

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



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

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.manhattancb2.org

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

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FULL BOARD MEETING AGENDA

DATE: Thursday, March 21, 2024

TIME: 6:30 PM

PLACE: In Person at MS323 – 75 Morton Street School, and Remotely Via Zoom

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

IV. ELECTION OF OFFICERS

V. APPROVAL OF THE FEBRUARY FULL BOARD MINUTES

VI. REVIEW OF THE APRIL, MAY AND JUNE 2024 MEETING CALENDARS

VII. RESOLUTIONS FROM STANDING COMMITTEES

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

VIII. REPORTS WITHOUT RESOLUTIONS

- Outdoor Dining Working Group Valerie De La Rosa

IX. NEW BUSINESS

X. EXECUTIVE SESSION (the public may not attend this portion of the meeting)

- Personnel Committee Resolution concerning the performance and compensation of a District Office Staff Member (Due to confidentiality requirements, the report and resolution to be considered has been distributed separately only to those eligible to vote.)

ADJOURNMENT

April 2024

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----|--|--------------------------------------|----------------------------|---|-----|-----|
| | 1 STREET ACTIVITIES & RESILIENCY | 2 SLA-1 | 3 PARKS & WATERFRONT | 4 SLA-2 CANNABIS LICENSING | 5 | 6 |
| 7 | 8 OUTDOOR DINING WG | 9 TRAFFIC & TRANSPORTATION | 10 LAND USE | 11 LANDMARKS | 12 | 13 |
| 14 | 15 | 16 EXECUTIVE | 17 | 18 FULL BOARD | 19 | 20 |
| 21 | 22 PASSEOVER BEGINS AT SUNDOWN | 23 | 24 | 25 HUMAN SERVICES | 26 | 27 |
| 28 | 29 | 30 | | | | |

May 2024

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|--|---|-----------------------------------|---|---|-----------|-----------|
| To Be Scheduled: CANNABIS LICENSING | | | 1 PARKS & WATERFRONT | 2 TRAFFIC & TRANSPORTATION | 3 | 4 |
| 5 | 6 STREET ACTIVITIES & RESILIENCY | 7 SLA-1 | 8 LAND USE | 9 SLA-2 | 10 | 11 |
| 12 | 13 OUTDOOR DINING WG | 14 | 15 | 16 LANDMARKS | 17 | 18 |
| 19 | 20 SCHOOLS & EDUCATION | 21 EXECUTIVE | 22 | 23 FULL BOARD | 24 | 25 |
| 26 | 27 MEMORIAL DAY | 28 | 29 | 30 HUMAN SERVICES | 31 | |

June 2024

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|---|--|-----------------|----------------------------|---|-----|-----|
| To be Scheduled: CANNABIS LICENSING | | | | | | 1 |
| 2 | 3 STREET ACTIVITIES & RESILIENCY | 4 SLA-1 | 5 PARKS & WATERFRONT | 6 SLA-2 TRAFFIC & TRANSPORTATION | 7 | 8 |
| 9 | 10 OUTDOOR DINING WG | 11 | 12 LAND USE | 13 LANDMARKS | 14 | 15 |
| 16 | 17 | 18 EXECUTIVE | 19 JUNETEENTH | 20 FULL BOARD | 21 | 22 |
| 23 | 24 SCHOOLS & EDUCATION | 25 | 26 | 27 HUMAN SERVICES | 28 | 29 |
| 30 | | | | | | |

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



Antony Wong, Treasurer
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CB2 BALLOT **for the Election of Officers** March 21, 2024

For all those voting in person, please use this ballot to vote for the election of Officers of Community Board 2/Manhattan.

PLEASE NOTE that ballots may be submitted only during a specified portion of the Full Board meeting on March 21, 2024. Your ballot will be accepted by the Tally Committee only during the specified period.

Board Member's Name: _____

ELECTION FOR CHAIR (selection one candidate/entry)

- ☐ Susan Kent
- ☐ Abstain

ELECTION FOR FIRST VICE CHAIR (select one candidate/entry)

- ☐ Valerie De La Rosa
- ☐ Abstain

ELECTION FOR SECOND VICE CHAIR (select one candidate/entry)

- ☐ Eugene Yoo
- ☐ Abstain

ELECTION FOR TREASURER (select one candidate/entry)

- ☐ Antony Wong
- ☐ Abstain

ELECTION FOR SECRETARY (select one candidate/entry)

- ☐ Emma Smith
- ☐ Abstain

ELECTION FOR ASSISTANT SECRETARY (select one candidate/entry)

- ☐ Brian Pape
- ☐ Abstain

Board Member's Signature: _____



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LANDMARKS AND PUBLIC AESTHETICS COMMITTEE

The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held its monthly meeting on March 14, 2024, by hybrid video conferencing from CB2 office conference room.

Committee Members Present: Susan Gammie (Vice Chair, presiding), Anita Brandt, Eugene Yoo (remote), Valerie De La Rosa, Chenault Spence (present for Item 1)

Board Members Absent with Notice: Zachary Roberts, Bo Riccobono, Brian Pape

Public Members Present:

Public Members Absent with notice: Albert Bennett, Brenden Fitzgerald, Andy Clark

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

1. 276 W. 11th St.– Application is to convert the existing 2-family dwelling to single family, reconstruct the original brownstone stoop, modify existing arched parlor level windows, restore the front facade, modify the existing rear facade openings, extend the cellar foundation at rear yard for a skylight, construct a metal deck and staircase at the rear yard, and replace existing dormer and studio skylights with rooftop addition.

Whereas:

A. The proposal is for the conversion of a multi-family configuration to the historic one-family use; and

B. The restoration of the front façade references the handsome restoration of its next-door twin at 278 W. 11th, and the proposed modifications of all windows, including the replacement of the arched parlor windows, reflect that reference, as do the replacement cast stone lintels and the paint removal; and

C. The new double front door does not copy its neighbor, but references an earlier era that may be more historically accurate; and

D. The proposed stoop, requiring DOT revocable consent (**see resolution 1A**), is a reconstruction of what originally existed, copying the ironwork from 278 which may not actually be the original and could be improved upon; and

E. The rooftop work requires the removal of the non-original dormer and skylights, replacing them with a 10' high light stucco addition that the applicant represented as not being visible from a public thoroughfare, but the applicant, while producing photos of the mockup from the rooftop, failed to provide any mock-up photos taken from the street to support that; and

F. Due to the extent of the rear façade alterations and the existing poor mortar condition the rear wall will be entirely replaced, allowing for the repositioning of the windows on the top two floors to their original locations, and there will be new nearly full width unobjectionable windows much like those approved in similar situations on the lower floors and a new deck with modest staircase to the rear yard; and

G. The extensive excavation of the cellar was reported by the applicant as not requiring underpinning due to its position; now.

Therefore, be it resolved that CB2, Manhattan recommends:

A. **Approval** of the front façade restoration including window modifications and historic double door.

B. **Approval** of the recreation of the stoop, and requests that the choice of ironwork be reconsidered, noting that the building's status as a twin does not obligate replication of the ironwork at 278, particularly when there are many more attractive and historically accurate options to choose from in the district.

C. **Conditional approval** of the rooftop addition, contingent upon the applicant being able to demonstrate to the Commission via photographic evidence that the rooftop addition meets the standard of minimal visibility from a public thoroughfare.

D. **Approval** of the rear façade reconstruction and redesign, including metal deck and staircase, noting that the choice of brick and style of mortar joints need to be in kind with that which is being replaced.

E. **Approval** of the rear yard excavation, provided that all applicable regulations are followed, and that care is taken to ensure the integrity of the subject property and the neighboring houses.

All of the committee members present were in agreement.

1A. 276 W. 11th St. - Application is for recommendation of revocable consent for the intrusion of the front steps into the public sidewalk.

CB2, Manhattan recommends that the Landmarks Commission make a recommendation to the Department of Transportation that revocable consent be given for the intrusion of the front steps into the public sidewalk in that this intrusion is consistent with the original condition which is being restored.

2. 39 Fifth Ave. – Application is to install a steel arbor with retractable canvas awning on the southeast penthouse terrace; steel will be painted white to match the historic window and trim color.

Whereas:

A. Although the application states that the proposed steel arbor is to be painted white, the rendered image is in black, and the applicant stated that the finish color would be matte black; and

B. The retractable awning is off-white canvas and there is no additional lighting proposed; now.

Therefore, be it resolved that CB2, Manhattan recommends **approval** of the steel arbor and retractable awning, provided that the arbor is the color rendered and confirmed by applicant, not the white stated in the application.

All of the committee members present were in agreement.

3. 3 E. 10th St. -Application is to replace front facade metal shutters with wood shutters and to legalize an elevator bulkhead.

Whereas:

A. The permit for the shutters was reported to have already been issued in 2017; and

B. The elevator bulkhead in question is 14'6" at its highest point, is in a very light color, and is clearly visible from a small portion of West 11th Street; now.

Therefore, be it resolved that CB2, Manhattan recommends **approval** of legalization of the bulkhead provided it is either painted to match the brick color of the building against which it is seen, or re-clad in face brick to match or zinc colored metal, in order to minimize its intrusiveness from the 11th Street viewpoint.

All of the committee members present were in agreement.

4. 138 Prince St. - Application is to install pin-mounted signage, vinyl graphics, and digital displays.

Whereas:

A. The proposed 12" tall pin-mounted signage is awkwardly squeezed into a space that is visually inadequate to accommodate it, a problem that is less obvious on the disingenuous rendering than it would be in reality, where it would violate the geometry of the distinctive brickwork surrounding the arched windows below; and

B. The various vinyl signs announcing store name, hours, and ADA accessibility are unobtrusively placed, and in combination with the currently bracketed 5 blade signs would seem to provide ample identification of the brand within the historic district; and

C. The proposed opaque white vinyl proposed in the transom on Prince Street creates an ugly condition when combined with the proposed gradient privacy vinyl and interrupts the gradient ombré effect in the storefront overall; and

D. When asked about the digital display signage, the applicant stated that the plan was for the 3 video monitors to be displaying dynamic and energetic content 24/7; and

E. A member of the public spoke out to express concerns about the impact of the digital displays and excessive signage within the historic district; now.

