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

FULL BOARD MINUTES

DATE: December 19, 2023
TIME: 6:30 P.M.
PLACE: The Whitney Museum of American Art, 99 Gansevoort Street and via Zoom

BOARD MEMBERS PRESENT IN PERSON: Susanna Aaron, William Benesh, Keen Berger, Carter Booth, Anita Brandt, Ritu Chattree, Valerie De La Rosa, Chris Dignes, Mar Fitzgerald, Cormac Flynn, Anne Hager, Wayne Kawadler, Zak Kazzaz, Susan Kent, Ryder Kessler, Jeannine Kiely, Patricia Laraia, Matthew Metzger, Daniel Miller, Erika Olson, Brian Pape, Donna Raftery, Lois Rakoff, Bo Riccobono, Zachary Roberts, Rocio Sanz, Frederica Sigel, Susan Wittenberg (28)

BOARD MEMBERS PRESENT VIA ZOOM AND COUNTING TOWARD QUORUM: Katy Bordonaro, Michael Levine, Ed Ma, Dr. Shirley Smith, Eugene Yoo (5)

BOARD MEMBERS PRESENT VIA ZOOM AND NOT COUNTING TOWARD QUORUM: Amy Brenna, Rich Caccappolo, Antony Wong (3)

BOARD MEMBERS ABSENT WITH NOTIFICATION: Stella FitzGerald, Susan Gammie, David Gruber, Shirley Secunda, Kristin Shea, Emma Smith (6)

BOARD MEMBERS ABSENT: Akeela Azcuy, Julian Horky, Ivy Kwan Arce, Juan Osorio (4)

BOARD MEMBERS PRESENT/ARRIVED LATE: Chenault Spence (1)

BOARD MEMBERS PRESENT/LEFT EARLY: (0)

BOARD STAFF PRESENT: Mark Diller, District Manager; Florence Arenas, Community Coordinator, Eva Mai, Community Assistant

ELECTED OFFICIALS: Christopher Marte (NYC Council, 1st District); Erik Bottcher (NYC Council, 3rd District); Deborah Glick (NYS Assembly, 66th District).

ELECTED OFFICIALS’ REPRESENTATIVES: U.S. Rep. Daniel Goldman’s Office (Mayra Molina); NYS Senator Brian Kavanagh’s Office (Stacie Johnson); NYS Senator Brad Hoylman-Sigal’s Office (Caroline Wekselbaum); NYS Assembly Member Grace Lee’s Office (Jasper Scott); Manhattan Borough President Mark Levine’s Office (Andrew Chang); NYC Council Member Erik Bottcher’s Office (Nicole Barth).

MEMBERS OF THE PUBLIC AND APPLICANTS: Scott Rothkopf, Susanna Aaron

MEETING SUMMARY

Meeting Date – December 19, 2023

Board Members Present – 36:

 In Person – 28;

 via Zoom Counting toward Quorum – 5;

 via Zoom not Counting toward Quorum – 3

Board Members Absent with Notification – 6

Board Members Absent – 4

Board Members Present/Arrived Late – 1

Board Members Present/Left Early – 0

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II. PUBLIC SESSION

Scott Rothkopf – Executive Director, The Whitney Museum of American Art

- Welcome to The Whitney
- Privilege to take on the role of Executive Director after 14 years as a Director and Chief Curator.
- The “North Star” for the Whitney is its focus:
 - On artists, and
 - On Community.
- Expanded free admission – creating a first-of-its-kind free admission program.
 - Currently, The Whitney offers pay-what-you-wish Friday nights.
 - New program – Friday nights will be free from 5-10 pm
 - New Program – Second Sundays – starting in January, admission is free on the second Sunday of the month.
 - Free for All – not just NYC residents.
- Expanded free admission is one manifestation of The Whitney’s commitment to serving a younger and more diverse cross-section of the population.
- Furthering The Whitney’s mission to be more inclusive.
- Able to offer this expanded free admission in part thanks to a generous contribution from the Alice Walton Foundation.

