present:** (Online) Emma Smith

**Guests:** Kate Scherer (DOT), Robin Felsher, Darlene Lutz, Paul Murray, Madeline Andrews, Elias Schultz, Ben Listman, David Penick, Daniel Crippen.

### **RESOLUTION:**

#### **1. Resolution supporting revision of Community Board 2 Manhattan Street Co-Naming Guidelines.**

**Whereas** Community Board 2 Manhattan (CB2) periodically revises its Street Co-Naming Guidelines to update and clarify them where needed; and

**Whereas** CB2's Traffic and Transportation Committee (the Committee) reviewed and discussed the Guidelines and made a few grammatical changes to both the Guidelines and the Street Co-Naming Request Application for further clarification; and

**Whereas** the Committee favored eliminating the Street Co-Naming Request Instructions which were recognized as being redundant to the requirements already being covered in the Guidelines and adding a form to be used for the required Street Co-Naming Petition of Support; and

**Whereas** co-naming a street entails adding a secondary street sign (a flat metal panel similar to a street or avenue number/name sign) to honor and remember a notable community individual or entity, and it does not replace the normal, or primary, street sign, although typically mounted above or below the primary sign; and

**Whereas** the placement of secondary street signs pertains to the use of public space for private use; and

**Whereas** in view of the need to maintain the community's limited public space and avoid crowdedness and clutter as well as wayfinding confusion, CB2 has traditionally recommended denial of most street co-naming applications within CB2's boundaries;

**Therefore be it resolved** that CB2 resolves to adopt the revised Community Board 2 Manhattan Street Co-Naming Guidelines, Street Co-Naming Request Application, and added Street Co-Naming Petition of Support that are appended herewith.

**Vote:** Unanimous in favor.

Respectfully submitted,



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

COMMUNITY BOARD NO. 2 MANHATTAN  
**STREET CO-NAMING GUIDELINES**  
**Revised December 14, 2023**

Community Board No. 2 Manhattan (CB2M) has traditionally recommended denial of most street co-naming applications within CB2M's boundaries. These revised Street Co-Naming Guidelines are intended to further clarify CB2M's policy opposing this occupation of public space for private use except in extraordinary cases.

**A.** CB2M typically will recommend denial of any street co-naming application for either individuals or entities unless compelling evidence is provided of all of the following:

1. 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 (e.g., land use, social services, housing, preservation, public safety, civil liberties, transportation, streetscape, environment, public participation). Although there are many notable individuals who have made significant contributions to New York City and beyond on a broad basis, CB2M supports street co-namings only for those who have contributed to the greater good of the CB2M community, i.e., within the boundaries of CB2M.
2. The person or entity must have had a longstanding direct presence and relationship with the community (preferably at least 10 years of community involvement) in the vicinity of the proposed co-naming and a special significance for the block.
3. If a co-name is proposed for an entity, the entity must be a non-profit organization.
4. The proposed co-naming must have the support of a substantial number of residents and/or businesses on the block that's under consideration and significant support from the CB2M community.
5. The person proposed for the co-naming must have been deceased three years or more prior to the initiation of the co-naming.
6. A community group or member of the community must initiate the co-naming process.
7. Objections by family members to the co-naming must be considered.
8. Submission Requirements: A Street Co-Naming Application Form must be submitted, accompanied by a Petition of community support that includes at least 100 signatures from people within CB2 only (primarily those on the block and in the immediate area of the proposed co-name location), and, for an Individual, a Biography of the proposed honoree, including birth and death dates, background on the individual's relation to the location and service to the community with the co-naming rationale; for an Entity, the proposed organization's History and Purpose, relation to the location and service to the

community with the co-naming rationale. Neither the Biography nor the History and Purpose should be more than one page.

Letters and emails of support are also encouraged from community members, groups, organizations, institutions and others familiar with the proposed honoree's contributions as is any relevant documentation of accomplishments.

(See Street Co-Naming Request Application and Street Co-Naming Petition example below)

9. CB2M is open to supporting efforts at the applicant's expense to display a plaque or the like to describe the co-named person's or entity's community contributions, whether on a building or a sidewalk or a lamp post or other appropriate space nearby.

**B.** Simply meeting the above criteria does not automatically assure a recommendation of approval of an application, as CB2M reserves the right to recommend denial of applications based on other criteria such as context, visual clutter or proliferation. If the Board feels, in its discretion, that a co-naming, despite meeting all of the guidelines, would tend to bring disrepute upon the community for any reason (e.g., criminal records), or would not, in the opinion of the Board, be looked upon favorably by an overwhelming majority of the residents of the district, application approval also may be denied.

**C.** CB2M will definitively recommend denial of any street co-naming application under the following conditions:

1. Applications for street co-namings that promote commercial activity and benefit in any way or that are related to past commercial activity.
2. Applications for co-naming streets for entertainers or others exclusively notable for accomplishments beyond CB2M's boundaries.
3. Applications submitted by a broad constituency outside CB2M's boundaries.
4. Applications for signs to memorialize victims of accidents or disasters, unless also meeting the criteria in paragraphs **A-1** through **A-9** above.
5. Applications for more than one sign for any person or entity, or for more than one street co-name sign on any individual signpost or intersection.

## STREET CO-NAMING REQUEST APPLICATION

Please complete the following application and submit it with the required materials to the Community Board No. 2 Manhattan office.

1. Applicant's Name

---

2. Applicant's Telephone Number

---

3. Applicant's E-Mail Address

---

4. Applicant's Legal Address

---

5. Applicant's connection to proposed honoree

---

---

6. Proposed Honoree's Name

---

7. Is proposed honoree an \_\_\_ Individual or \_\_\_ Non-profit Organization (check one)

8. Proposed Location for Co-naming (be specific as to which corner of the intersection) (NE; NW; SE; SW)

---

9. Does the proposed location already have a co-name? \_\_\_ Yes \_\_\_ No

a. If yes indicate the current name \_\_\_\_\_

9. Has any other public area or building been named after the proposed honoree? \_\_\_Yes \_\_\_No

a. If yes indicate the location \_\_\_\_\_

Attach Biography or History and Purpose and the required petition of support from the residents and businesses on the street proposed to be co-named and those within the immediate area and CB2 along with any additional relevant documentation and support.



**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**

3 Washington Square Village  
NEW YORK, NY 10012-1899

**www.manhattancb2.org**

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

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

**SCHOOLS & EDUCATION COMMITTEE MEETING**  
**NOVEMBER 2023**

The Schools & Education Committee met on Tuesday, November 28th, 2023, at 6:30 PM, 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), Keen Berger, Mar Fitzgerald, Anne Hager, and Emma Smith

**CB 2 Committee Members Present (remote):** Rich Caccappolo, and Matthew Metzger

**CB 2 Schools & Education Board Members Absent with Notice:** Dr. Akeela Azcuy, and Ed Ma

**Guests:** Melanie Taylor, Naomi Umebayashi, Y Martinez, Jeffrey Panlilio, Karen Prince, Damary E, Dayne Simon, and Jasmine Paredes, John Margolis, Luis Anjos, and Maria Negrón

The meeting was called to order at 6:35 PM

**Agenda:**

1. College Savings 101 – What Every Parent Needs to Know with Michael D. Markowitz, P.E., MBA

Michael D. Markowitz, presented "[College Savings 101: What Every Parent Needs to Know](#)," offering insights into 529 plans and the Free Application for Federal Student Aid ([FAFSA](#)). He highlighted the 529 savings program's broad applicability and expansion beyond higher education costs to cover K-12 tuition, apprenticeships, and student loan payments. Markowitz covered the history of the 529 plan, focusing on Michigan's early adoption and New York's favorable tax benefits, allowing a deduction of up to \$10,000 per couple from state income tax.

The presentation emphasized the tax advantages and compounding interest in 529 plans, promoting early contributions and discouraging attempts to time the market. Markowitz discussed plan flexibility, account setup options, and possibly transferring funds between siblings. He provided

updates on recent changes, including increased state exemptions and gift tax exclusions, anticipating higher education costs. He also mentions the ability to use the savings for [ABLE accounts](#).

An important addition is the opportunity, starting in the upcoming tax year, to transfer funds from a 529 plan to the beneficiary's Roth IRA without a 10% penalty, subject to conditions. Markowitz briefly touched on FAFSA, underscoring its importance in determining financial aid. The Q&A session addressed diverse scenarios, such as using 529 funds for education abroad and the impact on income inequality.

**Business session:**

Following the presentation, the committee discussed two key topics. Firstly, a resolution addressing Islamophobia and anti-Semitism in schools was proposed, emphasizing teaching children about free speech and understanding diverse perspectives. Secondly, urgent issues faced by students and families in temporary housing, particularly those seeking asylum, were discussed. The committee expressed a desire to address challenges such as displacement every 60 days, with a proposal to work on a resolution for the next meeting on December 11th.

The meeting was adjourned at 7:40 PM

Respectfully Submitted,

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

## College Savings 101



**COLLEGE SAVINGS 101**  
What every parent of a child 0-18 needs to know.

**Intro to 529 Plans & federal FAFSA**  
w/ Michael Markowitz, MBA & College Parent

**Tuesday, Nov 28, 2023**  
at 6:30PM via Zoom

**College Fund**

**NYS Investment 2**  
Private Equity, Chai

Michael D. Markowitz, P.E., MBA  
Program Manager

Former CEC2 Member  
(3 terms, circa 2006 – 2012)

Parent of two former K-12 D2 students;  
one in college, one recent grad

C 917.363.9392  
E [witzeroo@yahoo.com](mailto:witzeroo@yahoo.com)

Disclaimer: Please note this presentation may include financial advice. Views, and opinions that are those of the event and its speaker(s), and do not necessarily reflect the views or positions of Community Board 2.

## CS 101 – Who?

- ◆ **WHO Basics**
  - ◆ Parent/Guardian is the "participant" who sets up the account.
  - ◆ "Successor" participants can be designated, e.g. other parent, grandparent.
  - ◆ Child is the "beneficiary."
- ◆ **WHO can be a "beneficiary"?**
  - ◆ Higher Education students – of ALL AGES
  - ◆ K-12 students
  - ◆ SIBLINGS – say one gets a "free ride", but the other one wants to go to *Daddy Warbucks U?* No prob.
  - ◆ 529 Funds are TRANSFERABLE to a generous list of family relations – including still hypothetical future kids and grandkids!
  - ◆ Note: The beneficiary of a given account can be changed just ONCE per Calendar Year
- ◆ **WHO can contribute?**
  - ◆ Parents
  - ◆ Grandparents
  - ◆ ANYBODY – and they EACH get the donation tax break (in NYS).
- ◆ **WHO can make a withdrawal?**
  - ◆ Account holder(s), typically the parent(s) or guardian(s).
  - ◆ Note: Withdrawals can be to individuals, OR, direct to the school

## CS 101 -- Course Outline

- ◆ **Course Objectives**
  - ◆ Undergrads – Introductory familiarity with "529 Plans" and "FAFSA."
  - ◆ Grad Students – Tidbits you might not have been aware of.
- ◆ **Course "Modules"** (not necessarily in this order)
  - ◆ Who?
    - ◆ What?
    - ◆ When?
    - ◆ Where?
    - ◆ Why?
  - ◆ Changes for 2023 / 2024
  - ◆ FAFSA Mottah U?
- ◆ **Final Exam & Graduation**
- ◆ **Q&A**

## CS 101 – When?

- ◆ **WHEN can you open an account?**
  - ◆ Kids age 0+.
  - ◆ No upper age limit.
- ◆ **WHEN can you make contributions?**
  - ◆ Any time.
  - ◆ Payroll deductions.
  - ◆ **By Dec 31, to get the state income tax deduction for the ENTIRE year.**
- ◆ **WHEN can you make a withdrawal?**
  - ◆ Any time after expense has been incurred.
  - ◆ NOT tied to tax year per se, though if audited, you'll have to show the expense HAS been incurred, i.e. no guessing ahead.
- ◆ **WHEN is the best time to contribute?**
  - ◆ Yesterday.
  - ◆ Don't try to "time" the market. Steady deposits (vs. one big lump) benefit from "dollar cost averaging".

## CS 101 – What?

- ◆ **WHAT is a "529 Plan"?**
  - ◆ **IRS Section 529**
    - ◆ 529 plans are named after section 529 of the Internal Revenue Code 26 U.S.C. § 529.
    - ◆ Limited Federal benefits (no up-front deductability; yes, deferred tax on earnings.)
    - ◆ Significant State benefits (State income tax-deductible contributions, varies by state)
  - ◆ **History**
    - ◆ Started by some states, notably Michigan, formalized and expanded by the feds.
    - ◆ Formalized by Congress in 1996, as part of the Small Business Job Protection Act.
    - ◆ Covers **higher education tuition, room & board, and related expenses**
    - ◆ In 2018, with passage in 2017 of the "Tax Cuts and Jobs Act," **529 tuition only** became eligible. Also, **Apprenticeship programs, student loan payments, and... rollovers to ABLÉ accounts!**
  - ◆ **529 Plans are state-specific**
    - ◆ State of RESIDENCY (i.e. Which state do you pay income tax?)
    - ◆ State of SCHOOL (i.e. if the student knows he/she is going to a specific state's school...)
- ◆ **WHAT kind of investments can you direct the funds to?**
  - ◆ Wide range – basically, the full gamut of investment funds, mutual funds, index funds, etc.
  - ◆ **NOTABLE: Age-Based Mutual Funds**

## CS 101 – Where?

- ◆ **WHERE can you set up an account?**
  - ◆ Any State.
  - ◆ Mix of state-run and state-endorsed.
- ◆ **State-specific**
  - ◆ New York – THREE CHOICES, plus an NYC DOE program.
    - ◆ Self-Directed
      - ◆ NYSaves.Org
      - ◆ Funds available via Vanguard
    - ◆ Advisor-Assisted (JP Morgan)
      - ◆ Professionally Managed Mutual Funds
    - ◆ NY ABLÉ (Achieving a Better Life)
      - ◆ Allows funding services for people with disabilities – not just education.
    - ◆ NYC DOE Rise Up (As of 2022-2023: Entering K and 1<sup>st</sup> only, and select pilot schools for other grades.)
  - ◆ New Jersey
  - ◆ Connecticut
  - ◆ Various Others
    - ◆ Some states have in-state SCHOOL benefits if you invest in THEIR state's fund!

## CS 101 – Why?

- ◆ **WHY?**
  - ◆ Higher ed – college and grad school – expenses!
  - ◆ NEW (as of 2018): Private and parochial school K-12 tuition!
  - ◆ NEW (as of 2018): Rollover option to ABLÉ (Achieving a Better Life) Accounts!!!!
  - ◆ NEW (as of 2018): Apprenticeship Programs, and... STUDENT LOAN PAYMENTS!!!!
- ◆ **COMPOUNDING**
- ◆ **TAX BENEFITS**
  - ◆ **The Big Three**
    - ◆ Contributions have significant state income tax benefits in NYS (others vary).
    - ◆ NYS: **\$5,000 deductible per individual / \$10,000 deductible per couple**
    - ◆ Growth is tax-free – Federal level!
    - ◆ Withdrawals do NOT count as income – state or federal
  - ◆ Additionally
    - ◆ Protection from Estate Taxes and Gift Taxes
- ◆ **Compounding PLUS Tax Benefits... Compounds the Benefits**

## CS 101 – Changes for 2023

- ◆ **Tax Year 2023**
  - ◆ Federal Changes:
    - ◆ **Estate Planning Impacts:**  
Gift tax exclusion = \$17k per donor (\$34k per couple), per recipient per year.  
"5-year" allocation: e.g., \$50k in 2023 can be reported as \$10k in each of 2023-2027.
  - ◆ **Aggregate 529 account balance limits vary by state:**
    - ◆ \$235k – \$550k, based on each state's estimate of higher ed costs.
    - ◆ NYS = \$520k. NJ = \$305k.
- ◆ **Excellent article re Fed Gift Tax and Estate Tax implications:**  
Contribution limits (they're high), "5-year averaging," up from \$80k to \$85k; and NYS tax impacts (still \$5k single / \$10k joint).  
<https://www.savingforcollege.com/article/how-much-can-you-contribute-to-a-529-plan#:~:text=mu st%20file%20separately...The%20%520Year%20Election,each%20of%20the%20five%20years.>



**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**

3 Washington Square Village  
NEW YORK, NY 10012-1899

**www.manhattancb2.org**

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

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

### **SCHOOLS & EDUCATION COMMITTEE MEETING DECEMBER 2023**

The Schools & Education Committee met on Monday, December 11th, 2023, at 6:30 PM, in the conference room of the CB2 office (hybrid).