Therefore, be it resolved that CB2 Manhattan recommends:

A. **Denial** of the pin -mounted signage and recommends that the applicant reconsider both size and placement of the signage in order to not compete with the decorative brickwork and arched windows of this beautiful SoHo building.

B. **Approval** of the vinyl signage indicating store name, hours, and ADA access, and approval of the gradient vinyl in the one Prince Street storefront.

C. **Denial** of the opaque white vinyl in the transom on Prince Street.

D. **Denial** of round-the-clock usage of the digital monitors and asks that the Commission limit their use to business hours, and that it apply any allowable restrictions on level of illumination.

All of the committee members present were in agreement.

5. 375 W. Broadway - Application is to add an elevator, roof stop to the W. Broadway passenger elevator to access the roof terrace; to convert the Wooster St. freight elevator to a Passenger Elevator; and enlarge both

Whereas:

A. The proposed conversion of the freight elevator to a passenger elevator involves an increase of roughly 2' in height, which has no meaningful impact on its visibility; and

B. The enlargement of the second elevator bulkhead on the W Broadway side is 23' high and is, even when one considers the high visibility of bulkheads in general, exceptionally visible from several vantage points; and

C. The applicant, when asked if there were ways to either reduce the height of the bulkhead or to relocate it, stated that he had contacted his elevator consultant and that, unfortunately, he had not yet received the consultant's alternate proposals; now.

Therefore, be it resolved that CB2, Manhattan recommends:

A. **Approval** of the Wooster Street freight to passenger elevator enlargement.

B. **Denial** of the outsized enlargement of the W. Broadway bulkhead due to its extreme visibility and asks that the applicant return with other options including, but not limited to, the exploration of offsetting the mechanicals after the question has properly been considered with the consultant.

All of the committee members present were in agreement.

Respectfully Submitted,

Susan Gammie

Vice-Chair, Presiding

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
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SCHOOLS & EDUCATION COMMITTEE MEETING **March 2024**

The Schools & Education Committee met on Monday, March 11, 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), Keen Berger, 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

Representative from Electeds (remote): Nicole Barth of CM Eric Bottcher

Guests: Leonie Haimson (remote), Michael Rance, Motoko Shuboji, and Nellie Richards

Agenda: Insights and Discussion on the Class Size Working Group and District 2/Citywide Data, Presented by Leonie Haimson

The meeting was called to order at 6:35PM

Business Session: the committee discussed writing a resolution urging the DOE to implement the proposals of the Class Size Working Group.

Meeting adjourned 7:41PM

Urging DOE to implement the proposals of the [Class Size Working Group](#)¹ and comply with the new class size law

1. **Whereas**, in 2003, the New York Court of Appeals in the Campaign for Fiscal Equity case determined that NYC public school class sizes were too large to provide students with their constitutional right to a sound basic education;
2. **Whereas**, following that decision, class sizes in NYC schools increased, and to this day, remain far larger than they are in the rest of the state;
3. **Whereas**, smaller classes have been shown through research to improve school culture with teachers better able to address the needs of their students both academically and holistically;
4. **Whereas**, many studies show that class size reduction leads to better student outcomes in every way that can be measured, including better grades and test scores, fewer behavior problems, greater likelihood to graduate from high school on time and enroll in college;
5. **Whereas**, in June 2022, the NY Legislature overwhelmingly passed [Education Law 211-D](#)² by a vote of 59-4 in the State Senate and 147-2 in the Assembly, requiring that NYC implement a five-year phase-in of smaller classes beginning in the fall of 2022 to fulfill the promise of CFE;
6. **Whereas**, on Sept. 8, 2022, Gov. Kathy Hochul signed the bill into law, based upon an amendment that the five-year phase-in of smaller classes would begin instead in Sept. 2023;
7. **Whereas**, the law calls for class sizes to be limited to no more than 20 students per class in grades K-3, no more than 23 students per class in grades 4th-8th, and no more than 25 students per class in high school, with physical education and performing art classes capped at forty students per class;
8. **Whereas**, instead of taking any positive steps to lower class size since the law was passed, the DOE's actions have resulted in average class sizes increasing citywide this fall, including in District 2; for elementary and middle school grades this was the second year in a row of increases;
9. **Whereas** the percentage of classes that complied with these caps citywide and in District 2 schools sharply fell at all grade levels;
10. **Whereas**, In District 2, the percentage of classes in grades K-3 in compliance with the caps fell from 27.7% to 21.8, in HS fell from 50.5% to 43.5%, and for grades 4-8 remained stagnant at only about 21.0%;
11. **Whereas**, since taking office, Mayor Adams has repeatedly cut school budgets, and plans to cut them even more next year;

¹ <https://drive.google.com/file/d/1gSiFUcuLOjJ49PLCMptkroFjXBHow2b/view>

² <https://www.nysenate.gov/legislation/laws/EDN/211-D>

12. **Whereas**, these budget cuts have occurred despite more than \$1.3 billion in additional annual state aid provided to NYC schools over the last three years, as a result of the CFE settlement;
13. **Whereas**, the Independent Budget Office recently reported that they expect next year's City budget will have a [\\$3.3 billion surplus](#);
14. **Whereas**, if enacted, the proposed budget cuts will likely lead to even sharper increases in class size next year;
15. **Whereas**, principals at overcrowded schools were also told that this fall they cannot ask for their schools' enrollments to be capped at lower levels to enable them to lower class size;
16. **Whereas**, the DOE has also proposed more than \$2 billion to be cut from school construction and expansion in the proposed five-year capital plan for FY 2025-2029, which would likely make it impossible for schools in the most overcrowded communities to have enough space to lower class;
17. **Whereas**, the new proposed capital plan also cuts twenty thousand school seats compared to the current five-year plan, and specifies new seats in only four school districts;
18. **Whereas**, the plan also fails to identify the locations for 77% of the seats funded, as well as their grade levels, and instead declares that this information will only be provided after school sites have been acquired and the design process has begun;
19. **Whereas**, this unprecedented lack of transparency would leave parents, Community Education Councils, Community Boards, and local officials in the dark, and unable to provide any input about where schools are needed and should be built;
20. **Whereas**, this change also appears to violate the class size law as well as [Education Law 2590-o](#)³, which requires the Chancellor to annually prepare an "*educational facilities master plan...including a list of prioritized projects to the extent ascertainable and [to] list each proposed new educational facility and set forth a justification, including demographic data, documenting the long term need therefore.*"
21. **Whereas** given current trends, it is highly unlikely that the DOE will make the legal mandate next year that 40% of classes meet these class size caps, and even less likely that they will achieve the mandates in years three to five;
22. **Whereas**, the Class Size Working Group has proposed a variety of actionable and effective policies that would enable the DOE to lower class sizes to the mandated levels starting next year and beyond, including changes in enrollment, budgeting, and the capital plan (see [Class Size Working Group Final Report](#)⁴);

³ <https://codes.findlaw.com/ny/education-law/edn-sect-2590-o/>

⁴ https://drive.google.com/file/d/1gSiFUcuLOjJ49PLCMptkroFjXBHow2b_/view

23. **Whereas**, the Working Group has also proposed that the DOE propose no changes in school utilization without an analysis that there will be sufficient space in existing schools to lower class size to mandated levels;
24. **Whereas**, despite this, the DOE has continued to propose changes in school utilization that assume current class sizes in the schools affected by these proposals will remain forever, even when schools have many classes above the mandated levels;
25. **Whereas**, the Working Group has also proposed that Community Education Councils be involved in the advisory process as Community Boards are currently when the city is considering approving large-scale development projects, to try to ensure that schools are built along with housing;

Therefore Be It Resolved, that Community Board 2 (CB2) calls on the Mayor and the Chancellor to refrain from cutting school budgets or the capital plan, but instead to increase funding for both purposes to ensure that schools can be able to lower class sizes to the levels required by the law; and be it further

Resolved, that CB2 demands that DOE and the School Construction Authority specify in the proposed capital plan where new schools are needed and where they will be built, and how that will provide enough space in every district to lower class size to mandated levels; and be it further

Resolved, that CB2 demands that the DOE will not propose any changes in school utilization without an analysis in the Educational Impact Statement that the change will not prevent the existing schools from lowering class size to the levels required by the law; and be it further

Resolved, that CB2 recommends that City Planning should include CECs as well as Citywide Councils in the advisory process when large-scale developments or rezonings are proposed; to ensure that sufficient school space is built along with new housing and that local schools do not become even more overcrowded and unable to lower class size; and be it further

Resolved, that CB2 urges the Mayor and the Chancellor to immediately adopt the Class Size Working Group's proposals so that NYC students can benefit from the personalized feedback necessary for them to have a better chance to learn; and be it finally

Resolved, should the Mayor and the Chancellor fail to take these necessary steps, CB2 urges the State Education Department to mandate the creation and prompt implementation of an effective class size reduction plan as soon as possible to achieve these goals.

