

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



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

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

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

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

FULL BOARD MEETING AGENDA

DATE: Thursday, January 18, 2024
TIME: 6:30 PM
PLACE: In Person at PS 130, The DeSoto School, 143 Baxer Stret, and Remotely Via Zoom

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

II. ADOPTION OF AGENDA

III. REPORTS TO THE PUBLIC

- | | |
|-------------------------------|--------------|
| 1. Elected Officials' Reports | |
| 2. Borough President's Report | Andrew Chang |
| 3. Chair's Report | Susan Kent |
| 4. Treasurer's Report | Antony Wong |
| 5. District Manager's Report | Mark Diller |

BUSINESS SESSION

V. APPROVAL OF THE DECEMBER FULL BOARD MINUTES

VI. ADOPTION OF THE FEBRUARY, MARCH AND APRIL 2024 MEETING CALENDAR

VII. RESOLUTIONS FROM STANDING COMMITTEES

- | | |
|-----------------------------------|-----------------------------|
| 1. Landmarks 1 and 2 | Chenault Spence |
| 2. Land Use | Katy Bordonaro & Eugene Yoo |
| 3. Street Activities & Resiliency | William Benesh |
| 4. SLA Licensing | Donna Raftery |
| 5. Cannabis Licensing Committee | Mar Fitzgerald |
| 6. Executive | Susan Kent |

VIII. NEW BUSINESS

ADJOURNMENT

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



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

Treasurer Report - Jan 2024
FY: July 1, 2023 to June 30, 2024

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	Fiscal Yr Projection		Current	
Accounts				
Street Fair Funds - Beginning July 1, 2023	\$	68,519.00	\$	68,519.00
Revenues				
City Funds ¹	\$	273,428.00	\$	273,428.00
Discretionary Funds - CM Marte	\$	6,000.00	\$	6,000.00
Street Fair Funds - FY24	\$	5,643.86	\$	-
	\$	353,590.86	\$	347,947.00
Expenses				
<i>Personnel Services (PS)</i>				
Staff ²	\$	(200,263.00)	\$	(107,808.29)
<i>Other Than Personnel Services (OTPS)</i>				
Equipment & Software / Copy Machine	\$	(10,000.00)	\$	(1,891.11)
Misc/Office Transport	\$	-	\$	(246.32)
Postage	\$	(300.00)	\$	-
Professional Services	\$	(20,000.00)	\$	(16,368.75)
Space Rental	\$	(500.00)	\$	-
Supplies	\$	(500.00)	\$	(454.11)
Tech Subscriptions/Services	\$	(5,000.00)	\$	(2,721.26)
Telephone Services	\$	(2,926.00)	\$	-
	\$	(239,489.00)	\$	(129,489.84)
Balance	\$	114,101.86	\$	218,457.16

¹ Revised total budget.

² Revised projection.

Revised: Jan 16, 2024

February 2024						
◀ January						March ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 TRAFFIC & TRANSPORTATION	2	3
4	5 STREET ACTIVITIES & RESILIENCY	6 SLA-1 CANNABIS LICENSING	7 PARKS & WATERFRONT	8 SLA-2 HUMAN SERVICES joint with CB6 HEALTH & HUMAN SERVICES re BETH ISRAEL	9	10
11	12 SCHOOLS & EDUCATION	13 LANDMARKS 2 (if needed)	14 LAND USE	15 LANDMARKS	16	17
18	19 PRESIDENT'S DAY	20 EXECUTIVE	21	22 FULL BOARD	23	24
25	26	27	28	29 HUMAN SERVICES		

March 2024						
◀ February						April ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 STREET ACTIVITIES & RESILIEINCY	5 SLA-1 CANNABIS LICENSING	6 PARKS & WATERFRONG	7 SLA-2 TRAFFIC & TRANSPORTATION	8	9
10	11 SCHOOLS & EDUCATION	12	13 LAND USE	14 LANDMARKS	15	16
17	18 LANDMARKS 2 (if needed)	19 EXECUTIVE	20	21 FULL BOARD	22	23
24	25	26	27	28 HUMAN SERVICES	29 GOOD FRIDAY	30
31						

April 2024						
◀ March						May ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 STREET ACTIVITIES & RESILIENCY	2 SLA-1 CANNABIS LICENSING	3	4 SLA-2 TRAFFIC & TRANSPORTATION	5	6
7	8 SCHOOLS & EDUCATION	9	10 LAND USE	11 LANDMARKS	12	13
14	15 LANDMARKS 2 (if needed)	16 EXECUTIVE	17	18 FULL BOARD	19	20
21	22 PASSOVER BEGINS AT SUNDOWN	23	24	25 HUMAN SERVICES	26	27
28	29	30				



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LANDMARKS AND PUBLIC AESTHETICS COMMITTEE 1

The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held its first monthly meeting on January 9, 2024, by hybrid video conferencing from CB2 office conference room.

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

Board Members Absent with Notice: Zachary Roberts

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

Public Members Absent with notice: Albert Bennett

Guests: Dena Tasse-Winter (Village Preservation)

CB2 Board Members Present: Donna Raftery (remote)

A quorum was present in the room.

1. *801 Greenwich St. – Application is to convert the existing office building to five residential units with ground floor retail, construct new masonry stair and elevator bulkhead and install mechanical units with fenced enclosure.

Whereas:

- A. The bulkhead providing increased stairway access to the roof and an adjacent elevator bulkhead are in brick and a lower mechanical equipment enclosure toward the back is in dark painted metal; and
- B. The side wall of the bulkhead that is above the building's visible party wall is in a contrasting material and would be less conspicuous if it were built of brick matching the side wall.
- C. The applicant represented that the elevator bulkhead is the lowest that is available for the purpose; and
- D. Photographs of the mockup show visibility in line with the norm in the neighborhood for buildings of this type; and
- E. There was concern expressed about the extent of staff approval, rather than a public hearing, for the window replacements and the ground floor; now

Therefore, be it resolved that CB2, Manhattan recommends approval of this application provided that the side wall of the bulkhead be aligned with the building's visible party wall below and built of brick to match.

2. *803 Greenwich St. – Application is to convert the existing 3 family building to a single family and construct a new masonry stair, elevator bulkhead and install mechanical units with fenced enclosure. (Will be reviewed at LPC staff level)

3. *307-309 Sixth Ave. – Application is to demolish the existing buildings and construct a new building.

Whereas:

- A. The two buildings proposed for demolition are much altered and the structures have no discernible architectural or historic value; and
- B. The two lots are being built on as one with varying heights reflecting the separate zoning areas; and
- C. The front facade is six stories with pairs of narrow and tall recessed casement windows, atypical of the district, and faced with a modern Roman 3" x 12" brick, with limestone trim and cornice, and features distinctive modern convex and concave masonry framing five rows of six windows with a central division; and
- D. Despite the proposal's reference to the rich examples of tenement architecture in the Greenwich Village Historic District Extension II, the framing of the facade, and size and type of windows show a lack of any meaningful relationship to the historic punched windows and the interaction of the horizontal and vertical banding in facades of the tenement buildings of this district, and thereby contribute to a façade that unduly asserts itself into the streetscape and seems more appropriate in SoHo; and
- E. A penthouse with window walls and stucco and expanses of reflective glass barriers is placed three feet from the front facade; and
- F. The storefront is minimal modernist with no historic reference to the district; and
- G. The penthouse is visually aggressive and clearly asserts itself as an unattractive seventh story rather than a minimally visible rooftop structure, especially in that it lacks an adequate setback similar to others in the district; and
- H. The lot line party walls are brick and are acceptably visible similar to other buildings in the district, but carry over the front façade modern Roman brick onto these side facades rather than using the common brick that is characteristic of the district; and
- I. There is minimal excavation in the open space behind the building and is not adjacent to any existing structures; now

Therefore be it resolved that CB2, Manhattan recommends:

- A. **Approval** of the demolition of the two existing buildings of no historic or architectural value; and
- B. **Approval** of the massing of the building and its side and rear walls; and
- C. **Denial** of the front facade design, including the metal storefront, the windows' size, proportion and operation, the concave and convex vertical design of the columns, and the proportion of masonry to glass, a clearly contemporary design without reference or respect to the specific rich historic character of the district; and
- D. Denial of use of any brick other than common brick on lot line façades.

Unanimous

Respectfully Submitted,

Chenault Spence

Chenault Spence, Chair

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



Antony Wong, *Treasurer*
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LANDMARKS AND PUBLIC AESTHETICS COMMITTEE 2

The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held its second monthly meeting on January 11, 2024, by hybrid video conferencing from CB2 office conference room.

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

Board Members Absent with Notice: Bo Riccobono

Board Members Absent without Notice: None

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

Public Members Absent with notice: Albert Bennett

Board members: Carter Booth (remote)

Guests: Dena Tasse-Winter (Village Preservation) (remote)

A quorum was present.

1. *180 Waverly Pl. - Application previously heard to be modified with changes to the rooftop addition and addition of an elevator bulkhead on the roof and alterations to a window on the rear facade, and modify the chimney.

Whereas:

A. The application was previously heard and the applicant has made modifications to the rooftop bulkhead with mechanical screening, addition of an elevator bulkhead, and modifications to a window to accommodate the elevator; and

B. The stair bulkhead has been made smaller and there is a mechanicals screen above it; and

C. A third-floor rear window will be removed and replaced with brick infill to cover the elevator shaft creating a disturbing condition in the symmetrical facade; and

D. The change in visibility results in a minimal increase in the visibility of the mechanical screen; and

E. The chimney is less visible from a public thoroughfare; and

F. The rear cornice is slightly modified to accommodate the brick infilled window opening; now

Therefore be it resolved that CB2, Manhattan recommends:

A. **Approval** of the modifications to the chimney, the stair bulkhead, the mechanical screen, and the addition of the elevator bulkhead; and

B. Introduction of historic detail to the windows on the rear facade (heard in the prior presentation); and

C. **Denial** of the brick infill of the third floor window, that the window be preserved and an interior solution be devised to mask the elevator shaft.

Unanimous

2. *121 Waverly Pl. – Application is to replace one-over-one double-hung windows in kind at existing openings of the front facade

Whereas:

A. The present condition of one over one windows is documented as early as the 1940s tax photograph and existed at the time of designation; and

B. The house is a lone row house between two large buildings with much of its historic detailing missing; and

C. The existing one over one wooden windows are to be replaced in kind; now

Therefore be it resolved that CB2, Manhattan recommends approval of the replacement in kind of windows that are typical of modifications to similar buildings in the district, date at least to the 1940s, and existed at the time of designation.

Unanimous

3. *57 & 59 Christopher St. – Application is to construct a one-story rooftop expansion for the two buildings.

Whereas:

A. The modifications are proposed to be carried out in connection with extensive rebuilding after fire damage in order to increase headroom at top floor to make it a usable living space; and

- B. The location, facing a small park and open avenue, affords clear visibility of the front of the building from near and far; and
- C. The “crawl space attic” at the front of the building is to be heightened with a pitched front wall and punched windows and a new cornice to provide occupiable space; and
- D. The slight pitch of the roof is only from the façade and is an incomplete “mansard” type roof, with a standing seam brown face and small punched windows, and results in fake look where a steeper pitch (eliminate tiny roof deck) with tall glazing would have less visibility and evoke historic studio windows as was the stated intention of the applicant; and
- E. The bulkhead is being modified to accommodate increased height of the stairs, to give rooftop access and is clad in standing seam metal and is not objectionably visible; and
- D. The cornice and inconspicuous light mesh safety railing do not detract from the building; and
- E. The front and rear facades and windows will be restored, replacing degraded material in kind where necessary, preserving the existing design; and
- F. A representative from Village Preservation and a member of the public gave testimony noting the property’s proximity to an individual landmark (Stonewall Inn) and a National Historic Site (Christopher Park), now

Therefore be it resolved that CB2, Manhattan recommends:

- A. **Approval** of the bulk of the rooftop addition, modification of the stair bulkhead, restoration of the front and rear facades, cornice, and railing; and
- B. **Denial** of the front facade rooftop addition unless the pitch is increased and the amount of glazing is increased to lessen visibility and to evoke a historic artist’s studio window.

Unanimous

4. *670 Broadway – Application is to construct a rooftop bulkhead (elevator) and additions.

Whereas:

- A. The location of the bulkhead, adjacent to the existing elevator, is dictated by the structure of the building and is in the least visible practical location and is code conforming; and
- B. The visible walls of the addition are in brick matching the existing elevator bulkhead and the non-visible walls are grey metal; and
- C. The visibility is typical of similar rooftop structures in the district and does not detract from the building; and

D. Members of the public had questions about the application which were satisfactorily answered;
now

Therefore be it resolved that CB2, Manhattan recommends **approval** of the application.