**CB 2 Schools & Education Members Present (in-person):** Patricia Laraia (Chair), Keen Berger, Rich Caccappolo, Mar Fitzgerald, Anne Hager, and Matthew Metzger

**CB 2 Committee Members Present (remote):** Dr. Cheryl Wu (Vice Chair) and Emma Smith

**CB 2 Schools & Education Board Members Absent with Notice:** Dr. Akeela Azcuy and Ed Ma

**Elected Officials Present:** Nicole Barth for Councilmember Erik Bottcher (remote) and Sayde Campoarmor, Chief Equity Officer for Comptroller Brad Lander

**Guests (remote):** Natalie Curujo, Colleen O'Connor-Grant, Principal Renny Fong (PS 130 Hernando DeSoto School), Principal Zeynep Ozkan (IS289 Hudson River Middle School), Monica Camacho, Tamaira Reid, Jennifer Samphaoron, Laura Thomas, Jeffrey Rowland, Darlene Lutz, Azael Alvarez (Spanish Interpreter), Andrea Jurado (Spanish Interpreter)

The meeting was called to order at 6:35 PM

#### **Agenda:**

1. *\*Discussion on Additional Supports for Asylum-Seeking Students and Families in NYC Public Schools* with Lupe Hernandez (NYC Public School Parent, [Manhattan Borough Response Team](#)) and Dr. Gavin Healy (NYC Public School Parent and [CECD2](#) Member)

Sayde Campoarmor begins the discussion by addressing the significant increase in temporary housing students, peaking at around 2,000 compared to the usual 500. Families in shelters are grappling with eviction notices under the mayor's policy, necessitating swift relocation. The challenges encompass uncertainty, transportation issues, and potential multiple moves, disrupting affected students' educational stability. Campoarmor underscores the repercussions on students, peers, and school budgets due to enrollment cutoff dates. Sayde also shared that on December 19 the NYC, the UFT, Community leaders, advocates, families & electeds will be coming together for the [Childrens March for Our Schools](#).

Lupe Hernandez and Dr. Gavin Healy voice concern over the impractical timeframe for finding permanent shelter, bus service difficulties, and the strain on school budgets. They deem the current approach as inhumane and financially inefficient, advocating for a sustainable, long-term solution. Frustration surfaces regarding the lack of preparedness from city agencies, emphasizing the inhumane nature of such changes, especially during winter. The discussion highlights the challenges faced by families in temporary housing and the urgent need for state and federal funding and support.

The focus shifts to the detrimental effects of the 60-day rule on public schools, with concerns about the well-being of children, caregivers, and educators. Disruptions to daily routines and educators' planning efforts due to constant student movement are emphasized. The Q&A session discusses practical actions individuals could take to support families facing housing challenges. Suggestions were made such as reaching out to schools with a high population of temporary housing students to create community pantries. Involvement with local mutual aid groups, charity organizations, and resource fairs is encouraged. Various organizations, including Promise NYC, Coalition for the Homeless, New York Immigration Coalition, and Advocates for Children, are highlighted as resources for those looking to assist. The overall theme is community engagement and support for families facing housing challenges.

**Business session:**

Following the presentation, the committee discussed a resolution against the 60-day rule, urging the mayor to reconsider. The aim is to raise awareness and push for concrete measures addressing challenges faced by homeless students and families.

The meeting was adjourned at 8:17 PM

**CB2 Resolution Opposing 60-Day Limitation on Shelter Stays for Families of  
Public School Students (DRAFT)**

1. **WHEREAS**, on October 11, 2023, Mayor Eric Adams announced that New York City would limit shelter stays for families with children to 60 calendar days (60-Day Rule), after which families would need to reapply for city shelters if they have nowhere else to live;<sup>1</sup>
2. **WHEREAS**, Subtitle VII-B of The McKinney-Vento Homeless Assistance Act (the McKinney-Vento Act) authorizes the federal Education for Homeless Children and Youth Program, and is the primary piece of federal legislation related to the education of children and youth experiencing homelessness;<sup>2</sup>
3. **WHEREAS**, the McKinney-Vento Act was reauthorized in December 2015 by Title IX, Part A, of the Every Student Succeeds Act;
4. **WHEREAS**, the New York State Education Department interprets the Federal Law<sup>3</sup> in the following way: “The McKinney-Vento Act<sup>4</sup> states that children and youth who lack a fixed, regular, and adequate nighttime residence’ will be considered homeless.” McKinney-Vento eligible students have the right to:

---

<sup>1</sup> <https://www.nytimes.com/2023/10/18/nyregion/migrants-shelter-nyc.html>

<sup>2</sup> <https://nche.ed.gov/legislation/mckinney-vento/>

<sup>3</sup> <https://www.federalregister.gov/documents/2016/03/17/2016-06073/mckinney-vento-education-for-homeless-children-and-youths-program> and <https://nche.ed.gov/legislation/mckinney-vento/>

<sup>4</sup> <https://www.nysed.gov/essa/mckinney-vento-homeless-education>

- a. receive a free, appropriate public education;
  - b. enroll in school immediately, even if lacking documents normally required for enrollment, or having missed application or enrollment deadlines during any period of homelessness;
  - c. enroll in school and attend classes while the school gathers needed documents;
  - d. continue attending the school of origin, or enroll in the local attendance area school if attending the school of origin is not in the best interest of the student or is contrary to the request of the parent, guardian, or unaccompanied youth;
  - e. receive transportation to and from the school of origin if requested by the parent or guardian, or by the local liaison on behalf of an unaccompanied youth; and
  - f. receive educational services comparable<sup>5</sup> to those provided to other students, according to each student's need.<sup>6</sup>
5. **WHEREAS**, a diverse group of organizations and individuals, including the New York Legal Assistance Group<sup>7</sup>, the Legal Aid Society, the Coalition for the Homeless, the New York Immigration Coalition<sup>8</sup>, Advocates for Children<sup>9</sup>, and a coalition of more than 135 doctors, nurses, hospital administrators, and other healthcare workers<sup>10</sup>, among others, have condemned shelter time limits as detrimental to the safety and educational wellbeing of children residing in the shelters;
6. **WHEREAS**, a joint statement issued by the Legal Aid Society and the Coalition for the Homeless specifically condemned the 60-Day Rule, stating:
- This plan will disrupt the lives of homeless students and create chaos for their schools, as parents are forced to choose between re-enrolling or spending the day traveling across the city to their current school. That's a terrible outcome for both families and educators.<sup>11</sup>*
7. **WHEREAS**, during the 2021-22 school year 72% of students residing in temporary housing were chronically absent<sup>12</sup>, which is defined under Chancellor's Regulation A-210 III.D. as an attendance rate of less than 90%<sup>13</sup>;
8. **WHEREAS**, a review of relevant research underscores that there are significant negative effects on student outcomes as a result of involuntary and/or unplanned movement between schools,

---

<sup>5</sup> Per the Federal Statute: Each homeless child or youth to be assisted under this part shall be provided services comparable to services offered to other students in the school selected under paragraph (3).

<sup>6</sup> <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim>

<sup>7</sup> <https://nylag.org/statement-nylag-condemns-new-60-day-shelter-policy-for-migrant-families/>

<sup>8</sup> <https://www.nyc.gov/2023/10/adams-again-attacks-right-to-shelter-endangering-child-asylum-seekers/>

<sup>9</sup> <https://www.advocatesforchildren.org/node/2261>

<sup>10</sup> <https://drive.google.com/file/d/1dizKBtOI8FPMEQAwTKhLsLML8pvihKt/view>

<sup>11</sup> <https://www.coalitionforthehomeless.org/press/joint-statement-from-legal-aid-coalition-for-the-homeless-in-response-to-reporting-that-the-adams-administration-will-limit-shelter-stays-for-families-with-children-to-60-days/>

<sup>12</sup> <https://www.nydailynews.com/2023/10/28/education-of-migrant-children-threatened-by-nyc-60-day-shelter-limit/>

<sup>13</sup> <https://www.schools.nyc.gov/docs/default-source/default-document-library/a-210-english>

including but not limited to decreases in test scores and high school graduation rates<sup>14</sup>, with the Institute for Children, Poverty, and Homelessness found that as of the 2016-17 school year

- Even when students did not experience a mid-year transfer or chronic absenteeism, those who experienced homelessness scored proficient on the ELA exam at lower rates than housed students (25% vs. 42%).
  - ELA proficiency rates dropped significantly for homeless students who experienced a mid-year transfer (15%) or chronic absenteeism (14%).
  - Among homeless students, those who experienced no instability factors were twice as likely to score proficient as those who were both chronically absent and transferred mid-year (25% vs. 12%).
  - Among homeless students who were chronically absent and transferred schools mid-year, more than one in four, 29%, dropped out. This was over seven times the rate of homeless students with no instability factors (4%).
  - Only 56% of students who were homeless at some point in high school graduated within four years. Still, when homeless students were able to attend school regularly and did not have to transfer mid-year during any of their years of high school, they graduated at rates similar to their housed peers (90% vs. 96%), and well above the citywide graduation rate of 74%<sup>15</sup>.
9. **WHEREAS**, many students residing in shelters have already experienced significant disruptions to their education, compounded by the trauma experienced as a result of displacement, migration, and ongoing instability;
  10. **WHEREAS**, under the 60-Day Rule, children could be forced to change schools up to five times per school year;
  11. **WHEREAS**, schools need additional resources and personnel, including bilingual staff, nurses, and social workers, to address the needs of students in temporary housing;
  12. **WHEREAS**, under the 60-Day Rule, families who re-apply for shelter may be forced to move to new shelters far from their children's school of origin, causing significant disruption to both students' educational progress and schools' budgeting, planning, and allocation of resources and personnel;
  13. **WHEREAS**, the only way for schools to receive the necessary funding for new students enrolling after the October 31 cut-off date is through an arduous appeals process which creates uncertainty and delays for school staff and the students, they serve<sup>16</sup>.

---

<sup>14</sup> <https://nepc.colorado.edu/publication/student-mobility>;  
[https://www.advocatesforchildren.org/sites/default/files/library/up\\_against\\_the\\_odds\\_2006.pdf?pt=1](https://www.advocatesforchildren.org/sites/default/files/library/up_against_the_odds_2006.pdf?pt=1)

<sup>15</sup> <https://www.icphusa.org/reports/disparities-in-academic-achievement/#overview>

<sup>16</sup> <https://citylimits.org/2023/10/30/comptroller-calls-for-school-funding-changes-to-accommodate-asylum-seeker-enrollments/>

14. **WHEREAS**, school bus delays have been endemic over the last several years<sup>17</sup>, causing additional hardship on students who seek to continue to attend their school of origin after being moved to a new shelter;
15. **WHEREAS**, the US Department of Health and Human Services defines child abuse as, “An act or failure to act which presents an imminent risk of serious harm.”<sup>18</sup>;
16. **WHEREAS**, NYC Child Protective Services uses the terms Child Neglect and Child Maltreatment interchangeably reference “to the quality of care a child is receiving from those responsible for the child. Maltreatment occurs when a parent or other person legally responsible for the care of a child harms a child or places a child in imminent danger of harm by failing to exercise the minimum degree of care in providing the child with any of the following: food, clothing, shelter, education or medical care when financially able to do so.”<sup>19</sup>

**THEREFORE, BE IT RESOLVED**, Community Board 2 urges Chancellor David C. Banks and the Panel for Educational Policy to demand that Mayor Eric Adams waive the 60-Day Rule for families with children in NYC Public Schools.

**FURTHER BE IT RESOLVED**, that Community Board 2 urges Chancellor David C. Banks and the Panel for Educational Policy to explain to Mayor Adams that the 60-Day rule is educational abuse of children and demands that Mayor Eric Adams waive the 60-Day Rule for families of children in NYC Public Schools, prioritizing principles of educational access, stability, and success for all students, irrespective of housing circumstances.

Vote: Unanimous in favor

Respectfully Submitted,

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

---

<sup>17</sup> <https://ny.chalkbeat.org/2022/11/21/23472253/nyc-school-bus-delay>

<sup>18</sup> <https://www.hhs.gov/answers/programs-for-families-and-children/what-is-child-abuse/index.html>

<sup>19</sup> <https://ocfs.ny.gov/programs/cps/definition.php>

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

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

### 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, December 5, 2023, at Church of St. Anthony of Padua, Lower Hall, 154 Sullivan St.

Committee Board Members Present: D. Raftery (Chair), C. Booth, C. Flynn L. Rakoff, Dr. S. Smith and S. Wittenberg

Committee Board Members Absent with Notice: A. Wong

Other Board Members Present: Valerie De La Rosa

### **RESOLUTIONS:**

- 1. Tourbillon 47 LLC dba Estela 47 E Houston 10012 (OP–Restaurant, Change in Method of Operation)**
  - i. Whereas,** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application for a Change in Method of Operation to the existing On-Premises Restaurant license (SN#1268098, exp. 5/31/2025) to continue to operate a full-service restaurant serving American fare on the first floor (several steps above grade) of a C6-3-zoned, 5-story, mixed-use building (c. 1800) on East Houston Street between Mulberry and Mott Streets (Block #509/Lot #21), the building falling within The Special Little Italy District; and
  - ii. Whereas,** the first floor storefront is approximately 1,810 sq. ft., there are 21 tables and 46 seats and one bar with 13 seats for a total seated occupancy of 59 persons, the premises has one (1) door which will serve as patron ingress and egress and two (2) patron bathroom, the storefront’s infill being fixed and without French doors or operable windows, there is a separately owned licensed premises operating below this premises in the basement; and
  - iii. Whereas,** the Applicant has been operating this establishment since 2013 with opening hours of 12 PM Saturdays and Sundays and 5 PM Mondays through Fridays, the change in method of operation is to extend the operating hours by opening at noon (12 PM) 7 days a week; music will remain quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, scheduled performances or cover fees, velvet ropes or movable barriers, security personnel or doorman; and

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

1. Premises will be advertised and operated as a full-service family restaurant that focuses on serving American fare with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 12 AM to 1 AM Sundays through Thursdays and 12 AM to 2 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.
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 10PM every night, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
13. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein
15. Will appear before CB2, Man. for change in method of operation prior to submitting plans for permanent sidewalk or roadbed seating.
16. Will abide by the lease provisions relating to operations and noise as set forth in the original 2013 stipulation agreement.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a Change in Method of Operation and an upgrade to an On-Premises Restaurant Liquor License in the name of **Tourbillon 47 LLC dba Estela 47 E Houston 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 (6–0)

- 2. Tokana Cafe Bar Restaurant Inc. dba Little Rascal, 163 Elizabeth St. 10012 (OP–Restaurant) (Alteration)**
- i. Whereas,** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application for an Alteration to the existing On-Premises Restaurant Liquor License (SN#1287602, exp 10/31/23) to continue to operate a Turkish restaurant in the ground floor of a C6-1-zoned, 1-story commercial building (c. 1986) with three (3) commercial spaces on the northwest corner Elizabeth and Kenmare Streets (Block #479/Lot #26), the building falling within the Special Little Italy district; and
  - ii. Whereas,** the alteration is to add the adjacent storefront at 29 Kenmare Street, the combined ground floor storefront is approximately 2,200 sq. ft. (1,300 sq. ft ground floor and 900 sq. ft. basement with no patron use of the basement), there will be 23 tables and 50 seats and one bar with eight (8) seats for a total seated occupancy of 58 persons; the hours of operation remain at 11 AM to 12 AM Saturdays, 4PM to 12 AM Mondays through Thursdays, 4 PM to 1 AM Fridays and 11 AM to 1 AM Saturdays; there will be two (2) doors which will serve as patron ingress and egress (one on Elizabeth Street and one on Kenmare Street) and two (2) patron bathrooms, the Applicant having installed operable windows along the Elizabeth Street storefront; and
  - iii. Whereas,** the Applicant has been operating at 163 Elizabeth Street since approximately 2012, originally with a Restaurant Wine License (SN#1262589) that was upgraded to a full On-Premises Liquor License in 2015 (SN#1287602), the one story building in which the premises is located is currently divided into three (3) storefronts, including the subject premises, the two storefronts of the instant application previously unlicensed prior to 2012 when both separately received restaurant wine licenses for two different businesses, prior to that the entire building was operated as a wholesale fruit and vegetable business; and
  - iv. Whereas,** at the time of the issuance of the original Restaurant Wine License in 2012 there were 14 On-Premises Liquor Licenses within 500 feet of the location, in 2015 at the time of the issuance of the On-Premises Liquor License there were 22 on-premises liquor licenses within 500 feet of the location and currently there are 43 On-Premises Liquor Licenses within 500 feet of the location in addition to three (3) pending licenses; and
  - v. Whereas,** the Applicant installed six (6) tables and 20 seats in a roadbed shed on Elizabeth Street as part of the temporary Open-Restaurants Program and is incorporating the outdoor seating as part of the instant application with closing hours of 12 AM 7 days a week, Elizabeth Street being residential in nature with all other buildings on this block having residences on the upper floors, the block having roadbed dining sheds for almost the entirety of the eastern side (Twelve Spring St Rest Corp dba Vig Bar SN#1215096 at 176 Elizabeth St; Agoodlook LLC dba Pietro Nolita, SN#1294253 at 174 Elizabeth St, Black Seed Bagel at 170 Elizabeth Street and Juicerie LLC dba The Butcher’s Daughter, SN#1268130 at 19 Kenmare aka 164 Elizabeth Street located directly across from the roadbed shed of the instant application) with an additional large roadbed shed on the same side of Elizabeth Street as the instant application (14 Spring Street Café LLC dba Rin Tin Tin, SN# 1270562 at 14 Spring Street, the building having frontage on Elizabeth Street for half of the block, the roadbed shed being across from a good part of that frontage); the significant number of outdoor dining sheds on this residential

block creating quality of life impacts on the residents, there previously having never been anything even remotely close to this degree of outdoor dining pre-pandemic, additionally the street being narrow, the extensive roadbed sheds leaving little room for emergency and city service vehicles to pass; and

- vi. **Whereas**, this alteration application being an extension of the premises to a corner location bringing with it the possibility of significant outdoor seating to both the sidewalks and roadbeds of Elizabeth and Kenmare Streets, the issuance of the On-Premises Liquor License in 2015 being granted against the recommendation of CB2, Man., it being unclear what conditions were imposed on the license by the NYSLA at the time, there may have been a prohibition on outdoor seating which would preclude the Applicant from having outdoor seating but that is unknown, there being no method to apply for outdoor seating at this time, the Applicant unwilling to remove the roadbed seating from the instant application and return for it at a later date when a program is in place for outdoor seating; and
- vii. **Whereas**, there are significant concerns over the quality of life impacts of the outdoor seating, CB2, Man. frequently hearing complaints from residents on and near Elizabeth Street regarding noise in the later evening hours as it relates to the outdoor dining; the Applicant also being unwilling to agree that if they are going to add outdoor seating as part of the future program that there be no roadbed seating, that any outdoor seating be placed on the sidewalk of Kenmare Street which is wider than Elizabeth Street and that all outdoor seating ends by 10 PM nightly; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Alteration Application for **Tokana Cafe Bar Restaurant Inc. dba Little Rascal, 163 Elizabeth St. 10012**; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the NYSLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the NYSLA before any alteration to the existing On- Premises Liquor License is issued to this Applicant.