Vote: Unanimous in favor

Respectfully submitted,

Patricia Laraia

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STREET ACTIVITIES AND RESILIENCY COMMITTEE

March 2024

The Street Activities and Resiliency Committee of Community Board #2, Manhattan held its monthly meeting on Monday, March 4th, 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, Amy Brenna, Erika Olson, Michael Levine, Rocio Sanz, Zachary Roberts

Committee Members Present Remotely (Counts Toward Quorum): Ed Ma

Committee Members Absent with Notice: Julian Horky; Ryder Kessler

Other CB2 Members Present Remotely: None

Street Activity Applications

1. ***3.7.24-3.10.24 – Adanola Pop-Up (Sponsor: Adanola Ltd.), Astor Pl. Plaza (So.) [pedestrian plaza]**

Whereas, the applicant, UK apparel brand Adanola, is seeking to hold a pop-up activation at the Astor Place Plaza on Saturday, March 9th and Sunday, March 10th; and

Whereas, the applicant intends for the pop-up to be open from 11 AM – 3 PM each day; and

Whereas, set-up for the event is expected to occur during the evening of Thursday, March 7th or Friday, March 8th; and

Whereas, the activation will feature a small kiosk positioned on the plaza, from which there will be giveaways of free water and apparel; and

Whereas, the applicant intends to give away around 1,000 pieces of apparel, with the kiosk expected to be resupplied with 150 apparel pieces each hour; and

Whereas, the applicant intends to have security for 24 hours; and

Whereas, the activation is designed to take up a small portion of the plaza, with room left for seating as well as pedestrian passage; and

Whereas, the event will not include amplified sound, special lighting, or food/drinks (other than water); and

Whereas, the applicant had not yet developed an official plan for line management, but upon the matter being brought up by the SAR committee, agreed that line management could be performed by additional security with rope and stations; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Adanola Pop-Up (Sponsor: Adanola Ltd.)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

2. *3.12.24 – Keys Mobile Activation Manhattan (Sponsor: IDEKO Productions), W. Broadway bet. Prince & W. Houston St. [curb lane only-W.] [455. W. Broadway]

Whereas, the applicant, representing Alicia Keys’ facial beauty line, is seeking to hold a food truck activation in conjunction with the line’s launch on Amazon, at 455 West Broadway, between Prince and Houston Streets; and

Whereas, the activation will consist of a food truck parked in the east curb lane of West Broadway, in front of 455 West Broadway, as well as one production truck parked in an adjacent spot; and

Whereas, the activation is expected to be open from 11 AM - 3 PM on Tuesday, February 12th; and

Whereas, the activation will feature 250 free bag giveaways, which will include free samples of the product; and

Whereas, the applicant plans the end the activation if and when the 250 bags have been given away; and

Whereas, the activation will include 3 staff available on site for line management; and

Whereas, the applicant has performed outreach to the art gallery currently located at 455 W. Broadway; and

Whereas, the original SAPO application specified the west curb lane rather than the east curb lane, which the applicant stated has now been corrected; now

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

Vote: Adopted unanimously.

3. ***3.20.24 – Beloved Food Truck – SOHO (Sponsor: Beloved), Broadway bet. Broome & Spring Sts. (in front of Zara) [curb lane only-W.]**
4. ***3.21.24 – Beloved Food Truck – Union Square (Sponsor: Beloved), University Pl. bet. E. 13th & E. 14th Sts. [curb lane only-E.]**

Whereas, the applicant, representing beauty/personal care brand Beloved, is planning two food truck activations, with the first on Broadway between Broome and Spring streets (in front of Zara), and the second on University between 13th and 14th streets; and

Whereas, the application will take the form of a food truck parked in the curb lane, giving away up to 500 bottles of cold pressed juice per day as well as 300-500 samples of branded body wash; and

Whereas, the applicant intends to park the truck at each location around 8 AM (but has applied to do so as early as 6 AM), with the activation itself expected to run from around 11 AM through 6 PM each day; and

Whereas, the activation will not feature any amplified sound or food/beverage other than the cold-pressed juices; and

Whereas, the Union Square location will feature a small puppet and puppeteer on site (but not accompanied by amplified sound); and

Whereas, the applicant had not yet conducted outreach to surrounding business (including Zara) and neighbors ahead of the activation, and promised to do so ahead of the event; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of Beloved Food Truck – SOHO (Sponsor: Beloved) and Beloved Food Truck – Union Square (Sponsor: Beloved), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

5. ***3.21-3.23.24 – Dr. Jart – SOHO (Sponsor: Lime Media Group, Inc.), Broadway bet. Broome & Spring Sts. [sidewalk & curb lane closure-W.]**
6. ***3.24.24 – Dr. Jart – W. 13th St. 2024 (Sponsor: Lime Media Group, Inc.), W. 13th St. bet. 9th Ave. & Hudson St. [sidewalk & curb lane closure]**

Whereas, the applicant, representing beauty/personal care brand Dr. Jart, is planning two truck activations, with the first in front of 495 Broadway (between Broome and Spring streets), and the second at 362 West 13th street (between 9th Ave and Hudson street); and

Whereas, the application will take the form of a truck parked in the curb lane, which attendees will have the opportunity to walk through, as well as a wheel outside the truck which attendees can spin in order to win a prize; and

Whereas, the activation will take place at the Broadway location for two days, Friday 3/22 and Saturday 3/23, and at the 13th Street location for one day, Sunday 3/24; and

Whereas, the applicant intends to park the truck each day around 8 AM, with the activation itself expected to begin around 11 AM and last through 7 PM each day; and

Whereas, the activation will include trash cans on site for waste management; and

Whereas, the applicant had not yet conducted significant outreach on the block ahead of the activation but said they would do so; and

Whereas, the applicant stated that 6 social media influencers will attend the event and post about it after the event is finished, but have been told by the applicant that they should not post about the event ahead of time; and

Whereas, concern was expressed amongst CB2 and community members around the influencer presence, particularly because several of these influencers have tens of thousands of followers, and could potentially generate significant crowds if they posted before or during the event; and

Whereas, in response to this concern, the applicant agreed to provide the names of the influencers as a follow up so that relevant stakeholders could be better prepared for the event; and

Whereas, concern was also expressed amongst CB2 and community members regarding the specific curb lane location at 495 Broadway, as the chosen location could have a significant traffic impact by blocking cars making a right turn on Spring street and forcing them into the bus-only lane, and a location further north on Broadway would be more suitable; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Dr. Jart – W. 13th St. 2024 (Sponsor: Lime Media Group, Inc.)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Therefore Be It Further Resolved that CB2 Manhattan recommends **denial** of **Dr. Jart – SOHO (Sponsor: Lime Media Group, Inc.)** **unless** the applicant moves the activation into a more suitable location, such as further north on Broadway.

Vote: Adopted unanimously.

7. *3.23.24 – Supergoop Cart (Sponsor: Promobile), E. 14th St. bet. Union Sq. W. & Broadway (in front of Sephora) [partial sidewalk closure-W.]

Whereas, the applicant, representing beauty / skincare brand Supergoop, is seeking to hold a one-day coffee cart activation on the south sidewalk of 14th St. between University Pl. and Broadway, on Saturday, March 19th; and

Whereas, load-in is expected at 6:30 AM, with the cart active by 9 AM – 4 PM (while supplies last), and load-out expected by 5 PM; and

Whereas, the applicant intends to give away up to 300-350 cups of coffee along with 1-oz samples of sunscreen; and

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

Whereas, the activation will feature recycling bins on site as well as 2 brand ambassadors; and

Whereas, CB2 members raised the fact that the south sidewalk of 14th 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; and

Whereas, in response, the applicant stated that they had “downgraded” the event from previous iterations, shrinking it from a food truck to a food cart, and decreasing the number of samples from 1,000 to 300; and

Whereas, CB2 suggested that the mini-plaza located on University Place between 13th and 14th streets could be a good alternative location for the event; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of Supergoop Cart (Sponsor: Promobile), 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 a more suitable location such as University between 13th and 14th streets, in order to allow for greater pedestrian right-of-way.

Vote: Adopted unanimously.

8. *3.24.24 – Laneige Bouncy Firm -NYFTA – Broadway (Sponsor: New York Food Truck Association), Broadway bet. E. Houston & Prince Sts. [curb lane only-W.]

Whereas, the applicant, representing skincare brand Laneige, is seeking to hold a food truck activation in the west curb lane of Broadway between Prince and Houston Streets on Sunday, March 24th; and

Whereas, the activation will consist of a vintage food truck parked in the curb lane which will be giving out up to 700 samples of pre-packaged cookies and skincare products; and

Whereas, load-in is expected between 6-8 AM, with the activation expected to be open from 11 AM - 6 PM or until supplies last; and

Whereas, the activation will not feature amplified sound; and

Whereas, the activation will include brand ambassadors on site for waste and line management; and

Whereas, the applicant has already performed outreach to other businesses on the block; and

Whereas, community members suggested that the applicant move the event's location further up the block in order to allow for cars to more easily turn onto Prince street, as well as reach out to the Soho Broadway Initiative BID for coordination; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval Laneige Bouncy Firm - NYFTA – Broadway (Sponsor: New York Food Truck Association)**, provided that the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

9. *3.27-4.3.24 – Djerf Ave. Pop Up Store at 21 Greene St. (Sponsor: Redgert Comms, Inc.), 1) Greene St. bet. Canal & Grand Sts. [curb lane only-W.]; 2) Wooster St. bet. Grand & Canal Sts. [partial sidewalk closure-E.]; 3) Canal St. bet. Greene & Wooster Sts. [partial sidewalk closure-N.]