Unanimous

5. *67 Greene St. – Application is to remove and replace diamond plate platform at sidewalk; construct new steps and install handrails; and replace damaged steel beams.

A. The existing diamond plate is in poor condition and structural work at the cellar level is also required; and

B. The portion of the platform in front of the two doors is to be lowered to the sidewalk level with two steps(which would benefit from nosing)and landing at the entrances, and there are simple metal railings; and

C. The platform sections in front of the show windows are to be lowered to sidewalk grade; and

D. Similar diamond plate material to the existing will be used throughout; and

E. These modifications are similar to those approved by the Commission at the matching building next door; and

F. The vertical pipe from a historic fire suppression system is to be retained, preserving this important historic artifice of the district; and

G. It is noted that ADA access is not provided, as has been successfully carried out in similar buildings in the district, by lowering the entrances to grade or adding an exterior ramp; and

H. It is noted that very similar buildings, especially those located next to one another and that are matching, in the district are undergoing widely divergent modifications with the loss of the unity that is an important feature of SoHo cast iron buildings; and

I. A member of the public had questions and comments about the ADA aspects of the application;
now

Therefore be it resolved that CB2, Manhattan recommends:

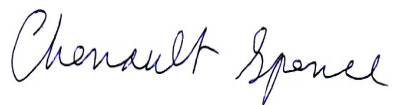
A. **Approval** of removal of the platform, reconfiguration of the entrances provided that the steps are modified to provide nosing, and

B. Replacing the diamond plate in kind; and

C. That the applicant provide ADA access at the two entrances.

Seven in favor; Two opposed (V. De La Rosa-Board member), Brenden Fitzgerald-Public member).

Respectfully submitted,

A handwritten signature in cursive script that reads "Chenault Spence".

Chenault Spence, Chair

DRAFT

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



Antony Wong, *Treasurer*
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LAND USE & HOUSING COMMITTEE

January 2024 Report to Full Board

Land Use and Housing has had two public meetings and two informational sessions since the November Full Board Meeting.

On November 13, 2023, Land Use and Housing hosted a presentation on City of Yes Economic Opportunity (COYEO) by the NYC Department of City Planning (DCP).

On November 27, 2023, Land Use and Housing hosted a presentation on the Opportunity COYEO by George Janes, Planning Consultant. Janes was hired by MCB2 to perform an analysis of the COYEO zoning text and point out which sections would affect MCB2 the most. In a series of follow-ups, he presented additional findings to the Committee specific to the Special SoHo-NoHo Mixed Use District and the Special Little Italy District.

Public Meeting #1

December 13, 2023

Manhattan Community Board 2 Land Use & Housing committee met Wednesday, December 13, 2023@ 6:30 PM in person at CB 2's Conference Room and virtually

Land Use committee members present: Katy Bordonaro (Co-Chair), Eugene Yoo (Co-Chair, remote counts for quorum), Donna Raftery, Frederica Sigel, Stella Fitzgerald, Carter Booth, , David Gruber, Michael Levine (remote counts for quorum), Bo Riccobono (remote), Susan Wittenberg

Land Use committee members absent with notice: Anita Brandt

Land Use committee members absent without notice: none

Land Use public members present: John Paul DeVerna

Land Use public members absent with notice: Sean Sweeney

CB2 members present: Susan Kent (CB2 chair) and Valerie de la Rosa

Roy Ruiz of Assemblymember Deborah Glick's Office

Conor Allerton of City Councilmember Christopher Marte's Office

Whereas the Committee has reviewed the COYEO proposals and comments on them by George Janes, Planning Consultant to CB2, and Conor Allerton, Staff Planner for Councilmember Chris Marte; and

Whereas the Committee has many questions and concerns about the COYEO.

Therefore be it resolved that the Committee requests the Co-chairs to draft a resolution, include any comments and concerns on the 18 proposals NYC DCP presented on November 13, and submit it to the Committee for further comment.

Motion passed unanimously.

Public Meeting #2

January 10, 2024

**Manhattan Community Board 2 Land Use & Housing committee met
Wednesday, January 10, 2024 @ 6:30 PM in hybrid manner**

Land Use committee members present: Katy Bordonaro (Co-Chair, remote counts for quorum), Eugene Yoo (Co-Chair, remote counts for quorum), Donna Raftery, Frederica Sigel, Stella Fitzgerald, Carter Booth, Anita Brandt, David Gruber, Michael Levine (remote counts for quorum), Bo Riccobono (remote), Susan Wittenberg

Land Use committee members absent with notice: none

Land Use committee members absent without notice: none

Land Use public members present: John Paul DeVerna and Sean Sweeney

Land Use public members absent with notice: none

CB2 members present: Jeannine Kiely (prior CB2 chair), Susan Kent (CB2 chair), Valerie de la Rose

City Councilmember Christopher Marte

Roy Ruiz of Assemblymember Deborah Glick's Office (remote)

Conor Allerton of City Councilmember Christopher Marte's Office (remote)

1. City of Yes for Economic Opportunity – Citywide Text Amendment

**City of Yes
Economic Opportunity
Text Amendment
Manhattan CB2 Response**

The **City of Yes: Economic Opportunity** Zoning Text Amendment (COYEO) is an ambitious and historic reworking of New York City's Zoning Resolution. MCB2 has found some benefits in the changes, but has identified many concerns and objections that are specific to our district.

MCB2 agrees with numerous other community boards who feel that the timetable for community board review and response is unreasonably short and therefore counterproductive, given the wide-ranging changes that are proposed.

Whereas:

The COYEO city-wide zoning text amendment raises the following overarching concerns:

- By allowing commercial uses above the ground floor in mixed-use buildings, the text amendment creates the potential for conflicts of uses that could directly impact quality of life in residential neighborhoods and buildings and the safety of their inhabitants.
- Maintaining community board review at its current level is essential as it is the best way to hear directly from the community about potential impacts—negative or positive. The lack of community board review deprives the community and city of important information on proposed changes. Community boards remain the primary source of information on the condition and needs of the neighborhoods and can give the most knowledgeable input on the impact of changes on the local level.
- Environmental standards are insufficiently defined and, in some cases, missing altogether.
- Current enforcement mechanisms are already sorely lacking and it is hard to understand how future methods will be funded or enforced. Community board input and oversight have been dramatically reduced through:
 - An increased number of as-of-right scenarios that bypass public hearing or input
 - Elimination of ULURP even in instances of significant community impacts.

Therefore be it resolved that MCB2 recommends denial of COYEO in general and offers the following concerns in particular:

1. **Proposal #1: Reactivation of storefronts.** MCB2 believes that the recommendations of Community Boards where the impacts of these proposals would be more strongly felt should be given serious and respectful consideration.
2. **Proposal #2: Simplify district types.** MCB2 has no specific comments and believes that the recommendations of community boards in which these proposals would be more strongly felt should be given serious and respectful consideration.

3. **Proposal #3: Allow manufacturing to be located in commercial zones.** This provision turns C-zones into M-zones. MCB2 is skeptical of the relaxing of any standards related to permitting manufacturing uses in commercial districts without strict environmental standards and quality of life factors such as defining hours of operation and noise levels. MCB2 is concerned that the types of manufacturing to be allowed in C-districts will conflict with existing residences and businesses. The impacts of 24-hour “maker” activities are and will be negative. Manufacturers should only make goods to be sold at retail on the same premises and within regular business hours. We would prefer retaining the current separation of maker uses from residential and mixed-use zones.
4. **Proposal #4: Remove loading requirements in existing buildings.** If the requirement for loading docks is decreased, there should be a parallel requirement to provide more interior on-site storage to reduce the chances of quality-of-life conflicts between residents and businesses because of the noise and environmental impacts of more frequent deliveries. The greater issue is the degradation of quality of life for the surrounding residential units.
5. **Proposal #5: Allow commercial uses above the ground floor in mixed-use buildings.** We support maintaining the principle of housing being physically above commercial. If this passes, this particular proposal should be expressly limited to new construction approved after the date of the COYEO text change as the issues involved in retrofitting older buildings have not been sufficiently thought out. Additionally, we suggest augmenting the 15-foot separation between business and residential to also include: a) not sharing a common wall and b) not being directly above or below to mitigate sound issues as a result of 24/7 commercial uses. As written this proposal is unacceptable because of the negative impact on the quality of life.
6. **Proposal #6: Rework the use group framework.** This overhaul of the use groups provides well-needed modernization but is an example of how a one-size-fits-all approach does not work for MCB2. The new use group structure does not adequately address the overall environmental impacts of certain use groups. For example, eating and drinking being combined with other low impact uses is not helpful and the zoning text as a whole does not introduce appropriate Environmental Standards or Performance Standards to adequately create an appropriate framework with which to measure and regulate associated quality of life impacts within the broad spectrum of eating and drinking uses.

Additionally, the proposed text does not include Use Group 17D (JLWQA), which would appear to be an error. If, however, this is not an error and the intent is to eliminate Use Group 17D, then MCB2 is opposed to its removal.

7. **Proposal #7: Urban agriculture.** MCB2 has no specific comments and believes that the recommendations of Community Boards where the impacts of these proposals would be more strongly felt should be given serious and respectful consideration.
8. **Proposal #8: Change how zoning classifies and zones life sciences.** MCB2 objects to this proposal because it does not require registration of all life sciences facilities with the Department of Health (DOH) nor publication of a list of facilities by address, including whether or not a particular facility is hazardous.
9. **Proposal #9: Allow nightclubs to locate in more places.** MCB2 objects to this proposal because it does not include environmental standards created with community board input. MCB2 is struggling with the impact of nightlife on residential areas. We are uncomfortable with undoing capacity limits. We are very concerned that noise, vibrations, odors and other disturbances would negatively impact surrounding residences and commercial establishments. These proposals will lessen our ability to

curtail excesses and they will further degrade the quality of life for our community, which is already oversaturated with establishments like these.

10. **Proposal #10: Allow amusements and rides to locate in more places.** The proposal will introduce two categories of amusements: “amusement or recreation facility,” (which would allow uses like bowling, laser tag and arcades) and “amusement parks.” These changes will allow amusements in more locations. This proposal represents a real degradation of the quality of life in the community, and MCB2 does not support this proposal.
11. **Proposal #11: Expand home occupations.** This change raises a number of quality of life concerns. Home occupations are already problematic in our community district and would become more so with this proposal. The proposal is flawed in that there is no cap on the square footage for a business or its related businesses, nor are there limits on the number of home businesses in a single residential building (through total number and/or percentage of units). The text change would not prohibit someone from expanding a business into a neighboring apartment, setting up a conflict between business uses and residential housing. The quality of life concerns with respect to potentially unlimited customer traffic and/or business hours are highly problematic: commercial uses bring new and more people into a building which makes security more difficult, and 24-hour commercial use in a mixed-use building needs careful evaluation. Furthermore, the expectation that the Department of Buildings (DOB) will enforce these rules is unreasonable and unattainable.

If Proposal #11 of COYEO passes the City Council, CB2 recommends the elimination of the JLQWA conversion fee and Arts Fund enacted in the recent SOHO/NOHO rezoning.

We recommend retaining the current definitions and regulations of home occupations.

12. **Proposal #12: Provide new and standardized urban design rules.** MCB2 opposes any changes to the rules for the Special Little Italy District (SLID) and thus opposes any part of this proposal which would allow such changes. Replacing the use group for the SLID (Use Group LI) with the standardized use groups would not limit the new uses, such as manufacturing, amusements and nightclubs. Due to this standardization, this special district would be subject to businesses that decrease the quality of life and displace long-standing local businesses that are essential to the special district. Furthermore, in the SoHo/NoHo Special District, the just-approved streetscape rules are deleted entirely and replaced with the standardized rules. MCB2 is opposed to any changes to ground floor uses in the SLID.

The proposed text appears to contain a drafting error with respect to the ground floor uses in the SLID and the SoHo/NoHo Mixed Use District. The map (Map1 in Appendix A of Section 143-00 of the Zoning Resolution) needs to be either updated to clearly show what streets qualify as Tier B and Tier C, or deleted in its entirety, if all streets now qualify as Tier C. If kept, it should also delete references to “Primary Street Frontage (143-15(a))” since that type of street and the referenced zoning section would no longer exist, if this text were to pass.

13. **Proposal #13: Auto repair.** MCB2 has no specific comments and believes that the recommendations of Community Boards where the impacts of these proposals would be more strongly felt should be given serious and respectful consideration.
14. **Proposal #14: Permit micro-distribution facilities.** MCB2 objects to permitting micro-distribution facilities which are effectively dark stores. MCB2 believes that all retail stores should be accessible to consumers to promote a vibrant retail streetscape.