**THEREFORE, BE IT FURTHER RESOLVED**, that if despite CB2, Man.'s objections to this Application, should the NYSLA not find good cause to deny this Alteration Application, CB2 Man. recommends in the alternative that the following stipulations be imposed on any future On-Premises Liquor License for **Tokana Cafe Bar Restaurant Inc. dba Little Rascal, 163 Elizabeth St. 10012**:

1. Any future outdoor seating will be located only on the sidewalk of Kenmare Street. There will be no roadbed seating now or in the future on either Kenmare or Elizabeth Streets and no sidewalk seating on Elizabeth Street.
2. Any outdoor seating will end at 10 PM nightly.
3. There will only be one patron entrance/exit.
4. As previously stipulated, the hours of operation will remain from 11 AM to 12 AM Saturdays, 4PM to 12 AM Mondays through Thursdays, 4 PM to 1 AM Fridays and 11 AM to 1 AM Saturdays; doors and windows to close at 9 PM.

Vote: Unanimous in favor (6–0)

- 3. Mori Hospitality LLC fka Entity to be formed by Shawn Lu An Teng dba Mori 144 Sullivan St 10012 (RW–Restaurant) (previously unlicensed)**
- i. Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 for a Restaurant Wine License to operate an Omakase-style Japanese restaurant on the ground floor of a R7-2-zoned, seven (7)-story walk-up tenement building (circa 1900) on Sullivan Street between Prince and West Houston Streets (Block #5180/Lot #36); and
  - ii. Whereas**, the premises is approximately 569 sq. ft. with approximately 322 sq. ft. on the ground floor and 247 sq. ft. in the basement, the basement being accessed via a sidewalk hatch with no patron use of the basement; there will one food counter with 11 seats; there is one (1) entry 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; there will be no outdoor seating; and
  - iii. Whereas**, the hours of operation will be from 5 PM to 12 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
  - iv. Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **75 active liquor licenses** within 750 feet of the proposed premises to be licensed 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
  - v. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Restaurant Wine License, with those stipulations as follows:
    1. Premises will be advertised and operated as full-service Omakase-style Japanese restaurant with the kitchen open and full menu items available until closing every night.
    2. The hours of operation will be 5 PM to 12 AM Sundays through Saturdays. No patrons will remain after stated closing time.
    3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of 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 install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. 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, security personnel/doormen.
13. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
14. Will appear before CB2, Man. for alteration to license prior to submitting plans for any 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 **Mori Hospitality LLC fka Entity to be formed by Shawn Lu An Teng dba Mori 144 Sullivan 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.

Vote: Unanimous in favor (6–0)

4. **770 Kitchen LLC dba Sweet Rehab 135 Sullivan St 10012** (TW–Bar/Tavern) (Change in Method of Operation)
  - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application for a Change in Method of Operation to the existing Tavern Wine license (SN#1346293, exp 2/28/2025) to continue to operate a bakery, confectionary and dessert café in the ground floor of a R7-2-zoned, 6-story, tenement-style residential building (c. 1904) on Sullivan Street between Prince and West Houston Streets (Block #517/Lot #1), the building falling within NYC LPC’s designated Sullivan-Thompson Historic District; and
  - ii. **Whereas**, the ground floor storefront is approximately 1,050 sq. ft., there are 8 tables and 16 seats and one service bar with 0 seats for a total seated occupancy of 16 persons, the premises also includes a basement of unspecified size accessed through a sidewalk vault and used for storage only with no patron use, there is one (1) door which will serve as patron ingress and egress and one (1) patron bathroom, the storefront’s infill being fixed and without French doors or operable windows; and
  - iii. **Whereas**, the agreed upon hours of operation are from 9 AM to 11 PM Sundays through Saturdays with the service of alcohol ending by 10 PM Sundays through Thursdays, music is quiet background only, there are no TVs, there is no outdoor seating aside from the temporary

roadbed seating which ends by 10 PM nightly with no exterior music or speakers, the change in method of operation is to extend the interior hours and service of alcohol until midnight 7 days a week and the roadbed seating until 11 PM 7 days a week; and

- iii. **Whereas**, the Applicant has been operating this establishment since November/2019, appearing before CB2, Man. in [January/2021](#) to present an application for a Tavern Wine license and again with the same application in December/2021–[January/2022](#) because they had previously failed to move forward with the application, CB2, Man. recommending approval of the application with stipulations and the NYSLA granting the license in March/2023; and
- iv. **Whereas**, this location has had a very problematic history of community disruption under previous operators since first being licensed for alcohol in 2015, including substantial public safety issues regarding access to the residential hallways and to the rear yard “doughnut” of the block; when the Applicant appeared in 2021 a number of building and local residents appeared to oppose the license as inappropriate to this predominately residential block voicing their concerns regarding safety, specifically as it relates to the security of a gate which accesses the side alley where the premises trash is stored before being put out for pick-up; and a door within the premises that accesses the residential hallway, and the danger presented by a sidewalk vault being left open between uses; additional concerns were raised regarding noise-related quality of life issues as it relates to interior music impacting upstairs residents, particularly those immediately above the premises due to the age of the building and lack of substantial soundproofing, noise generated from patrons in the later evening hours, and noise generated by repetitious opening and closing of said vault during all hours of operation; and
- v. **Whereas**, in January/2021 additional concerns were voiced about the drive of previous licensees at this location to continually upgrade their license and reorient their business model toward alcohol-centered concepts inappropriate for the location; the Applicant agreed with the concern and signed and executed a stipulation agreement that included they would not in the future seek a full On-Premises Liquor license for this location, they would not have any sidewalk seating now or in the future, the temporary covid-related outdoor seating would close by 10 PM, indoor hours of operation ending at 11 PM Sunday to Saturday with the service of alcohol ending at 10 PM Sundays through Thursdays and working with landlord to alarm doorway and lock on vault, these stipulations mitigating the concerns of the residents; and
- vi. **Whereas**, the Applicant returned in December/2021 January/2022 to re-present the same application because they had not moved forward with filing; residents, including those living directly above and in the same building as the instant application, spoke of their continued concerns regarding security stating employees were frequently seen taking phone calls in the residential hallway, that music could be heard in upstairs residences day and night with some of those residents working from home, residents being kept up due to the noise of patrons remaining in the temporary roadbed dining shed until midnight when all outdoor seating was supposed to close at 10 PM, additionally employees were using the roadbed shed at times until the early morning hours; all of these being issues that were raised in December/2021 and were addressed in the executed stipulations, the Applicant having not moved forward with the liquor license at the time and therefore not being bound to the stipulations that were designed to mitigate the concerns of the residents and to gain their support of the application, despite

this, CB2, Man. recommended approval of the license contingent on the Applicant abiding by the signed and executed stipulations which would mitigate the residents' concerns; and

- vii. Whereas**, a resident of the building speaking for herself and those living above the establishment said many of those same issues still remained – the music had gotten better but was still disruptive during various times of the day and night, the Applicant stating they had removed one of the speakers in order to help alleviate music being heard upstairs, the soundproofing being inadequate to confine the sound to the café; the gates were still not being locked at all times, employees were occasionally seen in the hallway and patrons remained outside on the sidewalk and in the temporary roadbed structure past the 10 PM closing time, making noise and disrupting the quality of life of residences; this residential block being particularly saturated with eating and drinking establishments, many having roadbed dining sheds, this block being residentially-zoned, the outdoor seating never having been previously permitted putting an undue burden on the quality of life of residences; and
- viii. Whereas**, the impacts of the potential of later hours already negatively impacting the residents on the frequent occasions patrons remain past the hours on the existing tavern wine license, concerns being raised that, should this change in method of operation for later hours be approved, residents will experience these disruptions daily and based on the Applicant's history of not abiding by the current stipulated closing hours there are concerns that the hours would extend even later than midnight should this application be granted; and
- ix. Whereas**, additional concerns being raised regarding the negative quality of life impacts of the roadbed seating there being at least nine roadbed structures on this residential-only zoned block, the Applicant being unwilling to remove the roadbed from the instant application, the Applicant never having been approved for outdoor seating aside from under the temporary program, the temporary program having ended, the Applicant having signed stipulations that they would return to CB2, Man. for any permanent seating once a program is in place, the Applicant never having submitted a 30-day notice for Expansion onto Municipal Property, it being unclear how the instant application can include a request for an extension of hours to the roadbed seating when there is currently no program in place to apply for outdoor seating, additionally the Applicant never filed the appropriate notice to use municipal property per [NYSLA guidance](#) issued June 30/2022; and
- ix. Whereas**, the concerns raised back in 2021 regarding previous licensees reorienting their business model toward alcohol-centered concepts which is inappropriate in this residentially-zoned neighborhood appear to be coming to fruition – the Applicant changing the signage of their storefront logo from Sweet Rehab New York to Sweet Rehab Champagne Bar and adding Dessert and Champagne Bar signage, in addition the posted closing hours on their website has consistently been listed as 12 AM in derogation of their stipulation agreement; and
- x. Whereas**, this application having originally been heard only two years ago with closing hours of 10 PM and 11 PM and no outdoor seating except as needed in the roadbed during the Covid emergency, questions being asked as to what had changed to bring the Applicant back so soon for a change in hours, the Applicant stating that they have a global clientele that is accustomed to eating later and coming after the theatre for dessert and champagne, concerns being raised

that their location on this quiet, residentially-zoned street is not designed to serve the capacity of guests coming from all over the city, especially in the evening hours, and is better suited to serving the local neighborhood community as was presented in their original application, this block having been radically transformed over the past few years with many storefronts that had local businesses that served the neighborhood having been replaced by eating and drinking establishments, many of which have roadbed seating and the negative quality of life impacts this has had on residents of the block; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Change in Method of Operation Application for **770 Kitchen LLC dba Sweet Rehab 135 Sullivan St 10012**; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the NYSLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the NYSLA before any Change in Method of Operation to the existing On-Premises Liquor License is issued to this Applicant.

Vote: Unanimous in favor (6–0)

**5. Mountain 6002 LLC 118 W 3rd St 10012 (RW–Restaurant) (Transfer)**

- i. Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 for a Restaurant Wine License to operate a vegetarian Chinese restaurant on the ground floor of a R7-2/C1-7-zoned, five (5)-story walk-up tenement building (circa 1886) on West 3<sup>rd</sup> Street between MacDougal Street and Sixth Avenue (Block #543/Lot #20), the building falling within NYC LPC’s designated South Village Historic District; and
- ii. Whereas**, the premises is approximately 1,900 sq. ft.; there will 14 tables with 42 seats and one bar with 0 seats for a total seated occupancy of 42 persons; there is one (1) entry which will serve as patron ingress and egress, one emergency exit 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 11 AM to 12 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. Whereas**, the storefront premises was previously operated from 2014 to approximately 2022 as Miyabi Sushi Japanese Restaurant NY Inc dba Miyabi (SN#1279571) with a similar method of operation, albeit a Japanese restaurant as opposed to a Chinese restaurant, the Applicant having worked as an Assistant Manager there and this being a transfer of assets, prior to 2014 the premises was unlicensed and operated as a video and record store known as “Bleecker Bobs”; and

- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **107 active liquor licenses** within 750 feet of the proposed premises to be licensed and an additional 9 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 full-service Chinese restaurant with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be 11 AM to 12 AM Sundays through Saturdays. No patrons will remain after stated closing time.
  3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of 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 ensure doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in case of emergency.
  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. 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, security personnel/doormen.
  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 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 **Mountain 6002 LLC 118 W 3rd 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.

Vote: Unanimous in favor (6–0)

- 6. Union Square Rice LLC dba Glaze Teriyaki 110 University Pl aka 21 East 12<sup>th</sup> Street 10003** (RW–Restaurant) (*previously unlicensed*)
- i. Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 for a Restaurant Wine License to operate a fast casual teriyaki restaurant on the ground floor of a C1-7/C6-1-zoned, 23-story mixed use building (circa 2016) on University Place between East 12<sup>th</sup> and East 13th Streets (Block #570/Lot #7503); and
  - ii. Whereas**, the recently-constructed, ground floor storefront is approximately 1,750 sq. ft., there will nine (9) tables and 20 seats and no bars for a total seated patron occupancy of 20 persons; there is one (1) entry 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; there will be no outdoor seating; and
  - iii. Whereas**, the hours of operation will be from 11:30 AM to 10 PM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
  - iv. Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **47 active liquor licenses** within 750 feet of the proposed premises to be licensed and an additional 4 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
  - v. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Restaurant Wine License, with those stipulations as follows:
    1. Premises will be advertised and operated as full-service fast casual teriyaki restaurant with the kitchen open and full menu items available until closing every night.
    2. The hours of operation will be 11:30 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 have no more than four (4) televisions no larger than 50" used to display the menu. There will be no projectors and TV will operate in "closed caption" mode only without sound.
7. Will close all doors and windows at all times allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
11. All sales of alcohol will be sold by the bottle or can in individual serving sizes.
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, security personnel/doormen.
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 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 **Union Square Rice LLC dba Glaze Teriyaki 110 University Pl aka 21 East 12<sup>th</sup> Street 10003** **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.

Vote: Unanimous in favor (6–0)

7. **iCook Bowery Inc. dba Sanmiwago, 90-92 Bowery aka 151-155 Hester St. 10013** (RW–Restaurant) (*previously unlicensed*)
  - i. **Whereas**, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 for a Restaurant Wine License to operate a restaurant focusing on dumplings, noodles and Chinese and Taiwanese food on the ground floor of a /C6-1G-zoned, seven (7)-story commercial building (circa 1985) on the northwest corner of Bowery and Hester Street (Block #239/Lot #38), the entry being on Hester Street, the building falling within the Special Little Italy District; and
  - ii. **Whereas**, the ground floor storefront is approximately 1,000 sq. ft., there will nine (9) tables and 18 seats and no bars for a total seated patron occupancy of 18 persons; there is one (1) patron entry which will serve as patron ingress and egress, one staff entry which will serve as staff 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; there will be no outdoor seating; and

- iii. **Whereas**, the hours of operation will be from 10:00 AM to 2 AM Sundays through Saturdays (7 days a week) with the service of alcohol ending at 12 AM nightly; there is no music; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. **Whereas**, the storefront premises was previously unlicensed, the Applicant having opened and been operating at the location since 2021 without a liquor license, prior to that the premises was operated as Golden King Bakery since at least 2009; and
- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **68 active liquor licenses** within 750 feet of the proposed premises to be licensed and an additional 6 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 full-service Asian cuisine focusing on dumplings, noodles and Chinese and Taiwanese food with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be 10:00 AM to 2 AM Sundays through Saturdays (7 days a week) with the service of alcohol ending at 12 AM (midnight) daily. 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 not have music.
  6. Will not have televisions.
  7. Will close all doors and windows at all times allowing only for patron ingress and egress.
  8. Will not install or have French doors, operable windows or open facades.
  9. Will not make changes to the existing façade except to change signage or awning.
  10. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
  11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  12. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel/doormen.
  13. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
  14. Will appear before CB2, Man. for alteration to license prior to submitting plans for any 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 **iCook Bowery Inc. dba Sanmiwago, 90-92 Bowery aka 151-155 Hester St. 10013** **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.