Whereas, the applicant is representing Djerf Avenue, an ethically-made clothing line which is planning on holding a pop-up store at 21 Greene Street from Wednesday, March 27th through Wednesday, April 3rd; and

Whereas, the applicant also has filed a SAPO application for production parking on Greene Street from March 21st through March 26th to allow for load-in, as well as on April 3rd and 4th to allow for load-out; and

Whereas, the applicant would intend to start load-in each day at 8 or 9 AM and run through 6 PM, in order to be mindful of neighbors; and

Whereas, the applicant intends to maintain a pedestrian pathway on the sidewalk during load-in and load-out; and

Whereas, the applicant has applied for a number of partial sidewalk closures to prepare for management of a potentially significant line, given that the founder of the Djerf Avenue brand is a highly influential figure in the fashion world with a significant social media presence; and

Whereas, the line, as currently planned, would run south from 21 Greene along the west side of Greene, turn west on Canal and run along the north side of Canal from Greene to Wooster, and turn north along the east side of Wooster; and

Whereas, the applicant intends to staff up to 10-15 security guards on site for line control and management; and

Whereas, the applicant has also applied for a curb lane closure on the west side of Greene street adjacent to 21 Greene, which will be used to park a beverage truck which will be giving out free (non-alcoholic) beverages to pop-up attendees standing in line; and

Whereas, while CB2 understands that pop-up stores are not subject to SAPO review and appreciates that the applicant applied for sidewalk closures to facilitate line management, significant concern was expressed over the potential impact to the neighborhood during the week that the pop-up will be active; and

Whereas, such impact will necessitate significant outreach to surrounding residents and businesses ahead of the pop-up; and

Whereas, CB2 members also suggested that the applicant employ an online reservation system in order to mitigate line length during the pop-up; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval Djerf Ave. Pop Up Store at 21 Greene St. (Sponsor: Redgert Comms, Inc.), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Therefore Be It Further Resolved that the applicant must conduct a significant outreach to businesses and residents ahead of the launch of the pop-up.

Therefore Be It Finally Resolved that the applicant should consider an online reservation system in order to mitigate the length of the line that forms outside of the pop-up.

Vote: Adopted unanimously.

10. *4.6.24 – Beauty Line Launch (Sponsor: YSL Beaute), 1) 9th Ave. bet. Gansevoort & W. 13th Sts. [sidewalk & curb lane closure [both sides]; 2) Gansevoort/13th Sts./Gansevoort Pedestrian Plaza [pedestrian plaza]

Whereas, the applicant, fashion/apparel brand YSL, is seeking to hold a single-day pop-up activation on the Gansevoort Plaza on Saturday, April 6th; and

Whereas, the activation will feature a 12x12x8 structure with a canopy positioned on the plaza, which will include 4 “experiential touchpoints” for attendees and a giveaway of miniature lip balm; and

Whereas, load-in may occur starting as early as 5 AM, though likely later, and much of the structure is pre-fabricated and should not require significant assembly on-site; and

Whereas, the activation will be live from 12 – 7 PM; and

Whereas, the applicant intends to have ambient amplified sound within the structure, but no DJ present; and

Whereas, the applicant does not plan to have celebrities or influencers present; and

Whereas, the applicant plans to work with the Meatpacking BID to ensure that as much seating as possible is left available for the public on the plaza during the activation; and

Whereas, the applicant has seen significant interest in previous pop-up events, and plans to employ an online sign-up system for line/crowd management, which will allow people to sign up to attend during a one-hour window; and

Whereas, any line that forms will be on the south side of the plaza, and space will be left for pedestrian passage; and

Whereas, the applicant intends to have up to 5 security / line management personnel on site, as well as multiple brand ambassadors; and

Whereas, the applicant intends to have trash receptacles within the structure for waste management; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Beauty Line Launch (Sponsor: YSL Beaute)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously with 1 recusal (E. Olson).

11. *4.20.24 – Malbon Golf x Prince Collaboration Event (Sponsor: Malbon Golf), Crosby St. bet. Broome & Grand Sts. [full street closure]

Whereas, the applicant did not appear on behalf of this application and the committee was unable to hear the particulars of this event, despite numerous attempts by CB2 staff to contact the applicant; and

Whereas, this applicant has held multiple previous events that have been highly disruptive to the community; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Malbon Golf x Prince Collaboration Event (Sponsor: Malbon Golf)**.

12. *5.11.24 – Baxter St at the Camera Club of New York – 140th Anniversary Block Party (Sponsor: Baxter St at The Camera Club of New York), Baxter St. bet. Canal & Hester Sts. [full street closure]

Whereas, the applicant is a longstanding club and arts organization that was founded in 1884, and has recently relocated its headquarters to Baxter street; and

Whereas, the applicant seeks to hold a block party on Saturday, May 11th, in order to bring together the local community including neighbors, artists, and arts enthusiasts; and

Whereas, the block party is expected to run from 12 PM to 5 PM, with setup beginning at 10 AM and the block clear by 8 PM; and

Whereas, activations on the block during the block party are expected to include exhibitions, local partners spotlights, and live performances in coordination with local artists and performers; and

Whereas, the applicant has already identified a few partner organizations in the neighborhood and is seeking out additional partners; and

Whereas, the applicant has already conducted significant outreach on the block; and

Whereas, the applicant will leave a 15-foot emergency lane; and

Whereas, the event feature a DJ performing background music from 3-4 PM; and

Whereas, the applicant is expecting approximately 350 attendees; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Baxter St at the Camera Club of New York – 140th Anniversary Block Party (Sponsor: Baxter St at The Camera Club of New York)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

FYI/Renewals

- 13. 4.13.24 – Red Umbrella Day 2024 (Sponsor: Meatpacking District Management Association) Gansevoort/13thSts./Gansevoort Pedestrian Plaza [full]**
- 14. 5.11.24 – PEN World Voices Festival Astor Pl. Plaza (Sponsor: PEN America), Astor Pl. Plaza (So.) [pedestrian plaza-full]**
- 15. 5.11.24 – PEN World Voices Festival- Indie Lit Fair 2024 (Sponsor: PEN American Center PEN America), LaGuardia Pl. bet. Bleecker & W. 3rd Sts. [sidewalk & street closure-W.]**
- 16. 5.12.24 – Pride On Astor Fair (Sponsor: Pride Democrats), Astor Pl. bet. Broadway & Lafayette St. [full street closure-full]**
- 17. 5.25.24 – Astor Place Fair (Sponsor: 9th Precinct Community Council). Astor Pl. bet. Broadway & Lafayette St. [full street closure-full]**
- 18. 5.26.24 – Washington Sq Spring Fair (Sponsor: Bailey House), Washington Sq. No. bet. Macdougall St. & University Pl. [full street closure-full]**
- 19. 6.1.24 – Dragon Fest (Sponsor: Dragon Fest), Broadway bet. E. 13th & 14th Sts. [curb lane only-both]**
- 20. 6.15.24 – Bleecker Street Fair (Sponsor: Bleecker Area Merchants and Residents Association), Bleecker St. bet. Broadway & 6th Ave. [full street closure-full]**
- 21. 6.22.24 – Washington Sq North Fair (Sponsor. Greenwich House), Washington Sq. No. bet. Macdougall St. & University Pl. [full street closure-full]**
- 22. 6.30.24 – PrideFest 2024 (Sponsor: Heritage of Pride), 1) 4th Ave. bet, E. 10th & E. 13th Sts. [full street closure-full]; 2) E. 13th St. bet. Broadway & 4th Ave. [full street closure-full]; 3) E. 12th St. bet. Broadway & 3rd Ave. [full street closure-full]; 4) E. 10th St. bet. Broadway & 4th Ave. [full street closure-full]**
- 23. 6.30.24 – StageFest at PrideFest 2024 (Sponsor: Heritage of Pride), 4th Ave. bet. E. 9th & E. 10th St. [full street closure-full]**

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.

24. 6.2.24 – Stonewall Village Fair and Expo (Sponsor: Stonewall Rebellion Veterans Association), Broadway between Waverly Place and East 14th Street [full street closure]

25. 6.16.24 – Festival of Saint Anthony (Sponsor: Saint Anthony Roman Catholic Church), Sullivan Street between Prince Street and West Houston Street [full street closure]

Whereas, as CB2's Street Activities & Resiliency Committee would like to hear more details on each of these events; now

Therefore Be It Resolved that CB2 Manhattan recommends that these events be **laid over** to a future meeting.

Vote: Adopted unanimously.

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



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

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TRAFFIC AND TRANSPORTATION COMMITTEE

March 2024

The Traffic and Transportation Committee of Community Board #2, Manhattan held its monthly meeting on Thursday, March 7, 2024, at 6:30 p.m., in Hybrid format (in person at CB2 office and online).

Board Members Present: (In Person) Shirley Secunda (Chair), Susan Gammie, Daniel Miller (Vice Chair), Rocio Sanz, Antony Wong; (Online) Amy Brenna; (Remote-Quorum) Stella Fitzgerald.

Board Members Absent with notification: Lois Rakoff, D. Kristin Shea.

Public Members Present: (In Person) Janet Liff; (Online) Joseph Flahaven, George Haikalis.

Public Members Absent:

Other Board Members Present: (Online) Susan Kent (CB2 Chair), Frederica Sigel.

Guests: Kate Scherer (DOT), Roy Ruiz (Assembly Member Deborah Glick), Nicole Barth & Patrice Comerford (Council Member Erik Bottcher), Caroline Wechselbaum (State Senator Brad Hoylman-Sigal), Jeffrey LeFrancois & Evan Sweet (Meatpacking BID), Scott Hobbs (Village Alliance BID), Jake McNally (Hudson Sq. BID); Asen Kostadinov, Michael Phelan, Bret Derman & Sanjeev Vaid (Go New York Tours, Inc.); Mike Lydon & Veronica Rivas Plaza (Street Plans), Pete Davies, Darlene Lutz, Daniel Sutton, Jonathan Weizmann, Ben Listman, Lucina Chavez, Jose Monfort, Matthias Mittendorfer, Helene Silver, Stuart Desser.

MINUTES/REPORTS:

1. Report on Presentation by the Meatpacking District BID of plans for the next phase of its Western Gateway Vision Project, focusing on W. 14th St. btw. 9th and 10th Aves.

