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



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

## COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE  
NEW YORK, NY 10012-1899

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

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

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

### **FULL BOARD MEETING AGENDA**

**DATE:** Thursday, February 22, 2024

**TIME:** 6:30 PM

**PLACE:** In Person at The Sheen Center for Thought and Culture, 18 Bleecker Street, and Remotely Via Zoom

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

### **II. ADOPTION OF AGENDA**

### **III. REPORTS TO THE PUBLIC**

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

### **BUSINESS SESSION**

### **V. ELECTION OF OFFICERS**

1. Floor opened for additional nominations
2. Election Procedures – Test and Recap

### **VI. APPROVAL OF THE JANUARY FULL BOARD MINUTES**

### **VII. ADOPTION OF THE MARCH, APRIL and MAY 2024 MEETING CALENDAR**

### **VIII. RESOLUTIONS FROM STANDING COMMITTEES**

- |                                   |                                |
|-----------------------------------|--------------------------------|
| 1. Landmarks                      | Chenault Spence                |
| 2. Land Use                       | Katy Bordonaro & Eugene Yoo    |
| 3. Schools & Education            | Patricia Laraia                |
| 4. Street Activities & Resiliency | William Benesh                 |
| 5. Traffic & Transportation       | Shirley Secunda                |
| 6. Executive                      | Susan Kent (and Susanna Aaron) |
| 7. SLA Licensing                  | Donna Raftery                  |

### **IX. NEW BUSINESS**

### **ADJOURNMENT**

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

<span>◀ April</span> <span style="margin-left: 200px;"><b>May 2024</b></span> <span style="float: right;">June ▶</span>						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
TO BE SCHEDULED:  CANNABIS LICENSING  OUTDOOR DINING WG			<b>1</b>  PARKS & WATERFRONT	<b>2</b>  TRAFFIC & TRANSPORTATION	<b>3</b>	<b>4</b>
<b>5</b>	<b>6</b>  STREET ACTIVITIES & RESILIENCY	<b>7</b>  SLA-1	<b>8</b>  LAND USE	<b>9</b>  SLA-2	<b>10</b>	<b>11</b>
<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>  LANDMARKS	<b>17</b>	<b>18</b>
<b>19</b>	<b>20</b>  LANDMARKS 2 (if needed)	<b>21</b>  EXECUTIVE	<b>22</b>	<b>23</b>  FULL BOARD	<b>24</b>	<b>25</b>
<b>26</b>	<b>27</b>  <span style="background-color: yellow;">MEMORIAL DAY</span>	<b>28</b>  SCHOOLS & EDUCATION	<b>29</b>	<b>30</b>  HUMAN SERVICES	<b>31</b>	



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### Landmarks and Public Aesthetics Committee

The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held its monthly meeting on February 13, 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),

**Board Members Absent with Notice:** Zachary Roberts, Valerie De La Rosa, Bo Riccobono, Anita Brandt

**Public Members Present:** Andy Clark (remote)

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

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

**CB2 Board Members Present:** Susan Kent, Chair CB2

There being less than one more than one half of the Board membership of the Committee present, there was not a quorum.

#### 1. \*530 Broadway – Application is to establish a master plan regarding painted artwork on the northern secondary facade.

##### Whereas:

A. A number of murals in SoHo were made through the sponsorship of the City Walls program and three remain as examples of the way in which murals can have a positive effect on the neighborhood; and

B. There are existing Art Master Plans for SoHo buildings that have been approved by the Commission; and

C. The applicant represented that the zoning regulations governing this building do not permit advertising signs; and

D. The area of the sign is approximately the size of a now lost historic sign (65' X 55') and, though larger than what the rules governing master plans for advertising signage would allow, the proposed painted artwork respects certain of the same regulations regarding setback and window clearance; and

E. The duration of the permit is to be for ten years with rotation approximately each year; and

F. The selection of the artists is to be by the building owner in consultation with experts; and

G. There were comments favoring the application from the Public; now **Therefore, be it resolved** that CB2, Manhattan recommends approval of the permit for painted wall art provided that there is no advertising, no illumination and no dimensional elements.

Unanimous

**2. \*299 W. 12<sup>th</sup> St. - Application is to modify a window on the upper level and add an additional window on the lower level of the south facade of a penthouse.**

**Whereas:**

A. The Bing and Bing building is a prominent historic building set in a particularly important and visible location at the north end of Abingdon Square; and

B. The two stories of the penthouse facade original fenestration layout was somewhat irregular as illustrated by historic photographs; and

C. The proposed windows match the existing windows and the irregularity in the placement is indistinguishable from the irregularity of the existing historic placement for the penthouses; now

**Therefore, be it resolved** that CB2, Manhattan recommends **approval** of the window modifications as they are respectful of the historic building.

Unanimous

**3. \*477 W. Broadway – Application is to construct an open structure for year-round dining over the existing patio.**

**Whereas:**

A. The open space is a small residual private lot, of a kind common along the south side of Houston Street, resulting from the widening of the street in connection with the building of a subway line; and

B. The plot is presently used for outdoor dining and is proposed to be fitted with a structure that was represented by the applicant as an enclosure that can provide shelter and comfort for year-round dining without being a conventional building; and

C. The structure is 10' high in a stark modern design in dark bronze painted aluminum with a glass louver ceiling with glass doors and gives a heavy, permanent appearance; and

D. The appearance of a “building” rather than a “shed” is at odds with the applicant’s referencing the historic photograph presentation of improvised areas for trade historically occupying such lots along the street; and

E. The design has no historic reference to the neighborhood, nor does it evoke the feeling of an enclosed sidewalk cafe; and

F. The west end of the structure has glass doors with operable louver windows on either side that appear to be an entrance to a regular building; and

G. The existing 6'6" high fence is to remain and to be painted black and covered in artificial greenery; and

H. The structural elements are heavier in appearance than would plausibly be required for such a structure, and their being painted a dark color in combination with the covering of the black fence with artificial greenery add to the feeling of a heavy, enclosed building; and

I. There was testimony from the public opposed to the building; now

**Therefore, be it resolved** that CB2, Manhattan recommends **denial** of the application as being a modern building without historic reference rather than a light structure that preserves the spirit of outdoor dining and has a historic reference to the neighborhood.

Unanimous

**4. \*230 W. 11th St. – Application is to construct a new roof and bulkheads (stair) install HVAC, construct a new sub-cellar, cellar extension, install new rear façade wall and windows, and rebuild existing 2-story rear addition.**

**Whereas:**

A. There is to be restoration for the front facade and entrance which is approved by the Commission staff; and

B. The new stair bulkhead and mechanical screening are in dark standing seam metal and are minimally visible; and

C. The chimney extension for clearance of the new bulkhead and the required fence at the front of the roof are usual for the neighborhood; and

D. The existing rear extension with random fenestration is to be demolished at the basement, parlor and second floor; and

E. A new extension is in line with the extensions on the two buildings to the east and preserves the unusually open doughnut adjacent to a large garden area; and

F. The extension matches existing brick, and has French doors in three punched openings at the basement, parlor and second floor; and

G. There are Juliet balconies at the parlor level and the roof of the extension serves as a terrace with simple metal railing; and

H. The upper floors have double hung windows in the preserved rear wall and the parapet is to be modified to accommodate elongated window openings at the top floor; and

I. The cellar is to be excavated 3' below the existing building with underpinning along the western wall; and

J. The cellar is extended into the garden with a sub cellar below for a total depth of 21' below grade and requires no underpinning; and

K. Representations by the applicant and drawings affirm that great care is being taken to ensure that the excavation and underground construction meet high standards and that the house and neighboring structures' integrity will be assured; now

**Therefore, be it resolved that CB2, Man. recommends approval of this application as a careful, respectful restoration and modification of a typical high stoop West Village row house, provided that care is taken with the excavation and underground construction to ensure the integrity of the house and neighboring structures.**

Unanimous

Respectfully submitted,



Chenault Spence, Chair

**New Business:**

**A letter of support from CB2, Man. Landmarks Committee for The New School's application for a NYC Capital Funding Grant to renovate its auditorium from CB2:**

The auditorium is one of the very rare interiors with landmarks designation in the CB2 district and is very much in need of extensive renovation. The Committee recognizes the importance of this landmark and unanimously in favor of supporting the request for funding.

The Committee sent a letter of support for The New School's application for a NYC Capital Funding Grant to renovate and update the historic auditorium located in the Alvin Johnson/J.M. Kaplan Hall at 66 West 12th Street. (The Committee was obliged to send the letter on its own because the deadline for submissions was February 15<sup>th</sup>, ahead of the Board meeting on February 22<sup>nd</sup>). The letter is attached.

**Letter of support for the nomination of 821 Broadway to the National and State Registers of Historic Places from CB2, Man. Landmarks Committee.**

The building is of considerable architectural and historic interest and is within the South of Union Square area that Village Preservation and other interested parties have petitioned the Landmarks Commission for designation as a landmarked district.

The Committee recommend sending a letter of support for the nomination of 821 Broadway to the National and State Registers of Historic Places.



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



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

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February 14, 2024

Honorable Mark Levine  
Manhattan Borough President  
David N. Dinkins Municipal Building  
1 Centre Street, 19th floor  
New York, NY 10007

Honorable Adrienne Adams  
NYC Council Speaker  
City Hall  
New York, NY 10007

Honorable Carlina Rivera  
NYC Council Member – 2<sup>nd</sup> District  
250 Broadway, Suite 1820  
New York, NY 10007

Honorable Erik Bottcher  
NYC Council Member – 3<sup>rd</sup> District  
250 Broadway, Suite 1785  
New York, NY 10007

Re: Support for the Renovation of the Historic Auditorium  
At The New School's Alvin Johnson/J.M. Kaplan Hall

Honorable Borough President Levine, Council Speaker Adams, Council Member Rivera, and Council Member Bottcher:

The Landmarks & Public Aesthetics Committee of Manhattan Community Board 2 strongly supports The New School's application for a NYC Capital Funding Grant to renovate and update the historic auditorium located in the Alvin Johnson/J.M. Kaplan Hall at 66 West 12<sup>th</sup> Street. Due to the deadline for submitting this application to the Department of Cultural Affairs, it was impossible for the Committee to submit its recommendation for our full board's consideration. However, we would like to point out that the renovation project is consistent with CB2's philosophy on the preservation of historic structures in our district and will restore an important contributor to local architectural history.

Completed in 1931, the Joseph Urban-designed auditorium – a focal point of one of the first International Style structures to be constructed in the United States – included innovative use of plaster grill designs to enhance its acoustics. In its 1997 interior landmark designation report, the Landmarks Preservation Commission noted that the "rounded, egg-shaped auditorium in shades of gray accented with red is at once dramatic and intimate." Urban, known world-over for his innovative use of color and decorative use of line, was one of the originators of the American Art Deco style and was selected as the architect for The New School's first permanent home on West

February 14, 2024

Page 2

12<sup>th</sup> St. at the urging of Frank Lloyd Wright. Sadly, most of Urban's architectural work in the US has been destroyed.

The Johnson/Kaplan Hall's auditorium at 66 West 12<sup>th</sup> Street, one of only a small number of designated interior landmarks in New York City, has long served as a venue for events open to the general public – such as performances by faculty and students, lectures, fireside chats, panel discussions, and educational events on the issues of the day – that engage the university and the broader community in the cultural life of New York City. In years past, CB2 has enjoyed meeting at the auditorium; the possibility to again use this remarkable space, as The New School's academic schedule permits, would be a great benefit for CB2 and the community we serve. As you are all well aware, appropriate board meeting facilities within our district are in short supply, and determining a location each month is no small chore.

If you have any questions, please do not hesitate to contact us at [skent.cb2@gmail.com](mailto:skent.cb2@gmail.com) or [chenaultspence@earthlink.net](mailto:chenaultspence@earthlink.net). Thank you for your consideration of this worthy application.

Respectfully yours,



Susan Kent, Chair  
Manhattan Community Board 2



Chenault Spence, Chair  
MCB2 Landmarks & Public Aesthetics  
Committee



**New York State  
Parks, Recreation and  
Historic Preservation**

**KATHY HOCHUL**  
Governor

**ERIK KULLESEID**  
Commissioner

February 6, 2024

Mark Diller  
District Manager  
Manhattan Community Board No. 2  
3 Washington Square Village, #1A  
New York, NY 10012

Rec'd By Community Board 2, Man

FEB 13 2024

Re: 821 Broadway  
821 Broadway  
New York, NY 10003  
New York County

Dear Mark Diller:

We are pleased to inform you that the property, noted above, will be considered by the New York State Board for Historic Preservation at its next meeting, **March 14, 2024**, for nomination to the National and State Registers of Historic Places. These registers are the official lists of properties that are significant in history, architecture, engineering, landscape design, and culture. Listing in the registers provides recognition of our national, state and local heritage and assistance in preserving it. Enclosed is a copy of the criteria under which properties are evaluated for listing.

Listing in the National and State Registers affords properties a measure of protection from the effects of federal and/or state sponsored or assisted projects, provides eligibility for certain federal and/or state tax credits and renders properties owned by non-profits or municipalities eligible for state preservation grants. In general, there are no restrictions placed upon private owners of registered properties. The results of listing are explained more fully in the attached fact sheet.

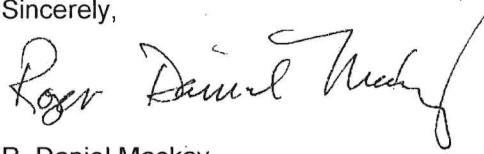
Owners of private properties proposed for listing in the National Register must be given the opportunity to concur in or object to the listing. If you are the sole owner of the property proposed for listing and you wish to object to National Register listing, you must submit acknowledgement that you are the owner of the property in question and that you object to the proposed listing, adding the following signed and dated sentence, "I declare under penalty of perjury that the foregoing is true and correct" (see 28 U.S.C. § 1746; <https://www.govinfo.gov/content/pkg/USCODE-2019-title28/pdf/USCODE-2019-title28-partV-chap115-sec1746.pdf>). Alternately, you may submit a notarized objection. If you are the sole owner and you object by either of these two methods, the property cannot be listed. If there is more than one owner, a majority of the private owners must submit objections in the manner noted above in order to prevent listing. Each private property owner has one vote regardless of what portion of a single property that party owns. Objections must be submitted before the property is listed.

If a property cannot be listed because of owner objection, the SHPO will submit the nomination to the Keeper of the National Register for a determination of eligibility for listing. Properties formally determined eligible for National Register listing by the Keeper are subject to the same protection from the effects of federally sponsored or assisted projects as are listed properties. There are no provisions in the New York State Historic Preservation Act that allow an owner to prevent listing in the State Register by means of objection.

If you wish to comment on whether or not the property should be nominated to the National and State Registers, please send your comments to the SHPO at the address below. Comments must be received by **March 13, 2024**, in order to be considered by the State Board for Historic Preservation when it reviews the proposed nomination.

A draft copy of the proposed nomination will be made available upon request approximately thirty days prior to the board meeting. Additionally, draft nominations will be posted on our website ([parks.ny.gov/shpo/](https://parks.ny.gov/shpo/)) in advance of the meeting date. For more information, contact Linda Mackey, Division for Historic Preservation, Peebles Island State Park, P.O. Box 189, Waterford, New York 12188, (518) 268-2148 or via email at [linda.mackey@parks.ny.gov](mailto:linda.mackey@parks.ny.gov).

Sincerely,



R. Daniel Mackay  
Deputy Commissioner for Historic Preservation and  
Deputy State Historic Preservation Officer

Enclosure: NYS and National Registers of Historic Places National Register Criteria for Evaluation  
NYS and National Registers of Historic Places Frequently Asked Questions  
NYS Historic Homeownership Rehabilitation Tax Credit Program  
Federal and NYS Historic Preservation Tax Credit Programs

***Para información en español vaya a [parks.ny.gov/shpo/national-register/](https://parks.ny.gov/shpo/national-register/) y [parks.ny.gov/shpo/tax-credit-programs/](https://parks.ny.gov/shpo/tax-credit-programs/)***



# FEDERAL AND NEW YORK STATE HISTORIC PRESERVATION TAX CREDIT PROGRAMS

## Incentives for Historic Commercial Properties

Owners of historic income-producing properties may be eligible for federal and state income tax credits equaling 20% - 50% of qualified rehabilitation costs.