Vote: Unanimous in favor (6–0)

**8. Grande Gusto Ristorante LLC, 188 Grand St. 10013** (RW–Restaurant) (*previously unlicensed*)

- i. Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 for a Restaurant Wine License to operate an Italian restaurant on the ground floor and cellar of a /C6-2G-zoned, four (4)-story commercial building (circa 1900, altered 1981) on the northeast corner of Grand and Mulberry Streets (Block #471/Lot #59), the building falling within the Special Little Italy District; and
- ii. Whereas**, the ground floor storefront is approximately 5,000 sq. ft. with 2,500 sq. ft. on the ground floor connected by interior stairways to a 2,500 sq. ft. cellar, there will 26 tables and 78 seats and one (1) bar with 17 seats on the ground floor and one (1) table and 16 seats in the cellar as a private dining room for a total seated patron occupancy of 111 persons; there are two (2) patron entries (one on Grand Street and one on Mulberry Street) which will serve as both patron ingress and egress, and five (5) bathrooms; the Applicant will be installing operable doors on Mulberry Street on the south side only of the entryway; there will be no outdoor seating at this time and any future outdoor seating will end by 10 PM; and
- iii. Whereas**, the hours of operation will be from 11:00 AM to 12 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. Whereas**, the storefront premises was previously unlicensed and was the location of Alleva Dairy cheese shop (“the oldest cheese shop in America”) from 1892 until March 2023; and
- v. Whereas**, concerns were raised about the large size of the restaurant, the installation of operable doors and the potential for upwards of 50 seats on the sidewalks of Mulberry and Grand Street once there is an outdoor seating program in place, and a significant numbers seats temporarily placed in the streets during the many street closures including open streets programs/Mulberry Mall and other street festivals, Mulberry Street’s sidewalks currently being quite congested with the many restaurants having sidewalk and roadbed seating, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being 89 active liquor licenses within 750 feet of the proposed premises to be licensed 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 full-service Italian restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 11:00 AM to 12 AM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
5. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
6. Will have no more than one (1) television(s) no larger than 55". There will be no projectors and TV will operate in "closed caption" mode only without sound.
7. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
8. French doors, operable windows or open facades may only be installed on the Mulberry Street frontage and only in that portion of the façade that is to the south of the Mulberry Street entry. The remaining façade on the north side of the Mulberry Street entry will remain fixed as will the frontage on Grand Street.
9. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate and will keep current at all times required Permits and Certificates.
10. 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.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
12. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel/doormen.
13. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
14. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating. Any future outdoor seating will end at 10 PM nightly.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine License in the name **Grande Gusto Ristorante LLC, 188 Grand St. 10013** **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.

Vote: Unanimous in favor (6–0)

**9. Torishiki USA, LLC dba Torien, 292 Elizabeth St. 10012 (OP–Restaurant) (Class Change)**

- i. Whereas**, the Applicant and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 via to present an application for an upgrade of their Restaurant Wine License (SN#1311764, exp. 8/31/2025) to an On-Premises Liquor to enable them to sell Japanese Whiskey in conjunction with their high-end, reservations-only Japanese Yakitori Restaurant with an international following, the premises being located in a C6-2-zoned, six (6)-story, mixed-use building (c. 1900) on Elizabeth Street between East Houston and Bleecker Streets (Block #521/Lot #65) in Greenwich Village, the building falls within the designated NYC Landmark NoHo East Historic District; and
- ii. Whereas**, the premises has been licensed with a Restaurant Wine license (SN# 1311764) by this same Applicant since 2018, the Applicant last appearing before CB2, Man. in [September/2021](#) due to a Corporate Change from a Corp. to an LLC and a request for a later closing time; and
- ii. Whereas**, the two-story premises is roughly 2,400 sq. ft. (1,200 sq. ft. each on ground floor and basement); there are two (2) tables with eight (8) seats and one (1) food counter with 19 seats, for a total of 27 interior seats, all on ground level with the basement level being used for storage and other non-patron auxiliary uses; usage appears to conform to NYC DOB regulations as indicated by a previously issued Letter of No Objection; and
- iii. Whereas**, the hours of operation are Sunday to Saturday from 5:00 PM to 12:30 AM, music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- v. Whereas**, the Applicant executed and has had notarized a stipulation agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation on the new On-Premises Liquor License as follows:
  1. Premises will be advertised and operated as full-service, high-end reservations-only Omakase-style Japanese Yakitori restaurant with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be 5:00 PM to 12:30 PM Saturdays through Sundays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
  3. The only service of spirits will be of Japanese Whiskey. There will be no mixed cocktails and no other types of spirits served.
  4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  5. Will not operate a backyard garden or any outdoor area for commercial purposes.

6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
  7. Will not have televisions.
  8. Will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
  9. Will ensure doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in the case of emergency.
  10. Will ensure doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in case of emergency.
  11. Applicant will ask all car services to pick up at the corner of Houston Street rather than on Elizabeth Street and ask their customers to make such arrangements.
  12. Will not have patron occupancy/service to any portion of the basement of licensed premises.
  13. Will not install or have French doors, operable windows or open façades.
  14. Will not make changes to the existing façade except to change signage or awning.
  15. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
  16. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
  18. 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.
  19. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
  20. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- vii. **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 50 active licensed premises within 750 feet of the subject premises, in addition to 1 pending licenses, this block in particular being quiet and residential in nature, the Applicant having operated at this location since 2018, their method of operation being reservation-only Omakase having a low impact on the block and not having created any traffic or noise issues since opening, additionally the request for an upgrade is to enable them to serve Japanese whiskey only as a complement to the Yakitori, there being no other spirits or any mixed cocktails served, 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 **Torishiki USA, LLC dba Torien, 292 Elizabeth 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 (6–0)

**10. Dante Grove St LLC 85 MacDougal aka 83-85 MacDougal St, north store 10012 (new OP–Restaurant)**

- i. **Whereas**, the Applicants and the Applicant’s Attorney originally appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 in [March/2023](#) to present an application to the NYS Liquor Authority for a new On-Premises Restaurant Liquor License to operate an all-day Italian restaurant on the ground floor of a R7-2-zoned, six (6)-story mixed-use building (c. 1910) on MacDougal Street between Bleecker and East Houston Streets (Block #236/Lot #26) the building falling within the NYC LPC’s designated South Village Historic District, which CB2, Manhattan unanimously recommended approval of the application at their March/2023 full board meeting; and
- ii. **Whereas**, the Applicant sent renotification this month to update the corporate name and as over 270 days had passed since their 30-day notice and they had not yet filed with the NYSLA they needed to renotify, there being no changes to the principals or to the application, a stipulation agreement in the new entity name was executed and notarized prior to this month’s committee meeting with appearance being waived; 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 **Dante Grove St LLC 85 MacDougal aka 83-85 MacDougal St, north store 10012**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

**11. Kazumi Omakase Inc. 31 W 8th St. 10011 (new TW–Bar/Tavern)**

- i. **Whereas**, the Applicants and the Applicant’s Attorney originally appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 in [March/2023](#) to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate a Japanese Omakase and contemporary Korean restaurant on the ground floor of a C4-5-zoned, five (5)-story tenement building (c. 1845) on West 8<sup>th</sup> Street between Fifth Avenue and MacDougal Street (Block #572/Lot #59) the building falling within NYC LPC’s designated Greenwich Village Historic District and the designated Limited Commercial District; CB2, Manhattan unanimously recommended approval of the application at their March/2023 full board meeting; and

- ii. **Whereas**, the NYSLA asked the Applicant to renotify the Community Board this month to clarify that the application was for a Tavern Wine license as opposed to a Restaurant Wine license, the March/2023 executed and notarized stipulation agreement being for a Tavern Wine license, their original 30-day notice being for a Tavern Wine license but the description stated sushi restaurant instead of bar/tavern, there being no change to the stipulation agreement needed, appearance was waived; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Tavern Wine License in the name **Kazumi Omakase Inc. 31 W 8th 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 (6–0)

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

**12. Iaccas Corp dba Old Fashion Cafe 110 Thompson 10012 (OP–Restaurant) (Change in Method of Operation)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on December 5, 2023, the Applicant requested **to lay over** this application to January/2024 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 **Iaccas Corp dba Old Fashion Cafe 110 Thompson 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. South Village Hospitality Group LLC dba Carroll Place 157 Bleecker St 10012 (OP–Restaurant) (Alteration)**

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

December 5, 2023, the Applicant requested **to lay over** this application to January/2024 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 **South Village Hospitality Group LLC dba Carroll Place 157 Bleecker St 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

**14. 219 Mulberry LLC dba Ruby's 219B Mulberry St 10012 (RW–Restaurant) (Alteration)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on December 5, 2023, the Applicant requested **to lay over** this application to January/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **219 Mulberry LLC dba Ruby's 219B Mulberry St 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

**15. ER Hotpot 8 St Inc dba Six Hotpot, 51 E 8th St 10003 (RW–Restaurant) (previously unlicensed) (failed to appear)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 5, 2023 the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2 Manhattan; and

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **ER Hotpot 8 St Inc dba Six Hotpot, 51 E 8th St 10003** **until** the Applicant

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

**Vote:** Unanimous in favor

**16. Talum LLC 183 Grand St 10013 (RW–Restaurant) (previously unlicensed)**

**Whereas**, at this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on December 5, 2023, the Applicant requested **to lay over** this application to February/2024 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 **Talum LLC 183 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

**17. APPA LLC 227 Mulberry St, Store 2 10012 (TW–Bar/Tavern)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on December 5, 2023, the Applicant requested **to lay over** this application to January/2024 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 **APPA LLC 227 Mulberry St, Store 2 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

**18. Apex Lifestyle Group LLC 7 Spring St 10012 (RW–Restaurant) (failed to appear)**

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 5, 2023 the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2 Manhattan; and

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Apex Lifestyle Group LLC 7 Spring St 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

**19. Elmer Kennedy LLC dba Pasquale Jones 86 Kenmare St 10012 (OP–Restaurant) (Class Change)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on December 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 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 **Elmer Kennedy LLC dba Pasquale Jones 86 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

**20. Amo Restaurant Corp 15 E 12th St 10003 (OP–Restaurant)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on December 5, 2023, the Applicant requested **to lay over** this application to January/2024 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 **Amo Restaurant Corp 15 E 12th St 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

Respectfully submitted,

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

DRAFT

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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

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

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

### 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 Wednesday December 6, 2023, at Church of St. Anthony of Padua, Lower Hall, 154 Sullivan St.

Committee Board Members Present: D. Raftery (Chair), C. Booth, K. Bordonaro, C. Flynn, E. Olsen, B. Pape and Dr. S. Smith

Public Members Present: R. Ely

### RESOLUTIONS:

1. **Aramark Services Inc 225 Varick St, 12th Fl 10014** (New RW–Catering Facility) (*previously unlicensed*)
  - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA #2 Committee to present an application to the NYS Liquor Authority for a new Catering Establishment Wine License on the 12<sup>th</sup> floor of a M1-5-zoned, 12-story office building (c. 2015) that will be occupied by Squarespace; and
  - ii. **Whereas**, the catering facilities will be ancillary to the business operated by Squarespace and there will be no outside promoters with all events being sponsored by Squarespace, the service of alcoholic beverages will be confined to the 12<sup>th</sup> floor only; and
  - iii. **Whereas**, the hours of operation for the service of alcohol will be from 4 PM to 9 PM Sundays to Saturdays (7 days a week); there will be no exterior spaces, music will be quiet background only; there will be no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and,
  - vi. **Whereas** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the Catering Establishment Wine License, with those stipulations as follows:
    1. Premise will be advertised and operated as a catering establishment serving the commercial office space of Squarespace.
    2. The hours of operation will be Sundays to Saturdays from 4 PM to 9 PM every day/night.
    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 and live music only. No music will be audible in any adjacent residences at any time.
5. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate and will keep current at all times required Permits and Certificates.
6. 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.
7. Will not have unlimited drink or unlimited food and drink specials. No pitchers of beer.
8. 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.
9. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
10. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for new RW Catering Facility License in the name of **Aramark Services Inc 225 Varick St, 12th Fl 10014** **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.

**Vote:** Unanimous in favor (6–0)

2. **ReBoot West Village LLC dba Two Boots, 101 7th Ave South 10014** (TW–Restaurant) *(previously unlicensed)*
  - i. **Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 for a new Tavern Wine License to operate a casual pizzeria on the ground floor of a C4-5-zoned, five (5)-story mixed-use building (c. 2011) on the northwest corner of Bowery and Hester Street (Block #239/Lot #38), the entry being on 7<sup>th</sup> Avenue South between Grove, Barrow and West 4<sup>th</sup> Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and
  - ii. **Whereas**, the ground floor storefront is approximately 1,600 sq. ft., there will five (5) tables and 14 seats and one food counter with seven (7) seats for a total seated capacity of 31 persons; there is one (1) entry which will serve as ingress and egress and one (1) emergency exit and one (1) bathroom; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; the Applicant currently has sidewalk seating as part of the temporary Open Restaurants program; and
  - iii. **Whereas**, the hours of operation will be from 12 PM to 10 PM Sundays through Wednesdays, 12 PM to 12 AM Thursdays and 12 PM to 4 AM Fridays and Saturdays with the service of alcohol ending at 2 AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live

music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and

- iv. **Whereas**, the storefront premises was previously unlicensed, the Applicant, whose original Two Boots Restaurant opened on Avenue A in 1983, had been operating at 73 Greenwich Avenue from 1995–2018 at which time it closed and re-opened at this location in March 2019 and has been operating here since without a liquor license; and
- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **98 active liquor licenses** within 750 feet of the proposed premises to be licensed and an additional 16 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, the Applicant having been a fixture of the neighborhood for close to 30 years; 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 pizzeria restaurant with the kitchen open and full menu items available until closing every night.
  - 2. The hours of operation will be from 12 PM to 10 PM Sundays through Wednesdays, 12 PM to 12 AM Thursdays and 12 PM to 4 AM Fridays and Saturdays with the service of alcohol ending at 2 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 outdoor area for commercial purposes except for a sidewalk café located immediately adjacent to the storefront complying with all outdoor dining and sidewalk regulations. No exterior music, speakers or TVs.
  - 5. No roadbed seating.
  - 6. All outdoor seating will close no later than 10 PM. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs.
  - 7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
  - 8. Will not have televisions.
  - 9. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
  - 10. Will not have patron occupancy/service to any portion of the basement 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. 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, security personnel/doormen.
16. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for any 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 **ReBoot West Village LLC dba Two Boots 101 7th Ave South 10014** **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.

Vote: 5 in favor and 1 abstention (K. Bordonaro)

**3. Sushi Makoto Inc 204-208 W 14th St 10011 (RW–Restaurant) (previously unlicensed)**

- i. **Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA #2 Committee to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate an Omakase Japanese Restaurant in a ground floor storefront located within a C6-2A zoned, six-story mixed-use building (c. 1969) on West 14<sup>th</sup> Street between Seventh and Eighth Avenues (Block #618/Lot #28); and
- ii. **Whereas**, the storefront proposed to be licensed was previously operated as fast casual restaurant “Dirty Bird” with a restaurant wine license; the interior storefront is 1,800 sq. ft., with 1,100 sq. ft. on the ground floor connected by an interior staircase to 800 sq. ft. in the basement (used for storage purposes only), the ground floor consisting of two distinct operations with two distinct entrances, the provided diagram not showing square footage of each space, the spaces being joined in the kitchen / service area but separated by a wall in the patron area, the restaurant area having one (1) table with four (4) patron seats, and one food counter with eight (8) additional seats for a total indoor seated patron occupancy of 12 persons, there is one entry serving as patron ingress and egress and one (1) patron bathroom, there is a second entry to a separate storefront, joined on the interior through the kitchen area, the second storefront will operate serving bubble tea and will have no service of alcohol, there are eight (8) tables and eight (8) seats and no bathrooms, the combined storefront infill not having operable doors that open out to the sidewalk; and
- iii. **Whereas**, the hours of operation will be Sundays to Saturdays from 11 AM to 11 PM, music will be quiet, ambient recorded background only; there will be no DJ’s, no promoted events, or scheduled performances, no cover fees, and no televisions; there will be no sidewalk café seating or other exterior service of alcohol included with this application; and

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

1. The Applicant will operate a full-service Japanese Omakase restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be Sundays to Saturdays from 11 AM to 11 PM. No patrons will remain after stated closing time.
3. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes including any sidewalk or roadbed seating.
5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
6. Will close all doors and windows at all times, allowing only for patron ingress and egress.
7. Will not have televisions.
8. Will ensure doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in case of emergency.
9. Will ensure there is no service of alcohol in the adjacent ”Bubble Tea” storefront.
10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
11. Will not install or have French doors, operable windows or open facades.
12. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches” and will not sell pitchers of beer.
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. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any 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 Liquor License to **Sushi Makoto Inc 204-208 W 14th St 10011** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

**Vote:** Unanimous in favor (6–0)

**4. Savta NYC LLC 259 Bleecker St 10014 (RW–Restaurant) (Transfer)**

- i. **Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 for a Restaurant Wine License to operate a full-service family restaurant on the ground floor of a R7-2/C1-5-zoned, six (6)-story walk-up tenement building (circa 1904) on Bleecker Street between Jones and Cornelia Streets (Block #590/Lot #2), the building falling within NYC LPC’s designated Greenwich Village Historic District Extension II; and
- ii. **Whereas**, the premises is approximately 2,340 sq. ft. with 1,170 sq. ft. on the ground floor connected by both an interior stairway and exterior sidewalk hatch to 1,170 sq. ft. in the basement, there being no patron use of the cellar; there will be 13 tables with 32 seats and one bar with eight (8) seats for a total seated occupancy of 40 persons; there is one (1) entry which will serve as patron ingress and egress and one (1) bathroom; there will be no outdoor seating; and
- iii. **Whereas**, the hours of operation will be from 9 AM to 10 PM Sundays, 12 PM to 10 PM Mondays through Thursdays, 12 PM to 11 PM Fridays and 9 AM to 11 PM Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. **Whereas**, the storefront premises was previously operated from 2014 to approximately 2023 as Baker & Co (SN#1273385, exp. 3/31/24) with a similar method of operation, this being a transfer of assets to the Applicant; and
- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **111 active liquor licenses** within 750 feet of the proposed premises to be licensed 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 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 full-service restaurant serving meat, poultry, pasta and seafood, specifically a restaurant where the entire family will have something on the menu with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be 9 AM to 10 PM Sundays, 12 PM to 10 PM Mondays through Thursdays, 12 PM to 11 PM Fridays and 9 AM to 11 PM 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, 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 10PM every night, allowing only for patron ingress and egress.
8. Will ensure doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in case of emergency.
9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and will 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, security personnel/doormen.
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 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 **Savta NYC LLC 259 Bleecker St 10014** **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.