Jeffrey LeFrancois, Executive Director of the Meatpacking BID (MDMA), joined by Evan Sweet, Director of Neighborhood Planning and Operations of MDMA and Mike Lydon of Street Plans, presented the next phase of the MDMA's vision plan for the far West Side of the District's

area, initiated two years ago, this time addressing potential improvements on W. 14th St. btw. 9th and 10th Aves. They described this stretch of 14th St. as one of the most challenging blocks in the District, underutilized, insufficiently lit, with a very wide (60 ft.) two-way roadbed with Belgian Block paving (also referred to in the presentation as "cobblestone" and "cobble") and very low vehicular activity that, even with the Belgian block, goes very fast with frequent swerving and double and triple parking blocking crosswalks and movement. It's also one of the district's highest tenant vacancy corridors with many empty storefronts. Three bus routes are located here as are two bus stops. The BID sees these conditions as an opportunity to not only create spaces for both active and passive gathering serving residents, visitors and workers alike, but also to better organize the curb to accommodate the movement of goods more efficiently and to organize the street to ensure pedestrians' comfort and safety as well as their enjoyment.

To address and receive input on improving this W. 14th St. block, MDMA hosted a series of community visioning workshops, accessible both online and in person. In response to that feedback, the MDMA Board of Directors formed a Streetscape Working Group to further pursue study of and solutions to the existing conditions and also brought in Street Plans, a professional urban planning/placemaking group, to do technical analysis of how the curb is used at different locations on the street at different times of day, evaluate demand intensity and explore potential design and programming solutions. Findings indicated areas of heavy demand (e.g. at the bus stops), yet lower use in other areas, and, in addition to metered and unmetered parking, activities were seen such as sanitation services, commercial loading/unloading, and taxis pickup/dropoff calling for better accommodation, plus excess roadway space with the potential to help serve the many users on the street as well as those who pass by with an improved and enlivened public realm.

In view of existing conditions, community input, and the MDMA's aspiration to improve east-west pedestrian connectivity and curb access for buses, bikes and for hire vehicles, as well as to calm traffic, create pedestrian spaces and revitalize the area to support businesses while retaining the historical nature and feel of the District, seven options were developed that were narrowed down to three in consultation with the Streetscape Working Group. These three concepts (presented to Community Board 2M's Traffic and Transportation Committee (CB2 T&T) included:

1. Bike Median/Bus Priority - focused on a connection including protected cycling. This was determined to be unfeasible for the time being because employment of a temporary interim design for the project (3-5 years) is anticipated for further evaluation toward creating and implementing a final capital plan. This interim design would entail retaining the existing Belgian Block which is difficult for cycling.
2. Pedestrian Median - creation of an approximately 20 ft. walkway down the center of the street with some intermittent landscaping and small curb extensions on the north and south sides. This was favored by some, but it was felt it split up the street and didn't enhance the public realm of the sidewalks (where businesses are located).
3. Programmed Curb Extensions - this was the preferred option, giving the most space for pedestrians, programming and amenities and would include wider and more frequent curb extensions to shorten crossings at corners and midblock and accommodate amenities like planters and seating, while also enabling traffic flow in a safe, calmed manner in two

(east and west) travel lanes which clearly define the ways for vehicles to move and avoid current uncontrolled swerving and chaos.

Two types of zones have been envisioned to build upon this third option:

1. Surface Flex Zone - Seating, amenities, plantings (for enhancement and needed barriers) would be added on top of the Belgian Blocks.
2. Decking Flex Zone - In view of the inaccessibility and discomfort of Belgian Blocks for certain types of uses, like tables and chairs and accommodation of wheelchairs, a decking system is envisioned to be placed on the Belgian Blocks in selected spots, flush with the sidewalk and providing an even surface to claim street space for more pedestrian/public use and activities.

A wide variety of possible uses are being considered, including trees for shade, plantings for safety barriers and enhancement, food/beverage service, kiosks for economic and other services, different types of seating, accommodation of social activity, bike parking, improved lighting, sanitation infrastructure, public art, along with space for bus stops, utility infrastructure, hydrants and other necessities.

Following the presentation, both the CB2 T&T and meeting attendees asked questions and commented on proposals, as follows:

- Reference was made to the desire voiced by community members in the past (and also noted in the community visioning workshops) to retain the Belgian Blocks and to minimize greenery to preserve the industrial heritage and character of the community. It was acknowledged there's a need to preserve the historic presence of Belgian Block in balance with respect for the needs of those who have difficulty maneuvering the uneven surface, e.g. the disabled, seniors and others with walking challenges, and people pushing strollers. It is also hoped that anticipated reduction of heavy truck and other vehicular traffic (resulting from design changes) will help eliminate degradation of the Belgian Block. Regarding greenery, it was pointed out that the trees and planters added on 14th St. btw. 9th and 10th Aves. in 2018 and 2019 are now beloved by the community, and those proposed now are smaller and in planters to provide some required shade. It also was mentioned that the project's current direction is to use less greenery with more granite block for barrier treatments to protect pedestrians. A materials toolkit to reflect the District's character has been developed too.
- Some showed concern about the absence of a bike lane, for which, it was explained, there is no funding. An east-west bike lane will continue to be pursued, with future iterations in mind.
- The need for public bathrooms was brought up to which everyone present agreed should be met, including the MDMA, although they indicated they were not the entity that could make this happen. It is hoped that the City will respond quickly to this urgent need.
- In connection with the plan for a variety of different seating, it was stressed that this should include a good amount of seating with backs, needed to support those with back

problems, general weakness and other physical challenges, and assurance was given that seating with backs would be included.

- The importance of seating at bus stops was also brought up, along with how other amenities, like maps, public art and lighting could improve waiting for the bus.
- Trash collection was mentioned, understanding that trash would increase with increasing tenancy and more outdoor eating and drinking, and that it will need to be handled. It was made clear that the MDMA manages public trash, i.e., all non-commercial and residential trash, about 60,000 bags a year, and is eager for the City's commercial waste zone program to roll out which they see as a way to organize the blocks and devise a plan for the businesses. It was asked how the Belgian Blocks that would be covered by decking could be cleaned, and it was explained that 2 by 2 modules would most likely be employed that are easy to quickly unscrew, pick up and move. It also was pointed out that the BID provides regular power washing and cleaning throughout the District.
- All recognized that rodent control is an ongoing problem. The MDMA indicated it devotes a sizable amount of its budget on monthly pest control and a great deal of time educating businesses to not lean bags of trash against planters (which attract rat colonies) and are looking to install taller, less reachable planters.
- Commercial events and their frequency in the Meatpacking area were raised, although there was no location in the proposal allowing congregating for street events. It was asked if it were possible to designate a permanent space or area like a park that wouldn't allow commercial permitting events. The MDMA doesn't yet have clarity, but assumes that under the proposed framework, events would not be permitted.

At the time of the presentation, the NYC Dept. of Transportation (DOT) was still reviewing the plans. It is seen as a work in progress, with ongoing evaluation and the flexibility to address any concerns that may arise by shifting things around and adjusting them as needed.

CB2 T&T was in favor of the concept for improving 14th St. btw. 9th and 10th Aves. that was presented to the Committee, agreeing that there should be a design change that was oriented to adding more pedestrian space and creating a more pedestrian-friendly and varied environment. It was recognized that this was just the first stage of a concept with a set of movable pieces; that the design was not final but would develop through a continuous process allowing for modifications in response to both input and observations of activity. It was agreed that certain additions would be advantageous, such as public bathrooms and an east-west bicycle lane, and that anything that could be done to advance rat control and facilitate trash collection would be a major, very welcome accomplishment. It also was recognized that a certain amount of greenery and planters done in accordance with an industrial kind of context could add both enhancement and the needed barriers protection, as previously was demonstrated in the MDMA's successful use of materials of an industrial nature (e.g. containers) in concert with greenery. Similarly, it was seen that it's important to strike a balance between retention of Belgian Block and improvements needed for comfort and accessibility.

CB2M is looking forward to learning about the next steps, continuing evolution and progress of this project from the MDMA.

2. Overview of the CB2 Parking Research Project and Survey (work in progress) by Lucina Chavez, CB2 Urban Fellow under the aegis of the Fund for the City of New York.

Lucina Chavez, a CUNY graduate student who has been doing research on parking patterns and accommodations in Community Board 2 Manhattan (CB2) under an Urban Fellowship grant from the Fund for the City of New York foundation, presented her findings to date to the CB2 Traffic and Transportation Committee (CB2 T&T). This study has not been a CB2 T&T project, but instead was initiated and overseen by Susanna Aaron, Chair of CB2's Human Services Committee, and CB2 T&T welcomed the opportunity to learn about what has been discovered in the course of the project.

One of the major (and surprising) discoveries that Ms. Chavez made is that very little data exists concerning both parking activities and street profiles. As a result, she did a great deal of her own data collection and has gathered a sizable and impressive compilation of original data in District 2 that comprises a valuable resource for both future studies and evaluation of existing activities and proposed actions. Her work entailed a considerable amount of on-site scrutiny and evaluation as well as online research. She did counts of blocks, on-street and off-street parking spaces, curb measurements, observations of signage and regulations, notations of each street's uses, all of which led to her eventual coverage of the entire district. This, coupled with extensive census research, resulted in a broad picture of current parking activities in relation to street configurations, regulations, and profiles of use and ownership.

Ms. Chavez' findings included the following in District 2: (1) There are 636 streets in CB2 covering 57 miles. (2) Based on the NYC Dept. of Transportation's (DOT) standard 20 ft. parking space, there are 15,077 on-street parking spots. (3) There are 9,224 off-street spots in public parking garages alone. No figures are available for accessory parking i.e. in private buildings, also off-street. (4) There are 735 dining sheds, average length 35 ft., bringing the total of on-street spots down to 13,444. (5) 80% (the largest percentage) of parking is in the evening (interesting since no evening parking was allowed until the end of the 1950s), followed by Sunday parking. (6) Dining Out sheds and CitiBikes are about 10% of total land use. (7) 84% of parking in District 2 is free. (8) Counting household need works out to about 2 spots each, surprising in view of District 2 car ownership being only 22%. (but visitors haven't been separated out). (9) Parking doesn't always match changes in land use, e.g. on Lafayette St. (10) There appears to be limited metered parking except in certain places like 6th Ave., and CB2 could probably use more, especially in terms of increasing turnover, which metered parking does.