### PROGRAM ELIGIBILITY:

- You must own an income-producing property.
- The property must be listed or be in the process of being listed in the New York State and National Registers of Historic Places (individually listed or contributing to a historic district).
- The federal credit is available state-wide; the state tax credit requires that the property be located in a qualifying census tract.
- The cost of the rehabilitation must be equal to or greater than the adjusted basis of the property; the IRS states the adjusted basis of a building is the cost of the property (excluding land) plus or minus adjustments to basis.
- The rehabilitation work must follow the Secretary of the Interior's Standards for Rehabilitation, which focus on repairing historic materials, retaining character-defining features, and preserving important interior spaces.
- The credits only cover work on the historic building, new construction outside the existing building footprint does not qualify.

### GENERAL GUIDELINES:

- Contact the Division for Historic Preservation (DHP) for assistance early in the project planning process before you begin work. All work should be approved by the DHP before you begin.
- Projects are reviewed by the DHP prior to submission to the National Park Service, which is responsible for final tax credit project approval.
- The tax credits are a dollar-for-dollar reduction in federal and New York State tax liability.
- The application has three parts: 1. Evaluation of Significance, 2. Description of Rehabilitation, and 3. Request for Certification of Completed Work.

### QUICK TIPS:

- Thoroughly photograph the inside and outside of your building to document the existing conditions prior to the start of work. Failure to submit proper documentation could be cause for denial by the NPS.
- Historic windows, significant interior spaces, and original floor plans are important character-defining features that require careful consideration and appropriate treatment during project planning and construction.





# FREQUENTLY ASKED QUESTIONS

## **What is a preservation tax credit?**

It is a direct credit applied to the amount of federal and/or state income taxes owed. The amount of the credit is based on a percentage of the final cost of the rehabilitation work referred to as the Qualified Rehabilitation Expenditures (QREs).

## **How are the federal and state tax credit programs different?**

The federal program offers a **20% credit** based on the Qualified Rehabilitation Expenditures (QREs), and there is no cap to the amount of credit that can be claimed. The state program is limited to properties that are **approved for the federal program and located in qualifying census tracts**. It offers a **20% or 30% credit**, but is **capped at a \$5 million credit** based on the QREs. In order to qualify for the **30% credit**, buildings must be placed in service after January 1, 2022, and have final QREs of no more than \$2.5 million dollars.

## **What kind of work qualifies?**

All interior and exterior rehabilitation work is eligible for the tax credits as long as it follows the Secretary of the Interior's Standards for Rehabilitation, including work that adapts the property for contemporary use or improves its energy efficiency. The programs essentially cover the entire historic building envelope, from foundation to roof, inside and out.

## **How can I find out if a property is listed in the NYS & National Registers of Historic Places, and/or located in a qualifying census tract?**

Visit [parks.ny.gov/shpo/online-tools/](https://parks.ny.gov/shpo/online-tools/) for access to the division's Cultural Resource Information System (CRIS) or call 518-268-2213 for State and National Registers program assistance.

## **What if my property is not listed on the Registers?**

The Division staff can help you determine if your property is eligible for State and National Registers listing and, if so, provide assistance on the nomination process. Although listing is a program requirement, the property does not have to be listed before you begin the project.

## **Can the tax credits be used in combination with other public funding programs?**

Yes. A variety of federal and state incentive programs can be used in conjunction with the preservation tax credits, such as community development grants, low-income housing credits, and renewable energy credits.

## **What is the review and approval process?**

The Division staff is your primary contact, reviewing your application materials throughout project planning and construction, providing technical assistance and advice, requesting information as needed, and submitting your application materials to the National Park Service for review & approval.

## **When can I claim my credits once a project is approved?**

With the passage of federal tax reform in 2017, the federal historic tax credit is now required to be claimed over a five year period. The NYS credit can be fully claimed in the first year a building is placed in service.





# NEW YORK STATE HISTORIC HOMEOWNERSHIP REHABILITATION CREDIT PROGRAM

## Incentives for Owners of Historic Homes

If you are the owner of a house that is listed in the State and National Registers of Historic Places individually or as a contributing to a listed/certified historic district AND it is located in an eligible census tract, you may qualify for a state historic tax credit equal to 20% of the repair costs

### PROGRAM QUALIFICATIONS:

- You must own and live in the house.
- The house must be listed in the State Register of Historic Places (individually or contributing to a district).
- The house must be located in a qualifying census tract.
- The total costs must exceed \$5,000 and you must spend at least 5% on exterior work.
- All the work must be approved by the Division for Historic Preservation (DHP) before you begin.



Buffalo

### QUALIFIED EXPENSES:

Exterior and interior work is eligible and you can undertake a variety of repairs and/or replacements as long as the work does not significantly change your house's overall historic appearance, including but not limited to:

- Structural systems, including foundations, floor joists and ceiling and attic rafters.
- Roofs, including roof coverings, rafters, fascia, soffits, gutters and downspouts.
- Interior work, including floors, walls, stairs, ceilings and trim around windows and doors.
- Utility systems, including heating, ventilation, air conditioning, electrical and plumbing systems as well as fire safety and security systems.
- Windows and doors, including glass, frames, shutters, hardware and storm windows.
- Exterior walls, cornices, porches and foundations, including siding, dormers, brackets, columns, railings, stairs, window and door trim, concrete or masonry walls and chimneys.
- Weatherproofing, including caulking, weather-stripping and some insulation upgrades.

*Please note that the credit does not apply to work outside the footprint of the house, such as new additions, landscaping, driveways, fencing, or detached garages.*





# FREQUENTLY ASKED QUESTIONS

## **If I want to apply for the credit, what should I do?**

For more information, the application, or to find out if your house is eligible, please visit <https://parks.ny.gov/shpo/tax-credit-programs/> or call 518-268-2213 to speak to the DHP staff member who covers your municipality.

## **Can I make my house more energy efficient?**

Yes. As long as the work does not alter the house's overall historic appearance. High efficient heating systems, solar installation, insulation, and other weatherization projects may be eligible expenses. Please note that existing wood windows can be made more energy efficient with proper repair, including the installation of weather stripping and interior or exterior storm windows, which are additionally eligible expenses.

## **Can I replace my windows?**

Window replacement is an eligible expense if the existing windows are not historic or cannot be repaired due to severe deterioration. You must provide photographs of the windows to show their condition and the proposed replacements must be approved by the division. Vinyl or vinyl clad windows are generally not acceptable. If you are approved for replacements, staff will request the product information for the proposed windows.

## **Can I install vinyl siding on my house?**

Replacing repairable historic material is never recommended; however, if the historic material cannot be repaired because of the extent of the damage, we recommend that the material is replaced in-kind. The use of modern materials over existing wood or masonry may lead to future moisture damage to the structure and will diminish the historic appearance of the building.

## **Can I use the credit if I have a rental unit in my house?**

Yes. Generally, only the work associated with the homeowner-occupied portion of the house is eligible. There is a formula to include repairs of the property to areas of the home that are shared with your tenants. Please contact your DHP representative for more information. Additionally, your house may be eligible for historic preservation tax incentives for commercial properties.

## **When can I take the tax credit?**

This historic tax credit is taken in the year that the owner receives a Certification of Completion from the Division for Historic Preservation; the certificate is issued when work is completed and Part 3 of the tax credit application is submitted and approved.

## **What if I am unable to use all/any of the credit?**

The credit can be carried over to subsequent years until it is used. If your household adjusted gross income is \$60,000 or below, the unused credit will be issued as a refund.

## **Can I pass the credit on to a new buyer?**

Yes. If you receive certification for the completed work, or approval of Part 3 of the application, and want to pass the entire credit on to the first purchaser, you may. The buyer needs to live in the house, and needs to claim the credit within five years of certification. This can be useful if you are selling the house or for an organization that does not pay taxes to rehabilitate historic buildings and improve neighborhoods.



# New York State and National Registers of Historic Places

## NATIONAL REGISTER CRITERIA FOR EVALUATION

The following criteria are used to evaluate properties for listing on the National and State Registers of Historic Places. The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association and

**Criterion A:** that are associated with events that have made a significant contribution to the broad patterns of our history; or

**Criterion B:** that are associated with the lives of persons significant in our past; or

**Criterion C:** that embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or

**Criterion D:** that have yielded, or may be likely to yield, information important in prehistory or history.

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the State and National Registers. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- B. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
- D. a cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- E. a reconstructed building when accurately executed in a suitable environment and presented as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- F. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- G. a property achieving significance within the past 50 years if it is of exceptional importance.

New York State Historic Preservation Office • [parks.ny.gov/shpo](https://parks.ny.gov/shpo)



New York State  
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# New York State and National Registers of Historic Places

## FREQUENTLY ASKED QUESTIONS

**What are the State and National Registers of Historic Places?** The State and National Registers are the official lists of properties significant in history, architecture, engineering, landscape design, archeology, and culture. Properties may be significant in local, state and/or national contexts. More than 120,000 properties in New York have received this prestigious recognition.

**What qualifies a property for listing on the registers?** The registers recognize all aspects of New York's diverse history and culture. Eligible properties must represent a significant historic theme (e.g., architecture, agriculture, industry, transportation) and they must be intact enough to illustrate their association with that theme. Properties must usually be more than 50 years of age to be considered for listing.

**What are the benefits of being listed on the registers?** The State and National Registers are a recognized and visible component of public and private planning. The registers promote heritage tourism, economic development and appreciation of historic resources. Benefits include:

- Official recognition that a property is significant to the nation, the state, or the local community.
- Eligibility to apply for the state homeowner tax credit and/or the state and federal commercial historic rehabilitation tax credits.
- Eligibility (not-for-profit organizations and municipalities only) to apply for New York State historic preservation grants. Other grants, also requiring listing, may be available through other public and private sources.
- Properties that meet the criteria for registers listing receive a measure of protection from state and federal undertakings regardless of their listing status. State and federal agencies must consult with the SHPO to avoid, minimize, or mitigate adverse effects to listed or eligible properties.

**Will State and National Registers listing restrict the use of a property?** If you are not using federal or state funds to complete your project (e.g. a grant or tax credit, CD funds, a Main Street Grant) and you do not require a state or federal permit to undertake it (e.g. DEC permit), you are free to remodel, alter, paint, manage, subdivide, sell, or even demolish a National or State Register listed property (as long as you comply with local zoning). If state or federal funds are used or if a state or federal permit is required, proposed alterations may be reviewed by SHPO staff if the property is either listed or determined eligible for listing.

**What kinds of properties can be included in the registers?** Buildings and structures such as residences, churches, commercial buildings and bridges; sites such as cemeteries, landscapes and archaeological sites; districts, including groups of buildings, structures or sites that are significant as a whole, such as farmsteads, residential neighborhoods, industrial complexes and cultural landscapes; and objects, such as fountains and monuments.

**What is a historic district?** A historic district is a group of buildings, structures, and sites that are significant for their historical and physical relationships to each other. Properties in districts are not usually significant individually but gain meaning from their proximity and association with each other. A district may include any number of properties.

**What is the process for listing a property on the registers?** To begin, an application must be submitted to the State Historic Preservation Office (SHPO) for evaluation. If the property is determined eligible for listing, the nomination sponsor is responsible for providing documentation that describes the property's setting and physical characteristics, documents its history, conveys its significance in terms of its historic context, and demonstrates how it meets the register criteria. The New York State Board for Historic Preservation reviews completed nominations. If the board recommends the nomination, the New York State Historic Preservation Officer (Commissioner of the Office of Parks, Recreation and Historic Preservation) lists the property on the State Register and forwards it to the National Park Service for review and listing on the

New York State Historic Preservation Office - [parks.ny.gov/shpo](https://parks.ny.gov/shpo)



New York State  
Parks, Recreation and  
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Revised October 2023



# New York State and National Registers of Historic Places

## FREQUENTLY ASKED QUESTIONS

**Can an owner object to having their property listed on the registers?** Yes. Private property owners may object to National Register listing. If the property has one owner, that owner's objection will prevent the listing. If the property has multiple owners, the majority of the owners must object in order to prevent listing. For properties with multiple owners, such as districts, objections only count toward the listing of the district as a whole. No one owner can exempt themselves from listing in a district by means of an objection. Although the State Register does not recognize owner objections, it is the policy of the SHPO to avoid listings with significant objections and to work with nomination sponsors and communities to provide information and education about the registers program.

**How long does it take to get a property listed?** The length of time required for the preparation and review of an individual nomination is typically twelve months or longer, depending on the quality of the application and staff workloads. Historic districts generally require at least a year to account for their greater complexity and the additional need for public comment.

**How do the State and National Registers differ from local landmark designation?** State and National Registers listing should not be confused with local landmark designation. Many communities have enacted local landmark ordinances that establish commissions with the authority to review proposed work on locally designated properties. These commissions are established and operated independently from the State and National Registers, which do not regulate the actions of private property owners unless state or federal funds are used or a state or federal permit is required. National Register listing does not automatically lead to local landmark designation, and local districts often differ from those listed on the registers.

**Must owners of listed buildings open their buildings to the public?** No. There is absolutely no requirement to open register-listed properties to the public.

**Will a property owner be able to leave their property to their children or anyone else they wish?** Yes. Listing on the registers in no way affects the transfer of property from one owner to another.

**Will listing on the State and National Registers, either individually or in a historic district, affect local property taxes or zoning?** No. Listing has no direct bearing on any of these local actions.

**How can an owner get a State and National Registers plaque to display on their building?** Although the SHPO does not provide plaques, a list of manufacturers is available upon request.

**How does listing protect a building and its surroundings?** The registers are a valuable tool in the planning of publicly funded, licensed or permitted projects. Government agencies are responsible for avoiding or reducing the effects of projects on properties that are eligible for or listed on the registers. Listing raises awareness of the significance of properties, helping to ensure that preservation issues are considered early and effectively in the planning process.

**How do I find out if my building is already listed?** Check out the SHPO's online database, the Cultural Resource Information System (CRIS), which is on our website here: <https://cris.parks.ny.gov>. Here, you can enter as a guest, hit the "Search" button at the top of the page, and search with the address, name of the property, or search by zooming into the map. Your building may not already be listed, but we may have some preliminary information already in CRIS. For more guidance, contact your National Register Unit representative.

**Where can I find out more about the State and National Registers?** Contact the Division for Historic Preservation at (518) 237-8643, visit our website at <https://parks.ny.gov/shpo/national-register/> or see the National Park Service website at <https://www.nps.gov/subjects/nationalregister/index.htm>.



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### LAND USE & HOUSING COMMITTEE

#### February 2024 Report to Full Board

Manhattan Community Board 2 Land Use & Housing committee met Wednesday, February 14, 2024 @ 6:30 PM in person at CB 2's Conference Room and virtually via Zoom

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

Land Use committee members absent with notice: David Gruber and Bo Riccobono

Land Use committee members absent without notice: none

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

Land Use public members absent with notice: none

CB2 members present: Susan Kent (CB2 chair), Amy Brenna, and Emma Smith

Roy Ruiz of Assemblymember Deborah Glick's Office

1. \*110 Christopher Street, BSA Calendar # 16-93 BZ – application to extend the term of a previously granted variance to permit the continued use of commercial stores at the cellar level of a residential building. (Laid over to March 2024)
2. \*Green Fast Track for Housing – CEQR Type II Rulemaking Proposal from the Department of City Planning.

Whereas:

1. In an effort to address New York City's housing crisis, the Department of City Planning (DCP) wishes to expedite the approval of certain private, small- and medium-sized housing

- projects by exempting them from City Environmental Quality Review (CEQR) through a rule change called Green Fast Track for Housing (GFTH).
2. GFTH would allow projects of up to 250 housing units in higher-density, residential districts (R5-10) and up to 175 housing units in lower-density, residential districts (R1-4) that meet certain density- and site-specific criteria to be newly-categorized as Type II projects under CEQR. (CB2M does not have any R1-4 districts.)
  3. Type II projects are exempt from CEQR review and do not require an Environmental Assessment Statement (EAS), so unless a project requires a zoning change, it would not go through the Uniform Land Use Review Procedure (ULURP), a process that includes community board review, and deprive the public of valuable information contained in the EAS documentation.
  4. GFTH would also exempt housing proposals of up to 250 units from CEQR review if they are located in an existing stand-alone Commercial or Manufacturing zoning district, and are a part of a Board of Standards and Appeals decision or an agreement with the Department of Housing Preservation and Development.
  5. CB2M is in favor of streamlining the construction of housing projects, but opposes any changes that would result in a reduction in community board input.
  6. For buildings in historic districts, the Landmarks Preservation Commission (LPC) would be responsible for confirming that these Type II projects would not have an impact on historic properties and districts.
  7. CB2M, which includes a multitude of historic districts (the most of any community board) is concerned that LPC staff, already overburdened and under-budgeted, would be hard-pressed to handle the complexity and ramifications of the additional determinations.