Vote: Unanimous in favor (6–0)

**5. BL Canal LLC 167 Canal St. 10013** (TW–Bar/Tavern) (*previously unlicensed*)

- i. **Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 for a new Tavern Wine License to operate a casual pizzeria selling pizza by the slice and whole pies in addition to sandwiches, salads, wings and gelato on the ground floor of a C6-1G-zoned, five (5)-story commercial building (c. 1900) on the northwest corner of Canal and Elizabeth Streets (Block #204/Lot #27), the building falling within the Special Little Italy District; and
- ii. **Whereas**, the ground floor storefront is approximately 1,300 sq. ft. with 700 sq. ft. on the ground floor and 600 sq. ft. in the basement, the basement being accessed via a sidewalk hatch with no patron access to the cellar, there will six (6) tables and 12 seats and one bar no seats for a total seated capacity of 12 persons; there is one (1) entry which will serve as patron

ingress and egress and one (1) bathroom; there may be an operable door installed on Canal St but it will not be utilized; there will be no outdoor seating; and

- iii. **Whereas**, the hours of operation will be from 11 AM to 2 AM Sundays through Saturdays (7 days a week), with the service of alcohol ending at 12 AM Sundays through Thursdays and 1 AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. **Whereas**, the storefront premises consists of combining two previously unlicensed storefronts, one of which had been operated as a jewelry store for many years, the other had most recently been a tea shop and prior to that another jewelry store; and
- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **53 active liquor licenses** within 750 feet of the proposed premises to be licensed 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 Tavern Wine License, with those stipulations as follows:
  - 1. Premises will be advertised and operated as pizzeria restaurant with the kitchen open and full menu items available until closing every night.
  - 2. The hours of operation will be from 11 AM to 2 AM Sundays through Saturdays (7 days a week), with the service of alcohol ending at 12 AM Sundays through Thursdays and 1 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.
  - 5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
  - 6. Will have no more than one (1) television no larger than 55". There will be no projectors and TV will operate in "closed caption" mode only without sound.
  - 7. Will close all doors and windows at all times, including any operable façades, allowing only for patron ingress and egress through the standard entry doorway.
  - 8. Will not have patron occupancy/service to any portion of the basement of licensed premises.
  - 9. There may be an operable window or open facade to the west of the entry door on Canal Street but will keep it closed at all times. Large window area on Elizabeth Street will remain fixed / not operable.

10. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
11. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to opening.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. 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, security personnel/doormen.
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 sidewalk, roadbed or other outdoor seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Tavern Wine License in the name of **BL Canal LLC 167 Canal St. 10013** **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.

Vote: Unanimous in favor (6–0)

6. **Par Avion Group LLC dba TBD, 37 Carmine St 10014** (New TW–Bar/Tavern) (installing operable windows) (*previously unlicensed*)
  - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA #2 Committee to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate a wine bar in a five-story, tenement-style residential building (c. 1910) on a residentially-zoned block of Carmine Street between Bleecker and Bedford Streets (Block #586/Lot #36), this building and area falling within NYC LPC’s designated Greenwich Village Historic District Extension II; 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 wine bar serving classic French small plates while also seeking to install operable windows 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 bar, no Letter of No Objection from the NYC Dept. of Buildings was presented, there are 22 interior tables with 44 patron seats, with the aforementioned stand up bar having an 18 additional seats and one (1) service counter for a total of 62 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 Thursday, 5 PM to 2 AM Fridays, and 12 PM to 2 AM on Saturdays; music will be recorded background, no DJ's, no live music or televisions; and
- v. **Whereas**, the Applicant originally appeared in September/2023 for an On-Premises License at this location with a similar method of operation and which included sidewalk seating, the application being met with significant opposition from the community and local block associations, 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, the application resulting in a denial recommendation at CB2, Man.'s [September full board meeting](#); and
- vi. **Whereas**, there was again 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); and
- vii. **Whereas**, those who appeared in opposition voiced concerns 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 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 regarding overhearing the activities of a bar just a few feet away from their windows and having adjoining walls, the buildings being old with limited insulation between them, with interior music having a devastating impact on their lives; and
- ix. **Whereas**, the Applicant asking for 2 AM closing on Fridays and Saturdays and unwilling to consider earlier hours in this heavily licensed residential area, residents pointing out that the ten existing restaurants on Carmine Street between Bedford and Bleecker Streets all close earlier than the instant application, many by more than two hours earlier, the Applicant continuing to show a lack of understanding of prevailing norms on the block; and
- x. **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

- xi. Whereas**, no one appeared in support of the application; and
- xii. Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **93 active liquor licenses** within 750 feet of the proposed premises to be licensed and an additional 7 pending licenses within this same area, 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

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Tavern Wine License for **Par Avion Group LLC dba TBD, 37 Carmine St 10014**; 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.

Vote: Unanimous in favor (8–0)

**7. Officina 1397 LLC dba Bar Pisellino 92 7th Ave South aka 52 Grove St 10014 (OP–Bar/Tavern)**

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA #2 Committee to present an application to the NYS Liquor Authority for an On Premise Tavern Liquor License to operate a tavern and tapas bar serving Italian café style menu in the ground floor storefront of a three (3)-story, C4-5-zoned, mixed-use building (c. 1933) on 7<sup>th</sup> Avenue South between Bleecker and Grove Streets (Block #591/Lot #10), the building falling within NYC LPC’s Greenwich Village Historic District; and
- ii. Whereas**, the premises proposed to be licensed had operated since 2006 as Panzi Enterprises LLC dba Panca (SN# 1183943, exp 4/2023); and
- iii. Whereas**, the ground floor premises is roughly 1,200 sq. ft.; there are ten (10) tables with 20 seats and one bar with no (0) seats for a total seated patron occupancy of 20, there is one (1) entry which will serve as patron ingress and egress and two (2) bathrooms; there is no outdoor seating; 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 are from 7 AM to 11 AM Sundays through Thursdays and 7 AM to 1 AM Fridays and Saturdays; music will be quiet background only consisting of music from ipod/cd’s/streaming services, there will be no TVs, all doors and windows will be closed at all times except for patron ingress and egress, there will be no DJs, no live music,

no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no security personnel/doormen; and

- v. **Whereas**, the Applicant is the principal of other bars and restaurants in the immediate area including one in same building going by the name of Pisellino with a On-Premises Tavern liquor license (SN#1304160), separated from the instant application by one storefront which is currently a liquor store, the Applicant's other establishments being very popular, with crowds frequently gathering on the sidewalk waiting for entry at many of the establishments, sidewalk seating at Pisellino being placed on the sidewalk not only next to the building but also on the curbside, with standing patrons frequently congregating in the sidewalk area as well making the sidewalk impassable to pedestrians, the Applicant's public interest statement stating that the instant application will alleviate clients coming to their other establishments from waiting on the street, this same statement was made with the Applicant appeared before CB2, Man. to open Pisellino, the Applicant recognizing this is an issue and agreeing to make every effort to alleviate the sidewalk congestion at all of their establishment; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the On Premise Liquor License, with those stipulations as follows:
1. The Applicant will operate an Italian tavern/tapas bar with full menu items available until closing every night.
  2. The hours of operation will be 7 AM to 11 AM Sundays through Thursdays and 7 AM to 1 AM Fridays and Saturdays. No patrons will remain after stated closing time.
  3. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  4. Will not operate a backyard garden or any outdoor area for commercial purposes including any sidewalk or roadbed seating.
  5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
  6. Will not have televisions.
  7. Will close all doors and windows at all times, allowing only for patron ingress and egress
  8. Will not install or have French doors, operable windows or open facades.
  9. Will not make changes to the existing façade except to change signage or awning.
  10. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and 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. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
  14. Will appear before CB2, 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 sidewalk, roadbed or other outdoor seating.

vii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, this area already being saturated with liquor licenses, there being **103 active liquor licenses** within 750 feet of the proposed premises to be licensed and an additional 14 pending licenses within this same area, the Applicant's agreed upon stipulations satisfying the public interest standard albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Tavern Liquor License to **Officina 1397 LLC dba Bar Pisellino 92 7th Ave South aka 52 Grove 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 in order to create public interest for the issuance of this liquor license.

**Vote:** Unanimous in favor (8-0)

**8. Mino Wine Bar, LLC dba Mino Brasserie 225 W. 12<sup>th</sup> St. 10011** (New OP-Restaurant) (Class Change)

i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA #2 Licensing Committee to present an application to the NYSLA for a new On-Premises Restaurant Liquor License to operate a Wine Bar and Brasserie in a corner storefront located in a five-story tenement styled apartment building (c. 1837) on the northeast corner of Greenwich Avenue and West 12<sup>th</sup> Streets, this building falling within NYC LPC's designated Greenwich Village Historic District; and

ii. **Whereas**, the ground floor storefront location has been operated as a Wine Bar and Brasserie by the Applicant since it opened in 2022 with a restaurant wine license, the storefront location having never previously operated with an on premises liquor license subject to 500 foot rule requiring the Applicant to satisfy the public interest standard; and

iii. **Whereas**, the ground floor storefront is roughly 2,500 sq. ft. (1500 sq. ft. ground floor and 1000 sq. ft. basement with the basement not being presented for patron service), the ground floor space having 27 tables with 54 patron seats, 1 stand-up bar with 12 seats for a total interior patron seated occupancy of 66 seats, with a single patron entrance on the corner of West 12th Street and Greenwich Avenue, two (2) bathrooms, in addition to casement windows running along the front facade which open out to the sidewalk; a Certificate of Occupancy for the location was presented which permits "stores" and "medical offices," but does not permit eating and drinking, the Applicant when seeking its restaurant wine license agreed in its stipulations to obtain a Letter of No Objection from the NYC DOB which would permit their use and occupancy at the licensed premises for eating and drinking purposes, the Applicant

not presenting in the instant Application the Letter of No Objection that it had previously agreed to obtain; and

- iv. **Whereas**, the hours of operation proposed are Sunday through Thursday from 12 PM to 12 AM and Fridays/Saturdays from 12 PM to 1 AM, interior music being at background levels only, with no dancing, TVs, DJs, no promoted events, no scheduled performances or cover fees, no security; and
- v. **Whereas**, the instant Application also includes the use a sidewalk café with 1 table and 2 seats on Greenwich Avenue and 6 tables and 12 seats on West 12<sup>th</sup> Street; and
- vi. **Whereas**, this is the second application by this Applicant for an on premise liquor license at this location, the prior application not establishing that the public interest would be served, the application resulting in a deny recommendation from this Community Board, for reasons previously articulated in a resolution forwarded to the NYSLA from [November/2021](#); and
- vii. **Whereas**, the Applicant also operates two other wine bars in Community Board 2, at 194-196 Spring Street (St. Tropez Soho; RW#1313689) and at 302-304 West 4<sup>th</sup> Street (St. Tropez Wine Bar; OP#1324076) with the operations at both wine bars generating complaints, operating in violation of their prior agreements and stipulations with this Community Board, the Applicant providing no avenue for amending or correcting their method of operations at each of these licensed establishments, previously incorporated in the multiple licenses by their agreements, as well as the residents and surrounding community where they are sited; and
- viii. **Whereas**, at 194-196 Spring Street, despite agreeing not to operate with any outdoor areas for commercial purposes with the exception of no more than 5 tables and 10 seats operating on the sidewalk in front of the premises, the Applicant is now operating at this location with a large enclosed wooden shed, with roof, in the roadway, with tables and chairs in the roadway and on the sidewalk, greatly in excess of the 5 tables previously agreed upon; and
- ix. **Whereas**, this same location (194-196 Spring Street) was also the source of significant complaints during the Covid Pandemic in 2020 for large numbers of patrons being served and consuming alcohol without food, congregating outside, blocking the sidewalk for pedestrians, blocking the adjacent bikeway and roadway, the complaints having been presented with photographic and video evidence from residents living in the area, resulting in a withdrawal by the Applicant for the On-Premises Liquor License application; and
- x. **Whereas**, this same Applicant, when applying for its current on premise liquor license at 302-304 West 4<sup>th</sup> Street in [January/2020](#), a location like the instant application, never previously licensed with an on premise license subject to the public interest standard, agreed with the surrounding community for the purpose of garnering said license approval from the local West 12<sup>th</sup> Street block association, surrounding community of residents, and CB2 Manhattan, “not to operate in any outdoor area for commercial purposes,” the licensed premises also being located in a residentially zoned area; and

- xi. Whereas,** despite the Applicant’s prior agreement not to serve alcohol to any areas outside of the licensed premises at 302-304 West 4<sup>th</sup> Street, the Applicant is currently serving alcohol to a large enclosed wooden shed, with roof, located in the roadway, across a narrow public sidewalk, where there is extensive service to a number of undisclosed tables and chairs at the exterior, the Applicant again providing no avenue to correct, or to amend the disruptive change in method of operation outside its licensed premise, in violation of its prior agreements, with this significant change in method of operation requiring a new, alteration application to the NYSLA, required to change its method of operation so that residents in the immediate area can be heard, and alterations properly reviewed; and
- xii. Whereas,** this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by the addition of another on premise liquor license at this location, the storefront in question never previously operating with an on premise liquor license, there being 55 active SLA licenses within 750 feet of the location proposed to be licensed, with 9 additional pending licenses, the Applicant having a history of not complying with its agreed upon stipulations and agreements with this Community Board, stipulations incorporated into its liquor license for gaining approval of its current licenses, at multiple licensed premises, those violations generating significant complaints, with the Applicant providing no avenue to resolve its on-going derogation of these agreed upon stipulations or revert to its prior agreements, the Applicant still not obtaining the proper permits from the NYC DOB for eating and drinking for the premises of the instant application; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends denial of the application for a new On-Premises Restaurant Liquor License for **Mino Wine Bar, LLC dba Mino Brasserie, 225 W. 12<sup>th</sup> St. 10011**; and

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

**Vote:** 6 in favor, 2 against (B. Pape, E. Olson)

**9. Amber 135 New Inc., dba Amber, 135 Christopher Street New York, New York 10014 (OP–Restaurant) (Transfer)**

- i. Whereas,** the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA #2 Committee to present an application to the NYS Liquor Authority for a transfer of an existing On-Premises Liquor License to continue to operate a Sushi restaurant serving Asian cuisine with neighborhood take out services in a ground floor storefront located within a four (4)-story residential building (c. 1911) on Christopher Street between Hudson and Greenwich Streets in Greenwich Village this building falling within NYC LPC’s designated Greenwich Village Historic District; and

- ii. Whereas,** this is a change in ownership of the business, with the method of operation not changing and remaining the same as an Asian/sushi food restaurant serving the local community, the ground floor storefront is 1,000 sq. ft. with a full-service kitchen, there are 13 tables with 26 patron seats, one bar with five (5) seats for a total indoor seated patron occupancy of 31 persons, there is one (1) patron entry and one (1) patron exit on Christopher Street, and one (1) patron bathroom, the store front infill being fixed without operable doors or windows; and
- iii. Whereas,** the hours of operation will remain Sunday to Saturday from 11 AM to 12 AM Sunday to Thursday and 11 AM to 1 AM on Fridays and Saturdays, music will be quiet, ambient recorded background music only; there will be no DJ's, no promoted events, or scheduled performances, no cover fees, one television; there will be no sidewalk café seating or other exterior service of alcohol included with this application; and
- iv. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the On Premise License, with those stipulations as follows:
1. The Applicant will operate a full-service Sushi food restaurant with full menu items available until closing every night.
  2. The hours of operation will be Sunday to Thursday from 11 AM to 12 AM and on Fridays and Saturdays from 11 AM to 1 AM.
  3. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  4. Will not operate a backyard garden or any outdoor area for commercial purposes including any sidewalk or roadbed seating.
  5. Will not install or have French doors, operable windows or open facades.
  6. Will not make changes to the existing façade except to change signage or awning.
  7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
  8. Will have no more than two (2) television(s) no larger than 55". There will be no projectors and TV will operate in "closed caption" mode only without sound
  9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  10. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
  11. Will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
  12. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.
  13. It will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
  14. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
  15. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating

- v. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, this area already being saturated with liquor licenses, there being **53 active liquor licenses** within 750 feet of the proposed premises to be licensed and an additional 7 pending licenses within this same area, the Applicant's agreed upon stipulations satisfying the public interest standard albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a transfer of a Restaurant Wine Liquor License to **Amber 135 New Inc., dba Amber, 135 Christopher Street, New York, New York 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the SLA On Premise License.