The final part of the study, a survey, is being conducted currently. A presentation to the Fund for the City of New York was expected to be given on Friday, March 8th, then on March 22nd, and the final completed version is scheduled for April 12th. Although a written report is not required, Ms Chavez is intending to do one which she will share with CB2.

CB2 sees this research and original data as a fruitful opportunity for reference and to build upon in future studies, including the potential of engaging a future Fellow from the Fund for City of New York to do further exploration on curb usage and management.

RESOLUTIONS:

1. Resolution in response to request for a tour bus stop on the east side of West St. from Spring St. to West Houston St.

Whereas Go New York Tours, Inc. has applied for a sightseeing bus stop for pick ups and drop offs on the east side of West St. from Spring St. to West Houston St., but closer to West Houston St.; and

Whereas the proposed stop will be a new one added to an existing route of 18 stops that begins at Times Sq., goes down 5th Ave. to 8th St. to Broadway, down to Battery Park, then west to West St. where it travels up to 40th St., then back to Times Sq. Existing stops on this route on West St. are located at Chambers St. and at 17th St.; the proposed Spring to West Houston stop is seen as filling in the long stretch between these two stops while providing accessibility to the Hudson River Park area; and

Whereas the tour buses will operate Mon.-Sun. from 9:30 am to 7:00 pm and make one trip every 1/2 hour; and

Whereas the buses, which operate as "hop ons and hop offs," will stop for no more than 1 1/2 to 2 minutes (within New York City's three-minute idling limitation rule); and

Whereas the buses run on diesel fuel, but the company is looking at options to start using electric buses, which they indicate are currently very expensive, a few years from now; and

Whereas there are no tour guides on the buses; all information is pre-recorded (in multiple languages) and narrated through headphones, thus there's no amplified noise; and

Whereas the land use at the proposed location is Commercial, and the stop is in front of the new Google building; and

Whereas the tour bus company has not spoken with anyone at Google nor have they consulted with anyone from the community about the proposed bus stop; and

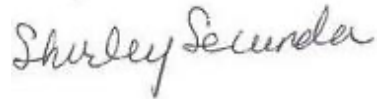
Whereas the total area for the proposed tour bus stop is approximately three blocks long, but the actual stop will be located in the northernmost part of the block, right off Houston St. Regulations on that east side length of West St. call for No Parking Anytime;

Therefore be it resolved that Community Board No. 2 Manhattan (CB2) has no objection to adding the requested sightseeing bus stop for pick ups and drop offs on the east side of West St. from Spring St. to West Houston St.; and

Be it further resolved that CB2 encourages Go New York Tours, Inc. to reach out to Google and local community organizations, such as the Hudson Sq. BID, to advise them of the new tour bus stop and get their input on how they can work together to both theirs and the neighborhood's benefit.

Vote: In Favor: 5 Full Board Members (in person) + 1 Remote (Online) for Quorum + 1 Online
3 Public Members (1 in person + 2 online)
Abstain: 1 Full Board Member (in person)

Respectfully submitted,



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

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COMMUNITY BOARD NO. 2, MANHATTAN

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LAND USE & HOUSING COMMITTEE

March 2024 Report to Full Board

Manhattan Community Board 2 Land Use & Housing committee met Wednesday, March 13, 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, Frederica Sigel, Carter Booth, Michael Levine (remote counts for quorum), Susan Wittenberg, David Gruber, and Bo Riccobono

Land Use committee members absent with notice: Stella Fitzgerald

Land Use committee members absent without notice: none

Land Use public members present via Zoom: Sean Sweeney

Land Use public members absent with notice: John Paul DeVerna

CB2 members present: Emma Smith

*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)

Whereas

1. The application was presented to the committee by Carl A. Sulfaro, Esq., representing the Applicant
2. The building is a five-story multiple dwelling in an R6 district
3. There are three cellar spaces covered by this application. For clarity's sake, they are Basement West, Basement Central West, and Basement Central East.
4. These three spaces have been continuously used for commercial purposes since a variance was granted by the BSA in 1960 for office use.

5. The variance lapsed from 1980 to 1993, but the use continued.
6. Variance extensions were granted in 1994, 2004, and 2014 for offices and in 2004 that extension also included a request to expand to also include a dress-making shop in the Basement Central West, and Basement Central East locations . Both have been low impact uses.
7. The Basement West space has been labeled “Music Store” but is in fact operated as an office. The proprietor of the Basement West space says that the word “store” is a “joke” because he does not operate a retail establishment. The space operates as his office with weekday hours from 10 AM to 6 PM.
8. Basement Central West and East spaces were originally approved for office use and in 2004 were requested to be extended to include custom dressmaking uses. The dressmaker has since vacated those spaces. There was no community opposition to this operation.
9. According to the attorney for the owner of the building, an art gallery, Use Group 6c, is now operating in the Basement Central West and East spaces, contrary to the Certificate of Occupancy and recently expired BSA variance. Residents of the building testified at CB2 that this space does not operate as a typical public exhibition space. There are no regularly scheduled exhibitions or gallery events. The applicant states that the art gallery operates from 10 AM to 6 PM, Monday through Saturday. The recorded 311 noise complaints about this space are recorded from 7 PM to 11:30 PM, all after 6 PM.
10. The Community Board received complaints via email, in person, and over Zoom about the operation of the art gallery in the Basement Central West and East spaces. Residents reported noisy gatherings, congregating in an air shaft space, smoking in the air shaft space, and drinking without permit in the art gallery. The residents have registered their complaints with 311 and members of the committee have seen those logs.
11. The art gallery is not currently permitted by the Certificate of Occupancy and is a much more impactful use than either office uses or the custom dressmaker. We have seen that impact in the disruption to the residents on the upper floors.
12. The residents brought out several serious issues which are occurring in their building but are outside this review process. CB2 mentions them here in order to point out that this landlord exhibits problematic behavior in many areas. The residents are living with rodent infestation and security issues, including a poorly functioning intercom system.

Therefore be it resolved that CB2

1. Has no objection to approving the continuation of office use (Use Group 6B) in the Basement West space.

2. Recommends denial of the change of use from custom dressmaker (Use Group 6A) in the Basement Central West and Basement Central East to the more impactful art gallery/event space (Use Group 6C).

Passed Unanimously

Respectfully submitted,

Katy Bordonaro

Co-chair

Eugene Yoo

Co-chair

DRAFT

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



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

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SLA LICENSING COMMITTEE 1

The SLA Licensing Committee #1 of Community Board 2, Manhattan, held an in person, non-hybrid meeting at 6:30 PM on Tuesday, March 5, 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 Leaving Early: Dr. S Smith
Other Board Members Present: Erika Olson

RESOLUTIONS:

1. Subang Corp dba Nyonya 199 Grand St 10013 (RW–Restaurant) (Transfer)

- i. Whereas,** the Applicant and the restaurant manager appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for a transfer of a Restaurant Wine License to operate a family owned Malaysian restaurant in a ground floor storefront located within a seven-story commercial building (ca.1900) on Grand Street between Mulberry and Mott Streets (Block #237/Lot #14), the building falling within the Special Little Italy District; and
- ii. Whereas,** the existing storefront premises is roughly 3,900 sq. ft. (ground floor of roughly 2,900 sq. ft. connect to a 1,000 sq. ft. cellar with no patron use of the cellar), the interior consisting of 35 tables with 122 seats and no bars for a total indoor seated patron seating occupancy of 122 persons, there is one entrance serving as patron ingress and egress, one emergency exit and three (3) patron bathrooms, the storefront infill being fixed without operable windows or French doors; there is no outdoor seating; the Applicant has a valid Certificate of Occupancy from the NYC Department of Buildings; and
- iii. Whereas,** the hours of operation will be Sundays through Thursdays from 11 AM to 10 PM and Fridays and Saturdays from 11 AM to 11 PM; there is no music or TVs; no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and
- iv. Whereas,** the premises to be licensed has operated under the same DBA name since approximately 2015, this being a transfer of the business from the current owner (Petaling

Corp, Lic ID# 0240-22-101633, Legacy SN# 1320689) to the Applicant, the manager stating she has been managing the restaurant for the past 10 years and will remain as the manager, there being no other changes aside from the change in ownership; and

v. **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 Tavern Wine Liquor License, with those stipulations as follows:

vi. **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 Malaysian Restaurant.
2. Hours of operation will be Sundays through Thursdays from 11 AM to 10 PM and Fridays and Saturdays from 11 AM to 11 PM.
3. 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. Will have not have televisions.
5. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
6. Will close all doors and windows at all times, allowing only for patron ingress and egress.
7. Will not have patron occupancy/service to any portion of the basement of licensed premises.
8. Will not install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
11. The premises will play quiet ambient recorded background music only.
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, DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances, security personnel or 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.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the Restaurant Wine application for **Subang Corp dba Nyonya 199 Grand St 10013** **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 (7–0)

2. Crosby Street Hotel LLC 79 Crosby St 10012 (OP–Hotel/Restaurant) (Alteration)

- 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 On-Premises Hotel Liquor License to expand its existing restaurant located in the ground floor of the hotel into the interior courtyard, the hotel being located on Crosby Street between Prince and Spring Streets in NYC’s designated Special SoHo-NoHo Mixed Use District; and
- ii. Whereas,** the expansion will be fully enclosed and will add approximately six (6) tables and 14 seats for a total of 104 interior table seats, there remain the existing 40 exterior table seats in the courtyard/patio, 2 bars and 1 service bar with 12 seats and a maximum legal interior capacity of 122 persons; and
- iii. Whereas,** there will be no changes to method of operation, the restaurant hours of operation will remain from 6 AM to 1 AM seven days a week in the interior and from 6 AM to 11 PM in the exterior courtyard with no Lafayette Street access past closing hours, the hotel hours are 24 hours a day; there will not be any sidewalk or roadbed seating; music will be background only in the interior premises with no music in the exterior spaces; and
- iv. Whereas,** the applicant has reached out to local residents and associations, including but not limited to members of the Broadway Residents Coalition who spoke in favor of the application stating that the applicant has been a good neighbor since opening who were appreciative of the outreach for the instant application; and
- v. Whereas,** the Applicant has executed and had notarized a stipulation agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation on the license as follows:
 1. Premises will be operated as a hotel with a full-service ground floor with the kitchen open and full menu items available until closing every night.
 2. The hours of operation on the interior restaurant will be from 6 AM to 1 AM Saturdays through Sundays (7 days a week) with the last order taken no later than 12 AM, from 6 AM to 11 PM in the exterior courtyard/patio Saturdays through Sundays and 24 hours/day for the hotel. All patrons will be cleared and no patrons will remain after stated closing time in the interior and exterior portions of the restaurant.
 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 operate a backyard garden (courtyard) with no more than 40 seats which will have no music and will close by 11 PM, 7 days a week, with no Lafayette Street access past closing hours.
 5. Will not hold private events in the exterior space.
 6. Will not have sidewalk or roadbed seating.
 7. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
 8. Will not use the hotel rooftop for eating and drinking.
 9. Will not have televisions.