Therefore, be it resolved that CB2M recommends approval with the following conditions:

1. That DCP conduct a pilot program of 3-5 years, during which time community boards would automatically receive a Type II memo, i.e., a written notice for each new Type II project, including the project's application (at a minimum including the project description and the plans), a detailed planning rationale for approving a project's Task II status that includes correspondence with the relevant agencies tasked with evaluating the various environmental impacts, all concomitant approvals, and 45 days to review the application and make a recommendation to DCP.
2. That DCP not exempt residential development in manufacturing districts. Not only should our city's manufacturing districts be protected in general, but in the case of CB2M, our district is home to many large commercial buildings that could be converted to residential use, but because of their size and proximity to our many small-scale historic and residential districts, could have a consequential environmental impact.

3. That DCP find more and better ways to offer a more nuanced approach to addressing and mitigating the cumulative effects of multiple projects in the same area at the same time.
4. That DCP identify specific mechanisms to prevent applicants who own large sites with multiple housing opportunities from deliberately segmenting larger projects so they appear to be individual projects under the 250-unit (R5-10) and 175-unit (R1-4) thresholds and not subject to the CEQR process.
5. Should GFTH pass, projects in historic districts should continue to go through a full LPC review, as opposed to a staff-level review, before being found eligible for fast-tracking. CB2M recommends that if they are found eligible, LPC should generate a Type II memo with the same Type II content recommended in Resolved #1 above (agency correspondence and rationale for the determination that there are no impacts on historic and archaeological resources) and it should be sent to all community boards with the same 45-day time frame for comment. LPC should also be given sufficient additional funds earmarked to enable it to thoroughly process the resulting increased workload.
6. That the list of coastal risk districts (none of which currently are in CB2M) be expanded to include the sites in the current and future (year 2100) flood plain.
7. That all projects subject to CEQR—not just Type II—be required to demonstrate in a detailed fashion that they are complying with the mandates of Local Law 97.

Passed Unanimously

Respectfully submitted,

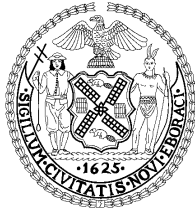
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Co-chair

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### SCHOOLS & EDUCATION COMMITTEE MEETING JANUARY 2024

The Schools & Education Committee met on Monday, January 22, 2024, at 6:30 PM, in the conference room of the CB2 office (hybrid).

**CB 2 Schools & Education Members Present (in-person):** Patricia Laraia (Chair), Anne Hager (Vice Chair), Mar Fitzgerald, Matthew Metzger, and Emma Smith

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

**CB 2 Schools & Education Board Members Absent with Notice:** Akeela Azcuy, and Keen Berger

**Representative from Electeds (remote):** Jonah Rose - Office of Senator Brad Hoylman-Sigal

**Guests:** Anya Bravin and Darlene Lutz (remote)

The meeting was called to order at 6:35 PM

**Agenda:** *Ensuring Inclusive and Safe School Environments for All Students*

The committee reviewed current Department of Education (DOE) regulations for student, staff, and faculty conduct, and guidelines for parent leaders. Jonah Rose gave an overview of relevant bills and pledges to discuss them more with Senator Hoylman-Segal.

**Business Session:** The committee discussed writing a resolution that advocates for clear guidelines and penalties for parent leaders in regard to discrimination, harassment, intimidation, and bullying. It was proposed that this resolution align with [Chancellor's Regulation A-832](#), which addresses student-to-student conduct within the NYC Department of Education. Recognizing the impact of parent involvement on the school community, the proposed guidelines would extend the DOE's commitment to a safe and inclusive environment by holding parent leaders to the same standards of conduct required of students.

Meeting adjourned at 7:20PM



**Inclusion of Guidelines for Conduct for Parents Members of SLT, CEC, and PTAs,  
and Penalties for Violations in Accordance with Chancellor's Regulations on Student-to-  
Student Discrimination, Harassment, Intimidation, and/or Bullying (Chancellor's  
Regulation A-832) with Specific Penalties for Violations**

1. **Whereas**, the New York City Department of Education (NYC DOE) is committed to fostering safe and inclusive school environments for all students, and [Chancellor's Regulation A-832](#)<sup>1</sup> addresses the prevention and intervention of student-to-student discrimination, harassment, intimidation, and/or bullying; and
2. **Whereas**, the active involvement and positive behavior of parents, particularly those serving on School Leadership Teams (SLT), Community Education Councils (CECs), and Parent-Teacher Associations (PTAs), contribute significantly to the overall well-being of the school community; and
3. **Whereas**, it is essential to establish clear behavioral expectations for parents that align with those for students and staff and ensure a safe, supportive, and respectful environment within the school community, and
4. **Whereas**, while parent bodies that work with the DOE may have a code of conduct included in their individual by-laws the Chancellor Regulations meant to protect students from bullying and harassment refer only to staff and student conduct; and
5. **Whereas**, parent members that sit on official bodies that work with the DOE are prohibited from displaying backgrounds or materials identifying themselves as candidates in DOE-supported virtual spaces, including PA/PTA, Presidents' Council, SLT, Title I PAC, DPAC, CPAC, and CCEC meetings, except for DOE-sanctioned Candidate Forums to which all candidates have been invited; and
6. **Whereas**, the [Dignity for All Students Act](#)<sup>2</sup>, state law in New York, and Chancellor's Regulations, specifically Chancellor's Regulation A-832, of the NYC Department of Education (DOE) explicitly state that students cannot be subjected to bullying, harassment, or discrimination in public schools based on any reason, including gender, gender identity, gender expression, or sexual orientation; and
7. **Whereas**, these laws and rules extend protection to all students, irrespective of their self-identification as LGBTQ+ or gender non-binary, or perceptions held by others, ensuring a safe and inclusive environment before, during, and after school, as well as on the bus and at school-sponsored events; and
8. **Whereas**, bullying encompasses various forms such as physical violence, stalking, aggressive gestures, threats, taunts, teasing, purposeful exclusion from peer groups, use of derogatory language or slurs, and offensive material distributed via email, online platforms (e.g., Facebook, Twitter, Snapchat, or TikTok...), or in print; and
9. **Whereas**, recent legislation and proposed legislation seeks to support protections, rights, and recognition of LGBTQ+ children and families, such as:
  - a. Senate Bill ([S2428](#)) Requires LGBT awareness curriculum or instruction
  - b. The Modern Families Act ([S1787](#)) – Currently in Children's and Families
  - c. Anti-Discrimination Requirements in Schools ([S1532](#)) – Currently in Education

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<sup>1</sup><https://www.schools.nyc.gov/docs/default-source/default-document-library/33634-a-832-10-07-2021-final-posted-koreanbdfb32f87c44014947e7f0ac23dd1fd>

<sup>2</sup>The Dignity for All Students Act: <https://www.nysed.gov/student-support-services/dignity-all-students-act-dasa>



- d. Trans Safe Haven ([S2475A](#)) - Signed into Law 2023

#### **REPORTING ACTS OF BULLYING**

10. **Whereas**, avenues for reporting to the DOE include calling 311 or (718) 935-2288, allowing individuals to seek assistance from the Office of Safety and Youth Development via email at [RespectForAll@schools.nyc.gov](mailto:RespectForAll@schools.nyc.gov) or by phone at (718) 935-4357; and
11. **Whereas**, another option is to contact the Division of Family and Community Empowerment through email at [face@schools.nyc.gov](mailto:face@schools.nyc.gov) or by phone at (212) 374-2323; and

**Therefore Be It Resolved**, that Community Board 2 demands that the NYC DOE acknowledge the importance of addressing the behavior of parents serving on SLTs, CECs, and PTAs in alignment with Chancellor's Regulation A-832; and be it further

**Resolved**, that CB2 calls on Chancellor David Banks and the NYC DOE to require that parents serving on SLTs, CECs, and PTAs be expected to adhere to the principles and guidelines outlined in Chancellor's Regulation A-832, particularly in their interactions with students, staff, and other parents; and be it further

**Resolved**, that CB2 encourages the adoption of specific penalties for parent members of all official bodies that work with the DOE found in violation of Chancellor's Regulation A-832, including but not limited to:

- a. **Verbal Warning:** A formal verbal warning may be issued to the parent, clearly outlining the nature of the violation and the expected corrective action.
- b. **Written Warning:** In cases where the behavior persists, a written warning shall be issued, specifying the violation and the potential consequences if the behavior continues.
- c. **Suspension of Parental Involvement:** For serious or repeated violations, the parent may be suspended from participating in SLT, CEC, or PTA activities for a specified period, during which they are expected to reflect on their behavior.
- d. **Permanent Removal:** In cases of severe or persistent violations that significantly impact individual students and/or the school community, the parent may be subject to permanent removal from their role on the Community Education Council (CEC), the Citywide Council on High Schools (CCHS), the Citywide Council on Special Education (CCSE), the Citywide Council on English Language Learners (CELL), the Citywide Council for D75 (CCD75), Parent Teacher Association (PTA/PA), School Leadership Team (SLT), or any official body that works with the DOE, or NYC Public Schools; and be it further

**Resolved**, that CB2 encourages the NYC DOE to establish clear procedures for investigating and addressing violations and ensuring due process and fairness in the enforcement of penalties; and be it further

**Resolved**, that CB2 affirm the importance of public schools as safe, nonpartisan spaces for all children, including LGBTQ+ youth, to obtain a robust and inclusive education; and be it finally

**Resolved**, that the NYC DOE shall communicate these expectations and penalties to parent members of all official bodies that work with the DOE, fostering a collaborative effort to maintain a positive and inclusive school community.

Vote: unanimous in favor

- [https://www.advocatesforchildren.org/sites/default/files/library/lgbtq\\_education\\_guide.pdf?pt=1](https://www.advocatesforchildren.org/sites/default/files/library/lgbtq_education_guide.pdf?pt=1)

## WHAT IF I AM BEING HARASSED, BULLIED, OR DISCRIMINATED AGAINST IN SCHOOL?

**State law and local rules say you have a right to go to school where you are safe and supported and there is no bullying, harassment, or discrimination.**

The New York state law is called the **Dignity for All Students Act**. The NYC Department of Education's (DOE's) rules are called **Chancellor's Regulations**. [Chancellor's Regulation A-832](#) says that you cannot be bullied, harassed, or discriminated against in public schools for any reason, including your gender, gender identity, gender expression, or sexual orientation.

These laws and rules protect you whether you *self-identify* as LGBTQ+ or gender non-binary or someone *thinks* that you do. They protect you before, during, and after school, as well as on the bus and at school-sponsored events.

### **Bullying can include:**

- Physical violence, stalking, or aggressive gestures;
- Threats, taunts, or teasing;
- Purposefully excluding you from peer groups;
- Using derogatory language or slurs; or
- Offensive material in email, online, on social media (like on Facebook, Twitter, Snapchat, or TikTok), or in print.

### **TIP:**

Always take notes about every incident, including who, what, when, and where. Get documentation of every interaction you have with school staff.

Every public school in New York City must have a **Respect for All Liaison** (RFA Liaison). This person should be trained to prevent and address bullying, harassment, and intimidation. Your school should post a "Respect for All" poster listing the RFA Liaison's contact information.

State law and [Chancellor's Regulation A-830](#) prohibit *school staff* from discriminating against or harassing you for any reason, including spoken, written, or physical acts, because of your actual or perceived sexual orientation, gender, gender identity, or gender expression.

## **NEED HELP NOW?**

**Hopeline:** (800) 784-2433 (English), (800) 784-2432 (Español) Suicide prevention and crisis intervention

Online chat support at [www.imalive.org](http://www.imalive.org)

**Safe Horizon:** (866) 689-4357 Victims of crime and their families

**National Runaway Switchboard:** (800) 786-2929 Runaway youth assistance

**Trevor Project:** (866) 488-7386 Suicide and crisis support for LGBTQ+ youth

Online chat support at [www.thetrevorproject.org/section/get-help](http://www.thetrevorproject.org/section/get-help)

**GLBT National Help Center:** (212) 989-0999 Helpline for LGBTQ+ community

Online chat support at [www.glnh.org](http://www.glnh.org)

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### STREET ACTIVITIES AND RESILIENCY COMMITTEE

February 2024

The Street Activities and Resiliency Committee of Community Board #2, Manhattan held its monthly meeting on Monday, February 5<sup>th</sup>, 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, Erika Olson, Rocio Sanz

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

**Committee Members Absent with Notice:** Zachary Roberts, Julian Horky

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

#### Street Activity Applications

1. **\*2.10.24 – Fashion Brand Event (Sponsor: IDEKO), Wooster St. bet. Broome & Spring Sts. [sidewalk & curb lane closure-both sides of the street]**

**Whereas**, the applicant is seeking a sidewalk and curb lane closure in support of a party associated with the reopening of the Gucci Store at 63 Wooster, which will take place inside of the store from 8-11:30 PM on February 10<sup>th</sup>; and

**Whereas**, the activation will consist of a branded trailer parked in the curb lane from 8-11:30 PM, which will be giving away free Gucci-branded posters; and

**Whereas**, the activation is not expected to have a substantial impact on the pedestrian right-of-way on the sidewalk, with well more than the required 5-foot pedestrian lane left open; and

**Whereas**, the event will not include amplified sound, special lighting, or food/drinks; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **Fashion Brand Event (Sponsor: IDEKO)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Vote: Adopted unanimously.**

**2. \*2.16-2.20.24 Sol De Janeiro (Sponsor: Sol De Janeiro), 13th/14th Sts./Gansevoort Pedestrian Plaza -14th St. Sq. [full]**

**Whereas**, the applicant is seeking to hold an activation on the 14<sup>th</sup> street square of Gansevoort Plaza, just below 14<sup>th</sup> street between Hudson St. and 9<sup>th</sup> Ave; and

**Whereas**, the activation will consist of a small (10-foot-wide) hot chocolate bar placed on the 14<sup>th</sup> street plaza, with two bartenders stationed at a booth, giving away free hot chocolate to passers-by; and

**Whereas**, the activation is expected to be open from 12-4 PM on February 16<sup>th</sup> through February 20<sup>th</sup>; and

**Whereas**, the activation is associated with a pop-up store for the beauty brand Sol de Janeiro, which will be located at 414 West 14<sup>th</sup> Street; and

**Whereas**, the applicant plans to station dedicated brand ambassadors onsite to manage any lines that form and to pick up waste; 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 use a local vendor for the hot chocolate; and

**Whereas**, the applicant intends to leave as much existing furniture (chairs and tables) on the plaza as possible, and to maintain a clear pedestrian walkway; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **Sol De Janeiro (Sponsor: Sol De Janeiro)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Vote: Adopted unanimously.**

**3. \*2.17.24 – Revlon Pop up Shop (Sponsor: Emily Reid Events), Broadway bet. Grand & Howard Sts. [curb lane only-W]**

**Whereas**, the applicant, representing beauty brand Revlon, is planning a one-day pop up store at 433 Broadway, between Grand and Howard streets, on Saturday, February 17<sup>th</sup>; and

**Whereas**, in connection with the one-day pop-up, the applicant plans to place a hot chocolate cart on the west sidewalk of Broadway, from 9 AM – 5 PM, in front of the pop-up store; and

**Whereas**, the applicant intends to use a local caterer to supply the hot chocolate; and

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

**Whereas**, the applicant intends to bring additional receptacles for waste; and

**Whereas**, CB2 members pointed out the heavy pedestrian traffic to be expected on a Saturday at the proposed activation location, which could be exacerbated by potential crowds lining up for the hot chocolate and/or entering the store; and

**Whereas**, more pedestrian right-of-way could be created by moving the cart into the curb lane on Broadway or around the corner on Howard; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **Revlon Pop up Shop (Sponsor: Emily Reid Events)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Therefore Be it Further Resolved** that CB2 Manhattan recommends that the applicant consider the suggested alternatives of placing the cart in the curb lane or around the corner on Howard street in order to allow for greater pedestrian right-of-way.