Susana Aaron (CB2 Member speaking as a member of the public):

- Sounding the alarm on the proposed closing of Beth Israel Hospital.
- Lenox Health Greenwich Village does not have the capacity to absorb the overflow in its Emergency Department.
- Those who use Beth Israel must have somewhere to go – the Emergency Departments at NYU and at Bellevue are already at capacity.
- Encourage everyone to let voices in opposition be heard.
- Concern that the NYS Department of Health has not participated in any public forums or outreach on this matter, even though the proposed closing requires NYS DoH’s approval.

ADOPTION OF AGENDA

The agenda was adopted by voice vote.

III. ELECTED OFFICIALS’ AND REPRESENTATIVES’ REPORTS

Reports from Elected Officials and Staff Members:

Christopher Marte, NYC Council Member, 1st District:

- Concerns regarding the City of Yes for Economic Opportunity Text Amendment, including:
 - Commercial uses in residential buildings on upper floors – the fine print matters.

- Need stronger protections for residential tenants located next to new proposed commercial uses to avoid disruptions due to noise, equipment and odor.
- Especially concerned for potential commercial uses in residential portions of NYCHA and Mitchell-Lama buildings.
- Also concerned about expanding manufacturing uses in residential buildings.
- Carrying a bill to require anti-discrimination training for home health care workers.
- Participatory Budgeting – window for idea generation is closing – budget delegates will vet proposals received with agencies.
- Signed onto a joint letter from the City Council Progressive Caucus opposing the proposed requirement to limit asylum-seekers and immigrants to 60 days in the NYC Shelter system.
- Supports legislation to limit the Mayor’s power over Shelter stays.

Deborah Glick, NYS Assembly, 66th District:

- Governor signed the bill banning the slaughter of horses for animal food – concern that medications ingested by horses should not re-enter the food supply.
- Carrying a bill to prevent neurotoxin releases.
- Concern that the Merchant’s House Museum – an historic landmark – is under threat from aggressive construction – examples of damage to historic structures elsewhere in the District from aggressive excavation and construction techniques (e.g. 12-14 Fifth Avenue; East 14th Street; 8th Avenue).
 - NYC DOB did not ensure facades were secure.
- Concern over the loss of affordable residential units when apartments are renovated to become single-family units.
- Maximizing affordable housing at 388 Hudson is a priority.
- Not giving up on the prospect of affordable housing replacing the federal garage at 2 Howard Street – not appropriate to house cars when people are sleeping on our streets.
- Supports Sammy’s law to return local control over speed limits.
- Proposed closing of Beth Israel Hospital:
 - Latest insult is the loss of the residency program in Family Medicine at this location even though hospital is still open.
 - Information about the proposal was learned from Crain’s business publications, not from Mount Sinai itself.
 - NYS Department of Health must approve any hospital closure – in this case the proposed closure would be less than 10 years after Mount Sinai acquired the facility.
 - Attorney General involved – looking at whether the benefits of being a registered Charity could affect the outcome.
- Congestion Pricing will go into effect in the Spring – detection points being installed. Public hearings in February.
 - Support for exemption for local uses.

Erik Bottcher – NYC Council, 3rd District:

- Concern for abandoned sidewalk news boxes – an example of a small quality of life issue that is dispiriting to live with. NYC DoT does not have adequate tools to deal with these sorts of nuisances. Proposing legislation to require sponsor’s identification and contact information on news boxes, and to require the boxes be maintained.
- Scaffolding/sidewalk bridglets – proposing legislation to set a time limit within which a permit for façade or building repair work must be sought and kept current measured from when the scaffolding is installed.

- Seeking enforcement of Pedicabs' brazen rule breaking, including the number of unlicensed pedicabs plying the streets.
 - Concern that pedicabs have been playing music so loud that they interrupt Broadway shows while waiting for patrons to emerge.
 - Wrote to NYPD and the Department of Consumer and Worker Protection seeking enhanced enforcement.
- Housing crisis – met with the Executive Director of the Furman Center on need to address the housing shortage. Need to re-examine opportunities for housing especially in communities that have not contributed to recent efforts to increase the housing stock. We need walkable, mixed-use neighborhoods.
- The 60-Day rule for immigrants in our Shelters is damaging, especially to children in schools whose commutes may be drastically affected.