15. **Proposal #15: Campus commercial.** MCB2 has no specific comments and believes that the recommendations of community boards where the impacts of these proposals would be more strongly felt should be given serious and respectful consideration.

16. **Proposal #16: Allows agency authorizations for “corner stores.”** MCB2 objects to the removal of the elected officials from the process of approval of “corner stores.” CPC will have no required local, public input into such a change. A community board may submit an opinion but there is no way to backup that opinion with required action by the City Council. Community boards and elected officials have been taken out of the loop on very local questions. Instead of those with expert knowledge of an area having a participatory and decision-making role, this proposal would make CPC the final and only arbiter.

17. **Proposal #17: Allow special permits and authorizations for bulk and use without City Council authorization.** MCB2 opposes removing the role of the City Council from the approval process as that would remove an important oversight step and reduce the chances that storefronts might be combined without review.

18. **Proposal #18: New loft-style district.** MCB2 has no specific comments and believes that the recommendations of Community Boards where the impacts of these proposals would be more strongly felt should be given serious and respectful consideration.

Passed Unanimously

2. 388 Hudson Street Update: Presentation by the NYC Department of Housing Preservation & Development on its community outreach and engagement.

Whereas

1. On January 10, 2024, representatives of NYC Department of Housing Preservation and Development (HPD) presented the results of the Community Visioning process for affordable housing at 388 Hudson Street; and
2. MCB2 has written many resolutions in support of the proposed affordable housing at 388 Hudson Street.

Therefore be it resolved

1. MCB2 reiterates the importance of a new, modern, multi-floor recreation center at the base of the 388 Hudson Street building. There is no indoor, all-weather recreation space in our community and this request has been made very clear from the start. The Board has never advocated for a supermarket, particularly since the area already includes at least three grocery stores in a walkable distance. Because HPD’s survey and workshop questions did not specifically include a recreation center as one of the choices, this priority was not properly reflected in the Community Visioning Report.
2. MCB2 demands a holistic approach to the design of 388 Hudson to reflect expertise in architecture, urban design, engineering, sustainability, and historic preservation.

Like the GSA Design Excellence program, this project should include guiding principles as part of the planning document to ensure quality design and construction. Along with the project requirements, the planning document should include the selection process of

the lead designer and design firm. The GSA Design Excellence program relies on and advocates for a qualified group of professional peers that are involved in selecting the design firms and critique the project throughout.

An exceptional site for exceptional use deserves an exceptional building. This building lies on the border of low-rise buildings of Greenwich Village to the north and Hudson Square with tall buildings to the south. The building should take advantage of this boundary and respond architecturally to both. We need the finest architects and engineers to create beauty and inspire pride for now and future generations.

3. MCB2 recommends that part of the planning for this site should be a careful analysis of the requirements for maintenance and repair on the DEP site. Then HPD can negotiate with DEP to integrate the two sides of the lot, to help maximize housing and create a focal point with a beautiful three-dimensional space yet still satisfy the DEP's requirements. It is worth the effort. Cantilevers and large openings combined with a well-functioning DEP site would benefit the project. Even with cantilever, the south facade would still benefit from low sun in winter and partial shade in summer. A creative design should integrate the lots and provide a south facade that is not a sheer straight razor cut face and would erase the straight line between the north and south sides of the property.

An exceptional site for an exceptional use deserves an exceptional building. This building lies on the border of low-rise buildings of Greenwich Village to the north and Hudson Square with tall buildings to the south. The building should take advantage of this boundary and respond architecturally to both. The community needs the finest architects and engineers to create beauty and inspire pride for now and future generations.

4. MCB2 reiterates that HPD and DEP work together to create more space for as much housing as possible.

5. MCB2 reserves the right to comment further on the Community Visioning Report and the project in general.

Passed Unanimously

Respectfully submitted,

Eugene Yoo

Co-chair

Katy Bordonaro

Co-chair

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.manhattancb2.org

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

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STREET ACTIVITIES AND RESILIENCY COMMITTEE

January 2024

The Street Activities and Resiliency Committee of Community Board #2, Manhattan held its monthly meeting on Monday, January 8th, 2024, at 6:30 p.m. in person in the CB2 office and via Zoom.

Committee Members Present in Person: William Benesh (Chair), Brian Pape, Ryder Kessler, Amy Brenna

Committee Members Present Remotely (Excused): Ed Ma, Michael Levine

Committee Member Present Remotely: Rocio Sanz

Committee Members Absent with Notice: Zachary Roberts, Wayne Kawadler, Erika Olson, Julian Horky

Other CB2 Members Present Remotely: Susan Kent (CB2 Chair), Donna Raftery, Valerie De La Rosa, Mar Fitzgerald

Street Activity Applications

1. *1.10.24 – Talent Drop off and Red Carpet Da Nico’s (Sponsor: Civic), Mulberry St. bet. Broome & Grand St. [sidewalk & curb lane closure-E.]

Whereas, the applicant is seeking a sidewalk and curb lane closure in support of a red carpet and talent drop off on Mulberry St. between Broome & Grande Streets, in front of and adjacent to Da Nico restaurant; and

Whereas, such activation is being sponsored by HBO Max in Celebration of the 25th anniversary of the television show “The Sopranos” and will see members of the cast/staff of the show being dropped off to attend an event inside Da Nico; and

Whereas, the activation will consist of two parking spots for talent drop-off and pick-up, an approximately 70-foot long red carpet, and a step-and-repeat wall; and

Whereas, the drop-off and red carpet walk is expected to occur from 5:30 PM to 6:30 PM, with about 12-15 vehicle drop-offs, and should not take longer than an hour, with talent pick-up happening later in the evening following the dinner; and

Whereas, the applicant intends to leave a 5 foot pedestrian lane as per SAPO requirements; and

Whereas, the event and celebrity attendance are not being publicized, but nonetheless there will be a substantial security presence at the activation, with 6 security guards expected to be stationed in the vicinity; and

Whereas, the applicant had not yet conducted outreach to the residents living in the building above Da Nico but promised to do so; and

Whereas, while CB2 notes the short running time for the event which is a factor that reduces overall neighborhood impact, concerns were expressed around the crowding on the sidewalk which is likely to occur during the expected hour of talent drop-off; and

Whereas, CB2 would have liked to have more time to provide input and suggestions for how to handle sidewalk congestion during this activation, but due to SAPO rules requiring that “small” street events be submitted only a minimum of 14 days before the event, CB2’s SAR committee was only able to hear the details of this event two days before the event was scheduled, with no opportunity for CB2’s full board to opine; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Talent Drop off and Red Carpet Da Nico’s (Sponsor: Civic), Mulberry St. bet. Broome & Grand St. [sidewalk & curb lane closure-E.]**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

2. ***1.11-1.15.24 – MOMA BODUM Event (Sponsor: Marty Barnes, Inc.), Crosby St. bet. Prince & Spring Sts. [sidewalk & curb lane closure – W.]**

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 raised concerns around potential impact and disruption to residential entrances on the block; and

Whereas, this applicant / event organizer has historically ignored requests from CB2 to attend SAR meetings and present on the details of their events; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **MOMA BODUM Event**.

Vote: Adopted unanimously.

3. ***1.25.24 – BeSpoke Sidewalk Activation (Sponsor: IDEKO Productions), 1) 391 Canal St. bet. W. Broadway & 6th Ave. [full sidewalk closure and curb lane-No.]**

Whereas, the applicant, in collaboration with a new product launch by Google, is seeking to hold a “live billboard” activation on the south side of Canal between W. Broadway and 6th Ave; and

Whereas, the activation will consist of an artist on site painting over an existing street-level billboard in real time, with the exact design of the painting still TBD; and

Whereas, set-up for the event will begin at 7:30 AM, with the activation itself taking place between 11 AM and 3 PM, and with the sidewalk expected to be cleared by 3:30 PM; and

Whereas, there will be 4 security guards on site at the event, as well as a camera crew on site to film for a simultaneous livestream; and

Whereas, a 12-foot pedestrian right-of-way will remain open on the sidewalk; and

Whereas, the applicant is aware that the curb lane in front of the billboard is in a “No Standing” zone from 1-7 PM daily, and has stated that support vehicles will not remain in the curb lane throughout the entire event; now

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

Vote: Adopted unanimously.

4. ***1.25.24 – Daiya Fromage Grilled Cheese Samples (Sponsor: Manifest), 1) Broadway bet. Canal & Howard Sts. [sidewalk & curb lane closure-W.; and 2) Howard St. bet. Mercer St. & Broadway [curb lane only-So.]**

Whereas, the applicant is seeking a curb lane and partial sidewalk closure on Broadway between Canal and Howard Streets to facilitate a food sampling activation highlighting Daiya Fromage’s plant-based grilled cheese sandwiches, as well as a curb lane closure on Howard Street for the parking of support vehicles; and

Whereas, the activation on Broadway is expected to consist of a tented grilled cheese “station” with 4 or 5 electric grills (no open flames) and staff passing out up to 600 grilled cheese sandwiches to passers-by; and

Whereas, the load-in is expected to begin at 7 AM, with the activation running from 11 AM – 3 PM, and load-out immediately afterwards; and

Whereas, the activation is expected to include a celebrity presence from 11 AM – 12 PM and from 1 PM to 2 PM, with the celebrity helping to pass out the sandwiches; and

Whereas, the applicant plans to use ropes and stations for any line that forms and will leave a pedestrian lane of at least 5 feet in line with SAPO requirements; 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 intends to have additional garbage receptacles on site in order to deal with any waste generated by the activation; and

Whereas, the proposed location for the event typically sees heavy pedestrian traffic, being around the corner from a subway entrance; and

Whereas, furthermore, the proposed curb lane closure would encompass a “right turn only” lane for vehicles turning right from Broadway onto Canal, with “No Standing Anytime” signage, and closing this curb lane would cause a safety risk as well as contribute to traffic problems such as forcing right turning vehicles into a bus-only lane; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Daiya Fromage Grilled Cheese Samples**.

Vote: Adopted unanimously.

5. ***2.10.24 – Fashion Brand Event (Sponsor: IDEKO), Wooster St. bet. Broome & Spring Sts. [sidewalk & curb lane closure-both sides of the street] (ADDITION TO AGENDA) (laid over)**

Whereas, the applicant was not prepared to attend the meeting and present on the details for the planned event, and asked for the application to be laid over; now

Therefore Be It Resolved that CB2 Manhattan recommends that **Fashion Brand Event** be **laid over** to the February 2024 CB2 SAR meeting.

Vote: Adopted unanimously.

FYI/Renewals

6. **1.11-12.22.24 – St. Anthony Flea Market (Sponsor: St. Anthony’s Church), W. Houston St. bet. Macdougall & Thompson Sts. [sidewalk & curb lane closure-W.]**
7. **1.27.24 – Coat Drive 2023 2024 (Sponsor: The Bowery Mission), Bowery bet. Prince & Rivington Sts. [partial sidewalk closure-W.]**
8. **3.12.24 – Astor Place Spring Fair (Sponsor: Stonewall Democratic Club), Astor Pl. bet. Broadway & Lafayette St. [full street closure]**
9. **3.25.24 – Annual Triangle Shirtwaist Fire Commemoration 2024 (Sponsor: Sidney Hillman Foundation), 1) Waverly Pl. at intersection of Greene St. & Washington Pl.; [closure] and 2) Washington Pl. bet. Washington Sq. E. & Mercer St. [full street closure]**

10. 5.12.24 – Astor Alive Silent Disco (Sponsor: Village Alliance), Astor Place Plaza (South) [full]

11. 5.14.24 – Grad Alley (Sponsor: New York University); 1) W. 4th St. bet. Mercer St. & Washington Sq. E. [full street closure]; 2) Washington Sq. So. bet. Washington Sq. E. & LaGuardia Pl. [full street closure]; 3) LaGuardia Pl. bet. Washington Sq. So. & W. 3rd St. [full street closure]; and 4) Washington Sq. E. bet. W. 4th St. & Washington Pl. [full street closure]

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

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

Vote: Adopted unanimously.

DRAFT

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
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3 WASHINGTON SQUARE VILLAGE

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www.manhattancb2.org

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SLA LICENSING COMMITTEE 1

The SLA Licensing Committee #1 of Community Board 2, Manhattan, held an in person, non-hybrid meeting at 6:30 PM on Tuesday, January 2, 2024 at the Church of St. Anthony of Padua, Lower Hall, 154 Sullivan St.