**Vote: Adopted unanimously.**

- 4. \*2.22.24 – BMF – Neutrogena Branded Coffee Cart Event (Sponsor: GSS Security Services, Inc.), E. 14th St. bet. University Pl. & Broadway [sidewalk & curb lane closure-So.] (addition to agenda)**

**Whereas**, the applicant, representing beauty brand Neutrogena, is seeking to hold a one-day coffee cart activation on the south sidewalk of 14<sup>th</sup> St. between University Pl. and Broadway, on Thursday, February 22<sup>nd</sup>; and

**Whereas**, load-in is expected at 7 AM, with the cart active by 8:15 AM, and the event expected to be complete by 3 PM; and

**Whereas**, along with coffee, the applicant intends to give away free samples of sunscreen; and

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

**Whereas**, CB2 members raised the fact that the south sidewalk of 14<sup>th</sup> between University and Broadway is typically one of the busiest sidewalks in the district, and often has unlicensed vendors set up on the sidewalk, and that a coffee cart at this location would only further increase congestion; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **Neutrogena Branded Coffee Cart Event (Sponsor: GSS Security Services, Inc.)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Therefore Be it Further Resolved** that CB2 Manhattan recommends that the applicant consider the alternatives of placing the cart in the curb lane or at a nearby location such as Union Square West, in order to allow for greater pedestrian right-of-way.

**Vote: Adopted unanimously.**

5. **\*2.29.24 – Sketchers Celebrity Signing/Photo Op (Sponsor: Sketchers), Broadway bet. Prince & Spring Sts. [partial sidewalk closure] (addition to agenda)**

**Whereas**, the applicant, shoe brand Skechers, is seeking to hold a celebrity signing/photo op on Thursday, February 29<sup>th</sup>, inside of its store at 530 Broadway; and

**Whereas**, the activation will consist of an opportunity for a signing / photo op with NFT artist Vex, inside the store, from 2-4 PM; and

**Whereas**, though no part of the activation will take place on the sidewalk, the applicant is seeking a partial sidewalk closure and rope/stations to manage the line to get into the store; and

**Whereas**, the celebrity artist has a significant following on social media, and the event will be promoted on social media a few days ahead of the event, but the applicant claims that they do not expect more than 200 people to attend; and

**Whereas**, the applicant intends to situate the line with rope/stations on Spring street, around the corner from the Skechers store entrance, in front of the Skechers store windows; and

**Whereas**, the applicant intends to have security on site in order to manage the line and maintain an open path for pedestrians; and

**Whereas**, CB2 members and members of the public pointed out the heavy normal pedestrian flow normally present on Broadway and Spring streets, and also noted that the storefront just north of Skechers on the east side of Broadway is currently vacant, and could be a possible location to situate the line; and

**Whereas**, CB2 members and members of the public also noted that the load-in time should be pushed back from the middle of the night to later in the morning, perhaps around 7 AM; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **Sketchers Celebrity Signing/Photo Op (Sponsor: Sketchers)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Therefore Be It Further Resolved** that CB2 Manhattan recommends that the applicant consider the alternative suggestions for line location such as in front of the vacant storefront on Broadway adjacent to the Skechers store.

**Therefore Be It Finally Resolved** that CB2 recommend that SAPO/NYPD prepare for the possibility of significant crowds given the popularity / social media reach of the expected celebrity attendee.

**Vote: Adopted unanimously.**



**6. \*3.11.24 – Planet Oat Daylight Saving Time 2024 (Sponsor Abel McCallister Abel), Astor Place Plaza So. [full]**

**Whereas**, the applicant is seeking to hold an activation in the Astor Place Plaza for the oat milk brand Planet Oat, in connection with the start of Daylight Saving Time; and

**Whereas**, the activation will take place on Monday, March 11<sup>th</sup>, with load-in around 6 AM, the activation taking place from 6 AM – 1 PM, and load-out from 1-2 PM; and

**Whereas**, the activation will consist of a 13.5' x 6' coffee cart/stand, passing out free coffee as well as overnight oats made with Planet Oat products; and

**Whereas**, the coffee will be provided by Astor Plate, the same provider which operates the existing coffee stand on the Astor plaza, which will be closed during the activation; and

**Whereas**, additional trash cans will be included inside the stand/cart; and

**Whereas**, all existing seating is expected to remain in the plaza; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **Planet Oat Daylight Saving Time 2024 (Sponsor Abel McCallister Abel)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Vote: Adopted unanimously.**

**FYI/Renewals**

- 7. 3.22-12.29.24 St. Patrick's Old Cathedral Outdoor Market (Sponsor St. Patrick's Old Cathedral Basilica), Prince St. bet. Mott & Mulberry Sts. [partial sidewalk closure-No.]**
- 8. 4.13-12.29.24 – Pompeii Flea Market (Sponsor: Our Lady of Pompeii Church), Bleecker St. bet. Carmine & Leroy Sts. [partial sidewalk closure-So.] (addition to agenda)**
- 9. 4.18.24 – 1 Dollar Pizza Party (Sponsor: Slice Out Hunger), Sullivan St. bet. Prince 7 W. Houston Sts. [sidewalk & street closure-both sides of the street] Note: Church of St. Anthony of Padua (addition to agenda)**
- 10. 4.27.24 – Explorer's Washington Square Arch Fair (Sponsor: 6th Police Precinct Explorers), Washington Sq. No. bet. University Pl. & 5th Ave. [full street closure] (addition to agenda)**
- 11. 5.4.24 – PS 130 Family Wellness Day 2024 (Sponsor: PS 130 Parents Association), Hester St. bet. Baxter & Mulberry Sts. [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.**

**FYI**

12. **4.6.24 – CB#2 Spring Fair (Sponsor: Community Board 2, Manhattan), Broadway bet. E. 8th & E. 14th Sts. [full street closure] (addition to agenda)**

DRAFT

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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

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### TRAFFIC AND TRANSPORTATION COMMITTEE

February 2024

The Traffic and Transportation Committee of Community Board #2, Manhattan held its monthly meeting on Thursday, February 1, 2024, at 6:30 p.m., in Hybrid format (in person at CB2 office and online).

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

**Board Members Absent with notification:**

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

**Public Members Absent:** George Haikalis.

**Other Board Members Present:** (Online) Valerie de la Rosa, Carter Booth, Donna Raftery.

**Guests:** Kate Scherer (DOT), Roy Ruiz (Assembly Member Deborah Glick), Nicole Barth (Council Member Erik Bottcher), Peter Tse (DA Alvin Bragg), Melissa Farley (MTA NYC Transit), Praneeth Devireddy, Kaitlin Magee & Meghi Patel (Station Elevator Replacement team), Katerina Patouri & Alberto Roldan (MTA hq), Joseph O'Donnell (MTA cd), Colin Brown (Sam Schwartz), Adam Zeldin, Lora Tenenbaum, Pete Davies, Georgette Fleischer, Augusta Fleischer, Ida Fleischer, Darlene Lutz, Daniel Sutton, Audrey laboz, Andrea Pedersen, Emily Jacobi, Ethan Bull, Ken Coughlin, Edith Zhang.

#### MINUTES:

1. MTA NYC Transit presented an overview of elevator replacements that have begun at three subway stations used by Community Board 2 Manhattan (CB2) riders: West 4th St., 14th St./Union Sq., and 14th St./8th Ave. Work is expected to be completed at the end of 2025. For more information: Project email address: [MTA.E34052@gmail.com](mailto:MTA.E34052@gmail.com) • Project hotline: 212-430-1520 • Design-build team will provide project information and respond to nonemergency questions and concerns from the public • MTA Community Relations Representative • Melissa

Farley, NYCT Government & Community Relations: melissa.farley@nyc.com or 929-630-0641  
• Katerina Patouri, NYCT Government & Community Relations: Katerina.patouri@mtahq.org or 646-771-0180 • Luke DePalma, Director of Government & Community Relations: Luke.depalma@nyc.com or 347-756-1168.

2. Colin Brown, a Senior Transportation Planner with Sam Schwartz Co., gave an educational presentation explaining Daylighting, a measure that is commonly used to safeguard pedestrians crossing at intersections by providing 20-30 ft. clearance from the edge of the crosswalk to the curb to ensure that turning drivers have clear sight of the pedestrians (and that pedestrians can see approaching vehicles). Over half the crashes by motor vehicles and the vast majority of severe injuries and fatalities resulting from such crashes occur at intersections, Daylighting offers the needed visibility to avoid these crashes. The impetus for Mr. Brown's presentations, which he has been giving voluntarily and unpaid to community boards throughout NYC, arose from NYC Mayor Eric Adams voicing his commitment to daylight 1,000 intersections a year, a limited number in view of the many thousands of intersections in NYC as well as New York States' requirement by law to daylight all intersections by prohibiting parking within 20 ft. of the crosswalks on each side of the road where traffic enters an intersection. In recognition of the need to apply daylighting and its safety benefits far more broadly than 1,000 intersections, a steadily growing initiative has evolved to mandate universal daylighting in NYC (as is done in NY State), supported by Open Plans and other non-profit transportation advocacy groups as well as a rising number of community boards in the Bronx, Brooklyn, Queens and Manhattan.

## **RESOLUTIONS:**

### **1. Resolution in response to MTA NYC Transit presentation on elevator replacements at the W. 4th St., 14th St./Union Sq., and 14th St./8th Ave. subway stations as well as escalator replacements at the W. 4th St. subway station.**

**Whereas** MTA NYC Transit (NYCT) presented details on the elevator replacements they are making at the W. 4th St., 14th St./Union Sq., and 14th St./8th Ave. subway stations (all stations that are heavily used by Community Board 2 Manhattan (CB2) constituents), as part of a larger project that includes 19 elevator replacements at eight stations, including other areas of Manhattan; and

**Whereas** work has begun at all three stations and is expected to be entirely completed the 4th quarter of 2025, a considerable length of time in which users who depend on elevators to enable their access and ensure their ability to ride the subway will be denied the chance to make the customary trips they need to conduct their lives (e.g., going to work, to school, to medical visits) without undergoing great discomfort and displacement; and

**Whereas** the work at each of the three stations (which has already begun) is being conducted in phases:

- The W. 4th St. station (servicing the A, B, C, D, E, F, & M trains) will receive three new elevators, installed in three phases: 1) Elevator from the downtown A/C/E platform to the transfer mezzanine and downtown B/D/F/M platform removed from service until replacement is complete Q3 2024; 2) Street level elevator on W. 3rd St. & 6th Ave (n.e.

corner) to mezzanine for A, C, E service and access to B, D, F, M service removed from service Q3 2024 until replacement is complete Q1 2025; 3) Elevator connecting uptown A, C, E platform to transfer mezzanine and uptown B, D, F, M platform removed from service Q1 2025 until replacement is complete Q4 2025.

- The 14th St./Union Sq. station (servicing the 4, 5, 6, L, N, Q, R & W trains) will receive four new elevators, installed in three phases: 1) Center elevator servicing the mezzanine and the uptown N, Q, R & W platform, removed from service until replacement is complete Q3 2024; 2) Elevator from mezzanine to downtown N, Q, R, W platform removed from service Q3 2024 until replacement is complete Q1 2025; 3) Elevator from mezzanine to L platform (both directions) + the street level elevator removed from service Q1 2025 until replacement is completed later in 2025.
- The 14th St./8th Ave. station (servicing the 8th Ave. line in Manhattan (A, C, E & L trains) will receive two new elevators, installed in two phases: 1) Elevator at 14th St. & 8th Ave. removed from service until replacement is complete Q3 2024; 2) Elevator connecting mezzanine to the L platform level removed from service Q3 2024 with replacement completion expected later in 2025; and

**Whereas** NYCT has indicated that work on the elevators at each of the three stations will not overlap, i.e., work will be done on only one elevator at a time at a station, with work on the next elevator beginning only after work on the previous one is completed, allowing for at least one elevator to be operating. However, the elevator in operation at each station will be connecting platforms/levels going in only one direction, forcing those who want to travel in the opposite direction to seek other unwieldy alternatives for access; and

**Whereas** two escalator replacements at the W. 4th St. subway station will be done as part of a separate MTA project at the W. 4th St. station: 1) The escalator from the uptown B/D/F/M platform to the uptown A/C/E platform will be removed from service until replacement is completed, through Fall 2024; 2) The escalator from the downtown B/D/F/M platform to the downtown A/C/E platform will be removed from service Fall 2024 until replacement is completed Fall 2025. This work won't be on the same side of the station as elevator replacements, but will still allow access to travel in only one direction at a time, presenting similar challenges to the limits in elevator access; and

**Whereas** for mitigation of this disrupted access, NYCT has suggested a number of different alternatives for accessing these subway stations for train travel in the required direction or for access in another travel mode, including the use of ramps, when available, to switch from one side of the station to the other, taking trains in the opposite direction (e.g. uptown) from a destination (e.g. downtown) to reach a station that allows elevator access to trains in the desired direction (e.g. downtown), with a variety of approaches to transfer at these stations like exiting the station completely and using an entrance in another location for trains in the opposite direction or crossing from one platform to another, as well as using public buses; and

**Whereas** the alternatives suggested (involving copious and lengthy walking, going up and down stairs that can be dangerously crowded and too steep to safely carry anything, navigating confusing pathways, and dealing with much longer trips, sometimes double the time that they customarily take) present a cumbersome set of options that are physically demanding, tiring,

time consuming, disorienting, and difficult to maneuver, especially for the people who most and often only can rely on elevator access to subway stations, including the disabled, those advanced in years, individuals who have difficulty walking, wheelchair users, people with strollers and small children, even riders carrying large and heavy packages; and

**Whereas** another suggested alternative, public bus use, has potential but at this time presents limitations, particularly in lack of speed and frequency. NYCT suggested the M5, but the M5 first begins at 31st St., heading uptown (not to the CB2 area). The M55, which has taken over from the M5 for the downtown route, has been reported by many CB2 constituents to be exceptionally slow and infrequent. Other suggestions, such as the M1, M7, M14(A&D), M20, were met with equal concern, including the absence of any bus service at many locations and the difficulty for those who are physically challenged to reach existing bus stops; and

**Whereas** NYCT often runs free shuttle buses when construction at stations, track work or signalization modernization is being done, to substitute for the suspended subway service that occurs as a result of this work, e.g., shuttle buses recently replaced weekend F trains during signal upgrades on the Culver line, and shuttle buses are planned for the G train shutdown; and

**Whereas** NYCT has noted that messaging and wayfinding signage are being put "in place and around the stations," to let users know about the elevator and escalator replacements, but users need to be alerted in advance of heading to a station to prepare them for handling the replacement conditions (or find other options), especially those with physical challenges, whether hearing, sight or restricted movement, and those lacking the technical proficiency to access online information. They also need to receive clear and highly visible notice at the entrance to a station before entering; and

**Whereas** CB2 has received numerous complaints about the filthy, unsanitary and foul-smelling conditions in the subway elevators and pleas for better, more regular maintenance; and

**Whereas** in view of these new elevators being installed to improve the comfort and access of those who most rely on them while failing in the replacement interim to provide adequate substitute service to those same vulnerable and dependent users, compensation for depriving these users of this sorely needed service or a convenient substitute would be appropriate;

**Therefore be it resolved** that CB2 thanks NYCT for their informative overview of the elevator replacements being undertaken at the W. 4th St., 14th St./Union Sq., and 14th St./8th Ave. subway stations and for their responsiveness in attempting to answer our questions and address our concerns. CB2 also appreciates NYCT's provision of a project hotline and email address as well as direct emails and phone numbers to community relations representatives; and

**Be it further resolved** that while CB2 appreciates the prospect of having new, more up-to-date and hopefully better functioning and well-cared-for elevators at these locations which NYCT has indicated will comply with new ADA regulations and include communication and fire alarm upgrades, more accessible car operating panels, and a new screen system, we do not understand why elevators that still work were not simply repaired, refurbished, upgraded and cleaned up,

thereby taking less time to have a sorely needed function out of service and freeing funds for elevator installations and other ADA accessibility for stations that have none; and

**Be it further resolved** that CB2 asks that NYCT further explore and implement alternatives that can more comfortably accommodate the needs of these stations' already challenged elevator users, especially by increasing bus service frequency, facilitating bus access, instructing drivers to make every stop, and having a predictable schedule (at least for the duration of the replacement project, although this should occur at all times), and by temporarily providing dedicated bus lanes on those routes expected to be most used that don't already have them, to decrease trip times by avoiding the incursion of other traffic; and

**Be it further resolved** that CB2 encourages NYCT to provide free shuttle bus service at the three stations to transport riders to the next subway stop that has working elevators on the route going in whatever is the needed direction at each project stage that leads to their destination; and

**Be it further resolved** that CB2 urges NYCT to widely disseminate information about the elevator replacements both by distributing notifications that alert users before going to a station and providing information at the station, preferably reaching out with simple, clear, written descriptions and illustrations or perhaps offering information sessions to the many local community organizations that serve seniors and the disabled, schools and other community groups and institutions, and at the station posting highly visible signs outside with concise, easy-to-read and illustrated details about the work going on within, while having personnel on hand to direct people inside the station and supplying handouts and broadcasting public announcements there (in addition to issuing digital information), making all of this information available in different commonly-used languages; and

**Be it further resolved** that CB2 strongly advises that a strict maintenance schedule be set up for regularly cleaning and maintaining the new elevators; and

**Be it finally resolved** that CB2 suggests that NYCT consider a fare reduction at these three stations in keeping with the service reduction for the duration of the project.