**Vote:** Unanimous in favor (8-0)

**10. Capo Del Cibo Inc. dba TBD 213 6<sup>th</sup> Ave aka 18 King Street, New York, New York 10014 (OP-Restaurant))**

- i. **Whereas**, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA #2 Committee to present an application to the NYS Liquor Authority for a new On-Premises Restaurant Liquor License to operate an Italian fusion restaurant in the ground floor of a R7-2, C1-5 zoned, six (6)-story mixed-use building (c. 1904) on the southwest corner of Sixth Avenue and King Streets (Block #519/Lot #30), this building falling within NYC LPC's designated Charlton-King-Vandam Historic District; and
- ii. **Whereas**, the storefront proposed to be licensed was previously operated since 2017 as Soho Market & Beer with a restaurant wine license, and before 2017 was never previously licensed for the service of alcohol or for eating and drinking purposes; the interior storefront is small, roughly 600 sq. ft., with a 300 sq. ft. basement (used for storage purposes only), including 12 tables with 24 patron seats, one counter with 6 additional seats for a total indoor seated patron occupancy of 30 persons, there is one (1) patron entry and one (1) patron exit on Sixth Avenue, and one (1) patron bathroom, the store front infill being fixed without operable doors or windows; and
- iii. **Whereas**, the hours of operation will be Sundays to Saturdays from 12 PM to 12 AM every day/night, music will be quiet, ambient recorded background only; there will be no DJ's, no promoted events, or scheduled performances, no cover fees, and no televisions; there is no outdoor seating and no exterior service of alcohol at this time with any future outdoor seating closing at 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays; and

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

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

v. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, this area already being saturated with liquor licenses, there being **68 active liquor licenses** within 750 feet of the proposed premises to be licensed and an additional 5 pending licenses within this same area, the Applicant’s agreed upon stipulations satisfying the public interest standard albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine Liquor License to **Capo Del Cibo Inc. dba TBD 213 6<sup>th</sup> Ave, New York, New York 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 in order to create public interest for the issuance of this liquor license.

**Vote:** Unanimous in favor (8–0)

**11. Sushi Nozawa NYC LLC dba Kazunori fka A. Hernandez on behalf of entity TBD 205 Bleecker St. Suite B 10012 (TW–Bar/Tavern) (Appearance Waived)**

- i. **Whereas**, the Applicants and the Applicant’s Attorney originally appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 in [April/2023](#) to present an application to the NYS Liquor Authority for a new Tavern Wine Liquor License to operate a counter seat sushi restaurant in a ground floor storefront located within a six-story residential building on Bleecker Street between MacDougal Street and Sixth Avenue in Greenwich Village, with this building falling within NYC LPC’s designated South Village Historic District; and; CB2, Manhattan unanimously recommended approval of the application at their April/2023 full board meeting; and
- ii. **Whereas**, this was a renotification to change the licensee name and update the street address to include Suite B, there was no change in principals or method of operation, the Applicant has executed and notarized an updated stipulation agreement reflecting the update in licensee name and address prior to the committee meeting, with there being no changes to method of operation or principals appearance was waived; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Tavern Wine License in the name **Sushi Nozawa NYC LLC dba Kazunori fka A. Hernandez on behalf of entity TBD 205 Bleecker St. Suite B 10012**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

**Vote:** Unanimous in favor (8–0)

**12. Greenwich, LLC dba Chez Stanley, 93 95 Greenwich Ave. 10014 (OP–Restaurant) (Alteration)**

- i. **Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for an Alteration to their On-Premises Restaurant Liquor License (SN#1356334, exp 9/30/25) for their new neighborhood bistro restaurant located within a six story residential building (circa 1929) on Greenwich Avenue. between West 4<sup>th</sup> and Bleecker Streets in [November/2023](#), the full board recommending approval of the application; and

- ii. **Whereas**, following the November/2023 CB2, Man. full board meeting the Applicant updated their seating diagram and moved the bar from the 93 Greenwich Avenue storefront to the 95 Greenwich Avenue storefront with no substantive changes in seating; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the revised floor plans for **93 Greenwich, LLC d/b/a Chez Stanley, 93 95 Greenwich Ave. 10014**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant in November/2023 remain incorporated into the “Method of Operation” of the SLA Restaurant On-Premises Liquor License.

**Vote:** Unanimous in favor (8-0)

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

- 13. AV 7th Ave LLC dba All’Antico Vinaio 89 7th Ave S 10014 (RW–Bar/Tavern) (TRP) (Sidewalk Cafe)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on December 6, 2023, the Applicant requested **to lay over** this application to January/2024 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 **AV 7th Ave LLC dba All’Antico Vinaio 89 7th Ave S 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. Guliani Group Inc dba Laliko Georgian Bistro 80 Carmine St, Unit 2 10014 (RW-Restaurant) (TRP)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on December 6, 2023, the Applicant requested **to lay over** this application to January/2024 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 **Guliani Group Inc dba Laliko Georgian Bistro 80 Carmine St, Unit 2 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

**15. Hudson River Rice LLC, dba Glaze, 350 Hudson St. 10014** (RW–Restaurant) (*previously unlicensed*)

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on December 6, 2023, the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and

**THEREFORE, BE IT RESOLVED** that 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 **Hudson River Rice LLC, dba Glaze, 350 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

**16. Savta NYC LLC 259 Bleecker St 10014** (OP–Restaurant)

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on December 6, 2023, the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and

**THEREFORE, BE IT RESOLVED** that 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 **Savta NYC LLC 259 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

**17. Babi Restaurant Inc., dba Brasserie Vietnam, 282 Bleecker St. 10014 (RW–Restaurant)  
(failed to appear)**

**Whereas**, at the December/2022 CB2, Manhattan SLA Licensing Committee #2 Meeting the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2 Manhattan; and

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Babi Restaurant Inc., dba Brasserie Vietnam, 282 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 SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous in favor

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*



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

### CANNABIS LICENSING COMMITTEE MEETING DECEMBER 2023

The Cannabis Licensing Committee met on Tuesday, December 12, 2023, at 6:30PM at the NYU Jordan Center.

**CB2 Cannabis Licensing Members Present:** Mar Fitzgerald (Chair), Patricia Laraia (Vice Chair), Antony Wong, and Dr. Cherly Wu

**CB2 Cannabis Licensing Board Members Absent with Notice:** Chris Dignes, Zack Kazzaz, and Juan Osario

**CB2 Members Present:** Jeannine Kiely, Carter Booth

**Guests:** Pete Davies, Darlene Lutz, Sameer Merchant, Cheng Lin, Sue Li, Jason Ou, Juan Torres, Arana Hankin Biggers, Bonni Lippman, Jeff Shultz, Alex Laraia, Fares Aldanzani, Andy Lee, Jessica Min, Rachel Katz, J. Katz, Chien Wu, Savva Scardillo, Matt Kliegman, Joseph Leavey, David Feder, Limor Feder, Marcia Feder, Joshua Foulquier, Andrew Cooper, Terran Cooper, Arish Halani, Sereana Halani

#### **Report**

The meeting was called to order at 6:48PM. The CLC committee reviewed the applicants in attendance who filled out the CB2 Cannabis Licensing questionnaire, provided requested materials, and attended the meeting themselves and/or sent a representative. The CLC chair called for other applicants in attendance, but none made themselves known.

The committee addressed each dispensary's compliance with guidelines, community engagement efforts, proximity to vulnerable populations, cannabis business concentration, the possibility of denials pending compliance, and discrepancies and deficiencies in requested information.

Nitin Patel/Pramukh 202 LLC, 202 Mott St. 10012 was laid over to the January CLC, and Jason Ou/ SJ Mindset LLC, 200 Bowery 10012 chose to withdraw during the meeting. Three items committed from November were unanimously readopted.

One applicant was in need of an interpreter. Thankfully, CLC member, Dr. Cheryl Wu stepped in to translate, but this highlighted the ongoing problem of securing language services for our meetings.

The full meeting can be seen/heard/transcribed here:

<https://www.youtube.com/watch?v=zBcj2eC2DIU>

**Withdrawn**

12/12	SJ Mindset, LLC	200 Bowery	10012	Jason Ou
12/4	Biwa Beads, LLC	317 Canal St.	10013	Rachel Bryant
12/6	Take N Toke Herbal Healing Solutions	518 Broadway	10012	Neema Wiggins
12/11	Black 202, LLC	202 Mott St.	10012	Chirag Mehta

**CLC RESOLUTION #1**

RE: New Applications for Adult-Use Retail Cannabis Licenses  
Notices to Municipality forms 11/13-22/2023 • No Response

CLC Committee Vote: Unanimous 4-Yea 0-Nay  
CLC Committee Recommendation: Deny

RESOLUTION

**WHEREAS**, Community Board 2 received the six Notice to municipality forms below 11/13-22, 2023; and

**WHEREAS**, all those listed below failed to:

- Fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

Of the Earth Canna, LLC	428 Broadway	10013	Keston J. Mayers	● w/n 1000ft NC Accidents Report, 481 Bway DASNY/Fund dispensary & 427 Bway USQTA delivery kiosks
Bleecker Street Cannabis, Inc,	355 Bleecker St.	10014	Jaafar Safa	
Black 202, LLC	202 Mott St.	10012	Chirag Mehta	
Ganja rus 1, LLC	385 Canal St.	10013	Jayendra Patel	
Pramukh 202, LLC	202 Mott St.	10012	Nitin Patel	
High Life Living, Inc.	98 Christopher St.	10014	Andy Lee	

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of all of the new Adult-Use Retail Dispensary License applications listed above for the reasons given.

**CLC RESOLUTION #2**

**RE: Miguel Bernard, Blazin Up, LLC**  
**178 Bowery, 10012** (bet Kenmare St. & Spring St.)  
New Application for Adult-Use Retail Cannabis License

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny/Unless

**WHEREAS,** Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Miguel Bernard d/b/a Blazin Up, LLC, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 178 Bowery, New York, NY on November 8, 2023; and

**WHEREAS,** the proposed premises is a storefront (entrance at 178 Bowery Street), within a mixed residential and commercial building; and Blazin Up are Miguel Bernard (51%), Matthew Ward (49%); and

**WHEREAS,** Miguel Bernard, Matthew Ward, Alan Lien, and Yin Lin were in attendance; and

**WHEREAS,** Applicant was placed on the CB2 agenda to appear at the November 8, 2023 public hearing of the Cannabis Licensing Committee (CLC); and

**WHEREAS,** concerns were raised about the proposed premises proximity to NC Accidents Reports, a Fund, CAURD dispensary located at 481 Broadway (approximately 761 feet); and

**WHEREAS,** the CLC voted unanimously to deny/unless at the November CLC meeting, with the caveat that the OCM perform a comprehensive proximity check related to nearby licensed dispensaries; and

**WHEREAS,** the application committed to the Dec. CLC as the resolution was not complete; and

**WHEREAS,** Applicant provided requested documents including a fully executed lease; and

**WHEREAS,** the Applicant stated that the dispensary hours of operation Monday through Thursday 10:00AM - 10:00PM Friday through Saturday 10:00AM - 12:00AM, Sunday 11:00AM - 7:00PM

**WHEREAS,** the Applicant stated that the dispensary will offer delivery; and

**WHEREAS,** the Applicant stated that there are plans to engage the AAPI community on behalf of the cannabis industry; and

**WHEREAS,** the Applicant stated that they reached out to the building residents and nearby commercial businesses, but no letters of support were received by CB2; and

**WHEREAS,** the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Miguel Bernard, Blazin Up, LLC, 178 Bowery, New York, NY **unless** the information the Applicant has presented is accurate and complete and that the above-stated conditions agreed to by the Applicant and *“be part of the record upon which the Office makes its recommendation to the Board”* for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

---

**CLC RESOLUTION #3**

**RE: Friendly Flower 2, Inc, Jessica Lindsey, Joshua Foulquier, David Foulquier  
22 Spring St,10013** (btw Elizabeth St. & Mott St)  
New Application for Adult-Use Retail Cannabis License

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny

**WHEREAS**, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Joseph Levey d/b/a Friendly Flower 2 Inc, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 22 Spring Street, New York, NY on November 14, 2023; and

**WHEREAS**, the proposed premises is an 800 sq. ft., storefront (entrance at 22 Spring St), with 500 sq. ft. cellar level, within a predominantly residential multi-family walk-up building; and

**WHEREAS**, the proposed premises is approximately 200 ft. from Di Salvio Playground<sup>1</sup> at 44 Spring Street; and

**WHEREAS**, the proposed premises is currently operating two storefront businesses, Paint Box frame shop on its north, and Ma•dé, a two-story bar operating a significant roadbed dining shed, on the southern side of the building; and

**WHEREAS**, the Applicants submitted that the proposed dispensary is owned by Joshua Foulquier - 20.58%; David Foulquier - 20.58%; Jessica Lindsey - 51%; and

**WHEREAS**, the principal owner, Jessica Lindsey was not in attendance; and

**WHEREAS**, Joshua Foulquier (Applicant), and Joseph Levey (attorney) were in attendance; and

**WHEREAS**, Applicant provided an Option to Lease Agreement; and

**WHEREAS**, the Applicant stated that the proposed hours of operation are 10:00AM - 10:00pm seven days a week; and

**WHEREAS**, the Applicant stated that they expected to do one event per month; and

**WHEREAS**, the Applicant stated that the dispensary will offer delivery in the future, and endeavor to pace out our deliveries so that they are not constant, but rather happen in stages that can be managed; and

**WHEREAS**, the Applicant provided design ideas and a basic layout of the current space, but did not provide any renderings, product menu, price list, or letters of support; and

---

<sup>1</sup> <https://www.nycgovparks.org/parks/desalvio-playground>

**WHEREAS**, the Applicant failed to perform community outreach prior to the hearing; and

**WHEREAS**, concerns were raised as to the close proximity to Di Salvio Playground and the manner in which the dispensary would operate in relation to the bar and outdoor sheds; and

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for ??, Friendly Flower 2, 22 Spring Street, New York, NY and that this recommendation “*be part of the record upon which the Office makes its recommendation to the Board*” for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

---

#### **CLC RESOLUTION #4**

**RE: Matthew Kliegman d/b/a Authentic Downtown Retail LLC**  
234 Bowery, 10012 (between Prince St & Bowery)  
New Application for Adult-Use Retail Cannabis License

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny/Unless

**WHEREAS**, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Matthew Kliegman d/b/a TBD Entity, (later submitting Authentic Downtown Retail LLC), stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 234 Bowery Street, 10012 on November 14, 2023; and

**WHEREAS**, the proposed premises is a three-story a commercial and office building (entrance at 234 Bowery) without residential tenants; and

**WHEREAS**, the ground level will be used for retail, and the top floor for storage; and

**WHEREAS**, principal owner, Matthew Kliegman (Applicant), appeared with Joseph Levey (Attorney); and

**WHEREAS**, Applicant submitted the ownership as follows: Matthew Kliegman 33.34%; Carlos Quirarte 33.33%, Matthew Charles 33.33%; and

**WHEREAS**, the Applicant has a history of operating hospitality businesses in New York City, including within CB2; and

**WHEREAS**, Applicant provided an Option to Lease Agreement; and

**WHEREAS**, Applicant submitted a projected opening of July 2024; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation will be 12:00PM-10:00PM seven days a week; and

**WHEREAS**, the Applicant stated that the dispensary will offer delivery with set delivery windows to mitigate impact and ensure the sidewalk is kept clear; and

**WHEREAS**, the Applicant stated that the dispensary will offer delivery; and

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Matthew Kliegman, d/b/a TBD Entity, 234 Bowery, New York, New York **unless** the information the Applicant has presented is accurate and complete and that the above-stated conditions agreed to by the Applicant and *“be part of the record upon which the Office makes its recommendation to the Board”* for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