Office of NYS Assembly Member Grace Lee, 65th District - Jasper Scott reported:

- Supporting Seniors in NYCHA facilities
- With the Manhattan Borough President, donating and funding the installation of RING doorbell cameras at the Henry Street Settlement for added security.
- Supporting enhanced enforcement against illegal cannabis shops:
 - Compiling a list to address with landlords of such shops – welcomes public input on locations.
 - A-M participated in a recent raid that seized illegal cannabis products.

Office of NYC Council Member Erik Bottcher, 3rd District –Nicole Barth reported:

- Participatory Budgeting proposals still being accepted - 40 submissions have been received to date and are being vetted.
- Housing Clinic every 2nd Tuesday; SCRIE/DRIE clinics every 2nd Thursday.
- Council-Member hosting a holiday caroling night on Wednesday, December 20th.

Office of Mark Levine, Manhattan Borough President, Andrew Chang reported:

- Recently released a report the mental health services needed to address the serious mental health needs of those not currently treated, including the homeless. Highlights the need for additional beds in mental health facilities for those with serious mental health issues.

Office of U.S. Representative Dan Goldman, 10th Congressional District – Mayra Molina reported:

- Rep. Goldman supporting the Green New Deal for public schools.
- Appealing to limit deportations to war zones.

Office of NYS Senator Brian Kavanagh, 27th District - Stacie Johnson reported:

- The Governor signed S5941B requiring consumers to receive notice of automatic renewals of subscription services/charges.
- Attended conference at The White House on gun violence prevention.
- Notifying landlords of illegal cannabis shops – first step in enhanced enforcement under 2023 laws.
- Hosting an information session on the Environmental Bond Act.

Office of NYS Senator Brad Hoylman-Sigal, 47th District - Caroline Wekselbaum reported:

- Wrote letter to the Board of Elections challenging whether former President Trump should be permitted to appear on the NYS Primary ballot.
- Preparing for the next session in Albany in January – Chairing the NYS Senate Judiciary Committee.
- Shares concerns for public school children who will be evicted under the 60-Day Rule.

ADOPTION OF MINUTES

The minutes of the November 2023 Full Board were adopted.

IV. BUSINESS SESSION

Chair's Report: Susan Kent:

- Thanks to The Whitney for the use of their beautiful space.
- Borough Board Update: discussion of an additional Text Amendment proposing to allow gaming operations in certain districts – no such uses expected under the proposed text amendment in CB2's District. It appears that the text amendment will only have effect at three specific sites outside our District.
- Open Meetings Law hearing at the Manhattan Borough President's Office:
 - It is clear that the current system, including the quorum requirements, must change – the question is in what way.
 - The provisions of the OML, including recent amendments, were not enacted with an appropriate consideration of the situation of Community Boards or their members.
- Announcing the resignation of colleague Dr. Cheryll Wu – who moved out of the District.

District Manager's Report: Mark Diller:

- Grateful for the support of The Whitney Staff – several hours of testing this afternoon to ensure the hybrid meeting would proceed as intended.
- District Office will remain staffed through the Holidays.
- Continuing to collaborate on constituent services issues with Electeds and their Staffs. Grateful for the team approach. Particular focus on Washington Square Park, Sixth Avenue corridor and 8th Street activities.

V. STANDING COMMITTEE REPORTS WITH RESOLUTIONS

CANNABIS LICENSING

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

WHEREAS, Community Board 2 (CB2, Man.) 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.

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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

WHEREAS, Community Board 2 (CB2, Man.) 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, Man. 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; and

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, Man.; 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, Man. 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 CB2, Man. recommends **denial** of the new Adult-Use Retail Dispensary License for Miguel Bernard, Blazin Up, LLC, 178 Bowery, New York, NY 10012 **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](#).

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

**3. 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

WHEREAS, Community Board 2 (CB2, Man.) 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 Playground¹ 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

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

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

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

WHEREAS, concerns were raised as to the close proximity to Di Salvo 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, Man. 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, Man. CLC
- Conduct outreach to the community near the proposed location

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new Adult-Use Retail Dispensary License for Jessica Lindsey, Joshua Foulquier, David Foulquier, Friendly Flower 2, Inc., 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](#).