**Vote:** Unanimous in favor.

## **2. Resolution in support of Universal Daylighting.**

**Whereas** in New York City (NYC), over half the crashes by motor vehicles and the vast majority of severe injuries and fatalities resulting from vehicular conflicts occur at intersections<sup>1</sup>; and

**Whereas** these crashes occur most often directly in crosswalks, where the most pedestrian activity in the street takes place, including the most vulnerable users of our streets, i.e., senior citizens, children, people pushing strollers, the disabled, those in wheelchairs, although anyone walking across the street in these locations is at risk; and

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<sup>1</sup> <https://highways.dot.gov/safety/intersection-safety/about>

**Whereas** at the root of these crashes is a lack of visibility. Drivers of motor vehicles turning at these intersections are typically blocked from seeing people using the crosswalk by vehicles parked up to or close to the curb or even in part of the crosswalk. At the same time, pedestrians who are crossing are blocked from seeing turning vehicles; and

**Whereas** in these circumstances, it also is difficult for bicyclists turning at an intersection to see pedestrians in the crosswalk or for motorists making these turns to see bicyclists; and

**Whereas** daylighting is a street safety technique that has long been in practice to enhance visibility, supported by the U.S. Dept. of Transportation, fully recommended by the National Association of City Transportation Officials (NACTO), and part of NY State law, as well as used by the NYC Dept. of Transportation (DOT) in many of its street improvement projects as part of its toolbox of street safety applications; and

**Whereas** daylighting removes visual obstacles (most commonly parked cars or trucks, but also could be roadway dining or other blockages) that impair drivers' ability to see pedestrians waiting at or walking in crosswalks or at corners (or pedestrians' ability to see approaching vehicles) by employing parking regulations, also used in combination with curb extensions, that provide clearance for visibility (typically 20-30 ft. beyond the crosswalk to the corner); and

**Whereas** NY State law (Section 1202) prohibits parking within 20 ft. of an intersection, but NYC was able to and chose to opt out of this requirement which could save so many lives; and

**Whereas** NYC Mayor Eric Adams supports daylighting 1,000 intersections a year<sup>2</sup>, but this is just a tiny fraction of NYC's 47,000 intersections<sup>3</sup>; and

**Whereas** CB2 has been requesting daylighting at many problematic corners for many years;

**Therefore be it resolved** that CB2 strongly supports the application of universal daylighting as standard policy within our district and throughout NYC (in concert with the NY State law) and urges the City Council to enact legislation to that end and the DOT to follow through with a broad program of daylighting implementation; and

**Be it further resolved** that CB2 urges including in the requirements physical barriers (beyond just parking enforcement and signage), such as planters, substantial bollards, granite blocks or bioswales, all under three ft. high (at or under eye level), that define the daylighting space and safeguard those using it from harmful vehicular incursion while providing needed self-enforcement of the allocated space; and

**Be it further resolved** that CB2 recommends that DOT incorporate daylighting whenever any street paving is done; and

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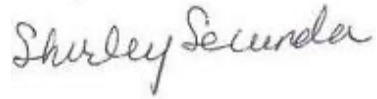
<sup>2</sup> <https://www.6sqft.com/nyc-pledges-to-make-1000-intersections-safer-for-pedestrians/>

<sup>3</sup> "Priority Corridors, Intersections & Areas," NYC DOT Vision Zero, Borough Pedestrian Safety Action Plans, 2023 Update, p. 1.

**Be it finally resolved** that CB2 asks that CB2 (and other community boards) be given the option as part of the requested universal daylighting program to select sites identified as particularly vulnerable and/or dangerous in its district to be given priority for quick daylighting remediation.

**Vote:** Unanimous in favor.

Respectfully submitted,



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

DRAFT



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



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

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TO:

NEW YORK STATE DEPARTMENT OF HEALTH COMMISSIONER JAMES V.  
MCDONALD and  
GOVERNOR KATHY HOCHUL

Whereas

- 1) Mount Sinai Beth Israel (MSBI) notified Manhattan Community Boards 3 and 6 in September of 2023 of its intention to close Beth Israel Hospital by July 12, 2024, but failed to notify Community Board 2, whose community members would be affected by its closing; and
- 2) MSBI submitted to the New York State Department of Health on October 25, 2023, a closure plan for Beth Israel Hospital<sup>1</sup>, which requires state approval, claiming financial losses up to \$150 million per year and lack of patient census; and
- 3) Since its 2013 merger with Continuum Care and subsequent takeover of Beth Israel, Mount Sinai has moved or closed the following services from Beth Israel Hospital: Obstetrics, Pediatrics, Neonatology, Orthopedics including: Back surgery, Joint replacement, General orthopedics, Hand surgery, Cardiac Surgery, Thoracic Surgery, Neurosurgery, Weight loss/Obesity surgery, Gynecology, Head & Neck Surgery, ENT, GI (advanced ERCP) while Interventional Radiology was downsized and Psychiatry was moved/downsized – all of which suggests that the reduction of patient census and accompanying loss of revenue may have been part of an overall strategy to close the hospital over time; and
- 4) While MSBI cites new facilities it has opened in downtown Manhattan as a substitute for those provided by Beth Israel Hospital, not all of these are equivalent: for example, Rivington House provides behavioral health services but does not accept psychiatric emergencies; Union Square and Mount Sinai's Urgent Care facilities do not accept emergencies and do not maintain round-the-clock hours; and
- 5) A letter to hospital administrators from the NYS DOH on August of 2023<sup>2</sup> specifies that "it is the responsibility of the [closing] facility to ensure that communities and community members continue to have access to needed health care services," a policy that presents a clear conflict of interest for the closing facility and raises concerns over

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<sup>1</sup> <https://www.mountsinai.org/files/MSHealth/Assets/MSBI/MSBI-Closure-Plan-PFI1439-with-Cover-Letter.pdf>

<sup>2</sup> [https://www.health.ny.gov/professionals/hospital\\_administrator/letters/2023/docs/dal\\_23-06.pdf](https://www.health.ny.gov/professionals/hospital_administrator/letters/2023/docs/dal_23-06.pdf)

the state's process for verifying MSBI's claim that nearby facilities have the capacity to absorb the displaced services and treatments; and

- 6) It is not clear how "access" will be determined if it is found that the closing of Beth Israel is likely to result in longer wait times, crowded conditions, overburdened staffs, and longer distances to alternate facilities; and
- 7) Closing Beth Israel Hospital would leave Manhattan without a full-service hospital between New York-Presbyterian Lower Manhattan Hospital at 170 William Street and Bellevue at 462 First Avenue (28<sup>th</sup> Street), St. Vincent's Hospital having closed in 2010; and
- 8) The closing of the Beth Israel Emergency Department would leave this large catchment area without emergency services for stroke and heart attack victims for a temporary but indefinite period of time until Lenox Health Greenwich Village is licensed and designated to provide these services; and
- 9) The closing of the Beth Israel Emergency Department would leave this large catchment area with a permanent gap in pediatric emergency services; and
- 10) The closing of the Beth Israel Emergency Department would permanently eliminate the only facility in Manhattan below Bellevue Hospital that provides a Comprehensive Psychiatric Emergency Program (CPEP) at a time when serious mental illness has been named a primary concern of the City and the State and this Community Board; and
- 11) Neither NYS DOH nor MSBI has provided documentation to assure this community that it will have adequate access to healthcare if Beth Israel closes.

THEREFORE, BE IT RESOLVED THAT

- 1) In the absence of answers to pressing questions about the impact that Beth Israel's closure would have on this community's access to healthcare - especially general, pediatric, and psychiatric emergency services - CB2 Manhattan strongly opposes the closure plan of Mount Sinai Beth Israel and urges the NYS Department of Health to reject the current application for closure and to conduct a rigorous audit of MSBI's claims; and
- 2) Given the temporary and permanent gaps in services that would be the result of closing Beth Israel's emergency department, CB2 Manhattan strongly opposes approval of its closing unless and until adequate alternatives that are reasonably proximate to the CB2's District are identified.

VOTE: Unanimous

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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

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

### SLA LICENSING COMMITTEE 1

The SLA Licensing Committee #1 of Community Board 2, Manhattan, held an in person, non-hybrid meeting at 6:30 PM on Tuesday, February 6, 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, S. Wittenberg and A. Wong  
Committee Board Members Absent with Notice: L. Rakoff

### RESOLUTIONS:

- 1. Raouls Restaurant Corp dba Raouls Restaurant 178-180 Prince St 10012** (Existing OP-Restaurant) (Alteration: Expanding premises to adjacent storefront at 178 Prince St)
  - i. Whereas**, the Applicant and Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application for an alteration to an existing On-Premises Restaurant Liquor License (Lic. ID# 0340-22-106859, SN# 1028385; exp. 2/29/2024) to add an adjacent but separate storefront in a separate building address (178 Prince St.) to the existing storefront premises at 180 Prince St., combining the two storefronts to expand the existing business currently operating as a full service French bistro “family restaurant” serving brunch/lunch on the weekends and dinner every night in the existing ground floor storefront at 180 Prince Street, the two buildings being five (5)- and six (6)-story mixed-use buildings (ca: 1900, 1920) located on Prince St. between Sullivan Street and Thompson Street, the building falling within NYC LPC’s designated South Village Historic District; and
  - ii. Whereas**, the existing storefront premises is roughly 2,395 sq. ft. (ground floor 1,635 sq. ft., mezzanine with bathrooms 200 sq. ft. and cellar 800 sq. ft. with no patron use of the cellar) and the new and adjacent ground floor storefront to be added to the existing premises is nearly identical in size, 2,435 sq. ft., (ground floor 1,244 sq. ft and cellar 1,191 sq. ft with no patron use of the cellar), the new space to be added and combined having been previously operated as an art gallery and never previously licensed for eating and drinking, the total square footage of the combined restaurant being roughly 4,800 sq. ft.; and
  - iii. Whereas**, the Applicant has operated his business for many years at its existing location, the expansion plans being made because of its success and the popularity of its existing business

which will continue to operate in combination with the new storefront location with an identical method of operation as a full service restaurant; and

- iv. Whereas**, the existing storefront premises has a fixed front façade with no windows or doors that open out to the public sidewalk, there being no plans to install open façades that open out to the sidewalk, there is no sidewalk café or other exterior areas for outdoor service of alcohol, the Applicant further agreeing that there will still only be one entrance to the eating and drinking business on the ground floor of the existing restaurant at 180 Prince, that entrance continuing to be the only entrance for the combined restaurant in that the interior of the two storefronts being combined via an internal passageway (to be made) in a common interior wall between the two buildings, the passageway being towards the rear of the two storefronts, the Applicant agreeing that the front doorway to 178 Prince will not be used as an entrance/exit for patrons; and
- v. Whereas**, the new storefront premises (178 Prince) will closely resemble the existing storefront premises at 180 Prince with one bar with eight stools, 13 tables with 58 patron seats (including a private dining room in the rear with one (1) table and 20 patron seats) and six (6) seats in a waiting area, which combined with 180 Prince is a total of 31 patron tables and 144 patron seats (inclusive of 6 seats in waiting room), two bars with 16 stools, a full service kitchen remaining at the rear of 180 Prince, with three bathrooms (ADA accessible); and
- vi. Whereas**, the hours of operation for the combined storefront premises will be 5 PM to 2 AM Monday through Friday and from 11 AM to 2 AM on Saturdays and Sundays, music will be quiet background only consisting of music from ipod/cd's/streaming services (i.e. no active manipulation of music – only passive prearranged music), there will be no TVs, there will be no DJs, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and
- vii. Whereas**, the applicant executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated into their method of operation on their Restaurant On-Premises liquor license and the stipulations are as follows:
  - 1. The premises will be advertised and operated as a full-service French Restaurant.
  - 2. The hours of operation will be from 5 PM to 2 AM Monday through Friday and from 11 AM to 2 AM on Saturdays and Sundays.
  - 3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
  - 4. The premises will not have televisions.
  - 5. The premises will not permit dancing.
  - 6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
  - 7. All doors and windows will be closed at all times.
  - 8. Premises will not have French Doors, operable windows or open facades.
  - 9. The premises will play quiet ambient recorded background music only.
  - 10. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
  - 11. There will be no unlimited food and drink specials, “boozy brunches, or pitchers of beer.

12. There will be no “bottle service” or sale of bottles of alcohol except for the sale of wine products.
13. There will be only one entrance for patrons at 180 Prince Street; and

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **denial** of the Alteration applicant to the On-Premises liquor license to **Raoul’s Restaurant Corp. dba Raoul’s Restaurant, 178 180 Prince St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

**2. Jose Andres LLC 115 Mulberry St 10013 (New OP–Restaurant) (Class Change)**

- i. Whereas**, the Applicant and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA #2 Licensing Committee #1 to present an application for a class change to a new On-Premises Restaurant Liquor License to operate a restaurant serving the local community specializing in Spanish and Italian dishes in a C6-2G-zoned, five (5)-story, mixed-use building (c. 1910) on Mulberry Street between Canal and Hester Streets (Block #206/Lot #22) in the Special Little Italy Zoning District; and
- ii. Whereas**, the ground floor storefront location has been operated as a restaurant by the Applicant since it opened in late 2021/early 2022 with a restaurant wine license (SN# 0240-23-100540 exp. 3/31/24) and prior to that was operated as full-service Italian restaurant for many years; and
- iii. Whereas**, the ground floor premises is roughly 1,818 sq. ft. (990 sq. ft. on ground floor and 828 sq. ft. in the basement connected by an interior staircase); there are 23 tables with 54 seats and one (1) bar with four (4) seats, for a total of 58 interior seats, all on the ground level with the basement level being used for storage and other non-patron auxiliary uses; and
- iv. Whereas**, as with prior occupants of the premises, there has been a sidewalk café (operating under the temporary Open Restaurants program) with four (4) tables and eight (8) seats running on a platform separated from the sidewalk by a metal fence/railing along Mulberry Street, any future sidewalk seating applied for under the permanent outdoor dining program will close by 10 PM, conforming to all other rules and regulations of the outdoor dining program; and
- v. Whereas**, the current agreed upon hours of operation are Sundays to Saturdays (7 days a week) from 11AM to 12AM for the interior and 11AM to 10PM for the sidewalk café; there will be one (1) television operating in closed-caption mode (no sound); music will be quiet background only consisting of music from iPod/CD’s, no music will be audible in any adjacent residences at any time; there will be no more than twelve (12) private events per year incorporating the entire restaurant; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal



barricades, no security personnel/door staff; and

**vi. Whereas**, the Applicant executed a stipulation agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the license as follows:

1. Premises will be operated as a full-service restaurant, specifically a Mediterranean and Italian restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 11AM to 12AM Saturdays through Sundays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Any future sidewalk seating applied for under the permanent outdoor dining program will consist of not more than four (4) tables and eight (8) seats and conform to all rules and guidelines of the program.
5. 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.
6. No roadbed seating.
7. All outside service of alcohol will end by 10 PM inclusive of any street closure events, participation in the Open Streets program and/or any other permits pertaining to outdoor use.
8. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.
9. Will have no more than one (1) television no larger than 65". There will be no projectors and TV will operate in "closed caption" mode only without sound).
10. Will close all doors and windows at all times, allowing only for patron ingress and egress.
11. No 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 not have more than twelve (12) private events per year incorporating the entire restaurant.
15. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
16. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
17. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
18. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
19. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
20. Will appear before CB2, Man. for change in method of operation prior to submitting plans for permanent sidewalk or roadbed seating; and

- 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 **60 active licensed premises** listed on LAMP within 750 feet of the subject premises, in addition to 9 pending licenses, the Applicant having operated for the past two (2) years at this location with the hours of operation being reasonable and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a new On-Premises Restaurant Liquor License for **Jose Andres, LLC dba Jose Luis Little Italy, 115 Mulberry St. 10013**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