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

Committee Board Members Absent with Notice: A. Wong

RESOLUTIONS:

- 1. APPA LLC dba Brewlita 227 Mulberry St, store 2 10012 (TW–Bar/Tavern) (*previously unlicensed*)**
 - i. Whereas**, the Applicants and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 for a Tavern Wine License to operate an casual neighborhood café with a focus on specialty coffees, teas, breakfast and lunch on the ground floor of a C6-2-zoned, seven (7)-story building (circa 1999) on Mulberry Street between Spring and Prince Streets (Block #495/Lot #33), the building falling within the Special Little Italy District; and
 - ii. Whereas**, the storefront premises is approximately 800 sq. ft.; there are five (5) tables and 12 seats, six (6) sofa/window seats and one food counter with no seats for a total seated occupancy of 18 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 9 AM to 9 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**, the Applicant has been operating with the same method of operation, albeit without the service of alcohol, for the past two years at this location without incident; and

- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **78 active 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
- 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 casual neighborhood café and coffee shop and will serve food during all hours of operation.
 2. The hours of operation will be 7 AM to 9 PM 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 not apply for a class change to their liquor license in the future.
 6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 7. Will not have televisions.
 8. Will close all doors and windows at all times allowing only for patron ingress and egress.
 9. Will not 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 new Tavern Wine License in the name of **APPA LLC dba Brewlita 227 Mulberry St, store 2 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

2. **Iaccas Corp dba Old Fashion Cafe 110 Thompson 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#0340-23-136034, legacy #1348100, exp 3/31/2025) to continue to operate a café and bistro in the non-conforming basement space of a six (6)-story, residential walk-up building (c. 1900, zoned R7-2) on Thompson Street between Spring and Prince Streets (Block #502 / Lot #12), the building falling within NYC’s LPC-designated Sullivan-Thompson Historic District; and
 - ii. **Whereas**, the premises is in a 750 sq. ft. cellar space accessed via a sidewalk stairway, there are 10 tables and 31 seats, one (1) stand up bar with four (4) seats for a total seated occupancy of 35, there are no TVs, there is a full service kitchen, one (1) bathroom and one (1) entrance/exit for patron ingress and egress; and
 - iii. **Whereas**, the Applicant has been operating since Fall/2022, the current closing hours being 12 AM Sundays through Thursdays and 1 AM Fridays and Saturdays, the change in method of operation is to close an hour later each night (1 AM closing Sundays through Thursdays and 2 AM Fridays and Saturdays); 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 immediate residential neighborhood is currently saturated with licensed premises with **55 active licenses** listed on LAMP within 750 feet of the instant application; the Applicant stating when they originally appeared before CB2, Manhattan in [June/2022](#) that they were a restaurant and would have a limited number of cocktails in order for patrons to have a drink with their dinner and they would not operate as a bar or lounge; the change in method of operation for the later hours are not in alignment with restaurant hours or the residential community within which they are located, the Applicant themselves stating that the other neighboring restaurants close at midnight or earlier and that they want to stay open later to provide a place for people to go for their last cocktail, the later hours raising significant concerns that the operation will be that of a bar rather than a restaurant, the Applicant’s website prominently featuring their cocktail menu before their food menu and spotlighting cocktail bar awards, the Applicant stating that they currently have a problem getting patrons to leave promptly by 1 AM as they’ve recently ordered a drink, their website currently showing closing hours of 1 AM, 7 days a week despite the Applicant signing stipulations of 12 AM closing Sundays through Thursdays (thereby operating in derogation of their agreed upon stipulations), the Applicant at the time of executing their stipulations understanding that closing hours means all patrons out and not last call; and
 - v. **Whereas**, when the Applicant came to CB2 a year and a half ago for their initial license they asked for closing hours of 12 AM weekdays and 1 AM weekends, those hours meeting the needs of their business model and being later than most of the other nearby restaurants, this immediate area being a residentially only-zoned neighborhood with concerns being raised that the method of operation need to be that of a restaurant and not of a bar, the premises falling

midblock on a residential street, the Applicant signing stipulations agreeing that all patrons would be out by those hours in order to meet the public interest standard of their On-Premises Liquor license, nothing has substantively changed since that time, the premises remains surrounded by residences in an area where new licenses are continuously coming before Community Board 2, the requested later hours being better suited to a commercial area and not mid-block on a narrow residential street; and

- vi. **Whereas**, included in the initial application was sidewalk seating consisting of two (2) tables and four (4) chairs as part of the temporary Open Restaurants program, the premises being below grade and therefore not eligible for the program as it applied to ground floor premises only, this being a residentially-zoned neighborhood with narrow sidewalks where outdoor seating had never previously been permitted, the outdoor seating of nearby eating and drinking establishments already having had negative quality of life impacts for residents, the Applicant agreeing that they would remove outdoor seating from their application and signing stipulations agreeing to the same as part of meeting the public interest, yet the Applicant has been operating in derogation of those stipulations and has two (2) tables and four (4) seats on the sidewalk above their premises; and
- vii. **Whereas**, in addition, at the time of the initial application in June/2022 it was pointed out that there was a discrepancy between the provided Letter of No Objection (dated July 13, 2012) permitting an eating and drinking establishment on the first (1st) floor of the licensed premises and the lease for the subject licensed premises dated April 1, 2022 which is for the basement retail space, it being unclear if an eating and drinking establishment is permitted in the basement of the premises, the Applicant being asked to provide a new Letter of No Objection at the time for the basement of the licensed premises and to date has failed to do so; and
- viii. **Whereas**, some members of the local community came to support the application while at the same time stating that patrons leaving the premises and mingling outside at closing creates a disturbance, other residents wrote opposing any extension of hours and addressing the change in what had been a relatively quiet residential block which has seen the addition of more restaurants to the area and more open doors and windows creating a negative quality of life impact on the residents in this residential area and asking that a balance be maintained between the needs of the residents and those of the businesses; and
- ix. **Whereas**, the Applicant is currently not abiding by the previously agreed-to hours of 12 AM closing Sunday through Thursday, the current late night exiting of patrons already causing a disturbance to residents, the current hours already being later than surrounding restaurants, there being no lack of restaurants and/or bars in this residential neighborhood and the surrounding commercial area (this location being in the residential district), the Applicant providing no compelling reason for why this restaurant should have bar hours with it being located mid-block on a residential street further exacerbating quality of life issues; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Change in Method of Operation Application for **Iaccas Corp dba Old Fashion Cafe 110 Thompson 10012**; and

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

Board of the NYSLA before any Change in Method of Operation to the existing On-Premises Liquor License is issued to this Applicant.

Vote: Unanimous in favor (6–0)

3. Ras Plant Based LLC dba Ras Plant Based 170 Bleecker 10012 (OP–Restaurant) (Transfer)

- i. Whereas**, the Applicants and the Applicants’ attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 for an On-Premises Liquor License to operate a plant-based Ethiopian full-service restaurant on the ground floor of a R7-2/C1-5-zoned, six (6)-story walk-up tenement building (circa 1900, altered 1987) on Bleecker Street between MacDougal and Sullivan Streets (Block #526/Lot #64), this building having a rich history, originally being the American Seaman’s Friend Society Sailors Home and Institute and a designated New York City Landmark building falling within NYC LPC’s designated South Village Historic District; and
- ii. Whereas**, the premises is approximately 2,550 sq. ft. with 2,000 sq. ft. on the ground floor and 550 sq. ft. in the basement, the basement being accessed by a sidewalk hatch and not for patron service; there will be 24 tables with 45 seats and one bar with 10 seats for a total seated occupancy of 55 persons and a maximum legal occupancy of 74 persons; there are four (4) doors with the main patron entry/egress being on Bleecker Street, and two (2) bathrooms; the store front infill being fixed along Sullivan Street with operable doors already existing on Bleecker Street; 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**, any future sidewalk seating applied for under the permanent outdoor dining program will be on Sullivan Street only and will close by 10 PM, conforming to all other rules and regulations of the outdoor dining program; there will be no outdoor seating on Bleecker Street; and
- v. Whereas**, the storefront premises was previously operated from 2022 as Nat’s on Bleecker LLC (SN#1346550) with a similar method of operation, albeit a restaurant serving American fare, prior to that it was Junzi NYU LLC dba Junzi Kitchen (SN# 0340-18-104216, legacy SN#1310707) from approximately 2018–2020, the Applicants holding a license in Brooklyn under MRR Rest LLC dba RAS (SN#0340-22-112648) for a similar restaurant, this being a transfer of assets from Nat’s on Bleecker to the applicant; and
- vi. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would

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

1. Premises will be advertised and operated as a full-service Ethiopian 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. Any future sidewalk seating applied for under the permanent program will be on Sullivan Street only and will close by 10 PM. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs. There will be no exterior seating on Bleecker Street.
 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 to the public for private parties not more than 20 times per year.
 8. Will close all doors and windows at 10PM every night, 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 case of emergency.
 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 on Sullivan Street.
 12. Will not make changes to the existing façade except to change signage or awning. There will be no LED or neon signs.
 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.
- 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 **131 active licensed premises** within 750 feet of the subject premises, in addition to 14 pending licenses, the Applicant bringing a relatively unique food offering to the neighborhood and 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 **Ras Plant Based LLC dba Ras Plant Based 170 Bleecker 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (6–0)

4. Kabisera Kape LLC dba Kabisera 261-267 Canal St-stall #11 10013 (RW–Restaurant)

- i. Whereas**, the Applicants and the Applicant’s Attorney originally appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 in [July/2023](#) to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a Filipino restaurant located in the Canal Street Market, an indoor market located on the ground floor of an M1-5/R10-zoned, six (6)-story mixed-use building (c. 1857) on Canal Street between Lafayette Street and Cortlandt Streets (Block #209/Lot #28), the building falling within NYC LPC’s designated SoHo-Cast Iron Historic District Extension and the Special SoHo-NoHo Mixed Use District; CB2, Manhattan unanimously recommended approval of the application at their July/2023 full board meeting; and
- ii. Whereas**, the original application had two principals listed, the one signing the original 30-day notice has since dropped out, the NYSLA requiring the remaining Applicant to renotify the Community Board this month of the change, the remaining and sole principal being the one who signed and executed the original stipulation agreement with CB2, Man., there being no changes in method of operation and therefore no changes 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 Restaurant Wine License in the name of **Kabisera Kape LLC dba Kabisera 261-267 Canal St–stall #11 10013**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

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

5. 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 January 2, 2024, 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 **South Village Hospitality Group LLC dba Carroll Place 157 Bleecker St 10012 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

6. 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 January 2, 2024, 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 **219 Mulberry LLC dba Ruby’s 219B Mulberry St 10012 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

7. Thuma Retail LLC 99 Wooster St 10012 (OP–Bottle Club/Furniture Gallery) *(previously unlicensed)*

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on January 2, 2024, 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 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 **Thuma Retail LLC 99 Wooster St 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

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

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on January 2, 2024, the Applicant requested **to lay over** this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **Talum LLC 183 Grand St 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

9. Jin Ramen Sushi 2 Inc 49 E 8th St 10003 (RW–Restaurant) *(previously unlicensed)*

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on January 2, 2024, 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 **Jin Ramen Sushi 2 Inc 49 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 NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

10. EVJR LLC dba Da'Milio 293 Mott St 10012 (OP-Bar/Tavern) (Class Change)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 2, 2024, 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 **EVJR LLC dba Da'Milio 293 Mott St 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

11. Noho Neighbors LLC 54 Great Jones St 10012 (OP-Restaurant)

Whereas, at this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 2, 2024, 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 **Noho Neighbors LLC 54 Great Jones St 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the

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

Vote: Unanimous in favor

Respectfully submitted,

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

DRAFT

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

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

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SLA LICENSING COMMITTEE 2

The SLA Licensing Committee #2 of Community Board 2, Manhattan, held an in-person, non-hybrid meeting at 6:30 PM on Thursday, January 4, 2024 at Church of St. Anthony of Padua, Lower Hall, 154 Sullivan St.