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.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the alteration application to the existing On-Premises Hotel Liquor License for **Crosby Street Hotel LLC 79 Crosby 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 (7–0)

3. Thuma Retail LLC 99 Wooster St 10012 (OP–Bottle Club) (*previously unlicensed*)

- i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new Bottle Club License to operate a high end retail store and showroom focused on bedroom furniture in the entirety of a roughly 8,861 sq. ft. four (4)-story, landmarked commercial building (c. 1888, renovated 2012) on Wooster Street between Spring and Prince Streets (Block #501/Lot #30), the building falling within the NYC LPC’s SoHo Cast Iron District and the designated Special SoHo NoHo Mixed Use District; and
- ii. **Whereas**, the four-story premises (2,660 sq. ft. basement; 2,530sq. ft. 1st floor; 2,099 sq. ft. 2nd floor; 1,372 sq. ft. 3rd floor) is connected by an interior stairway with no patron access to the basement or 3rd floor; there will be three (3) tables and 16 seats and one (1) bar with four (4) seats for a total seated occupancy of 20 persons between the 1st and 2nd floors and a maximum occupancy for the entire premises of 60 persons; there is (1) door which will serve as patron ingress and egress and two (2) patron bathrooms (one on the 1st floor and one on the 2nd floor); there are existing sliding pocket doors that open out to the sidewalk and there is no sidewalk, roadbed or other outdoor seating; and
- iii. **Whereas**, the method of operation will be as a retail store for the purpose of selling bedroom furniture and mattresses, the service of alcoholic beverages being complimentary to its customers during store hours of operation from 11 AM to 7 PM Saturdays through Sundays (7 days a week), with no TVs, and music will be recorded background music only inclusive of any private events with speakers being located on the 1st and 2nd floors only; and

- iv. **Whereas**, there may be private events not more than 12x/year, closing hours will be no later than 11 PM during private events only, all doors and windows will close by 9 PM; during private events there may be live, unamplified acoustic music and/or a DJ with all music remaining at background levels utilizing the existing sound system only; and
- v. **Whereas**, the premises, known as the Gay Activists Alliance (GAA) Firehouse, was [landmarked](#) in 2019 and served as the GAA headquarters from 1971 until 1974 when the 2nd and 3rd floors were destroyed in a fire, since the premises has been occupied as offices, galleries and retail stores, most recently as Victorinox from approximately 2013 to 2021; 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 Bottle Club License, with those stipulations as follows:
1. Premises will be advertised and operated as a retail store primarily selling bedroom furniture.
 2. Service of alcohol will be limited to the 1st and 2nd floors.
 3. The hours of operation will be from 9 AM to 7 PM Saturdays through Sundays, exclusive of private events which will end by 11 PM. No patrons will remain after stated closing time.
 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.
 6. Will not have patron occupancy/service to any portion of the basement or third floor of licensed premises.
 7. Will play recorded background music at conversational levels only with the exception of private events. At private events there may be live acoustic, unamplified music (no brass or percussion) and/or a DJ with all music remaining at background levels utilizing the existing sound system only – no additional speakers will be used. No music will be audible in any adjacent residences at any time.
 8. Will not have televisions.
 9. Speakers will be located on the ground and second floors only.
 10. Will have no more than 12 private events per year and private events will be by invitation only. All private events will end by 11 PM. All doors will close by 9 PM. There will be no alcohol-related cross promotions.
 11. Will not have televisions.
 12. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 13. Will not install or have French doors, operable windows or open facades.
 14. Will not make changes to the existing façade except to change signage or awning.
 15. Will have occupancy of not more than 60 patrons, inclusive of private events.
 16. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
 17. Will not have any of the following: dancing, DJs, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel/doorman.

18. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
 19. 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 **41 active licensed premises** within 750 feet of the subject premises according to LAMP, in addition to 8 pending licenses, the hours and method of operation being reasonable, the applicant limiting private events and keeping music at background levels during such events 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 Bottle Club License in the name of **Thuma Retail LLC 99 Wooster 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 in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (7–0)

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 & SNX -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 the NoHo Historic District Extension; and
- ii. **Whereas**, the 2-story premises are approximately 1,100 sq. ft., with 550 sq. ft. on the ground floor store level for patrons and an additional 550 sq. ft. in the basement for storage, and has a legal occupancy of less than 75 persons; and
- iii. **Whereas**, the premises will have seven (7) tables with 22 seats and one (1) bar with 8 seats and four (4) counter seats for total interior patron seating of 34, all service, kitchen and patron areas will be on the ground floor and the basement restricted to storage and staff; and
- iv. **Whereas**, the hours of operation are from 4 PM to 12 AM Mondays through Thursdays and 4 PM to 1 AM Fridays, 12 PM to 1 AM Saturdays and 12 PM to 12 AM Sundays; 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 10 PM every night, 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

- v. **Whereas**, this is a transfer application from Marlinspike Hall LLC dba Jolene (Lic. ID# 0340-23-137175, Legacy SN# 1317991) which operated a “fresh seafood focused neighborhood restaurant” from 2019 until closing in February/2024; Marlinspike Hall LLC came before Community Board 2, Man. in [March/2019](#) at which time Community Board 2 recommended approval of their On-Premises Restaurant Liquor License with executed stipulations, the stipulations taking into account concerns raised by the local neighborhood organization and members of the community regarding outstanding issues including poor venting at the premises which had caused issues for many years, the Marlinspike Hall LLC at the time pointing out the menu and concept was that of a “raw bar” which avoided fried foods; and
- vi. **Whereas**, NoHo Neighbors LLC first appeared before Community Board 2, Man. in January/2024 and again in [February/2024](#) to present a similar concept although which included an expanded premises into an adjacent building and basement and with later hours of operation, at which time members of the community representing five (5) immediately impacted neighboring buildings appeared in opposition to the application, there having been continued issues with the venting at the premises due to the operation of the previous operator Marlinspike Hall LLC who ignored previous agreements with the community, the Applicant unable to provide any plans for correcting the venting situation aside from adjusting the menu as the prior operator was supposed to have done but which was ineffective, there was also opposition to the expansion of the premises, the later hours and the Applicant’s desire to add roadbed seating in an area surrounded by residents including those living in ground floor apartments, the residents having cited the disruption to their quality of life of the Covid-related roadbed seating the prior Applicant used; at both its January/2024 and February/2024 full board hearing, Community Board 2 unanimously recommended denial of the application both times the Applicant requesting after the fact reconsideration and those requests being granted despite being clearly aware of the issues and being inflexible to neighborhood concerns prior to both CB2 votes; and
- vii. **Whereas**, the instant application reflects the same premises (without the expanded hours of operation and expanded premises presented in January and February/2024) and hours matching that of the prior operator (Marlinspike Hall LLC dba Jolene), the Applicant again meeting with representatives of the immediately impacted neighboring buildings, those residents appreciative that the size of the restaurant and the hours are now in alignment with what was previously at the location but remain concerned about the lack of a plan for dealing with the venting issues, the menu containing grilled and fried food, the Applicant while presenting no plans to fix the existing venting, despite the issue being consistently raised since January/2024 and in the past, agreeing to make it comply with the law prior to opening, there being questions as to whether the existing kitchen vent located less than 10 ft off the ground on the side of the building and less than 10 ft from residential windows meets NYC codes; additionally, the Applicant while unwilling to agree to no roadbed seating in the future, is not including outdoor seating as part of this application, the neighbors having experienced the impacts and disruption to their quality of life that the emergency temporary roadbed seating at the location created over the past three-plus years and being strongly opposed to any continuation of roadbed seating at this location; and

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

1. Premises will be advertised and operated as a full-service, family-friendly American restaurant featuring locally sourced products from New York State purveyors with the kitchen open and full menu items available until closing every night.
2. Hours of operation will be 4 PM to 12 AM Mondays through Thursdays and 4 PM to 1 AM Fridays, 12 PM to 1 AM Saturdays and 12 PM to 12 AM Sundays.
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 outdoor seating will close no later than 10 PM. All tables and chairs will be secured at this time. No exterior music, speakers or TVs.
5. 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.
6. Will not have televisions.
7. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
8. Restaurant venting system will on initial opening and operating forward comply at all times with the law and will be cleaned and inspected on a regular basis.
9. There will be no future expansion of the premises into adjacent building lots or addresses and occupancy at all times will not exceed 34 interior seats as indicated in the supplied drawings.
10. Menu will be seafood focused and will limit grilled and fried items.
11. Will not have patron occupancy/service to any portion of the basement of licensed premises.
12. Will not install or have French doors, operable windows or open facades.
13. Will not make changes to the existing façade except to change signage or awning.
14. Will comply with NYC Department of Buildings Regulations and 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, DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances, security personnel or doormen.
18. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
19. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
20. Will appear before CB2, Man. for any seating as part of the Dining Out NYC program