**3. Bondi-75 Kenmare St LLC dba Bondi Sushi 75 Kenmare St 10012 (New OP–Bar/Tavern) (Class Change)**

- i. **Whereas**, the manager and a principal appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application to upgrade their existing Tavern Wine License (Lic. ID # 0267-23-131230, SN# 1321833) to an On-Premises Tavern Liquor License to continue to operate a Sushi restaurant on the ground floor of a renovated mixed use, seven (7)-story building (ca. 1922, altered 2016) on Kenmare Street between Mulberry and Mott Streets (Block #480/Lot #7504), the building falling within the Special Little Italy District; and
- ii. **Whereas**, the ground floor storefront location has been operated as a sushi restaurant by the Applicant since it opened approximately 3½ years ago with a Tavern Wine license and prior to that had never been licensed or operated for eating and drinking; and
- iii. **Whereas**, the premises is approximately 970 sq. ft. with one sushi counter with 22 seats for a total seated occupancy of 22 persons, a certificate of occupancy is pending for this building; there are two (2) doors serving as patron ingress and egress and one (1) bathroom; the store front infill being fixed without French doors or operable windows; and
- iv. **Whereas**, the hours of operation will be from 11 AM to 11 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
- v. **Whereas**, any future sidewalk seating applied for under the permanent outdoor dining program will close by 10 PM, conforming to all other rules and regulations of the outdoor dining program; there will be no roadbed seating; and

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

1. Premises will be operated as a full-service sushi restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 11AM to 11PM Saturdays through Sundays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Any future sidewalk seating will close by 10 PM.
5. No roadbed seating.
6. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.
7. Will not have televisions
8. Will close all doors and windows at 9 PM every night, allowing only for patron ingress and egress.
9. Will not install or have French doors, operable windows or open façades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
15. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating; and

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 **102 active licensed premises** within 750 feet of the subject premises according to LAMP, in addition to 9 pending licenses, the Applicant having operated for the past 3½ years at this location with the hours of operation being reasonable and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the application for an upgrade to a new On-Premises Tavern Liquor License for **Bondi-75 Kenmare St LLC dba Bondi Sushi 75 Kenmare St 10012** unless the statements the Applicant has presented are accurate and

complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

**4. Noho Neighbors LLC 54 Great Jones St 10012 (OP–Restaurant) (Transfer)**

- i. Whereas**, the Applicants and the Applicants’ Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate an American restaurant in a four (4)-story, M1-6/R10-zoned, mixed-use building (c. 1851, renovated 1966) on Great Jones Street between Bowery and Lafayette Streets (Block #531/Lot #44), , this building falling within the Special SoHo-NoHo Mixed-Use District; and
- ii. Whereas**, the ground floor premises which consists of combining two ground floor spaces is roughly 1,960 sq. ft. with 1,500 sq. ft. on the ground floor connected by an interior stairway to a cellar space, there being an additional cellar space accessed by a sidewalk hatch, the two cellar spaces combined consisting of 460 sq. ft, with no patron use of either cellar space; there are 18 tables with 46 seats, and one (1) bar with 8 seats for a total seated patron occupancy of approximately 54, there is one (1) entry which will serve as patron ingress and egress and one additional emergency egress through an additional adjacent building at 348 Bowery and two (2) bathrooms; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and
- iii. Whereas**, the hours of operation are from 4 PM to 2 AM Mondays through Fridays and 12 PM to 2 AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CD’s/streaming services, there will be no TVs, all doors and windows will be closed at all times except for patron ingress and egress, there will be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no security personnel/doormen; and
- iv. Whereas**, the 30-day notice and questionnaire present the application as a transfer application from Marlinspike Hall LLC dba Jolene (Lic. ID# 0340-23-137175, Legacy SN# 1317991) which came before Community Board 2, Man. in [March/2019](#) for an On-Premises Restaurant Liquor License to operate a “fresh seafood focused neighborhood restaurant” consisting of eight (8) tables and 24 seats and one bar with 8 seats for a total interior seating of 32 patrons and operated from 2019 until closing in February/2024 at 54 Great Jones Street in one building, that premises for Marlinspike Hall being substantially different than the application as presented here for NoHo Neighbors LLC; that premises ,Marlinspike Hall LLC, also operating under a fully executed set of stipulations differing from the application presented for NoHo Neighbors LLC; and
- v. Whereas**, the instant application for NoHo Neighbors LLC is also expanding the premises to a new separate adjacent space to the North and behind the current building (expanding into 350 Bowery, Block #531/Lot #42) through a newly created opening between the two existing buildings, though this is not specifically disclosed as an expansion in CB2’s questionnaire or

in the 30-day notice provided to Community Board 2, Man. which both state that this is strictly a transfer application via an asset purchase agreement from Marlinspike Hall LLC; this new separate space will be a new back room accessed through a newly created opening between two separate buildings with fire door with approximately 10 additional tables and 22 additional seats in addition to a new cellar space under 350 Bowery accessed via stairs in the new backroom, the existing cellar space under 54 Great Jones will remain accessed through a sidewalk hatch, both basements will be used for storage purposes only; emergency egress from the newly added adjacent rear room will be created by adding a new exit corridor passing through yet another separate and adjacent building (348 Bowery aka 56 Great Jones St., Block #531/Lot #43); and

- vi. Whereas,** NoHo Neighbors LLC first appeared before Community Board 2, Man. in January/2024 to present a comparable application at which time members of the community appeared by submission and stated there had been no outreach to neighboring immediately-impacted buildings, the application filing coming to the Community Board over the Christmas and New Year's holidays when many members of the community are away; members of the community stating there had been issues regarding kitchen venting and patron noise from the previous licensee and ongoing for years, that licensee, Marlinspike Hall LLC dba Jolene, having earlier hours consisting of closing at 12 AM Sunday to Wednesday and 1 AM Thursday to Saturday and had signed stipulations that there would be no fried foods to alleviate issues with odors from poor venting, those stipulations not being adhered to, additional concerns being raised about the expansion of hours for NoHo Neighbors LLC to a 2 AM closing, 7 days a week and the additional expansion regarding the size of the restaurant, there being no plan in place to address the venting issues, in fact the building manager stating that due to the age and other restrictions on the building(s) in addition to a preexisting condition, there was nothing that could be done to further improve the venting, the existing venting would not be able to be installed today and would not meet current NYC Code requirements, the vent being located on the wall directly in front of the premises at head height,, additional concerns being raised about noise in the later evening / early morning hours from the establishment and from patrons arriving and leaving at those later hours, the immediate area being surrounded by residential units, many with young school-age children including 48 Great Jones immediately next door; and
- vii. Whereas,** at the January/2024 Community Board 2, Man. SLA Committee meeting the Committee voted to recommend denial of the application, immediately following the meeting the Applicant requested to lay the application over to February/2024 in order to do outreach to the buildings in the immediate area, the layover request being accommodated with no denial resolution written despite the Committee's vote in order to facilitate dialogue with immediately impacted residents who had been away during the holidays; and
- viii. Whereas,** the Applicant met with the various adjacent building representatives to explain the application and conduct a walk-through of the premises, the Applicant affirming that it is impossible to improve the venting of the premises because no permits could be approved to properly vent the kitchen, instead offering to have the front part of the premises (the Marlinspike Hall LLC dba Jolene space that is the transfer application) offer light bites with the newly-expanded rear premises functioning as the restaurant, the proposed theory being



that with the lite bites in the front area there would be no increase on cooking/venting; questions arising as to how that would be controlled given the doubling of seats and being that the spaces are joined and operating as one DBA and one method of operation with one kitchen which would now have double the seating capacity; in addition, the Applicant highlighted that the menu had been adjusted in an effort to eliminate odors yet fries, burgers and other heavy foods remain on the menu, additional questions being raised that if the whole premises is operating as a restaurant and not a bar/tavern/lounge, how are the specifics of the menu able to be switched up randomly between the front and back room to deal with resident's concerns about venting as opposed to having a clear idea of a menu and method of operation that realizes the constrictions of the space; additional concerns being raised that the front would function as a bar in the later evening with hours until 2 AM daily; and

- ix. **Whereas**, multiple members of the community representing a number of surrounding buildings containing many residents came to speak in opposition to the application in February/2024 in addition to a number of people immediately impacted speaking on behalf of their Co-op Boards, raising concerns about the expansion of seating at the premises, the further confirmation of the inability to solve the kitchen venting issues and the expansion of noise on the streets with the proposed later hours of the instant application, the Applicant unwilling to adjust their operating hours or method of operation to be more in line with neighboring restaurants as opposed to bars despite having a full kitchen; there being no solutions to the non-conforming ventilation setup; and
- ix. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the On-Premises Liquor License at this location, there being 55 active licenses within 750 ft. and 6 pending licenses according to LAMP; the hours being later than the previously licensed premises from whom a "transfer" is sought through an asset purchase, the hours also being later than other nearby restaurants on the same street and block, the number of seats doubling, there being no way to build a new exhaust system to vent the kitchen to current codes; there being an expansion of the premises into the adjacent building, with a new egress being proposed through a third building, those permits for connecting spaces in three buildings not being presented, there being questions of public safety by combining these spaces; and it also being unclear if the proposed plans would be approved by DOB; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Liquor License for **Noho Neighbors LLC 54 Great Jones St 10012**; and

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

Vote: Unanimous in favor (6-0)

- 5. **IMG Global Inc dba Yakiniku Great 210 Bowery 10012** (OP-Restaurant) (*previously unlicensed*)

- i. Whereas,** the Applicant and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application for an On-Premises Restaurant Liquor License to operate a full-service, primarily reservation-only, Japanese Yakiniku (grilled meat) restaurant on the ground floor of a C6-1 zoned, eight (8)-story mixed-use building (ca 1910, altered 2018) on the Bowery between Prince and Spring Streets (Block #492/Lot #7505), the building falling within the Special Little Italy District; and
- ii. Whereas,** the ground floor premises, which has never previously been used for eating and drinking and has not previously been licensed for the service of alcohol, is approximately 2,432 sq. ft. with approximately 1,969 sq. ft. on the ground floor and 463 sq. ft. in the cellar, the cellar being accessed by an interior stairway and being used for storage purposes only, there being no patron access to the cellar; there will be four food counters for a total patron occupancy of 40 seats with a maximum legal occupancy of 80 persons; there is one (1) entry which will serve as patron ingress and egress and two (2) bathrooms; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; there will be no outdoor seating; and
- iii. Whereas,** the hours of operation will be from 11 AM to 11:30 PM Sundays through Saturdays though initially opening for dinner service only; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. Whereas,** the 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 full-service, reservation-only Japanese Yakiniku restaurant with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be 11 AM to 11:30 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 play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
  6. Will have no more than one (1) television no larger than 62." There will be no projectors and TV will operate in “closed caption” mode only without sound.
  7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  8. Will not have patron occupancy/service to any portion of the basement of licensed premises.
  9. Will not install or have French doors, operable windows or open facades.
  10. Will not make changes to the existing façade except to change signage or awning.

11. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
  12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
  14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel/doormen.
  15. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
  16. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating; and
- vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a liquor license at this location where there already are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being 79 active licensed premises within 750 feet of the subject premises listed on LAMP, in addition to 10 pending licenses, the Applicant flying over from Japan to attend the Committee meeting after having met with the local block association and residents from Japan via video-conferencing and gaining their support in large part due to the early closing hours and the method of operation not likely to produce a significant quality of life impact for residents, the hours of operation being reasonable, the Applicant executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends denial of the application for a new On-Premises Restaurant Liquor License in the name of **IMG Global Inc dba Yakiniku Great 210 Bowery 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)

**6. 219 Mulberry LLC dba Ruby’s 219B Mulberry St 10012 (RW–Restaurant) (Alteration)**

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application for an Alteration to their Restaurant Wine License (Lic. ID #0240-23-141669, legacy SN#1162545, exp 6/30/2025) for the purpose of changing the ground floor layout and adding the cellar to the licensed premises for storage and kitchen use to their existing full-service family-friendly café which focuses on Australian cuisine serving breakfast, lunch and dinner located in the ground floor of a mixed-use six (6)-story building (c. 1890) on Mulberry Street between Prince and Spring Streets (Block #208/Lot #19), the building falling within the Special Little Italy District; and

- ii. **Whereas**, the premises has been operated by the Applicant as a small café with a restaurant wine license since 2005, the Applicant appearing in 2017 to expand the then-existing interior storefront floor space in addition to adding another café in the same building albeit in a separate and distinct storefront; and
- iii. **Whereas**, the storefront premises is comprised of a large, garage-style roll down door running along the front façade of the storefront which opens, weather permitting, the entire café out to the public sidewalk, where in 2017 the Applicant signed stipulations agreeing that there is no sidewalk café and there are no exterior areas being used for commercial purposes, the sidewalk and roadbed have since been used for service to patrons under the Covid-19 temporary outdoor dining program despite the Applicant not filing for a change in method of operation to use the outdoors; and
- iv. **Whereas**, there will be 11 tables with 22 seats and one (1) bar with no seats for a total seated capacity of 22 persons; the hours of operation remain from 9:30 AM to 11 PM Saturdays through Sundays (7 days a week); there are no TVs; music is quiet background only consisting of music from iPod/CDs/streaming services, there are no DJs, promoted events, no scheduled performances or cover fees; and
- v. **Whereas**, the Applicant had executed and had notarized a Stipulations Agreement with Community Board 2, Man. in 2017 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, this application being for an alteration to add the cellar to the licensed premises with no patron use and a minimal change to interior seating, the 2017 stipulations remaining unchanged including those related to outdoor dining, with those stipulations as follows:
  - 1. The premises will be advertised and operated as a full service café/restaurant.
  - 2. The hours of operation will be from 8:30 AM to 11 PM Sunday through Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
  - 3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such manner.
  - 4. The premises will not have any televisions.
  - 5. The premises will not permit dancing.
  - 6. The premises will not operate a backyard garden, sidewalk café of any outdoor area for commercial purposes.
  - 7. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at any time.
  - 8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
  - 9. All doors and windows will be closed by 10 PM every night.
  - 10. There will be no all you can eat/all you can drink specials or "boozy brunches."
  - 11. There will be no use by employees o rear exterior are of building/premises by employees, including service door leading to rear courtyard after 10 PM every night.
  - 12. There will be no benches on the sidewalk or street furniture; and
- vi. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **87 active licenses** within 750 feet of the

licensed premises and an additional 6 pending licenses within this same area listed on LAMP, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for an Alteration Application to the Restaurant Wine License in the name of **219 Mulberry LLC dba Ruby's 219B Mulberry St 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant in 2017 remain in full effect and incorporated into the "Method of Operation" of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

**7. EVJR LLC dba Da'Milio 293 Mott St 10012 (OP–Bar/Tavern) (Class Change)**

- i. Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 to present an application to upgrade to a new On-Premises Bar/Tavern Liquor License to operate an intimate 1920s/1930s-themed bar/tavern on the ground floor of a C6-3-zoned, five (5)-story mixed-use building (c. 1910) on Mott Street between E. Houston and Prince Streets (Block #509/Lot #26), the building falling within the designated Special Little Italy District; and
- ii. Whereas**, the ground floor premises is approximately 800 sq. ft.; there are nine (9) tables with 36 seats and one (1) bar with ten (10) seats for a total of 46 interior seats; the premises has one (1) door which will serve as patron ingress and egress and two (2) bathrooms; and
- iii. Whereas**, the hours of operation will be from 8:00 AM to 1:00 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music); there will be no dancing, DJs, live music, promoted events, scheduled performances or cover fees, velvet ropes or movable barriers; there will be security to ensure there are no crowds on the sidewalk; and
- iv. Whereas**, the Applicant has operated the premises since approximately July/2023 with a Tavern Wine License, prior to that this was a previously unlicensed location and had most recently been (from approximately 2013 to 2019) a clothing store and prior to that two ground floor residential apartments; and
- v. Whereas**, the Applicant is a chef at, and a family member of the principals of Emilio's Ballato's, a well-known Italian restaurant located within the same building around the corner on Houston Street, the building being large with multiple entrances on both Houston and Mott Streets, the Applicant affirming that the premises has been serving primarily as an upscale bar for people to go to before and after dinner for drinks since opening with some coffee / breakfast service in the mornings but intends to expand to offer lunch service in the future hence the operating hours beginning at 8:00 AM; and



- vi. **Whereas**, the premises being located in the eastern part of the building on the side street (Mott Street) where quality of life impacts are greater on the surrounding residences than if it were located on the wider, Houston Street side, the Applicant originally requesting 2 AM closing 7 days a week, concerns being raised, as they were with the initial Tavern Wine application (which Community Board 2, Man. unanimously recommended denial of in November/2022 and the NYSLA approved at their July 26/2023 full board hearing) that a 2 AM closing would bring the late night quality of life impacts down the block on Mott Street which was more residential in character and a narrower street than Houston Street where the other bars were located, and
- 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 within Community Board 2 and in the immediate area, there being **56 active licensed premises** within 750 feet of the subject premises, in addition to 3 pending licenses according to LAMP, the Applicant agreeing to a 1 AM closing 7 days a week as a compromise with the community for a full liquor license and has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan for the sole purpose of establishing public interest that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new On-Premises Liquor License, with those stipulations as follows:
1. Premises will be advertised and operated as an intimate 1920s–1930s-inspired bar/tavern with less than a full service kitchen but with food items served during all hours of operation.
  2. The hours of operation will be 8 AM to 1 AM Sundays through Saturdays. No patrons will remain after stated closing time.
  3. Will not operate as a Sports Bar or allow any portion of premises to be operated in that manner.
  4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
  5. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
  6. Will not have televisions.
  7. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
  8. Will not install or have French doors, operable windows or open facades.
  9. Will not make changes to the existing façade except to change signage or awning.
  10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
  11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
  13. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or metal barricades.