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

Public Members Present: R. Ely

Other Board Members Present: Valerie De La Rosa

RESOLUTIONS:

1. Kook Burger and Bar NYC LLC dba Kook Burger & Bar 47 7th Ave S aka 13 Morton Street 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 an On-Premises Restaurant Liquor License to operate a casual restaurant specializing in hand-crafted and made-to-order smash burgers, chicken sandwiches and wings, milk shakes, craft beer and more in the ground floor storefront of a five (5)-story, C2-6-zoned, mixed-use building (c. 1896) on the northeast corner 7th Avenue South and Morton Street (Block #587/Lot #7502) with residential apartments above and adjacent to the premises, the building falling within NYC LPC’s Greenwich Village Historic District Extension II; and
- ii. **Whereas**, the ground floor premises is roughly 2,600 sq. ft. (1,900 sq. ft. on the ground floor connected by an interior staircase to a 700 sq. ft. basement which includes a full service kitchen, there being no patron use of the basement); there are 14 tables with 52 seats and one wrap around bar with 13 seats located partly inside the enclosed sidewalk café for a total seated patron occupancy of 65, there is one (1) entry on 7th Avenue South which will serve as patron ingress and egress, one entry on Morton street which will be used for emergency egress only and two (2) bathrooms; there is no outdoor seating; there are no existing French doors but there are existing operable windows running along 7th Avenue South which wrap around to the Morton Street façade; and
- iii. **Whereas**, the hours of operation are from 10 AM to 11 PM Sundays, 11 AM to 11 PM Mondays through Thursdays, 11 AM to 12 AM Fridays and 10 AM to 12 AM Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services,

the windows on Morton Street will be closed at all times, the windows on Seventh Avenue South will be closed by 10 PM every night and the Applicant further agreeing take all reasonable measures, including soundproofing and volume control to insure that music will not be audible in apartments above and/or adjacent to the licensed premise; there will be two (2) TVs, the premises will not operate as a sports bar, all doors and windows on Morton Street will be closed at all times, the doors and windows on 7th Ave South will close at 10 PM nightly, 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

- iv. **Whereas**, there is a long-standing, pre-existing enclosed sidewalk café along 7th Avenue South, during the construction of the enclosed sidewalk cafe the exterior building wall was significantly removed making the interior of the enclosed sidewalk café appear as if part of the interior of the building, the enclosed sidewalk café having been previously licensed with the Department of Consumer Affairs and which will continue to be used as a qualifying pre-existing enclosed sidewalk café under the new outdoor dining program, there will be no other outdoor area used for commercial purposes including any unenclosed sidewalk café or roadbed seating; and
- v. **Whereas**, the premises has been operating as Mad Morton and licensed under Cara JECM LLC (SN#0340-21-120882, legacy #1319827, exp. 12/31/25) for approximately four (4) years, having come before CB2, Manhattan in [December/2018](#) for an On-Premises Liquor license with closing hours of 12 AM Sundays through Wednesdays and 1 AM Thursdays through Saturdays, CB2 Manhattan's full board unanimously recommending approval with executed stipulations being adhered to; the Applicant filing a 30-day notice with CB2, Manhattan for a change in method of operation in October/2022 to extend the hours of operation until 2 AM 7 days a week, laying the application over until finally withdrawing it in February/2023, the community board receiving numerous letters in opposition to the extension of hours from residents of the building and immediately surrounding area citing Mad Morton's disregard for their neighbors in operating in derogation of their signed stipulations including complaints about noise from interior music, noise from patrons gathering on the sidewalk particularly on Morton Street, disregard of the Condo Rules and Regulations regarding installing unauthorized venting, operating past their stated closing time amongst other complaints; and
- vi. **Whereas**, the current Applicants operate another restaurant going by the same name in Philadelphia, PA and have no association with the current operator at this location, the Applicant posting flyers around the area inviting members of the community to a virtual meeting to learn more about their application, this application being placed on CB2 Manhattan's calendar during the holidays, the CB2, Man. SLA Committee meeting falling in the first week of January/2024, the Applicant able to connect with one resident living across the street just prior to the CB2 Man. SLA Committee meeting but failing to connect with any residents of the immediate building, hearing the concerns regarding late night noise due to the operation of the current occupant of the premises, agreeing to reduce their closing hours to 11 PM during the week and 12 AM on the weekends, those hours being an hour earlier than the current occupant of the premises; and

- vii. Whereas,** a resident of the co-op where the instant application is located appeared at the meeting, having previously been unaware of the application despite flyers being posted by the Applicant as well as by the Community Board, to express opposition to the instant application, asking for closing hours of 10 PM weekdays and 11 PM weekends despite the current licensee having hours of 12 AM and 1 AM, raising additional concerns about the Applicant adhering to any closing hours based on their experience with the current tenant and not on the current Applicant, citing concerns about noise coming from the premises, the current operations causing adverse impacts on the quality of life for the residents; and
- viii. Whereas,** the Applicant, stating there have been no complaints with their operation in Philadelphia, has agreed to earlier hours than the current licensee at the location in an effort to allay concerns of nearby residents and is aware that the closing hours mean all patrons are out of the premises by that time; in addition, in contrast to their operation in Philadelphia which has a sports-bar aspect to it operating with 30+ 60" TVs, this establishment will not be operating as a sports bar, will have not more than two (2) TVs no larger than 42", will have background music only and will not permit any use of the Morton Street door; and
- ix. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the On-Premises Liquor License, with those stipulations as follows:
1. The Applicant will operate a full-service restaurant, specifically a family-friendly casual restaurant specializing in hand-crafted and made-to-order smash burgers, chicken sandwiches and wings, etc. with full menu items available until closing every night.
 2. The hours of operation will be 10 AM to 11 PM Sundays, 11 AM to 11 PM Mondays through Thursdays, 11 AM to 12 AM Fridays and 10 AM to 12 AM 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. There is a pre-existing enclosed sidewalk café which was previously licensed with the Department of Consumer Affairs and which will continue to be used as a qualifying preexisting enclosed sidewalk café under the new outdoor dining program. There will be no other outdoor area used for commercial purposes including any unenclosed sidewalk café and/or roadbed seating, including any open streets outdoor seating, and no exterior service of alcohol.
 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 speakers in the enclosed sidewalk café.
 7. Will have no more than two (2) televisions no larger than 42". There will be no projectors and TV will not be wired into the restaurant sound system.
 8. Will close all doors and windows on Morton Street at all times. The Morton Street door will be used for emergency egress only and will not be used at any time for patron or staff ingress or egress. Will install push bar exit alarm on Morton Street door.
 9. Will close all doors and windows on 7th Ave South at 10 PM nightly. The Northern 7th Ave South door will be the only entrance/exit regularly used for patrons and staff. All other doors are for emergency use only.

10. Will take all measures, including sufficient sound remediation, sound attenuation and volume control of interior music levels, to prevent the issues of the previous operator and ensure that music is not audible in apartments above and/or adjacent to licensed premises.
 11. Will conduct sound tests with residents of 13 Morton Street co-op as permitted.
 12. Will meet with the co-op board of 13 Morton Street and work with them to ensure the operations of the licensed premises does not cause a disturbance to the residential property owners of the building.
 13. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 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 will keep current at all times required Permits and Certificates.
 16. Will provide a valid Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to opening.
 17. Will not have unlimited/bottomless drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 18. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
 19. 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.
 20. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 21. Will appear before CB2, Man. for alteration to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- x. **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 licensed premises, there being **115 active licenses** within 750 feet of the proposed premises to be licensed and an additional 17 pending licenses within this same area, the Applicant reducing the operating hours from those of the current licensed operator, the agreed upon stipulations satisfying the public interest standard albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future, the Applicant providing assurances that would be the case; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Restaurant Liquor License to **Kook Burger and Bar NYC LLC dba Kook Burger & Bar 47 7th Ave S aka 13 Morton Street 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (7 board, 1 public–0)

2. Xandra Hospitality LLC dba Kabin 300 Spring St 10013 (OP–Bar/Tavern) (Transfer)

- i. Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 for a On-Premises Tavern Liquor License to operate a Norwegian-inspired neighborhood cocktail bar with Michelin-level food service on the ground floor of a C6-2A-zoned, seven (7) story residential condominium building (circa 2005) on Spring Street between Hudson and Renwick Streets (Block #594/Lot #7507) in Hudson Square; and
- ii. Whereas**, this storefront location was previously operated as a restaurant known as Pine & Polk, the interior storefront being roughly a 3,127 sq. ft. premise (2,000 sq. ft. first floor and 1,000 sq. ft. basement, the basement being used for food prep/storage/lockers but not for patron service), with 12 tables and 32 table seats and one (1) bar with 10 seats for a total patron seating occupancy for 42 patrons; there is one (1) patron entrance and two (2) bathrooms, the storefront’s infill being fixed and without French doors or operable windows, there may be a small sidewalk café with 5 tables and 10 seats which will close by 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays; there will be no roadbed seating or structure built in the roadway on Spring Street; and
- iii. Whereas**, the hours of operation will be from 5 PM to 12 AM Sundays through Thursdays and 5 PM to 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 was previously operated from 2022 to the present as Pine and Polk LLC dba Pine & Polk/Pacific Standard (SN# 0340-22-111530, legacy SN#1340918), this being a transfer of assets to the Applicant; and
- v. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Tavern Liquor License, with those stipulations as follows:
 1. Premises will be advertised and operated as a Norwegian-inspired neighborhood cocktail bar with Michelin level food service with the full food menu available during all hours of operation.
 2. The hours of operation will be from 5 PM to 12 AM Sundays through Thursdays and 5 PM to 1 AM Fridays and Saturdays. No patrons will remain after stated closing time.
 3. Will not operate as a Sports Bar or allow any portion of premises to be operated in that manner.
 4. Principal will be on the premises a majority of the time to manage the licensed premises.
 5. Any future sidewalk seating applied for under the permanent Outdoor Dining program will consist of not more than 5 tables and 10 patron seats, close by 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays and conform to all rules and

guidelines of the program. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs.

6. No roadbed seating.
 7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 8. Will have no more than 12 private parties per year.
 9. Will not have televisions.
 10. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 11. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 12. Will not install or have French doors, operable windows or open façades.
 13. Will not make changes to the existing façade except to change signage or awning.
 14. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 15. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 16. 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.
 17. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 18. Will appear before CB2, Man. for alteration to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being **23 active licensed premises** within 750 feet of the proposed premises to be licensed and an additional 6 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 Bar/Tavern Liquor License in the name of **Xandra Hospitality LLC dba Kabin 300 Spring St 10013** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (7 board, 1 public–0)

3. West 10West LLC dba West 10West 242 W 10th St 10014 (New OP–Restaurant) (Class Change)

- i. **Whereas**, the Applicant and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA #2 Licensing Committee to present an application to the NYSLA for to a new On-Premises Restaurant Liquor License to operate “an intimate restaurant...with

evolving plates, natural wines, and crafted cocktails” within a non-conforming ground floor storefront located in a residentially zoned (R6), six (6)-story tenement style, walk up apartment building (c. 1860) on West 10th Street between Hudson and Bleecker 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 restaurant and wine bar by the Applicant since it opened in April/2023 with a restaurant wine license (SN# 0240-23-164923, legacy SN# 6007319, exp. 11/30/25), the storefront location having previously operated for years, prior to 2023, as a clothing store closing by 7 PM every evening and has never previously been licensed for the service of alcohol nor 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 450 sq. ft. with 7 tables with 16 patron seats and one (1) bar with eight (8) seats for a total interior patron seated occupancy of 24 persons, there is no basement, the storefront infill being fixed without French doors or operable windows, there is one patron entrance and one patron bathroom; and
- iv. **Whereas**, the current agreed upon hours of operation 8 AM to 10 PM Sundays through Wednesdays, 8 AM to 11 PM Thursdays and 8 AM to 12 AM Fridays and Saturdays, interior music being at background levels only, with no dancing, TVs, DJs, no promoted events, no scheduled performances or cover fees, no security; there is no sidewalk or roadbed seating; and
- v. **Whereas**, in addition to the upgrade of the liquor license the instant Application also includes extended closing hours of 11 PM Sundays through Wednesdays and the addition of both a new sidewalk café with 3 tables and 6 seats and new roadbed seating of 6 tables and 16 with closing hours of 11 PM Sundays through Saturdays (7 days a week) for a total of 22 new exterior seats which do not currently exist; and
- vi. **Whereas**, the Applicant first appeared at CB2, Manhattan a year ago in December/2022 to present its Restaurant Wine license stating he would operate a “daytime café offering take away service as well as a menu for seated breakfast/lunch until 3 PM, dining service will reopen at 5 PM for seated dinner, offering beer and wine with meals,” at the time the Applicant requesting hours of 8 AM to 10 PM Sundays through Wednesdays and 8 AM to 12 AM Thursdays through Saturdays; after meeting with the local block association (West Village Residents Association) and in order to gain their support for the service of beer, wine and cider on a narrow residential block in an area already saturated with licensed premises, the Applicant agreed to a compromise of closing at 11 PM on Thursdays, stating that he felt that was a fair and reasonable compromise along with other stipulations including there would be no roadbed dining or sidewalk café either in front of or adjacent to the premises, with a significant reason the block association was giving their support of the application in this saturated area being due to the emphasis on breakfast and lunch service in conjunction with early dinner hours, absolutely no outdoor seating and other agreed-upon stipulations; and
- vii. **Whereas**, at this month’s CB2, Man SLA Committee meeting questions were raised

regarding the hours of operation, the removal of breakfast and lunch service and at the time of the CB2 meeting their website stating hours of service being from 4:30 PM to late every day (it has since been updated to say 4:30 PM to 11 PM daily, these hours still opening and closing later than what was originally agreed to and in derogation of their agreed upon stipulations), there being no service of breakfast or lunch, the Applicant saying he was unable to provide that service at this time, despite it being a central component of the method of operation when he originally appeared in December/2022; and