---

### **CLC RESOLUTION #5**

**RE: Fares Alzandani, Lusty Flower LLC**  
**647 Broadway, 10012** (bet Bleecker St. & Broadway)  
New Application for Adult-Use Retail Cannabis License

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny

**WHEREAS**, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Fares Alzandani d/b/a Lusty Flower LLC, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 647 Broadway, New York, NY on December 12, 2023; and

**WHEREAS**, Fares Alzandani (Applicant) was in attendance; and

**WHEREAS**, the proposed premises is a storefront (entrance at 647 Broadway), within a mixed residential & commercial building; and

**WHEREAS**, the proposed premises is currently operating as Lusty Smoke Shop, and unlicensed cannabis shop advertising THC products of various strengths via its website<sup>2</sup> and social media<sup>3</sup>; and

---

<sup>2</sup> <https://www.lustysmokeshop.com/>

<sup>3</sup> [https://www.instagram.com/luxuryloso\\_/reel/CzT1p49OTju/](https://www.instagram.com/luxuryloso_/reel/CzT1p49OTju/)

**WHEREAS**, the Applicant stated that he currently operates a convenience store in Brooklyn and that the proposed dispensary d/b/a “Lusty Flower” is in no way associated with Lusty Smoke Shop currently operating within the proposed premises; and

**WHEREAS**, the Applicant submitted that he is the 100% owner of the proposed dispensary on the CB2 Cannabis Applicant Questionnaire; and

**WHEREAS**, the Applicant submitted that he was a CAURD (Conditional Adult-Use Retail Dispensary program) licensee on the CB2 questionnaire, but later said that claim was a mistake; and

**WHEREAS**, the Applicant is the brother of Rami Alzandani, who in July 2023, paid \$103,000 in restitution to the state Department of Tax and Finance and forfeit another \$300,000 as part of the non-prosecution agreement he signed with prosecutors in relation to eleven shops accused of illegally selling weed in Manhattan and Queens<sup>4</sup>; and

**WHEREAS**, the shops were allowed to remain in business but are banned from selling weed going forward and will be subject to random inspections for the next three years, under the terms of the agreement<sup>5</sup>; and

**WHEREAS**, Fares Alzandani stated that his brother, Rami, is in no way involved with the proposed dispensary; and

**WHEREAS**, Applicant provided a non-binding Letter of Intent from a realtor; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation Sunday through Saturday, 8:00AM - 12:00am open seven days; and

**WHEREAS**, the Applicant failed to perform community outreach; and

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M strongly recommends **denial** of the new Adult-Use Retail Dispensary License for Fares Alzandani, Lusty Flower LLC., 647 Broadway, New York, NY and that this recommendation “*be part of the record upon which the Office makes its recommendation to the Board*” for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

---

## **CLC RESOLUTION #6**

**RE: Ketan Shah, d/b/a Yogikrupa**  
171 LLC, 171 West 4th Street, 10014, New York  
(between Avenue of the Americas and Barrow Street)  
New Application for Adult-Use Retail Cannabis License

---

<sup>4</sup> <https://nypost.com/2023/07/18/owner-of-11-illegal-pot-shops-to-pay-over-400k-in-agreement-with-da/>

<sup>5</sup> <https://www.amny.com/new-york/new-york-prosecutor-begins-crackdown-on-illegal-cannabis-shops/>

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny/Unless

**WHEREAS**, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Ketan Shah d/b/a Yogikrupa (Applicant) stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 171 West 4th Street on October 20, 2023; and

**WHEREAS**, the Applicant is currently operating the proposed premises as Village Vape & Cigar, a small storefront smoke shop within a mixed-use residential and commercial building, primarily selling hemp products, tobacco and hookah supplies; and

**WHEREAS**, Applicant was placed on the CB2 agenda to appear at the November 8, 2023, public hearing of the Cannabis Licensing Committee (CLC); and

**WHEREAS**, Applicants appeared with Nicholas T. Terzulli (Attorney); and

**WHEREAS**, Applicant provided requested documents including a fully executed lease; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation will be 11:00AM-9:00PM seven days a week; and

**WHEREAS**, the Applicant stated that the dispensary will offer delivery that would have minimal impact on sidewalk traffic ; and

**WHEREAS**, the Applicant advertise on social media and local publications; and

**WHEREAS**, The Applicant will not use the backyard outdoor space, no customers will be permitted in the backyard and staff will not be permitted to loiter in the backyard; and

**WHEREAS**, while the Applicant has operated at this location he had not performed community outreach prior to his appearance before the CLC; and

**WHEREAS**, CB2 members visited the store prior to the hearing and found that the shop was not offering unlicensed products; and

**WHEREAS**, the application was committed to the December CLC as the resolution was not complete, due in no part to any failure of the Applicant; and

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Ketan Shah, d/b/a Yogikrupa 171 LLC, 171 West 4th Street, New York, New York **unless** the information the Applicant has presented is accurate and complete and that the above-stated conditions agreed to by the Applicant and *“be part of the record upon which the*

Office makes its recommendation to the Board” for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

---

**CLC RESOLUTION #7**

**RE: 420 on West 4th Street LLC**  
**170 West 4th Street, 10014** (bet Ave of the Americas & Barrow St.)  
New Application for Adult-Use Retail Cannabis License

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny

**WHEREAS,** Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Myroslav Dyeduk d/b/a 420 on West 4th LLC stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 170 West 4th Street, New York on October 26, 2023; and

**WHEREAS,** Applicant was placed on the CB2 agenda to appear at the November 8, 2023, public hearing of the Cannabis Licensing Committee (CLC); and

**WHEREAS,** the application was committed to December, as the resolution was not complete; and

**WHEREAS,** individuals having a financial interest in 420 on West 4th LLC are Jimmy Sanz (33.34%), Roman Ivanov, (33.33%) and Myroslav Dyeduk, (33.33%); and

**WHEREAS,** the CLC voted unanimously to deny this application at the November CLC meeting; and

**WHEREAS,** the proposed premises is a small storefront (entrance at West 4th Street), within a mixed residential and commercial building; and

**WHEREAS,** the landlord of the proposed premises currently operates multiple roadbed sheds spanning the majority of the block and concerns were raised about the suitability of this premises for a dispensary due to the manner in which the sheds are being operated, and the history of upkeep and maintenance of the sheds; and

**WHEREAS,** concerns were raised about how a dispensary congruent to a restaurant with a considerable outdoor dining shed, also in front of the proposed premises, might impact the already busy and narrow walkway of West 4th Street; and

**WHEREAS,** Applicant provided requested documents including a fully executed lease; and

**WHEREAS,** while the principal owner, Mr. Sanz, did not appear, Roman Ivanov and Myroslav Dyeduk were in attendance; and

**WHEREAS,** the Applicant stated that the dispensary hours of operation Sunday - Monday 10:00AM - 8:00PM, Tuesday through Wednesday 10:00AM - 10:00PM, Thursday 10:00AM - 12:00AM, Friday 10:00AM - 1:00AM, and Saturday 10:00AM - 1:00AM; and

**WHEREAS,** the Applicant stated that the dispensary might offer delivery, but did not have a delivery plan; and

**WHEREAS,** the Applicants stated that community outreach efforts were limited to nearby businesses owned by the landlord of the proposed premises, and one of the Applicant’s parents; and

**WHEREAS**, the landlord is a member of CB2 and has consistently voted “no” to every legal cannabis license application that has come before the Board; and

**WHEREAS**, the Applicants stated that they would perform community outreach to individuals, and businesses beyond those with pecuniary interest in the proposed dispensary, but (as of 12/12/23), CB2 has yet to receive any letters of support for this application; and

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Jimmy Sanz, 420 on West 4th Street LLC, 170 West 4th Street, New York, and that this recommendation “*be part of the record upon which the Office makes its recommendation to the Board*” for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

---

### **CLC RESOLUTION #8**

**RE: Sue Li, City Dispensary, Inc**  
**264 Elizabeth St, 10012** (bet East Houston St. & Prince St.)  
New Application for Adult-Use Retail Cannabis License

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny/Unless

**WHEREAS**, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Susan Li d/b/a City Dispensary Inc, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 264 Elizabeth Street, New York, NY on December 12, 2023; and

**WHEREAS**, the proposed premises is a storefront (entrance at 264 Elizabeth Street), within a multi-family walk-up building; and Sue Li has (100%); and

**WHEREAS**, Sue Li (Applicant) and Chang Li (her son) were in attendance; and

**WHEREAS**, Applicant provided requested documents including a Binding Option to Lease the proposed premises; and

**WHEREAS**, the Applicant submitted a projected opening date of January 2024; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation Monday through Thursday 11:00AM - 11:00PM Friday through Saturday 11:00AM - 12:00AM, Sunday 11:00AM - 10:00PM

**WHEREAS**, the Applicant stated that the dispensary will offer delivery; and

**WHEREAS**, Sante Scardillo, a neighborhood resident, also representing the Little Italy Neighbors Association (L.I.N.A.), submitted a letter and gave in-person testimony concerning issues neighbors have had with previous tenants of the proposed premises use of the backyard; and

**WHEREAS**, the CLC Committee connected the prospective dispensary operator, Ms. Li with Mr. Scardillo to discuss the matter which appeared to satisfy concerns; and

**WHEREAS**, the Applicant stated that she will reach out to the building residents and nearby commercial businesses to mitigate any noise issue for the backyard; and

**WHEREAS**, the Applicant will not play music that could be audible to building residents or outside the dispensary; and

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Sue Li, City Dispensary Inc, 264 Elizabeth St, New York, NY **unless** the information the Applicant has presented is accurate and complete and that the above-stated conditions agreed to by the Applicant and *“be part of the record upon which the Office makes its recommendation to the Board”* for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

---

### **CLC RESOLUTION #9**

**RE: Marcia Feder, Mocha Joint Corp.**  
**433 Broadway, 10013** (bet Howard St. & Broadway)  
New Application for Adult-Use Retail Cannabis License

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny

**WHEREAS**, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 in the name of by Marcia Feder d/b/a Mocha Joint Corp. stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 433 Broadway, New York, NY on November 16, 2023; and

**WHEREAS**, the proposed premises is a storefront (entrance at 433 Broadway), within a commercial and office building; Mocha Joint Corp is owned 100% by Marcia Feder; and

**WHEREAS**, David Feder (attorney and husband of the applicant) was in attendance and concurrently represented this, and another application for this location on behalf of his mother; and

**WHEREAS**, the Applicant stated that they will use the ground floor space as a retail dispensary, and the 7th floor wraparound rooftop as a consumption operation; and

**WHEREAS**, the applicant stated their intention to utilize another “sizable” floor of the building for “very fancy consumption”; and

**WHEREAS**, the Applicant stated their intention to operate a cannabis restaurant experience with outdoor dining, once regulations allow it; and

**WHEREAS**, the proposed premises has a Use-Group of 16B which is for Automotive Service Establishments<sup>6</sup>, specifically: Automobile, truck, motorcycle or trailer repairs, automobile laundries, automotive service stations...; and

**WHEREAS**, Applicant provided requested documents including a conditional lease for retail space that does not specify which retail space at 433 Broadway; and

**WHEREAS**, the proposed premises is approx. 500 ft. from Berkay Sebat d/b/a NC Accidents Report LLC, 481 Bway, a DASNY/Fund dispensary site that enjoys proximity protection from the NYS Office of Cannabis Management (OCM), and has recently notified CB2 that they will soon begin construction; and

**WHEREAS**, the proposed premises is even closer to The House of Cannabis museum (THC NYC) at 427 Broadway 10013, which currently houses delivery kiosks owned by the Union Square Travel Agency dispensary; and

**WHEREAS**, the Applicant failed to submit hours of operation in the CB2 questionnaire, but stated at the hearing that the dispensary would be open Sunday through Thursday 11:00AM - 8:00PM, with limited weekend hours; and

**WHEREAS**, the Applicant stated that the dispensary will offer delivery; and

**WHEREAS**, the Applicant did not provide any renderings, photos, product menu, price list, or letters of support; and

**WHEREAS**, the premises is not ADA compliant; and

**WHEREAS**, the Applicant failed to perform community outreach; and

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Mocha Joint Corp, 433 Broadway, and *“be part of the record upon which*

---

<sup>6</sup> <https://zr.planning.nyc.gov/article-iii/chapter-2/32-25>

*the Office makes its recommendation to the Board” for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).*

---

**CLC RESOLUTION #10**

**RE: Limor Feder, SOHO Dispensary**  
**433 Broadway,10013** (bet Howard St. & Broadway)  
New Application for Adult-Use Retail Cannabis License

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny

**WHEREAS,** Community Board 2 (CB2) received Notification to Municipality form OCM-06009 in the name of by Limor Feder d/b/a SOHO Dispensary Corp. stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 433 Broadway, New York, NY on November 16, 2023; and

**WHEREAS,** the proposed premises is a storefront (entrance at 433 Broadway), within a commercial and office building; SOHO Dispensary Corp is owned 100% by Limor Feder; and

**WHEREAS,** David Feder (attorney and husband of the applicant) was in attendance and concurrently represented this, and another application for this location on behalf of his wife; and

**WHEREAS,** the Applicant stated that they will use the ground floor space as a retail dispensary, and the 7th floor wraparound rooftop as a consumption operation; and

**WHEREAS,** the applicant stated their intention to utilize another “sizable” floor of the building for “very fancy consumption”; and

**WHEREAS,** the Applicant stated their intention to operate a cannabis restaurant experience with outdoor dining, once regulations allow it; and

**WHEREAS,** the proposed premises has a Use-Group of 16B which is for Automotive Service Establishments<sup>7</sup>, specifically: Automobile, truck, motorcycle or trailer repairs, automobile laundries, automotive service stations...; and

**WHEREAS,** Applicant provided requested documents including a conditional lease for retail space that does not specify which retail space at 433 Broadway; and

**WHEREAS,** the proposed premises is approx. 500 ft. from Berkay Sebat d/b/a NC Accidents Report LLC, 481 Bway, a DASNY/Fund dispensary site that enjoys proximity protection from the NYS Office of Cannabis Management (OCM), and has recently notified CB2 that they will soon begin construction; and

**WHEREAS,** the proposed premises is even closer to The House of Cannabis museum (THC NYC) at 427 Broadway 10013, which currently houses delivery kiosks owned by the Union Square Travel Agency dispensary; and

**WHEREAS,** the Applicant failed to submit hours of operation in the CB2 questionnaire, but stated at the hearing that the dispensary would be open Sunday through Thursday 11:00AM - 8:00PM, with limited weekend hours; and

**WHEREAS,** the Applicant stated that the dispensary will offer delivery; and

---

<sup>7</sup> <https://zr.planning.nyc.gov/article-iii/chapter-2/32-25>

**WHEREAS**, the Applicant did not provide any renderings, photos, product menu, price list, or letters of support; and

**WHEREAS**, the premises is not ADA compliant; and

**WHEREAS**, the Applicant failed to perform community outreach; and

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for SOHO Dispensary Corp, 433 Broadway, and *“be part of the record upon which the Office makes its recommendation to the Board”* for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

---

### **CLC RESOLUTION #11**

**RE: Rachel Katz, Rosebud Cafe**  
**37 Cornelia Street, 10014** (bet Bleecker St. & Cornelia Street)  
New Application for Adult-Use Retail Cannabis License

---

**CLC Committee Vote:** Unanimous 4-Yea 0-Nay  
**CLC Committee Recommendation:** Deny

**WHEREAS**, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Rachel Katz d/b/a Rosebud, LLC, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 647 Broadway, New York, NY on November 16, 2023; and

**WHEREAS**, Rachel Katz (Applicant) was in attendance with her Jeffrey Schultz (attorney); and

**WHEREAS**, the proposed premises is a storefront (entrance at 37 Cornelia), within a mixed residential & commercial building; and

**WHEREAS**, CB2 members visited the store prior to the 12/12/23 hearing and found the proposed premises was, essentially, the back room of a smoke shop with an entrance at 257 Bleecker St; and

**WHEREAS**, the proposed premises is currently operating as the Green Room, a licensed hemp dispensary, as well as Smoke & CBD Outlet<sup>8</sup>, an unlicensed shop advertising THC products of various strengths via sandwich board positioned on the sidewalk outside the premises at the Bleecker Street entrance; and

---

<sup>8</sup> [https://www.instagram.com/ny\\_cbd\\_smokeshop/?hl=en](https://www.instagram.com/ny_cbd_smokeshop/?hl=en)

**WHEREAS**, the Applicant submitted that she is the 100% owner of the proposed dispensary on the CB2 Cannabis Applicant Questionnaire; and

**WHEREAS**, the Applicant stated that she will provide education on cannabis as she was a grief counselor and parent; and

**WHEREAS**, the Applicant stated that the dispensary hours of operation Monday through Saturday 12:00PM - 12:00AM, Sunday 12:00PM - 8:00PM

**WHEREAS**, the Applicant performed outreach to Great Oaks Charter School<sup>9</sup> across the street which is located on the same block and lot as Our Lady of Pompeii Catholic Church<sup>10</sup>; and