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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

WHEREAS, Community Board 2 (CB2, Man.) 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](#).

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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

WHEREAS, Community Board 2 (CB2, Man.) 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 website² and social media³; and

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, Man. Cannabis Applicant Questionnaire; and

WHEREAS, the Applicant submitted that he was a CAURD (Conditional Adult-Use Retail Dispensary program) licensee on the CB2, Man. 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 Queens⁴; 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 agreement⁵; 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

² <https://www.lustysmokeshop.com/>

³ <https://www.instagram.com/luxuryloso/reel/CzT1p49OTju/>

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

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

- 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 10012, 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](#).

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

6. 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

WHEREAS, Community Board 2 (CB2, Man.) 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, Man. 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 but later submitted community support documents with over eighty signatures; and

WHEREAS, CB2, Man. 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)

- 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 CB2, Man. 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](#).

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

7. 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

WHEREAS, Community Board 2 (CB2, Man.) 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 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, Man. 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 CB2, Man. 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](#).

Vote: Passed, with 33 Board members in favor, 1 abstention (R. Kessler), and 2 recusals (M. Metzger, R. Sanz).

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

WHEREAS, Community Board 2 (CB2, Man.) 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 CB2, Man. 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](#)

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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

WHEREAS, Community Board 2 (CB2, Man.) 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 Establishments⁶, 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, Man. 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 CB2, Man. recommends **denial** of the new Adult-Use Retail Dispensary License for Mocha Joint 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](#).

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

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

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

WHEREAS, Community Board 2 (CB2, Man.) 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 Establishments⁷, 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, Man. 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

⁷ <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 CB2, Man. 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](#).

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

11. Rachel Katz, Rosebud Cafe

37 Cornelia Street, 10014 (bet Bleecker St. & Cornelia Street)
New Application for Adult-Use Retail Cannabis License

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 Outlet⁸, 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

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

⁸ https://www.instagram.com/ny_cbd_smokeshop/?hl=en

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 School⁹ across the street which is located on the same block and lot as Our Lady of Pompeii Catholic Church¹⁰; 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](#).

Returned to Committee

12. 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

⁹ <https://greatoaksnyc.org/>

¹⁰ <https://www.olpnyc.org/>

WHEREAS, Community Board 2 (CB2, Man.) 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 23¹¹ 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 declined 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 School¹² at 10-20 Clarkson Street and 150-160 Houston Street with its campus bordering 7th Avenue South; and

WHEREAS, concerns were raised about the proposed dispensary's close proximity to J.J. Walker Park¹³ 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

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

Failure to:

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

¹² <https://www.cityas.org/>

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

- 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 CB2, Man. 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](#).

Vote: Passed, with 33 Board members in favor, 1 in opposition (R. Sanz), 1 abstention (R. Kessler), and 1 recusal (M. Metzger).

HUMAN SERVICES

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
- 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,¹⁴ 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
- 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: Unanimous, 36 Board Members in favor

¹⁴ <https://www.nyc.gov/office-of-the-mayor/news/140-23/mayor-adams-ambitious-mental-health-agenda-focused-improving-family-child-mental#/0>.

LANDMARKS AND PUBLIC AESTHETICS

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, Man. 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: Unanimous, with 36 Board members in favor.

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, Man. 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.

Vote: Unanimous, with 36 Board members in favor.

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, Man. recommends **approval** of these sensitive modifications of a classic row house.

Vote: Unanimous, with 36 Board members in favor.

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, Man. recommends:

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

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

Vote: Unanimous, with 36 Board members in favor.

5. *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, Man. 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.

Vote: Unanimous, with 36 Board members in favor.

6. *57 & 59 Christopher St.- Application is to construct a one-story rooftop expansion for both buildings.

(LAID OVER)

7. *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 14th 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 tripart 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, Man. 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.

Vote: Unanimous, with 36 Board members in favor.