14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for change in method of operation prior to submitting plans for permanent sidewalk or roadbed seating; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Tavern Liquor License in the name of **EVJR LLC dba Da'Milio 293 Mott St 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the "Method of Operation" of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (6–0)

- 8. Jing Fong Restaurant Inc. 202 Centre St 10013** (Existing RW–Restaurant, alteration to add storage warehouse to premises)
  - i. Whereas**, this application is for an alteration to an existing Restaurant Wine License (Lic. ID# 0240-22-101163, Legacy SN# 1339145, exp. 3/31/24) to add a storage warehouse space located in the adjacent basement to their currently licensed premises; and
  - ii. Whereas**, this request comes due to the recent NYSLA Advisory #2022-20 approved by the Members of the Authority on August 31, 2022 that allowed for an adjacent space to be included as part of a licensed premises so long as the space is used only for storage of alcoholic beverages and can be accessed through public space or space controlled by the licensee; and
  - ii. Whereas**, as there is no patron space being added to the licensed premises and no change to the method of operation, CB2 waived appearance from the Applicant with the previously agreed upon and executed stipulations from June/2021 remaining in place, those stipulations being as follows:
    1. The premises will be advertised and will operated as a full-service Cantonese restaurant.
    2. The hours of operation will be from 10AM to 11PM Sundays through Saturdays (7 days a week). (Premises will open no later than stated opening time and **NO** patrons will remain after stated closing time.)
    3. Will operate a full-service restaurant serving traditional Hong Kong-style Cantonese cuisine with the primary business including traditional dim sum brunch/lunch and dinner service with the kitchen open and full menu items available until closing every night.
    4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
    5. Will not have televisions.
    6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café or pandemic-related, temporary sidewalk or roadbed seating).
    7. Sidewalk café is not included in this application.

8. 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.
9. Will close all doors and windows by 10PM every night, allowing only for patron ingress and egress.
10. Will ensure the doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in case of emergency.
11. Will not install or have French doors, operable windows or open façades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
16. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will not change any principals prior to submission of original application to NYSLA.
18. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel / doormen.
19. Any pandemic-related, temporary sidewalk or roadbed seating ends by 11PM (all patrons will be cleared by this hour and area closed); no speakers or music will be played outdoors and no interior speakers will be positioned to face outside.
20. All pandemic-related, temporary sidewalk and/or roadbed seating will be removed once the program authorizing it expires.
21. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for an alteration to the Restaurant Wine license in the name of **Jing Fong Restaurant Inc. 202 Centre St 10013**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6–0)

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

**9. Wegmans Food Markets, Inc 770 Broadway 10003 (OP) (Corporate Change)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on

February 6, 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 **Wegmans Food Markets, Inc 770 Broadway 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. 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 February 6, 2024, the Applicant requested **to lay over** this application to March/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

**11. 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 February 6, 2024, the Applicant requested **to lay over** this application to March/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

**12. 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 February 6, 2024, the Applicant requested to lay over this application to March/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

**13. American Macaroon LLC dba Laduree 396-398 W Broadway 10012 (OP–Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on February 6, 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 **American Macaroon LLC dba Laduree 396-398 W Broadway 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous in favor.

**14. Adrien Falcon dba Arvine Hospitality 56 Spring St 10012 (OP–Restaurant)**

**Whereas**, at CB2’s, Manhattan’s SLA #1 Licensing Committee Meeting on February 6, 2024, the Applicant requested **to lay over** this application to March/2024 in order to clarify issues with the application 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 **Adrien Falcon dba Arvine Hospitality 56 Spring St 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the 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



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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

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### SLA LICENSING COMMITTEE 2

The SLA Licensing Committee #2 of Community Board 2, Manhattan, held an in-person, non-hybrid meeting at 6:30 PM on Thursday, February 8, 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 Absent with Notice: R. Ely

Other Board Members Present: Lois Rakoff

### **RESOLUTIONS:**

**1. Barbuto West LLC dba Barbuto 521 West St aka 113 Horatio 10014 (OP–Restaurant) (Alteration)**

- i. Whereas,** the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application for an Alteration to their On-Premises Restaurant Liquor License (Lic. ID# 0340-22-111917, SN# 1344856, exp 11/30/24) for full-service California-Italian restaurant in a mixed-use building (circa 1930) located on the corner of Horatio St., West St. and 10<sup>th</sup> Avenue for a roughly 5,400 sq. ft. premise (located on the ground floor (3,200 sq. ft.), basement (2,200 sq. ft.) and exterior loading dock connected to the first floor along West Street in Greenwich Village, the building falling within NYC LPC’s designated Gansevoort Market Historic District; and
- ii. Whereas,** the Applicant previously operated the Barbuto Restaurant on Washington Street in Community Board 2 (2006–2019) and in 2019 moved its restaurant operations to the instant location at 521 West Street aka 113 Horatio Street; and
- iii. Whereas,** the Alteration Application is to add an adjacent storefront location, separated on the ground floor by the building’s residential entrance and connected by an interior passageway in the cellar and to alter the seating in the current space; the current space will increase in tables from 28 to 32 and in seating from 115 to 120, the current bar will have a decrease in bar stools from 25 to 21; there will be the addition of a 940 sq. ft. ground floor space with 13 tables and 33 seats with a 28 ft. customer bar with 14 stools serving as an extension of the restaurant and a wine bar in the adjacent storefront; the current cellar space which serves as a private dining room / event space will have a decrease in tables from 28 to 26 and in seating from 60 to 50, connected by an interior hallway will be the addition of 1,717

sq. ft. space in the adjacent storefront cellar with one (1) table and 14 seats which will be used for wine tastings, dinners, cooking classes and television / podcast productions; and

- iv. **Whereas**, the hours of operation are Sundays to Wednesdays from 8 AM to 1 AM and Thursdays through Saturdays from 8 AM to 2 AM, there is an exterior loading dock with not more than 10 tables and 20 seats with an additional 4 tables and 8 seats located immediately adjacent to the loading dock on the sidewalk, the hours of operation for the exterior seating will be Sunday to Saturday from 8 AM to 12 AM; music is background only, there are no DJs, live music promoted events, any event where a cover fee is charged or any scheduled performances; there are no operable doors or windows aside from those used for patron ingress and egress; and
- iv. **Whereas**, when the Applicant came before Community Board 2, Man. in [April/2022](#) for an alteration application to expand their seating on the ground floor and add the private dining/event space in the cellar, concerns were raised from local residents regarding potential traffic issues on Horatio Street in front of the premises, especially with the added seating area being used for events/private parties which leads to more people arriving and departing at the same time, the Applicant having a long-standing history operating a restaurant in the neighborhood, assuring the community that should any issues arise they would be addressed immediately; and
- v. **Whereas**, the Applicant met with the local block association and other members of the community to review the instant application, those attending the meeting having not experienced, or heard of any complaints or issues arising from the previous expansion of the premises, there being no other change in method of operation or hours, the Applicant again assuring the local community a willingness to address any issues should they arise, thereby maintaining the support of the block association and nearby residents with no one speaking against the application; and
- vi. **Whereas**, CB2 has had established stipulations that now extend to the added storefront which the Applicant has re-executed and has had notarized which will be incorporated into the “Method of Operation” of the Restaurant On-Premises Restaurant License, with those stipulations as follows:
  - 1. The establishment will be advertised and operated as a full-service restaurant serving breakfast, lunch and dinner.
  - 2. There will be a maximum of 188 seats on the ground floor level exclusive of the 20 seats on the exterior loading dock, 8 seats on the sidewalk and patrons waiting to be seated. The hours of operation of the ground floor interior of the premises will be Sunday to Wednesday from 8AM to 1AM and Thursday to Saturday from 8AM to 2AM. All patrons will be cleared from the premises and no patrons will remain after stated closing time.
  - 3. The existing basement floor level will continue to be used for private events. There will be no more than 50 seats in the existing basement space and patron occupancy standing or seated will not exceed 50 at any time. The ~~newly-added~~[newly added](#) basement level space will be used for wine tastings, dinners, cooking classes and television productions together with podcasts. There will be no more than 14 seats in the added basement area. The hours of operation of the basement of the premises will be 8AM to 12AM Sunday

through Wednesday and 8AM to 1 AM Thursday to Saturday. All patrons will be cleared from the basement and no patrons will remain after stated basement closing time.

4. There is an exterior area for patron seating located on an old loading dock on the West Street side. There will be a maximum of 10 tables and 20 seats on the loading dock. There will also be 4 tables with 8 seats located immediately adjacent to loading dock on its south end so as to not block the sidewalk. The hours of operation of the exterior seating on the loading dock and immediately adjacent sidewalk area to loading dock platform will be Sunday to Saturday from 8AM to 12AM. All patrons will be cleared from the loading dock area and no patrons will remain after stated closing time.
  5. The premises will not operate a backyard garden or any outdoor area except for the seating on the loading dock for commercial purposes
  6. The premises will not operate as a “lounge,” tavern or sports bar or allow any portion of the premises to be operated in such a manner.
  7. The premises will not permit dancing in any portion of the premises.
  8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
  9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
  10. The Licensee will obtain all required certificates, permits and related documents including a Certificate of Occupancy prior to opening and will keep current all certificates, permits and related documents.
  11. Licensee will make their best efforts to have guests drop off and pick up via motor vehicle on West Street and/or 10th Avenue and not on Horatio Street due to traffic concerns on Horatio Street. Licensee will publicize to promote vehicle traffic to West St./10th Avenue as a primary drop off/pick up location on social media and via the internet/Google maps and other mapping or eating and dining applications.
  12. There will be no French doors or operable windows on the Horatio Street side of the licensed premises.
  13. All doors at loading dock on West Street will close after 10 PM every night.
  14. The kitchen will remain open and the full food menu available until 30 minutes before closing time.
  15. The premises and all mechanicals will comply with all NYC Noise Codes.
  16. There will be no “bottle service” other than typical restaurant beer/wine by the bottle.
  17. There will be no velvet ropes or barricades used to control patrons.
  18. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
- 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, there being **17 active licensed premises** within 750 feet of the subject premises, in addition to 3 pending licenses, the Applicant the hours of operation being reasonable and the Applicant executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends denial of the alteration application for the On Premises Restaurant Liquor License to **Barbuto West LLC**

**dba Barbuto 521 West St aka 113 Horatio 10014, unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

**Vote:** Unanimous in favor (6–0)

**2. 10 Fifth Ave Operations LLC dba A Pizza Bar 10 5th Ave 10011 (OP–Restaurant)**

- i. Whereas,** the Applicants and the Applicants’ attorney appeared before Community Board 2 Manhattan’s SLA Committee #2 to present an application for a new On-Premises liquor license for a “family restaurant that will focus on pizzas, pastas, and salads,” in a ground floor storefront located in a 4-story, ca.1849 mixed-use brownstone building on the Northwest corner of Fifth Avenue and W. 8<sup>th</sup> Street in NYC LPC’s designated Greenwich Village Historic District; and
- ii. Whereas,** the premises proposed to be licensed is roughly 3,100 sq. ft., with 2,100 sq. ft. on the ground floor and a 1,000 sq. ft. basement; and all patron service is on the ground floor which will have 23 tables with 54 seats and a food counter with six (6) seats and a bar with three (3) seats for a total seating of 63; and the ground floor will also have a full-service kitchen and two (2) ADA-compliant patron bathrooms; and there is no patron access to the basement and no additional service bars; the storefront infill is fixed, without French doors/windows or operable windows; and there are two entrances facing W. 8<sup>th</sup> Street, one of which has a wheelchair accessible ramp, and no entrance or egress onto Fifth Avenue; and, there will be no outdoor seating; and
- iii. Whereas,** the Applicants’ proposed method of operation includes hours of operation of 12 PM (Noon) to 11 PM Sunday to Saturday (7 days a week); there will be no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, and no television; and premises will have quiet background music at conversational levels only, with no speakers facing the street, no sound will be audible in residences above or on residential entrances across the street; applicant will engage professional sound consulting services and install soundproofing as needed to ensure that the above conditions are met; and
- iv. Whereas,** the premises was previously licensed from 2008 for beer and wine only as *Le Pain Quotidian*, a breakfast and lunch focused restaurant with licensed hours only to 8 PM, and actual closing hours of 5 PM; the premises has no history of liquor licensing or use in the 159 years since construction prior to 2008; and
- v. Whereas,** the premises abuts Lower Fifth Avenue, an area renowned for its residential character and limited, low-key commercial intrusion; and faces W. 8<sup>th</sup> Street, where two decades of community collaboration to limit open, outdoor, and late-night activity in order to ensure commercial and residential harmony has been a hard-won success; and
- vi. Whereas,** the Applicants have met with the West 8<sup>th</sup> Street Block Association and signed with them detailed stipulations, including on character, hours, noise and soundproofing,

and maintenance of a fixed infill; and, further, applicants stipulated that they would not seek any form of outdoor seating now or in the future; and

- vii. Whereas,** the Applicants are also principals and managers since 2017 of the *Sola Pasta Bar* at 330 West Broadway (OP#1300708), another Pizza-focused restaurant; and in their application for a license at that location made parallel promises to local residents, and stipulations to Community Board 2 Manhattan, that they would be a quiet location with early hours that fit the historic character of the neighborhood; and, despite these promises and stipulations installed a modern wrap-around opening storefront infill, with speakers placed facing the street, and a neon sign reading “blast that fucking music;” and, were the subject of numerous noise complaints from the surrounding neighborhood, including complaints of noise late into the evening and long past licensed and stipulated operating hours; and, obstructed the sidewalk with an elaborate outdoor seating area that was noncompliant with NYC outdoor dining regulations in numerous ways; and
- viii. Whereas,** the Applicants were contrite and regretful of the previous problems at West Broadway, and avowed that they had learned from their experience and grown and matured since; and, further reassured Community Board 2 Manhattan’s SLA Committee that the restaurant concept for 10 Fifth Avenue was completely different from 330 West Broadway, with table service, a different patron profile, and a higher menu price point; and that the Applicants’ intent is to maintain the current low-key, quiet, residential character of Lower Fifth Avenue; and
- ix. Whereas,** CB2 also reviewed an application from the same Principals in Nov 2020 to expand through addition of a storefront next door to that same liquor license at 330 West Broadway for 330 WB Operations, LLC d/b/a Sola Pasta Bar, which was recommended to be denied by CB2 with a unanimous board vote of 46 in favor and a detailed resolution which can be found on page 46 [here](#); and
- x. Whereas,** the applicants have executed and have had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the On-Premises Restaurant Liquor License, with those stipulations as follows:
1. Premise will be advertised and operated as a family restaurant focusing on pizza and pasta.
  2. Hours of operation: Sunday to Saturday from 12 PM to 11 PM. (Premises will open no later than stated opening time and **NO** patrons will remain after stated closing time.)
  3. Will operate a full-service Italian restaurant with a focus on pizza and pastas, with the kitchen open and full menu items available until closing every night.
  4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  5. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating now or in the future.