**WHEREAS**, the Office of Cannabis Management and Cannabis Control Board was remiss in crafting regulations that did not take into consideration collocated schools and houses of worship; and

**WHEREAS**, the Applicant stated that she hopes to expand into the space at 257 Bleecker St.; and

**WHEREAS**, Great Oaks Charter School serves children in grades 6-12, with a main entrance approximately 140 feet away from the proposed dispensary; and

**WHEREAS**, CB2 members visited the store prior to the 12/12/23 hearing and found the shop was part of a suspected illicit smoke shop with an entrance on Bleecker St; and

**WHEREAS**, the CLC Committee suggested the applicant connect with nearby residents via the Cornelia Street Block Association; and

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M strongly recommends **denial** of the new Adult-Use Retail Dispensary License for Rachel Katz, Rosebud Cafe, LLC, 37 Cornelia Street, New York, NY and that this recommendation *“be part of the record upon which the Office makes its recommendation to the Board”* for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

---

## **CLC RESOLUTION #12**

**RE: Sameer Merchant, NY Retail 5, Inc**  
**47 7th Ave South, 10014** (btwn 7th Ave. & West 13th St)  
New Application for Adult-Use Retail Cannabis License

---

<sup>9</sup> <https://greatoaksnyc.org/>

<sup>10</sup> <https://www.olpnyc.org/>

**CLC Committee Vote:** Denial 4-Yea 0-Nay  
**CLC Committee Recommendation:** Denial

**WHEREAS**, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Sameer Merchant d/b/a NY Retail 5 Inc. stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 47 7th Ave. S, 10014, on November 20, 2023; and

**WHEREAS**, Sameer Merchant submitted that he is the sole owner (100%) of NY Retail 5 Inc.; and

**WHEREAS**, the proposed premises is a storefront at 47-49 7th Ave S., 10014, with an additional entrance at 13-15 Morton Street, 10014, within a multi-family condominium building; and

**WHEREAS**, the application was represented by Sameer Merchant (Applicant), Andrew Cooper (attorney), and Sirah Shalani (sp.) who self-identified as a Massachusetts dispensary owner and cannabis business advisor; and

**WHEREAS**, Applicant provided requested documents including a conditional lease; and

**WHEREAS**, the proposed premises currently operates as Mad Morton bar; and

**WHEREAS**, Mad Morton submitted notice to Community Board 2 Manhattan in October 23<sup>11</sup> of renewal of its On-Premises Liquor License to continue operating at the proposed location, calling to question the Applicant's control over the premises; and

**WHEREAS**, that the Applicant stated his intention to utilize the enclosed sidewalk cafe, authorized for food and drink only, and currently being operated by Mad Morton; and

**WHEREAS**, the Applicant decline to agree to stipulate that he would not utilize the enclosed sidewalk cafe, even though it is not allowable under NYS cannabis regulations; and

**WHEREAS**, the Applicant proposed hours of operation Sunday through Saturday, 10:00AM - 10:00pm 7 days

**WHEREAS**, the Applicant failed to provide renderings, photos, product menu, price list, or letters of support via the questionnaire before the hearing, but did submit a meeting notice the day of the hearing ; and

**WHEREAS**, the Applicant stated that the dispensary will offer delivery; and

**WHEREAS**, concerns were raised about the proposed dispensary's close proximity to City-AS High School<sup>12</sup> at 10-20 Clarkson Street and 150-160 Houston Street with its campus bordering 7 Avenue South; and

**WHEREAS**, concerns were raised about the proposed dispensary's close proximity to J.J. Walker Park<sup>13</sup> which borders Hudson St., St. Luke's Pl., Clarkson St., and 7 Ave S. and is used by numerous schools, after school programs and little leagues for physical recreation for children; and

**WHEREAS**, the Applicant failed to perform community outreach, but said there were plans for the landlord to arrange a meeting with building residents; and

---

<sup>11</sup> <https://cbmanhattan.cityofnewyork.us/cb2/event/sla-1-donna-raftery-chair-in-person-only/>

<sup>12</sup> <https://www.cityas.org/>

<sup>13</sup> <https://www.nycgovparks.org/parks/james-j-walker-park>

**WHEREAS**, the CLC shared guidance to applicants that includes factors that may influence an approval/denial decision that included:

Failure to:

- Completely fill out the CB2 CLC questionnaire
- Appear before the Cannabis Licensing Committee (CLC)
- Include false or misleading information in the answers to the questionnaire
- Omit information necessary to make the answers to the questionnaire not misleading
- Provide any documents or additional information required by the CB2 CLC
- Disclose or accurately represent requested information
- Provide answers to any questions posed by the CB2 CLC
- Conduct outreach to the community near the proposed location

**THEREFORE, BE IT RESOLVED** that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Sameer Merchant, NY Retail 5, Inc, 47 7th Ave New York, NY and that this recommendation “*be part of the record upon which the Office makes its recommendation to the Board*” for the Adult-Use Retail Dispensary License, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

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

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

### LANDMARKS & PUBLIC AESTHETICS COMMITTEE

The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held the first of two monthly meetings on December 14, 2023 by hybrid video conferencing from CB2 office conference room.

**Committee Members Present:** Chenault Spence (Chair) [remote], Susan Gammie (Vice Chair), Valerie De La Rosa, Brian Pape, Zachary Roberts, Eugene Yoo [remote], Bo Riccobono [remote], Anita Brandt

**Board Members Absent with Notice:** None

**Public Members Present:** Andy Clark [remote]

**Public Members Absent with notice:** Albert Bennett, Brenden Fitzgerald

**Board members:** None

**Guests:** Dena Tasse-Winter, Chloe Gregoire (Village Preservation)

**1. \*66-68 West 10th St. – Application to restore front facades, change a window at grade to a door; fill the areaway below the door, replace a stair and railing in an areaway, and install a sign.**

A. The application was first heard in January 2021 and this application is for the same general scope of work with modifications.

B. The pair of buildings are in the original condition and the facades are in need of restoration which the applicant represented was to be undertaken; and

C. The applicant did not present the plans for the restoration of the facade and the Commission must be relied upon to determine that the proposed restoration meets proper standards; and

D. The proposal is to create a door by elongating a window for ADA access to a proposed below grade restaurant which will necessitate a bridge across the areaway covering interesting detailing on the facade in the areaway and the taking of an occupied market rate apartment; and

E. A new areaway stair that meets current regulations for egress is of similar design to the existing stairs; and

F. The railings are to be restored with missing elements reproduced and re-installed on a higher curb and with mesh backing to conform to code; and

G. A blade sign beside the new door was represented by the applicant as conforming to applicable regulations; and

H. A number of residents of the building testified that the landlord has not cared for the building properly and has been unresponsive to their concerns regarding building conditions over the years.

**Now therefore be it resolved that CB2, Manhattan recommends:**

A. Denial of the change of a window to an entrance door because it disrupts the strict symmetry of the sister buildings and because the bridge across the areaway would cover important facade detailing in the areaway; and

B. **Approval** of the stairs, the modifications to the areaway railing, and the blade sign; and

C. In that there was no presentation for the proposed facade work, the Board relies on the Commission to ensure that the work meets the required standard and that the work is properly carried out.

**VOTE**

**2. \*66-68 West 10th St. – Application that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution based on the accompanying resolution for building improvements and maintenance.**

**Whereas:**

A. The applicant did not present the key part of the application for restoration of the facade and a maintenance program, the Commission must be relied upon to make a decision about this important aspect of the application in lieu of a public hearing on this matter; and

B. The applicant was unable to answer a question about how a “standard” restoration would differ from a restoration that would be of quality to meet the standards for a 47-711 approval.

C. The Board is recommending denial of the changing of a ground floor window to a door which would disturb the strict symmetry of the facade.

**Therefore CB2 Manhattan is unable to make a recommendation to the Commission concerning Modification of Use pursuant to Section 74-711 of the Zoning Resolution because the presentation was incomplete.**

Unanimous

**3. \*180 Waverly Pl. – Application is to add a new stair bulkhead, new roof terrace, demolish a rear extension, construct a new rear facade, elongate front parlor floor windows to match neighboring building, and replace front windows on the upper floors.**

**Whereas:**

- A. The parlor windows will be elongated as is suitable for the building and will align with the windows of the neighboring building to the north; and
- B. The rear non-historic undistinguished extensions are to be demolished; and
- C. The rear extensions are 15' at the basement, parlor and second floors in similar brick to the building and the third floor railing is in suitable simple black steel; and
- D. The lower three floors have modern four-part large windows and one small window; and
- E. The rear facade is sensitive to the house and to the houses and gardens in the immediate area; and
- F. The stucco bulkhead is marginally visible from a distance and resembles a recently approved nearby rooftop addition.

**Now therefore be it resolved** that CB2, Manhattan recommends **approval** of these sensitive modifications of a classic row house.

Unanimous

**4. \*4 Grove St. – Application is to restore historical pitch of rear roof and construct new artist studio dormer in the rear roof, install balcony at rear parlor level, and excavate garden level of rear yard.**

**Whereas:**

- A. The house is one of a row of similar small houses, all of which have had sensitive modifications and are excellent condition; and
- B. The rear façade has been altered with modern siding and the addition of a glass porch which are to be demolished; and
- C. The roof and siding for the front dormers will be re-clad in lead colored copper that is similar to material approved by the Commission in a nearby building; and
- D. The roof will be restored to its original symmetrical pitch with a 15' studio dormer window, for which several precedents in the immediate area were shown; and
- E. The rear façade windows are of historic design in the original configuration and a balcony with plain metal railing; and
- F. The rear yard is to be excavated to the basement level and the garden walls are typical to other houses in the row; and
- G. The excavation requires underpinning of the support for a patio adjacent to the garden and there is a concern about exposing the footings of the patio to freezing and thawing; and

H. Applicant represented that underpinning plan have been reviewed by the staff who found them satisfactory; now

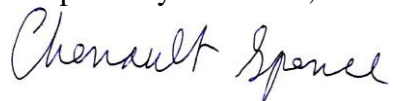
**Therefore be it resolved that CB2, Manhattan recommends:**

**A. Approval** of the sensitive, authentic restoration of the house; and

**B. Approval** of the garden excavation and wall provided that care it taken with the underpinning to ensure that is done in such a way that the footing of the neighboring patio is not compromised.

Unanimous

Respectfully submitted,



Chenault Spence, Chair

DRAFT

Proposed Amendment to the landmarks Resolutions for  
66-68 West 10<sup>th</sup> Street.

**\*66-68 West 10th St.** – Application to restore front facades, change a window at grade to a door; fill the areaway below the door, replace a stair and railing in an areaway, and install a sign.

- A. The application was first heard in January 2021 and this application is for the same general scope of work with modifications; and
- B. The pair of buildings are in the original condition and the facades are in need of restoration which the applicant represented was to be undertaken; and
- C. The applicant did not present the plans for the restoration of the facade and the Commission must be relied upon to determine that the proposed restoration meets proper standards; and
- D. The proposal is to create a door by elongating a window for ADA access to a proposed below grade restaurant which will necessitate a bridge across the areaway covering interesting detailing on the facade in the areaway and the taking of an occupied market rate apartment; and
- E. A new areaway stair that meets current regulations for egress is of similar design to the existing stairs; and
- F. The railings are to be restored with missing elements reproduced and re-installed on a higher curb and with mesh backing to conform to code; and
- G. A blade sign beside the new door was represented by the applicant as conforming to applicable regulations; and
- H. A number of residents of the building testified that the landlord has not cared for the building properly and has been unresponsive to their concerns regarding building conditions and maintenance over the years.

Now therefore be it resolved that CB2 Manhattan recommends:

- A. Denial of the change of a window to an entrance door because it disrupts the strict symmetry of the sister buildings and because the bridge across the areaway would cover important facade detailing in the areaway; and
- B. Approval of the stairs, the modifications to the areaway railing, and the blade sign; and
- C. In that there was no presentation for the proposed facade work, ~~the Board relies on the Commission to ensure that the work meets the required standard and that the work is properly carried out.~~ **that the Landmarks Commission direct the applicant to return to the Landmarks Committee of the Board for a public hearing on this important aspect of the application.**

2. **\*66-68 West 10th St.** – Application that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to

Section 74-711 of the Zoning Resolution based on the accompanying resolution for building improvements and maintenance

Whereas:

A. The applicant did not present the key part of the application for restoration of the facade and maintenance program ~~the Commission must be relied upon to make a decision about this important aspect of the application in lieu of a public hearing on this matter;~~ and **required to qualify for a 74-711 permit, this is therefore a seriously incomplete application; and**

B. The applicant was unable to answer a question about how a “standard” restoration would differ from the proposed improvements that the applicant believes meets the “first class” standard for 74-711 approval and was equally silent about the maintenance plan; and

C. The Board is recommending denial of the changing of a ground floor window to a door which would disturb the strict symmetry of the facade.

~~Therefore CB2 Manhattan is unable to make a recommendation to the Commission concerning Modification of Use pursuant to Section 74-711 of the Zoning Resolution because the presentation was incomplete.~~

**Therefore CB2 Manhattan recommends that, in view of the incomplete application which omits the two key requirements to qualify for 74-711 approval, (facade restoration and an ongoing maintenance plan), the Commission instruct the applicant to return to the Community Board for a public hearing on this matter.**

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

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

### LANDMARKS & PUBLIC AESTHETICS COMMITTEE 2 MEETING

The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held the second of two monthly meetings on December 18, 2023, by hybrid video conferencing from CB2 office conference room.

**Committee Members Present:** Chenault Spence (Chair) [Remote], Susan Gammie (Vice Chair), Valerie De La Rosa, Brian Pape, Zachary Roberts, Anita Brandt

**Board Members Absent with Notice:** Eugene Yoo, Bo Riccobono

**Public Members Present:** Andy Clark

**Public Members Absent with notice:** Albert Bennett, Brenden Fitzgerald

**Board members Present:** Carter Booth

1. **\*3 Great Jones St. - Application is to modify three masonry openings and install new windows.**

**Whereas:**

A. The facade of the building is facing a private alley and is fully visible at an oblique angle from a public thoroughfare; and

B. The present condition of the area proposed to be modified is three long windows and two windows below grade that appear to have been partly bricked up; and

C. The present condition, though rather untidy, is at, or close to, the historic condition with respect to the window openings and the windows, though likely not original are mostly of general historic types; and

D. The proposal is to span and enlarge the area of the two upper window to install a large plate glass window and to open and enlarge the windows below to install a large patio type sliding glass window, both with bronze colored metal clad wooden framing; and

E. The enlargement of the openings requires removal of a great deal of historic material including lintels and sills as well as brick, and the design, both in size and style is devoid of any attempt at historic reference; and

F. A building opposite with a small plate glass window was shown as a precedent with no verification of the time of its installation (before or after designation) or whether it had been approved by the Landmarks Commission and in any case, it appears to be within an existing opening; now

**Therefore be it resolved** that CB2, Manhattan recommends denial of the application as totally lacking in any historical reference, and because it necessitates the removal of a considerable amount of historic material and does great damage to the historic condition of the building.

Unanimous

**2. \*57 & 59 Christopher St.– Application is to construct a one-story rooftop expansion for both buildings.**

**(LAID OVER)**

**3. \*161 W. 13th St. – Application is to construct rooftop addition, construct rear yard additions, excavate the cellar and a portion of the rear yard below the extension, change a top floor window to a door, and to alter the areaway.**

**Whereas:**

- A. The areaway stairs and the gate below the entrance stairs are to be lowered 2’ and preserve the historic appearance; and
- B. The 10’10” rooftop addition in zinc cladding with a studio skylight facing the street is barely visible except for a view through the block to 14<sup>th</sup> Street across a vacant lot; and
- C. The view is typical of similar rooftop additions and is not objectionable; and
- D. The flue for the building to the east will be raised in the usual way to clear the addition; and
- E. The rear addition, approximately 8’ deep and from the existing extension, is three stories with tri-part multi- light punched windows with a full wall of French doors at the basement; and
- F. The extension is proposed to be painted a bright creamy white which, while suitable for trim, is not historic for an entire addition, and in a 3 floor high rear facade with punched windows its brightness is aggressive and detracts from the historic character of the extension; and
- G. The 4’7” deep excavation below the original house requires extensive underpinning and the applicant represented that there has been contact between the property owners with the owners of the adjacent property; and
- H. A portion of the garden is to be excavated 2’ deep to align with the basement level; now

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

A. **Approval** of the areaway and gate, the rooftop addition, the flue extension and the design of the extension; and

B. **Denial** of the painting white of the rear facade as without historic reference and far too bright and that a less contrasting color be used; and

C. **Approval** of the excavation with underpinning provided that an engineering report and plan are approved by the Commission, that all regulations and safeguards to ensure that there is no harm to the subject property are observed, and that there is dialogue with the owners of the neighboring building throughout the planning and construction time.

Unanimous

Respectfully submitted,

*Chenault Spence*

Chenault Spence, Chair

DRAFT