- viii. Whereas**, questions were also raised regarding the roadbed structure that is in front of the premises, the Applicant stating it does not belong to him but to the tea shop next door, Paquita, which is closed by the time his restaurant is open, the landlord permitting them to have a roadbed structure in front of his restaurant which the Applicant stated had nothing to do with him; upon further information from community members it is disclosed that the tea shop belongs to his business partner's sister, calling into question the transparency of the instant application; and
- ix. Whereas**, members of the community were in strong opposition to the application for an on premise full liquor license, asserting a bait and switch scheme, the Applicant just a year ago presenting strictly a wine and beer application with daytime food service, the instant application consisting of an increase in evening hours, no daytime food service and an upgrade to their liquor license to serve spirits — this being a different business model from what was presented to the community just a year ago, this also being in contrast to other applications presented to the committee where the applicants state they are coming for beer and wine at this time in order to get a temporary license quickly because the backlog at the NYSLA prevents applicants from getting a temporary license the Applicant in this case previously denying an intention to seek an On-Premises license after being open for less than one year, the service of beer and wine fitting with the daytime and early dinner focus of his café/restaurant with that model having the support of the local community based on those representations; and
- x. Whereas**, members of the community were also in opposition to having any outdoor seating at this location, the Applicant having agreed to no outdoor seating, just a year ago, the location being on a narrow, residentially only-zoned street with a sidewalk of approximately 10' and no room for sidewalk seating, the Applicant not providing measurements of the sidewalk width in the application presented, the seating requested with the instant application being an increase of 100% in total # of seats, there being no prior service of alcohol in the residentially-zoned neighborhood located on a one-way, narrow roadway; and
- xi. Whereas**, the area within a block of the instant application already has a large number of licensed establishments serving dinner and offering drinks such as:
- 518 Hudson Street LLC dba Justines (SN#0340-23-128342, Legacy SN#1338435)
 - Hudson Corner LLC dba B'Artusi/Via Porta (SN#0340-23-138710, Legacy SN#1334758),
 - Cowgirl Inc dba Cowgirl & Bar (SN# 0340-23-131639, Legacy SN#1025508)
 - 228 West 10th Street LLC dba L'Artusi (SN#0340-230132610, Legacy SN#1217898),
 - RF Hudson (DE) LLC dba Redfarm (SN# 0340-23-137345, Legacy SN#1251196),
 - Alfred B Hospitality LLC dba Katana Kitten (SN#0340-22-113564, Legacy #1305298)

and others; and

- xii. **Whereas**, the instant application has not offered/is not offering the important daytime service of breakfast and lunch as was part of their original application a year ago; and
- xiii. **Whereas**, despite stating in December/2022 that they would be filing for a Letter of No Objection permitting eating and drinking at the premises, they currently do not have one; the Applicant stated at the time of the initial application in December/2022 that cooking would be electric only, there would be no open flame cooking; following this month's CB2 committee meeting it was discovered that there was a complaint made in July/2023 regarding venting of the ground floor restaurant, with cooking smells going into adjacent apartments and grease present on apartment windows and building shaft way, DOB issuing a violation for work without a permit at the 1st floor restaurant "West 10 West" (Oath/ECB Violation #39090615L), that violation remains open; and
- xiv. **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-Premises Liquor License at this location, the Applicant having operated for less than one year, the Applicant not previously holding a liquor license, the storefront in question never previously operating with an On-Premises Liquor License, there being **72 active licensed premises** within 750 feet of the location proposed to be licensed, with 8 additional pending licenses, the Applicant not presenting a method of operation serving breakfast, lunch and dinner consistent with his Restaurant Wine application, the operator never actually operating in the manner in which he presented his original application no more than one year ago, the Applicant going back on his commitments that were to the Community and local block association, the service of alcohol to the exterior on a residential block having significant impacts on those living in the area, there being nothing unique about the instant application to illustrate that it is in the public interest to have another On-Premises Liquor License in this area, the immediate location being residentially zoned, the surrounding area already being heavily saturated with liquor licenses, the Applicant 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 **West 10West LLC dba West 10West 242 W 10th St 10014**; 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.

BE IT FURTHER RESOLVED that should the applicant pursue this application despite CB2, Manhattan's recommendation to deny this application, CB2 requests that the SLA conduct an in person 500-foot hearing so that local residents are able to participate fully in the process now that the COVID emergency has ended.

Vote: 6 board, 1 public in favor, 1 board against (E. Olson)

4. Amo Restaurant Corp 15 E 12th St 10003 (OP–Restaurant) (Transfer)

- i. Whereas**, the Applicants appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 for an On-Premises Restaurant Liquor License to operate a casual Italian seafood restaurant on the ground floor of a C-6-zoned, four (4)-story commercial building (circa 1937) on 12th Street between University Place and 5th Avenue (Block #570/Lot #38); and
- ii. Whereas**, this storefront location was previously operated as a restaurant known as Villanelle (SN#0340-23-136105, legacy SN#1295986) from approximately 2014 to 2023, the interior storefront being roughly a 1,000 sq. ft. premise consisting of a ground floor and basement with no specific sq. ft. given for each floor, there is no patron use of the basement; there will be 23 tables and 46 seats and one (1) bar with 8 seats for a total patron seating occupancy of 54 patrons; there is one (1) patron entrance and two (2) bathrooms, the storefront’s infill being fixed and without French doors or operable windows, there is no sidewalk or roadbed seating nor any use by patrons or staff of the rear yard; and
- iii. Whereas**, the hours of operation will be from 11 AM to 10:30 PM Sundays through Thursdays and 11 AM to 11:30 PM 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 Applicants both being involved with P12 New York LLC dba Ribalta since 2013 (SN#0340-23-134438, legacy SN#1157225), an old-world Neapolitan pizza and Italian appetizer restaurant, one as a general manager and the other as executive chef; there being numerous 311 complaints made by residents regarding loud music and noise from that establishment not only Spring–Summer/2023 but going back to 2020 and 2019, the Applicant stating they were unaware of the extent of the complaints, this being called into question as the police responded multiple times over the years in addition to emails being submitted to CB2, Manhattan this past summer/2023 showing residents being in touch with the restaurant regarding their complaints, the Applicant stating the instant application is a different type of restaurant, in a smaller space, that they were somehow unaware of the extent of the complaints; and
- v. Whereas**, no one appeared or wrote letters in favor or opposition to the application, this being a transfer of an existing On-Premises Liquor License, the Applicant following a similar method of operation and agreeing to the same stipulations that the prior licensee agreed to, the CB2 SLA Committee being unaware of any complaints regarding the prior licensee with those stipulations seemingly being adhered to; and
- v. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would

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

1. Premises will be advertised and operated as a full-service, casual Italian restaurant specializing in seafood with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be from 11 AM to 10:30 PM Sundays through Thursdays and 11 AM to 11:30 PM Fridays and Saturdays. No patrons will remain after stated closing time.
 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
 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 or in adjoining properties rear yards 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. Rear windows will be outfitted with light shades and plantings for purposes of privacy for neighboring residents and will consist of double pane glass.
 9. Will ensure exhaust venting is run up rear of building to code, 10' from all windows above roof line.
 10. Will post "please respect our neighbors" sign.
 11. Will not have patron or staff access to the rear yard at any time.
 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 will 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 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.
 18. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 19. Will appear before CB2, Man. for alteration to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being **51 active licensed premises** within 750 feet of the proposed premises to be licensed and an additional 3 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 On-Premises Liquor License in the name **Amo Restaurant Corp 15 E 12th St 10003** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (7 board, 1 public–0)

5. Babi Restaurant, Inc. 282 Bleecker St. (RW–Restaurant)

- i. Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 for a new Restaurant Wine License to operate a Vietnamese restaurant on the ground floor of a C2-6-zoned, three (3)-story mixed-use building (c. 2008) on Bleecker Street between 7th Avenue South and Morton Street (Block #587/Lot #24), the building falling within NYC LPC’s designated Greenwich Village Historic District Extension II; and
- ii. Whereas**, the ground floor storefront is approximately 2,300 sq. ft. with 1500 sq. ft on the ground floor connected by an interior staircase to an 800 sq. ft. basement, there being no patron use of the basement; there will 13 tables and 50 seats and one bar with six (6) seats for a total seated capacity of 56 persons; there is one (1) entry which will serve as patron ingress and egress, one (1) emergency exit and two (2) patron bathroom; there being operable doors already existing that open out to the sidewalk; and
- iii. Whereas**, the hours of operation will be from 11 AM to 11 PM Sundays through Thursdays, 11 AM to 12 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 applicant originally submitted a 30-day notice in August/2022 for a restaurant wine license and was placed on the [September agenda](#) of CB2’s SLA Licensing Committee at which time the representative appeared without the Applicant requesting to lay the application over to the following month stating they had just been hired by the applicant and needed time to prepare. The application was placed on the CB2’s SLA Licensing Committee’s [October/2022](#) agenda at which time the applicant failed to appear without providing any explanation; the applicant then filed a new 30-day notice at the end of October/2022 and was placed on the December/2022 agenda of CB2’s SLA Licensing Committee at which time the applicant again failed to appear without providing any explanation.
- iv. Whereas**, the storefront premises was previously licensed as Lindsey Buffet Restaurant Inc. dba Kumo Sushi (SN#1259907) which appeared before CB2 Manhattan’s SLA licensing committee in [January/2015](#) for the renewal of their restaurant wine license due to numerous

complaints about their operation, those complaints being well-documented and stemming from an “all you can eat sushi and drinks” specials which resulted in an untenable situation whereby over-served and inebriated patrons leaving the premises and causing disturbances, fights, loud screaming and vomiting in the street which was untenable in a residential area; the instant application having a different method of operation with the applicant stating there will be no “all you can eat / drink specials;” and

- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **110 active licensed premises** within 750 feet of the proposed premises to be licensed and an additional 17 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 offering a type of food not abundantly available in the neighborhood and affirming that their method of operation is not similar to the previous operator at this location; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Restaurant Wine License, with those stipulations as follows:
1. Premises will be advertised and operated as a Vietnamese 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 11 PM Sundays through Thursdays, 11 AM to 12 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. Any future sidewalk seating applied for under the permanent program will consist of not more than two (2) tables and six (6) seats and conform to all rules and guidelines of the program. Outdoor seating will close by 10 PM. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs.
 5. No roadbed seating.
 6. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
 7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 8. Will not have televisions.
 9. Will not 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 new Restaurant Wine License in the name of **Babi Restaurant, Inc. 282 Bleecker St.** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor.

Vote: Unanimous in favor (7 board, 1 public–0)

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

6. Guliani Group Inc dba Laliko Georgian Bistro 80 Carmine St, Unit 2 10014 (RW–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on January 4, 2024, 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 **Guliani Group Inc dba Laliko Georgian Bistro 80 Carmine St, Unit 2 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor (7 board, 1 public–0)

7. 10 Fifth Ave Operations LLC dba A Pizza Bar 10 5th Ave 10011 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on January 4 2024, 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 **10 Fifth Ave Operations LLC dba A Pizza Bar 10 5th Ave 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor (7 board, 1 public-0)

8. Griddle Cakes LLC dba Breakfast by Salt's Cure 27½ Morton St. 10014 (OP-Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on January 4, 2024, 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 **Griddle Cakes LLC dba Breakfast by Salt's Cure 27½ Morton St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor (7 board, 1 public-0)

9. One NK LLC dba Bisou 112 6th Ave 10013 (OP-Bar/Tavern) (Class Change)

Whereas, following this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on January 4 2024, 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 **One NK LLC dba Bisou 112 6th Ave 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that

the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor (7 board, 1 public-0)

Respectfully submitted,

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

DRAFT

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

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

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CANNABIS LICENSING COMMITTEE MEETING January 2024

The Cannabis Licensing Committee met on Wednesday, January 17, 2024, at 6:30PM at the CB2 Conference Room.