6. Will play quiet background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time or within 15' of the premises.
  7. Will not have televisions.
  8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  9. Entrance door will not be left propped open.
  10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
  11. Will not have French doors, operable windows or open façades now or in the future.
  12. Will not make changes to the existing façade except to change signage or awning.
  13. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
  14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
  16. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
  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 permanent sidewalk or roadbed seating.
  19. Will abide by all stipulations agreed to with the West 8<sup>th</sup> Street Block Association.
- xi. 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, there being **32 active licensed premises** within 750 feet of the subject premises, in addition to 2 pending licenses according to LAMP, the hours of operation being reasonable and the Applicant executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On-Premises Liquor License to **10 Fifth Ave Operations LLC dba A Pizza Bar 10 5th Ave 10011** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

**Vote:** Unanimous in favor (7–0)

**3. 205 Thompson St LLC 205 Thompson St 10012 (OP–Restaurant)**

- i. Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application for a new On-Premises Liquor



License to operate a “neighborhood fine dining French restaurant” in a ground floor storefront located in a four (4)-story ca. 1835 mixed-use building on the Northwest corner of Thompson Street and Bleecker Streets (Block #539/Lot #35) in NYC LPC’s designated South Village Historic District, with the storefront being at the North end of the building on Thompson Street between Bleecker St and W. 3<sup>rd</sup> Street; and

- ii. **Whereas**, the storefront proposed to be licensed has operated as a restaurant in the past, most recently as Kuxé Cocina de Pueblo; the interior is roughly 3,798 sq. ft. with a ground floor, a second floor, and a basement each with 1,266 sq. ft.; and, on the ground floor there will be seven (7) tables with 20 seats and a bar with 10 seats, and on the second floor there will be 10 tables with 36 seats for a total of 66 interior seats; and the ground floor has a full-service kitchen and one (1) patron bathroom and there are two (2) additional patron bathrooms on the second floor; and there is no patron access to the basement; and
- iii. **Whereas**, the premises has French doors/windows on the ground floor; and, applicant expects to return to Community Board 2, Manhattan to add sidewalk seating in the future; there will be no roadbed dining now or in the future; and, both floors share a single entrance and will be run as a single DBA/restaurant; and
- iv. **Whereas**, the Applicant’s interior hours of operation will be Sunday to Wednesday from 9 AM to 1 AM, and Thursday to Saturday 9 AM to 2 AM, with the last seating for all nights being at 11 PM with no new patrons admitted after that hour; and, all windows in the second floor will close by 9 PM every night and all doors and windows on the ground floor will close by 10 PM every night, allowing only for patron ingress and egress; and, any future sidewalk seating will likewise close at 10 PM; and
- v. **Whereas**, only quiet recorded background music at conversational levels will be played, including at parties and private events, there will be no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, no velvet ropes, barricades, or door staff; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the On Premise Liquor License, with those stipulations as follows:
  - 1. Premise will be advertised and operated as a fine dining French restaurant.
  - 2. Hours of operation will be: Sunday to Wednesday from 9 AM to 1 AM, and Thursday to Saturday from 9 AM to 2 AM. The last seating every night is at 11 PM. No new patrons will be admitted after that time. (**NO** patrons will remain after stated closing time.)
  - 3. Will operate a full-service fine dining French restaurant, with full menu items available until closing every night.
  - 4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  - 5. Will operate under one DBA.
  - 6. Any future sidewalk café seating will close no later than 10 PM. All tables and chairs will be removed from the sidewalk at this time. No exterior music, speakers, or TVs.

7. No roadbed seating.
  8. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
  9. Will not have televisions.
  10. Will have no more than 24 private parties per year. Private parties will end no later than 12 AM and are defined as either a buyout of the 1<sup>st</sup> floor or 2<sup>nd</sup> floor exclusively.
  11. Will close all doors and windows on the ground floor at 10 PM every night, allowing only for patron ingress and egress.
  12. Will close all doors and windows on the 2<sup>nd</sup> floor at 9 PM every night. No speakers will be placed adjacent to the 2<sup>nd</sup> floor windows.
  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. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
  17. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
  18. Will not add more principals than as presented to CB2, Man. with greater than 20% share of business prior to submission of original application to the NYSLA.
  19. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
  20. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed, or other outdoor seating.
- vii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a liquor license at this location where there already are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being **111 active licensed premises** within 750 feet of the subject premises, in addition to 12 pending licenses according to LAMP, the Applicants having successfully run other restaurants in Community Board 2, Man. and worked with Community Board 2 regarding hours during the week, time of last seating and closing events on this residential block 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 to **205 Thompson St LLC 205 Thompson St 10012** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

**Vote:** 6 in favor, 1 opposed (K. Bordonaro)

**4. South Village Hospitality Group LLC dba Carroll Place 157 Bleecker St 10012 (OP–Cabaret) (Alteration)**

- i. Whereas,** the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for an Alteration to their On-Premises Cabaret Liquor License (Lic. ID#0340-22-103596, SN# 1269222, exp 1/31/26) for their Italian American wine bar and gastropub located within a three (3)-story mixed use building (c. 1920) on Bleecker Street between Thompson and Sullivan Streets (Block #539/Lot #36), this building falling within NYC LPC’s designated South Village Historic District; and
- ii. Whereas,** the Alteration Application is to convert an existing service bar that is located on the mezzanine level to a customer bar with approximately six (6) seats; the premises being approximately 5,500 sq. ft. (2,200 sq ft ground floor and basement and 1,100 sq. ft. mezzanine), with 51 tables and 136 seats and two (2) bars with 26 seats for a total of 162 seats and a maximum occupancy of 180 persons and three (3) bathrooms; and
- iii. Whereas,** the hours of operation are Sundays to Wednesdays from 11 AM to 2 AM and Thursdays through Saturdays from 11 AM to 4 AM, there will be no more than 24 private events per year; and
- iv. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Cabaret Liquor License, with those stipulations as follows:
  1. The establishment will close at 2 AM Sundays through Wednesdays.
  2. The establishment will close at 4 AM Thursdays through Saturdays.
  3. The kitchen will be open until 2 AM all nights of the week
  4. All doors and windows will close by 10 PM every night of the week.
  5. All doors and windows will be closed when any sporting event is being played on televisions in the establishment.
  6. All doors and windows will be closed when any live music is being played in the establishment.
  7. A professional sound test using a decibel meter will be conducted across Bleecker Street from the establishment to determine the level at which background music can be played without exceeding New York City noise code decibel limits. A limiter and compressor and any other means necessary will be installed in the establishment’s sound system to prevent background music from ever exceeding this level.
  8. Sound system controls will be locked, with access limited to owners and managers who agree to abide by all New York City noise codes, the levels set by the results of the sound test described above. Sound levels will be regularly tested with decibel meters to ensure compliance, and records of those tests will be kept.
  9. Only four televisions, no larger than 42 inches, will be installed in the establishment: two on first floor behind the bar and two on the mezzanine.

10. Televisions will never operate with sound, and no speakers will ever be connected to those televisions.
11. No line for any event in venue will ever be formed on sidewalks or any part of Bleecker Street or any other street in the BAMRA area. All such lines will be formed within the establishment.
12. All ventilation, exhaust and air conditioning systems will meet or exceed New York City codes.
13. No neon will be used for signage; and if any of the lighting used for signage is too bright in any resident's dwelling, that lighting will be dimmed.
14. No owner, manager or any other employee of the establishment will allow the establishment to participate in or host any "pub/bar crawl" or any similar bar-to-bar, organized drinking event.
15. The establishment will have no live act end later than 11:00 p.m. on Wednesday.
16. The establishment will have no live act end later than 12:00 a.m. on Thursday.
17. The establishment will have no live acts ending later than 2:00 a.m. on Friday and Saturday nights.
18. The establishment will have small jazz groups on occasion during brunches and dinners as background music only, and playing only at background volume levels.
19. The establishment will employ one person as security on Wednesday and Thursday nights and two people for security on Friday and Saturday nights.
20. Insulated glass will be installed in all storefront windows.
21. The establishment will install a dropped ceiling or isolation hangers with effective soundproofing material in the ceiling cavity.
22. All speakers in the establishment will be "directional speakers" (i.e., speakers specifically built to prevent sound leaking out of the back of the speaker), will hang no higher than three-quarters of the distance from the floor to ceiling and will be installed on isolation brackets
23. There will be a holding area or vestibule inside the establishment to contain overflow so to keep the lines off the sidewalks.
24. Staff will leave after closing and not loiter in front of the building.
25. There will be no more than 24 private parties per year
26. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
27. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the alteration application for the On Premises Cabaret Liquor License to **South Village Hospitality Group LLC dba Carroll Place 157 Bleecker St 10012**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the NYSLA Liquor License.

**Vote:** Unanimous in favor (7-0)

5. **Viejo Group LLC dba Tokyo Record Bar 127 MacDougal St 10012 (OP–Bar/Tavern)**  
(Class Change)
- i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to upgrade their existing Tavern Wine License (Lic. ID # 0267-23-131509, SN# 1220699) to an On-Premises Bar/Tavern Liquor License to continue to operate an Omakase tasting menu restaurant and an Izakaya (Japanese-stye pub) in the sub-cellar and basement of a 2.5-story Federal style townhouse (c. 1828) on MacDougal Street between W. 4<sup>th</sup> and W. 3rd Streets (Block #543/Lot #59), the building falling within NYC LPC’s designated South Village Historic District; and
  - ii. **Whereas**, this was the fifth appearance before CB2, Man. regarding the same premises by the Licensee, the Viejo Group, LLC, the first appearance occurring in [June/2014](#) to present an application to upgrade the existing Tavern Wine license to an On-Premises liquor license at which time CB2, Man. recommended to deny the upgrade, the second appearance seeking a corporate transfer of the existing tavern wine license (#1220699, exp. 5/31/2015) in [August/2014](#) which again resulted in a denial recommendation from CB2, Man., the third appearance occurring in [July/2015](#) again seeking to upgrade the existing license to an On-Premises liquor license and again resulting in a denial recommendation, the fourth appearance occurring in [May/2017](#) seeking a corporate transfer of the existing Tavern Wine license (#1220699, exp. 5/31/2017) again resulting in a denial recommendation; and
  - iii. **Whereas**, the total licensed premises is 1,200 sq. ft. (the basement is approximately 600 sq. ft. connected by an interior staircase to the 600 sq. ft. sub-cellar) with one bathroom only in the sub-cellar, the premises does not have a full-service kitchen, there are 7 tables with 26 seats and one bar with four (4) seats in the basement and four (4) tables with eight seats and one sushi counter with 12 seats in the sub-cellar for a total seated occupancy of 50 seats; there is one door serving as patron ingress and egress and an additional door from the sub-cellar to the street serving as egress only for patrons in the sub-cellar; and
  - iv. **Whereas**, the basement space is operating as a Japanese-style pub (Izakaya) under the name of Tokyo Listening Bar serving wine, cocktails and light bites and will also serve as a waiting area for patrons dining in the sub-cellar restaurant; the sub-cellar is operating as a restaurant with an Omakase tasting menu under the name of Tokyo Record Bar with timed seating; the hours of operation are from 12 PM to 2 AM, 7 days a week, the sub-cellar operating with set seating times, the last seating being no later than 11 PM and no new patrons entering the sub-cellar following the completion of the last seating aside from patron use of the bathroom; music will be at background levels consisting of music from iPods/CDs/streaming services and there may be DJs but music will be at background, not entertainment, levels; there will be no dancing, live music, promoted events, scheduled performances or cover fees, velvet ropes or movable barriers; and
  - v. **Whereas**, the Applicant has operated the premises for over ten (10) years with a Tavern Wine license operating until 4 AM on a residential block, the original concept being that of a record lounge in the basement and a champagne lounge in the sub-cellar, having come before Community Board 2, Man. in 2015 for an upgrade to full liquor and receiving a denial recommendation from Community Board 2, the Applicant waiting to return for the upgrade

application which is reflected in the instant application, the Applicant having operated for the past seven (7) years without incident and reducing the hours in the instant application to a 2 AM closing, the overall method of operation remaining the same with just a slight change with the addition of cocktails to make the experience a little different, the Applicant having other licenses in the immediate vicinity and having shown a commitment to the area; and

vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a liquor license at this location where there already are a significant number of licensed establishments within Community Board 2 and in the immediate area, one of the most densely licensed areas in NYC, there being **113 active licensed premises** within 750 feet of the subject premises, in addition to 12 pending licenses listed on LAMP, the Applicant presenting a reduction in hours from 4 AM to 2 AM closing 7 days a week as an acknowledgement of the higher standard for a full liquor license, the high number of licensed premises in this area and the high impact operations at those hours past 2AM would cause here; the applicant has also executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan for the sole purpose of establishing public interest that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new On-Premises Liquor License, with those stipulations as follows:

1. Premises will be advertised and operated as an Omakase tasting menu in the sub-basement and an Izakaya in the basement with less than a full service kitchen but with food items served during all hours of operation.
2. The hours of operation will be 12 PM to 2 AM Sundays through Saturdays. No patrons will remain after stated closing time.
3. Will not operate as a Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
5. Will play music at background levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
6. Will not have televisions.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Last seating for downstairs Omakase is 11 PM. No new patrons will be permitted downstairs after that time.
9. Sub-cellar area will close nightly following departure of 11 PM Omakase diners.
10. All patrons enter through the main cellar door. Patron use of sub-cellar door is for Omakase patron egress purposes only.
11. Will not install or have French doors, operable windows or open facades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.



16. Will not have any of the following: dancing, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
18. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Tavern Liquor License in the name of **Viejo Group LLC dba Tokyo Record Bar 127 MacDougal St 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (7–0)

**6. Washington Square Hotel LLC dba Washington Square Hotel 101-105 Waverly Pl 10011 (OP–Hotel) (Corporate Change)**

- i. **Whereas**, the Applicant submitted an application to Community Board 2, Manhattan’s SLA Licensing Committee #2 for a Corporate Change to their On-Premises Hotel License (Lic. ID# 0343-22-127351, Legacy SN# 1119063), the 9-story hotel building being located on Waverly at the Northwest corner of Waverly Place and MacDougal Street (Block #553/Lot #7501), a residential block in NYC LPC’s designated Greenwich Village Historic District; and
- ii. **Whereas**, the Washington Square Hotel has been licensed for many years; it originated as Hotel Earle back in 1902 and was purchased by Daniel Paul and his family around 1973, the property being renovated in 1986 at which time the name was changed to the Washington Square Hotel; the corporate change is due to the passing of Daniel Paul who held a 50% interest in the corporation along with his daughter who held the other 50% interest, the daughter will remain the sole principal holding 100% interest in the hotel, there will be no change to method of operation, the NYSLA Application for Approval of Corporate Change being provided, appearance by the Applicant therefore being waived; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a Corporate Change to the On-Premises Hotel Liquor License in the name **Washington Square Hotel LLC dba Washington Square Hotel 101-105 Waverly Pl 10011** **unless** the statements presented by the Applicant are accurate and complete.

Vote: Unanimous in favor (7–0)

**7. GVO Hospitality Corp. dba Mishik, 259A (fka 261) Hudson Street 10013 (OP–Restaurant)**

- i. **Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Committee in [March/2023](#) to present an application to the NYS Liquor Authority for a new On-Premises Restaurant Liquor License to operate a Japanese-Korean fusion restaurant in a ground floor storefront located within a newly built residential building on Hudson Street between Dominick and Broome Streets in the Hudson Square District; and
- ii. **Whereas**, at the time Community Board 2, Man. unanimously recommend approval of the application with signed and executed stipulations, this is a renotification due to the landlord changing the address of the premises from 261 Hudson Street to 259A Hudson Street; the physical location of the premises remains unchanged, there are no changes in principals or method of operation and therefore no need to re-sign a stipulation agreement or for the Applicant to appear; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Restaurant Liquor License in the name of **GVO Hospitality Corp. dba Mishik, 259A (fka 261) Hudson Street 10013** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant in March/2023 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 (7–0)

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

8. **Sharma and Singh Restaurant Group Inc dba Madam Ji Modern Indian Restaurant 154 Bleecker aka 194 Thompson 10012** (OP–Restaurant) (Change in Method of Operation: add live music)

**Whereas**, at this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on February 8, 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 **Sharma and Singh Restaurant Group Inc dba Madam Ji Modern Indian Restaurant** **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 (6–0)

**9. 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 February 8, 2024, the Applicant requested **to lay over** this application to March/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

**THEREFORE, BE IT RESOLVED** that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **Guliani Group Inc dba Laliko Georgian Bistro 80 Carmine St, Unit 2 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous in favor (6–0)

**10. One NK LLC dba Bisou 112 6th Ave 10013 (OP–Bar/Tavern) (Class Change)**

**Whereas**, at this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on February 8, 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 **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 (6–0)

**11. 115 Christopher Street Restaurant Group LLC 115 Christopher 10014 (OP-Restaurant)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on

February 8, 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 **115 Christopher Street Restaurant Group LLC 115 Christopher 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 (6-0)

Respectfully submitted,

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