SCHOOLS AND EDUCATION

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

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;¹⁵
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;¹⁶
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 Law¹⁷ in the following way: “The McKinney-Vento Act¹⁸ 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:
 - 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 comparable¹⁹ to those provided to other students, according to each student’s need.²⁰
5. **WHEREAS**, a diverse group of organizations and individuals, including the New York Legal Assistance Group²¹, the Legal Aid Society, the Coalition for the Homeless, the New

¹⁵ <https://www.nytimes.com/2023/10/18/nyregion/migrants-shelter-nyc.html>

¹⁶ <https://nche.ed.gov/legislation/mckinney-vento/>

¹⁷ <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/>

¹⁸ <https://www.nysed.gov/essa/mckinney-vento-homeless-education>

¹⁹ 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).

²⁰ <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim>

²¹ <https://nylag.org/statement-nylag-condemns-new-60-day-shelter-policy-for-migrant-families/>

York Immigration Coalition²², Advocates for Children²³, and a coalition of more than 135 doctors, nurses, hospital administrators, and other healthcare workers²⁴, 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.*²⁵

7. **WHEREAS**, during the 2021-22 school year 72% of students residing in temporary housing were chronically absent²⁶, which is defined under Chancellor's Regulation A-210 III.D. as an attendance rate of less than 90%²⁷;

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, including but not limited to decreases in test scores and high school graduation rates²⁸, 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%).

²² <https://www.nyc.gov/2023/10/adams-again-attacks-right-to-shelter-endangering-child-asylum-seekers/>

²³ <https://www.advocatesforchildren.org/node/2261>

²⁴ <https://drive.google.com/file/d/1dizKBtnOI8FPMEQAwTKhLsLML8pvihKt/view>

²⁵ <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/>

²⁶ <https://www.nydailynews.com/2023/10/28/education-of-migrant-children-threatened-by-nyc-60-day-shelter-limit/>

²⁷ <https://www.schools.nyc.gov/docs/default-source/default-document-library/a-210-english>

²⁸ <https://nepc.colorado.edu/publication/student-mobility>;

https://www.advocatesforchildren.org/sites/default/files/library/up_against_the_odds_2006.pdf?pt=1

- 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%²⁹.
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 serve³⁰.
 14. **WHEREAS**, school bus delays have been endemic over the last several years³¹, 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.”³²;

²⁹ <https://www.icphusa.org/reports/disparities-in-academic-achievement/#overview>

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

³¹ <https://ny.chalkbeat.org/2022/11/21/23472253/nyc-school-bus-delay>

³² <https://www.hhs.gov/answers/programs-for-families-and-children/what-is-child-abuse/index.html>

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.”³³

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 condemns the 60-Day rule as educational abuse, 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, 36 Board Members in favor

SLA LICENSING 1

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

³³ <https://ocfs.ny.gov/programs/cps/definition.php>

- 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, 35 Board Members in favor.

- 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: Passed, 32 Board Members in favor, 3 against (R. Kessler, M. Metzger, R. Sanz).

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 Wie 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 Omakese-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, 35 Board Members in favor.

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: Passed, 33 Board Members in favor, 2 against (M. Metzger, R. Sanz).

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 3rd 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, 35 Board Members in favor.

6. **Union Square Rice LLC dba Glaze Teriyaki 110 University Pl aka 21 East 12th 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 12th 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 12th 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, 35 Board Members in favor.

- 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, 35 Board Members in favor.

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, 35 Board Members in favor.

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 Yakatori 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, 35 Board Members in favor.

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, 35 Board Members in favor.

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 8th 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, 35 Board Members in favor.

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, 35 Board Members 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, 35 Board Members 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, 35 Board Members 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, 35 Board Members 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, 35 Board Members 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, 35 Board Members 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, 35 Board Members 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, 35 Board Members 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, 35 Board Members in favor.

SLA LICENSING 2

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 12th 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 12th 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: Passed, 35 Board Members in favor, 1 against (Z. Kazzaz).

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 7th Avenue South between Grove, Barrow and West 4th 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.

Note: Unanimous, 36 Board Members in favor.

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 14th 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, 36 Board Members in favor.