CB2 Cannabis Licensing Members Present: Mar Fitzgerald (Chair), Patricia Laraia (Vice Chair), William Benesh, Chris Dignes, and Antony Wong

CB2 Cannabis Licensing Board Members Absent with Notice: Zack Kazzaz

CB2 Staff: Mark Diller (District Manager)

CB2 Members Present: Carter Booth, Donna Raftery, and Emma Smith

Members of the Public: Sarah Batchu, Ayo Harrington, Merble Reagon

Report

The meeting commenced at 6:45 PM, led by CLC Vice Chair, Patricia Laraia. CLC Chairperson, Mar Fitzgerald, chose to recuse herself from performing her regular duties during the meeting's duration because she is related to Applicant #4. While this relationship may not meet the Conflict of Interest criteria per the NYC Conflict of Interest Board, CLC Chair Fitzgerald disclosed it for transparency. It's important to note that such a recusal doesn't hinder participation in debate or voting per CB2's bylaws.

The CLC committee addressed six agenda items: Agenda item #1, Rosebud Cafe LLC at 37 Cornelia Street, Rachel Katz, the resolution for which was returned to the committee during the December Full Board meeting to better address proximity compliance regarding church and school close to the proposed premises. Unfortunately, the deadline to comment on that application was missed due to a typo in our database. However, language and documentation added to the resolution by CB2 member, Carter Booth, provided the necessary information to confirm that premises it is non-compliant.

Items #2, Pramukh 202 LLC, 202 Mott Street, Nitin Patel, and #3, Dai Ma LLC d/b/a Flower Guys, 248 West 14th Street, Timmy Li were denied due to failure to appear and provide requested information. The remaining applicants present, their applications were discussed, and the committee voted. Resolutions are below.

CLC RESOLUTION #1

RE: **Pramukh, LLC, 202 Mott Street 10012, Nitin Patel**
Notices to Municipality forms 12/15/2023 • No Response

CLC Committee Vote: Unanimous 4-Yea 1-Recuse
CLC Committee Recommendation: Deny

RESOLUTION

WHEREAS, Community Board 2 received the two Notice to municipality for Pramukh, LLC, 202 Mott Street 10012, Nitin Patel on 12/15/2023; and

WHEREAS, the Applicant failed to respond to outreach, provide requested information, and failed to appear before the CB2 Cannabis Licensing Committee.

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

CLC RESOLUTION #2

RE: Dai Ma, d/b/a The Flower Guys LLC, 248 West 14th Street 10014, Timmy Li
Notices to Municipality forms 12/20/2023 • No Response

CLC Committee Vote: Unanimous 4-Yea 1-Recuse
CLC Committee Recommendation: Deny

RESOLUTION

WHEREAS, Community Board 2 received the two Notice to municipality for Dai Ma, d/b/a The Flower Guys LLC, 248 West 14th Street 10014, Timmy Li on 12/20/2023; and

WHEREAS, the Applicant failed to respond to outreach in a timely manner, provide requested information, and failed to appear before the CB2 Cannabis Licensing Committee.

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

CLC RESOLUTION #3

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

CLC Committee Vote: Unanimous 4-Yea 1-Recuse
CLC Committee Recommendation: Deny

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

WHEREAS, on December 12, 2023, Rachel Katz (Applicant) appeared before the CB2 Cannabis Licensing Committee with Jeffrey Schultz (attorney); and

WHEREAS, the CB2 CLC voted unanimously to recommend denial of the application for the reasons below; and

WHEREAS, at the December 21, 2023 CB2 full board meeting the resolution was returned to committee that we might better address proximity compliance regarding the church and school close to the proposed premises; and

WHEREAS, the deadline deadline to comment on that application was missed due to a typo in our database; and

WHEREAS, this updated resolution provides the necessary documentation to confirm that premises it is non-compliant.

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 an existing unlicensed cannabis smoke shop using the premises 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 Outlet¹, 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

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 stated that she performed outreach to Great Oaks Charter School² across the street , but did not provide proof of communication with the school; and

WHEREAS, the Applicant stated that she hopes to expand into the entirety of the premises, including the congruent room using the entrance at 257 Bleecker St.; and

WHEREAS, Great Oaks Charter School, located at 240 Bleecker St. on the corner of Bleecker St and Leroy St., serves children in grades 6-12, with an entrance approximately 140 feet away from the proposed dispensary; and

WHEREAS, the Great Oaks Charter School occupies the whole building for exclusive use as a school as evidenced in the executed and filed Memorandum of Lease (MOL) recorded on the New York City Department of Finance Automated City Register Information System ([ACRIS](#)); that MOL, dated June 22, 2023³ [ACRIS Document ID: 2023062700743001 attached], is between The Church of Our Lady of Pompeii, a New York Religious Institution, as Landlord and Great Oaks Foundation, Inc., a New York not-for-profit corporation as Tenant and clearly states on page 3 of the document that the premises is *"The entire school building (including the former convent floors) located at 240 Bleecker Street, New York, New York (the "Building"), consisting of approximately 39,064 total rentable square feet of space (including 5,959 square feet on the cellar floor and 33,105 square feet of space on the first floor, second floor, third floor, fourth floor, fifth floor, sixth floor, and seventh floor) as shown on Exhibit A attached hereto and made a part hereof (collectively, the "Demised Premises")."*

WHEREAS, the Applicants did not provide petitions or letters of support for the application for licensure and the CLC Committee suggested the applicant connect with nearby residents via the Cornelia Street Block Association.; and

WHEREAS, on January 17, 2024 the Applicant appeared again before the CB2 Cannabis Licensing Committee to present an alternative location which the committee could not review as the required Notification to Municipality Form was not submitted per NYS law; and

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"*, per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

THEREFORE, BE IT FURTHER RESOLVED that CB2 requests that the Office of Cannabis Management and Cannabis Control Board review the proximity of the Great Oaks Charter School located on a corner lot at 240 Bleecker St. as a part of reviewing this application to determine if the location of the

¹ https://www.instagram.com/ny_cbd_smokeshop/?hl=en

² <https://greatoaksnyc.org/>

³ https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc_id=2023062700743001

school, well within 500 ft, would prohibit the issuance of a license at this proposed location which is also a corner location on Cornelia St. and Bleeker St.

CLC RESOLUTION #4

RE: High Profile Holdings LLC., d/b/a The Flowery
388 West St, New York, NY (Corner of Christopher, Weehawken & West Streets)
New Application for Adult-Use Retail Cannabis License

CLC Committee Vote: 4 - Yea, 1-Recusal

CLC Committee Recommendation: Deny/Unless with Stipulations

WHEREAS, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 dated December 11, 2023, and signed by Dorian Harrington under the corporate entity High Profile Holdings LLC., d/b/a The Flowery, stating the intention to apply for an Adult-Use Retail Dispensary to be operated at 388 West St, 10014; and

WHEREAS, the submitted questionnaire states that Dorian Harrington is 100% owner of High Profile Holdings LLC, hereinafter referred to “Applicant”; and

WHEREAS, the Applicant appeared with “advisor” Fred Polsinelli⁴; and

WHEREAS, Dorian Harrington is party to a CAURD (Conditional Adult-Use Retail Dispensary) license which has given notice in Community Board 5 Manhattan; L.O.R.D.S d/b/a NoMad Cannabis, license number: OCMCAURD-2022-000512, but is applying in Community District 2 for individual licensure under a separate entity outside the CAURD Program; High Profile Holdings LLC., d/b/a The Flowery, and

WHEREAS, the Applicant is number 817 in the NYS Office of Cannabis Managements queue to review Adult-Use Retail Dispensary licenses⁵; and

WHEREAS, NYS Office of Cannabis Management will issue 250 non-provisional Adult-Use Retail Dispensary licenses to those who applied in December⁶; and

WHEREAS, [The Flowery](#)⁷ is a chain of cannabis dispensaries based in Florida, now operating in multiple states with [a New York City Dispensary that opened on January 17th, 2024 in Staten Island](#)⁸; and

WHEREAS, the Applicant stated that Florida-based medical dispensary and cultivation company, The Flowery, will provide branding; and

WHEREAS, Applicant stated that Anthony Capone, who is the CEO of cannabis brands [Packwoods](#)⁹, Los Angeles cannabis distribution/manufacturing company [TrendHaus](#)¹⁰, and Los Angeles snacks brand [Cali Sweets](#)¹¹, would be involved with the dispensary as an “advisor” providing operational support and, possibly, financing; and

WHEREAS, the proposed premises is a one-story retail storefront building; with alternate Department of Buildings addresses at 10-14 Weehawken Street, 187 Christopher Street, and 390 West Street; and

WHEREAS, Applicant’s proposed premises has a ground floor of 2,650 square feet and a 2000 square feet basement; and

⁴ <https://ethics.ny.gov/polsinelli-public-affairs-llc-frederico-polsinelli-jr>

⁵ <https://cannabis.ny.gov/system/files/documents/2024/01/retail-and-microbusiness-non-provisional-queue-oct-nov-2023.pdf>

⁶ <https://www.youtube.com/watch?v=otbO2ktJvHY>

⁷ <https://theflowery.co/>

⁸ <https://theflowery.co/article/the-flowery-staten-island-ny-opening>

⁹ <https://www.packwoods.com/>

¹⁰ <https://www.linkedin.com/company/trendhaus-distribution/about/>

¹¹ <https://www.instagram.com/calisweetsllc/?hl=en>

WHEREAS, Applicant provided a binding letter of intent for the proposed premises and an unsigned lease; and

WHEREAS, the projected opening date is May 2024; and

WHEREAS, the Applicant plans to utilize two points of ingress/egress, 388-390 West Street, and 187 Christopher St; and

WHEREAS, the proposed premises is located in a primarily residential area across from Hudson River Park & Greenway and Pier 45 lawn; and

WHEREAS, the premises is within the [Weehawken Street Historic District](#)¹²; and

WHEREAS, external security guards and an online queuing system will be implemented to mitigate potential crowding on the sidewalk; and

WHEREAS, security procedures will include prepping staff and security with talking points, and place signs reminding customers of the rules/laws; and

WHEREAS, staff will consist of 20 employees: budtenders, general manager, assistant managers, cashier, delivery manager, and security; and

WHEREAS, the Applicant stated that the premises is compliant with ADA guidelines; and

WHEREAS, the Applicant did not submit a security plan but stated he plans to hire Kent Security and develop a plan when it's time; and

WHEREAS, the Applicant did not provide a menu or price list of products to be sold in the store; and

WHEREAS, the dispensary will be within 100' of [the Bailey-Holt House](#)¹³ located on Christopher Street which has provided congregate housing for the homeless and people living with HIV/AIDS since 1986; and

WHEREAS, the Applicant stated in his questionnaire that no outdoor space, including the roof, will be used by the business; and

WHEREAS, the proposed hours of operation for the ground-floor retail dispensary are: Sunday through Thursday 9:00AM - 9:00PM, Friday and Saturday 9:00AM - 12:00AM

WHEREAS, any amplified sounds from computers, monitors, televisions, or speakers will be at "background" volume, and inaudible to neighboring residents and businesses at all times, and premises currently is soundproofed; and

WHEREAS, the Applicant stated in his questionnaire that he plans to perform community outreach only if he is licensed; and

WHEREAS, concerns were raised about customers using Hudson River Park as a location to smoke the cannabis products purchased at the dispensary; and

WHEREAS, the proposed premises has not submitted a Certificate of Occupancy or Letter of No Objection for the NYC Department of Buildings; and

WHEREAS, the [most recent Certificate of Occupancy](#)¹⁴ for the premises allows only 10 people to occupy the space at one time; and

WHEREAS, the Applicant submitted a floor plan for only the ground floor of the premises but not the cellar level and there was concern expressed about the safety and condition of the cellar level; and

¹² https://vparchive.gvshp.org/_gvshp/pdf/PDFs/weehawkenstreet-report.pdf

¹³ <https://shnny.org/blog/entry/bailey-holt-house-the-first-supportive-housing-for-those-living-with-hiv-ai/>

¹⁴ https://drive.google.com/file/d/12_YXAqYmszALQrnuEJz2bLSZIEYV9r-l/view?usp=sharing

WHEREAS, Applicant agrees to these stipulations listed below as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the Community Board 2 Manhattan recommendation regarding its Adult-Use Retail Dispensary License. These stipulations constitute the entire agreement between Community Board 2 Manhattan and Dorian Harrington and/or High Profile Holdings LLC, and may only be altered in writing by both parties. These stipulations supersede any oral statements or representations related to the application for Dorian Harrington and/or High Profile LLC to Community Board 2 Manhattan.

The premises will operate as a dispensary selling cannabis products per state law.

1. The dispensary's retail operating hours are: Sunday-Thursday 9:00am-9:00pm, Friday and Saturday 9:00am-12:00am.
2. Uniformed security personnel managing the queue, checking the IDs of patrons upon entry, and again at the purchase point, and will utilize stanchions and ropes as necessary, and only when necessary.
3. Will not hold any events, public or private.
4. Any amplified sounds will be at background volume and inaudible to nearby businesses and adjacent residences, and outside the dispensary premises.
5. The dispensary will have unique branding and signage, and will not bear the name or likeness, in design or branding, of any other business, including "The Flowery".
6. A Letter of No Objection, and Certificate of Occupancy allowing more than 10 people to occupy the premises, will be obtained before allowing public access to the premises and those documents will be shared with Community Board 2 Manhattan as soon as each is issued.
7. Doors and windows will remain closed other than ingress and egress.
8. Patron ingress/egress will be through the front doors at 388 West Street only.
9. No patrons will remain after the stated closing times.
10. Dispensary security will prevent loitering and smoking near the premises.
11. Only individuals engaging in activity, expressly or by necessary implication, permitted by the Cannabis Law, MRTA, and Adult-Use Retail Cannabis Regulations are allowed to remain on the premises of the licensee.
12. No part of the premises or congruent premises will be utilized for cannabis consumption at any time now or in the future.
13. Will appear before CB2, Manhattan before submitting any changes to the stipulations agreed to herein as they comply with State regulations.

THEREFORE, BE IT RESOLVED that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Dorian Harrington, High Profile Holdings LLC., d/b/a The Flowery, 388 West St, New York, New York **unless** the information the Applicant has presented is accurate and complete and that the above-stated stipulations (#1-13), agreed to by the Applicant, are signed and notarized by the applicant "be part of the record upon which the Office makes its recommendation to the Board", per §119.3 10(d) of the [Revised Adult-Use Cannabis Regulations](#).

RESOLUTION #5

**RE: Jack Luber, Appleseed Farms Corp d/b/a Cousin Mary's
22 Little West 12th Street (bet Washington & West Streets)
New Application for Adult-Use Retail Cannabis License**

CLC Committee Vote: 4-Yea, 1-Recuse
CLC Committee Recommendation: Deny/Unless

WHEREAS, Community Board 2 (CB2) received Notification to Municipality form OCM-06009 signed by Jack Luber under the corporate entity Appleseed Farms d/b/a d/b/a Rosebud, LLC, New York, NY stating the intention to apply for an Adult-Use Retail Dispensary and Consumption Facility to be operated at 22 Little West 12th Street, on December 19, 2023; and

WHEREAS, the proposed business is owned by Jack Luber 51%, and Eric Olsen 49% hereinafter referred to "Applicant"; and

WHEREAS, Applicant Jack Luber appeared with attorney Andrew Cooper; and

WHEREAS, the proposed premises is a storefront (entrance at 22 Little West 12th), within wholly commercial building and block; and

WHEREAS, Applicant's proposed premises has ground floor of 3700 square feet; and

WHEREAS, the proposed premises has two points of ingress/egress at 22 Little West 12th Street., and 63 Gansevoort Street: and

WHEREAS, the retail store is only accessible via Little West 12th St.entrance; and

WHEREAS, the entrance at 63 Gansevoort entry only offers access to the cellar, which is a separate space, which the Applicant has no plans to rent at this time; and

WHEREAS, Applicant provided a binding letter of intent for the proposed premises; and

WHEREAS, Jack Luber was granted a CAURD (Conditional Adult-Use Retail Dispensary) license by the State of New York under the same entity for which notice was given to CB2; Applesed Farms Corp DBA Cousin Marys, OCMCAURD-2022-000476; and

WHEREAS, the proposed premises has two points of ingress/egress at 22 Little West 12th St., and 63 Gansevoort St; and

WHEREAS, the premises is located on a fully commercial block consisting primarily of hospitality and retail establishment, with no residential buildings; and

WHEREAS, Little West 12th Street between Washington Street and 9th Avenue (Greenwich Street) is part of the [NYC Open Streets Program](#)¹⁵, with full closure Wednesday-Friday 2:00PM-10:00PM, and Saturday and Sunday 12:00PM-10:00PM; and

WHEREAS, due to the Open Street, no significant or disruptive increase in sidewalk or vehicular traffic is anticipated; and

WHEREAS, external security guards and an online queuing system will mitigate potential crowding on the sidewalk; and

WHEREAS, security procedures include the management of keeping the sidewalk free and clear of smokers or loitering individuals; and

WHEREAS, staff will consist of 15 employees: Manager, assistant manager, 3 product fulfillment, 7 cashiers, 3 security guards; and

WHEREAS, the premises is fully compliant with ADA guidelines, elevators and public bathrooms are accessible to all; and

WHEREAS, the interior and exterior will be covered by 24-hour camera surveillance monitored by a 24/7 security company, and onsite security will include 3 guards at all entrance points and on the floor to keep customers and staff safe at all times; and

WHEREAS, the Applicant expressed, on his questionnaire, an intention to operate a "Temporary Consumption Facility" in the congruent cellar level of the building, but has since reconsidered and will be renting the ground floor space for retail only; and

WHEREAS, the Applicant hopes to open the business within the first 6 months of 2024; and

WHEREAS, the dispensary will offer delivery and employ a full-time logistics dispatcher to route delivery personnel and make sure that they are scheduled to return at subsequent and non-conflicting times of the day; and

¹⁵ <https://www.nyc.gov/html/dot/html/pedestrians/openstreets.shtml>

WHEREAS, the building does not offer the use of any outdoor space and the Applicant will not utilize any outdoor space; and

WHEREAS, any amplified sounds from computers, monitors, televisions or speakers will be at "background" volume, and inaudible to neighboring residents and businesses at all times and any volume that exceeds the decibels defined as "background" by CB2 will be mitigated by installed soundproofing; and

WHEREAS, Applicant has made introductions to several neighboring businesses and are currently attempting to connect with nearby residential buildings and submitted a petition of support from nearby businesses; and

WHEREAS, the proposed hours of operation for the ground-floor retail dispensary are: Sunday through Wednesday 12:00PM - 8:00PM, Thursday through Saturday 12:30PM - 12:00AM; and

WHEREAS, Applicant has retained an external marketing agency with the purpose of ensuring compliance with online campaigns, website management, social media coverage, and outreach programs; and

THEREFORE, BE IT RESOLVED that CB2M recommends **denial** of the new Adult-Use Retail Dispensary License for Jack Luber, Appleseed Farms Corp d/b/a Cousin Mary's, 22 Little West 12th Street, 10014 unless the information the Applicant has presented is accurate and complete and that the above-stated conditions submitted and agreed to by the Applicant *"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](#).

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



Antony Wong, *Treasurer*
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Brian Pape, *Secretary*
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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

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

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Resolution in Support of the World Trade Center Health Program Youth Research Cohort

Whereas

- 1) On and after September 11th, more than 35,000 people younger than 21 years old were exposed to toxic dust and smoke from the World Trade Center (WTC) disaster; and
- 2) In December 2022, Congress amended section 3341(c) of the Public Health Service Act (42 U.S.C. § 300mm–51(c)) to include a Research Cohort for Emerging Health Impacts on Youth (individuals who were 21 years of age or younger on September 11, 2001), and this act instructs the World Trade Center Health Program (WTCHP) Administrator, in consultation with the Secretary of Education, to establish this research cohort to track this population's health longitudinally; and
- 3) To meet scientific standards, the Youth Research Cohort must be of sufficient size to conduct future research studies on the health and education impacts of 9/11 exposures, and must be sufficiently representative of those who were 21 years old or younger at the time of exposure, and reflect the diversity of the communities exposed in Manhattan below 14th Street and into the borough of Brooklyn; and
- 4) The Youth Research Cohort must include large numbers of individuals who have symptoms linked to 9/11 (Certified-eligible WTC survivors) and large numbers of individuals who do not (Screening-eligible Survivors); and
- 5) The WTC Scientific / Technical Advisory Committee (STAC) was convened at the request of Dr. John Howard, WTCHP Administrator, for a June 21, 2023 meeting where it heard from scientists, young survivors and other stakeholders, and discussed recommended approaches for the new Youth Research Cohort to be established by the WTCHP; and
- 6) A June 29, 2023 letter from the STAC Chair put forward the STAC's recommendations addressing how the WTCHP should support and facilitate the process for reaching, recruiting and retaining a cohort of young survivors. *See:*
https://www.cdc.gov/wtc/pdfs/stac/LTR_Ward_STAC_23_June_2023_Stamped-508.pdf

- 7) The WTCHP has issued a Request for Information (RFI) seeking feedback from the 9/11-affected community, as well as researchers, educators, etc. on the preferred approach for establishing a Youth Research Cohort, and on which health conditions are research priorities; now

Therefore, be it resolved that

- 1) **Manhattan** Community Board 2 recognizes that the new 9/11 Youth Research Cohort is essential for tracking the health of young survivors who lived or attended school or daycare in Lower Manhattan on 9/11 or in the weeks and months after, and that a successful cohort will yield key findings regarding unmet 9/11-related health needs of young survivors, as well as the survivor community; and
- 2) Manhattan Community Board 2 pledges its support for this critical endeavor so that the process of assembling the cohort will benefit from the productive engagement of residents who experienced the 9/11 attacks and their aftermath and who committed to and accomplished the successful rebuilding of their neighborhoods and their lives; and
- 3) Manhattan Community Board 2 endorses the STAC's recommendations, including but not limited to the need for community involvement in building the cohort and partnerships with a broad range of researchers, clinicians and stakeholders; the need for incentives to recruit young survivors and the hiring of young adults for peer-to-peer/recruitment work; the need to leverage innovative technologies and social media to conduct outreach, recruitment and retention; a national outreach campaign to raise awareness and recruit young survivors who are no longer in the NYC Metro area, among other recommendations; and
- 4) Manhattan Community Board 2 joins the STAC in supporting the inclusion in the cohort of young survivors whose exposures to the WTC disaster occurred in utero. Research over decades has demonstrated that toxic pollutants to which the mother is exposed can harm the developing fetus. Studies led by Dr. Frederica Perera of the Columbia Center for Children's Environmental Health found that children prenatally exposed to the WTC disaster were more likely to be born small for gestational age, and to have exposure-related 'DNA adducts' which can increase lifetime cancer risk. CB 2 calls for people who were in utero and whose mothers were present in the disaster area for sufficient time during the period from September 12, 2001 to July 31, 2002 (as set forth by the Zadroga Act) to be eligible for the cohort; and
- 5) Manhattan Community Board 2 supports the WTCHP revisiting the use of the NYC Department of Education's directory lists from 2001/2002 (following an unsuccessful effort by the WTC Health Registry's vendor), but with the proviso that better methods for recruitment be used, including use of communication tools targeted to the relevant age groups (social media, text messaging) and leveraging existing stakeholder partnerships, both local and national. We agree that the WTCHP cannot rely solely on the DOE lists, because many 9/11-exposed people were too young to be in school in 2001/2002 or

attended private schools at the time. These individuals must be fully represented in the cohort and will need outreach/recruitment; and

- 6) In order to build a cohort that is sufficiently large and representative, the WTCHP must activate the extensive community support infrastructure of Lower Manhattan – the community centers, settlement houses, tenant associations and not-for-profits that span Lower Manhattan, along with religious and independent schools and institutions of higher education, many of whom are directly engaged with residents and other survivors; and
- 7) Manhattan Community Board 2 recommends that the WTCHP create several tiers of grant opportunities of different funding amounts through which groups like these can fund their outreach using records and relationships that only they have. For example, community centers that ran day care, pre-school and after-school programs on 9/11 and in the subsequent months often have long term relationships with the families they served. In addition, we emphasize the importance of a more streamlined, accessible process with plain language instructions for small organizations to apply for grants. It is important for WTCHP to avoid excessive reporting requirements which pose a burden to smaller groups for these opportunities; and
- 8) The WTCHP is requesting feedback regarding which health conditions and potential social and education impacts should be priorities for future research on the WTC Youth. Manhattan Community Board 2 agrees with young survivors, parents, and the Survivors Steering Committee that these impacts should be research priorities: reproductive health problems, autoimmune disease, neurocognitive problems, metabolic disorders related to exposures to endocrine disrupting chemicals, cancers, delayed-onset PTSD or other psychological impacts triggered or exacerbated by serious WTC-related illness of a parent. We also ask how some of these physical and/or psychological impacts have affected educational attainment. If the WTC Survivor Data Center is detecting increased frequency of a condition in the patient population of people exposed as children, that condition may become a research priority; and
- 9) Manhattan Community Board 2 requests that the WTCHP immediately set up on its website a means for young survivors to sign-up for the cohort. In addition, we recommend that the WTCHP send out letters to survivor members explaining what the Youth Research Cohort is and how young survivors can sign up; and
- 10) The entire Youth Research Cohort process, from planning to recruitment to research, must entail community engagement. Findings must be shared by the WTCHP with young survivors and the broader community, with ample opportunity for Q&A.