4. Savta NYC LLC 259 Blecker 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 Blecker 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 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, 36 Board Members in favor.

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, 36 Board Members in favor.

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: Passed, 34 Board Members in favor 2 against (C. Dignes, R. Sanz).

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 7th 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, 36 Board Members in favor.

8. Mino Wine Bar, LLC dba Mino Brasserie 225 W. 12th 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 12th 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 12th 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 4th 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 4th 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 12th 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 4th 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. 12th 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: Passed, 31 Board Members in favor, 5 against (C. Dignes, R. Kessler, M. Metzger, E. Olson, R. Sanz).

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, 36 Board Members in favor.

10. Capo Del Cibo Inc. dba TBD 213 6th 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 6th 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, 36 Board Members in favor.

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, 36 Board Members in favor.

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 Bank and West 12th 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, 36 Board Members in favor.

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 #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 **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, 36 Board Members 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, 36 Board Members 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, 36 Board Members 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, 36 Board Members 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, 36 Board Members in favor.

STREET ACTIVITIES AND RESILIENCE (formerly Quality of Life)

- 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 10th 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, Man. recommends **approval** of **Pinterest POP-UP 2023**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Passed, with 35 Board members in favor, and 1 recusal (D. Raftery).

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, Man. members raised concerns around potential sound and music associated with the event; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of **Hempz – NYFTA at West Broadway**.

Vote: Unanimous, with 36 Board members in favor.

3. 12.13.23 – Valentino Beauty Holiday Double Decker Bus (Sponsor: Valentino Beauty Holiday Double Decker Bus), 9th Ave. 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 9th 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 9th 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, Man. recommends **approval** of **Valentino Beauty Holiday Double Decker Bus (Sponsor: Valentino Beauty Holiday Double Decker Bus), 9th Ave. bet. Little W. 12th & W. 13th Sts., provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements; and

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

Vote: Passed, with 35 Board members in favor and 1 recusal (D. Raftery).

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. Bleecker & 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 CB, Man. 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, Man. recommends **denial** of **YankeeKicks Grand Opening.**

Vote: Unanimous, with 36 Board members in favor.

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 11th and 12th, with the Gondola being on site on the sidewalk on December 13th and 14th, and with load-out on December 15th; 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, Man. recommends **approval** of **Amazon Faves, provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Unanimous, with 36 Board members in favor.

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, Man. generally recognizes the overall low impact of such a short event, but cannot support the use of an illegal LED billboard truck; now

Therefore Be It Resolved that CB2, Man. 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: Unanimous, with 36 Board members in favor.

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 16th; 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, Man. recommends **approval** of **Bleecker Street Holiday Block Party 2023, provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Unanimous, with 36 Board members in favor.

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 31st and February 2nd, with setup beginning at 5 AM on the 31st 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, Man. continues to oppose the use of Gansevoort Plaza for purely commercial activations; now

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

Vote: Passed, with 35 Board members in favor, and 1 recusal (D. Raftery).

FYI: Renewals

- 1. 2.1.24 – Mt Sinai Mobile Van – Prostate Cancer Screening (Sponsor: Mount Sinai Hospital), Hudson St. bet. Charlton & Vandam Sts. [curb lane-E.]**
- 2. 3.23.24 – Astor Place Spring Fair (Sponsor: Stonewall Democratic Club), Astor Pl. bet. Broadway & Lafayette St. [full street closure]**
- 3. 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]**
- 4. 5.4.24 – Grace Church School 68th Annual May Fair (Sponsor: Grace Church School), E. 10th St. bet. Broadway & 4th Ave. [full street closure]**

5. 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, Man. recommends **approval** of these renewal applications **provided that** the applications conform with all applicable laws, rules, and regulations.

Vote: Unanimous, with 36 Board members in favor.

Vote: Unanimous, with 36 Board members in favor.

TRAFFIC AND TRANSPORTATION

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, with 35 Board members in favor.

**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.

Respectfully submitted,
Amy Brenna, Secretary; Brian Pape, Assistant Secretary; Mark Diller, District Manager
Community Board #2, Manhattan