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 **53 active licenses** within 750 ft. and 6 pending

licenses according to LAMP; the residents of the five (5) nearby buildings strongly opposing any roadbed seating due to the increase in noise from patrons it creates, especially in the evening hours, the instant application not including any outdoor seating, that lack of outdoor seating is a primary reason for meeting the public interest of this application in addition to proper venting and maintaining the hours and configuration of the prior operator; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a On-Premises Restaurant L License in the name of **Noho Neighbors LLC 54 Great Jones 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 in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (7–0)

- 5. Entity to be formed by Linden Pride dba TBD 206-210 Elizabeth St. 10012 (OP–Restaurant) (*previously unlicensed*)**
- i. Whereas,** the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate a family run wood fire Italian restaurant on the ground floor, courtyard and cellar of a C6-2-zoned, four (4)-story commercial building (ca. 1900, renovated 2006) (Block #492/Lot #10), the rear courtyard being located in the rear ground floor of the adjacent C6-2-zoned, six (6)-story commercial building (ca. 1922) (Block #492/Lot #8) both buildings located on Elizabeth Street between Prince and Spring Streets, the buildings falling within the Special Little Italy District; and
 - ii. Whereas,** the ground floor premises is roughly 7,300 sq. ft.; consisting of 4,120 sq. ft. on the ground floor, 2,293 sq. ft. on the cellar and 887 sq. ft. on the adjacent courtyard, the floors are connected by an interior stairway; there will be approximately 33 tables and 179 seats, two (2) bars with 26 seats on the ground floor, approximately six (6) tables and 30 seats serving as private dining rooms in the cellar and 24 tables and 36 seats in the courtyard for a total interior seated patron occupancy of 271 seats; there are two (2) doorways serving as patron ingress and egress and four (4) patron bathrooms; and
 - iii. Whereas,** the hours of operation will be from 8 AM to 12 AM Sundays through Thursdays and 8 AM to 1 AM Fridays and Saturdays; music will be quiet background music only consisting of music from iPod/CD’s/streaming services; there will be no: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; and
 - iv. Whereas,** there will be an uncovered (open) courtyard enclosed with building walls on the sides, there is a row of operable doors connecting the main dining room to the adjacent courtyard; there will be no music in the courtyard at any time; courtyard seating will close at 10 PM every night, operable doors leading to the courtyard will close at 10 PM every night or whenever music is playing; and

- v. **Whereas**, in 2017 the building(s) were gut renovated and reconfigured, the recent renovation completely changing the interior layout across the two buildings and now including an exterior courtyard (addresses encompassing 202, 204 and 206-210 Elizabeth St); a portion of the old building configuration was previously licensed under Public Rest L.P. Avroko Rest Grp, LLC G.P. & 27 LTD dba Public (SN# 1143335) from approximately 2003–2017, that physical space no longer exists, the current Applicant having been a manager at that location in the past; and
- vi. **Whereas**, concerns were raised by members of the Elizabeth Street Block Association and other nearby residents regarding the noise and traffic impacts of such a large new restaurant being located on a narrow street, the new restaurant being 4 times the size of most establishments in the area (almost all restaurants in the area having less than 74 patrons vs 271 seats for this instant application, the old licensed Restaurant “Public” at this location having only 149 seats), this block of Elizabeth Street on which the Applicant is located being closed Mondays through Fridays from 4:30 PM to 11:00 PM and Saturdays and Sundays from 11:00 AM to 11:00 PM as part of the NYC DOT Open Streets program, there being no ability for for-hire vehicles to do drop-offs or pick-ups at the location when the street is closed, Prince Street being the closest street for vehicles is also a shortcut east–west artery to the Holland Tunnel and which is already heavily congested on a daily basis, the only access to Prince St being from Bowery which is also heavily congested at peak dining hours, the Applicant planning to work with the various car services to have their Apps point to pre-determined drop-off / pick-up points to attempt to mitigate any impacts if even possible; there also being considerable quality of life issues in this area, particularly at the nearest intersection at Elizabeth St. and Prince St. with a destination pizza place that results in long lines and large numbers of people eating pizza on the street and leaving garbage throughout the area and an illegal cannabis store which has customers and staff who loiter on the street; and
- vii. **Whereas**, the Applicant, who is the principal at two other establishments in our Community Board district which are both locally and internationally well-known for being promoted as one of the 50 best bars in the world, appeared before Community Board 2 in [November/2023](#) with two other similar, separate applications for adjacent storefronts at 202 Elizabeth Street and 204 Elizabeth St. with a combined 175 seats, 202 and 204 Elizabeth St. being next door to the location of this instant application but part of the same redeveloped building albeit with separate addresses; Community Board 2 recommended denial of both the November/2023 applications at 202 and 204 Elizabeth St. in large part because the Community Board had already recommended approval for a separate application at the next door address — the address of this instant application (206-210 Elizabeth Street) for a separate operator with over 260 seats in [July/2023](#); it was felt at the time that adding two additional adjacent establishments at 202 and 204 Elizabeth in addition to 206-210 Elizabeth St. was overwhelming for this small scale neighborhood and block and related quality of life impacts; the current instant Applicant learning that the prior Applicant at 206-210 Elizabeth Street was not moving forward and therefore chose to instead not move forward with the their applications at 202 and 204 Elizabeth Street and instead now apply for 206-210 Elizabeth St. which is this instant application; and
- viii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that public interest and public convenience would be served by the granting of a liquor license at this location, where there already is a significant number of licensed

establishments in the immediate area, there being **83 active licensed premises** within 750 feet of the subject premises according to LAMP, in addition to 10 pending licenses, the Applicant being known within the district and agreeing to reduce their closing hours by one hour each evening, having reasonable closing hours for both the courtyard and the main restaurant with background music only, with the agreed upon stipulations indicating an attempt to scale back operations at later hours in a manageable fashion so as to mitigate quality of life issues in the immediate area, the public interest being established albeit subject to the Applicant and Licensee strictly abiding by those agreed upon stipulations; and

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

1. Premises will be advertised and operated as a wood-fired Italian restaurant with a focus on seafood and coastal Italian food with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 8 AM to 12 AM Sundays through Thursdays and 8 AM to 1 AM Fridays and Saturdays. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. The premises will operate as a restaurant at all times and in all areas with service by wait staff to seated patrons only.
5. The front area of the restaurant (bar/café) will open by 8 AM daily to serve as an all-day café.
6. Last seating for the main dining area (rear area) will be 10 PM Sunday to Thursday and 11 PM Friday and Saturday.
7. Will not operate any other outdoor area for commercial purposes aside from the interior courtyard of 206 Elizabeth Street.
8. There will be no participation in the Dining Out NYC program now or in the future.
9. All courtyard seating will close no later than 10 PM. No music in the courtyard when any of the skylights are open.
10. Will close the courtyard doors at 10 PM every night or whenever music is playing. All other doors and windows will be closed at all times, allowing only for patron ingress and egress.
11. 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.
12. Will not have televisions.
13. Will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
14. Will work with for-hire vehicle services to direct them to specific drop off / pick up locations.
15. Will not make changes to the existing façade except to change signage or awning.
16. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate for both the courtyard (Block 492/Lot 8) and the main storefront

premises (Block 492/Lot 10) and keep current at all times required Permits and Certificates.

17. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
18. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for both the courtyard (Block 492/Lot 8) and the main storefront premises (Block 492/Lot 10) proposed to be licensed prior to opening.
19. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
20. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
21. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or doorman or security personnel.
22. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.
23. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

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 **Entity to be formed by Linden Pride dba TBD 206-210 Elizabeth 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 in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (7–0)

6. DLYCanal LLC dba Da Long Yi Hot Pot, 159 Canal St, Suite 200 10013 (RW–Restaurant)

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee in [June/2023](#) to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a Hot Pot Style Chinese Food Restaurant on the second floor of a C6-1G zoned, five (5)-story commercial building on Canal St. between Bowery and Elizabeth St. in Chinatown (Block #203/Lot #2), the building falling within the Special Little Italy 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 Applicant not filing with the NYSLA within the 270 day time period; there are no changes in principals or method of operation, the Applicant re-signed the stipulation agreement so there would not be any additional delay at the NYSLA because the original agreement stated both “restaurant” and “tavern” wine for the application, appearance by the Applicant was waived; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Restaurant Liquor License in the name of **DLYCanal LLC dba Da Long Yi Hot Pot, 159 Canal St, Suite 200 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 June/2023 are incorporated into the “Method of Operation” of the NYSLA 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:

7. **Soho Hummus LLC dba 19 Cleveland by Nish Nush 19 Cleveland PI 10012** (OP–Restaurant) (Change in Method of Operation: increase closing hours to 2 a.m., 7 nights a week)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on March 5, 2024, the Applicant requested **to lay over** this application to April/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 **Soho Hummus LLC dba 19 Cleveland by Nish Nush 19 Cleveland PI 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

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

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

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **Talum LLC 183 Grand St 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the

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

Vote: Unanimous in favor

9. TH NYC Restaurant 2 LLC 264 Bowery 10012 (RW–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on March 5, 2024, the Applicant requested **to lay over** this application to April/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 **TH NYC Restaurant 2 LLC 264 Bowery 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

10. Arvine Hospitality LLC dba TBD fka Adrien Falcon dba Arvine Hospitality 56 Spring St 10012 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on March 5 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 **Arvine Hospitality LLC dba TBD fka 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.

11. 216 Lafayette, LLC dba ELM by Atelier Collective 216 Lafayette 10012 (OP–Catering Facility)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on March 5, 2024, the Applicant requested **to lay over** this application to April/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 **216 Lafayette, LLC dba ELM by Atelier Collective 216 Lafayette 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

12. Crosby Street Bar LLC 90 Crosby St 10012 (OP–Tavern) (previously unlicensed)

Whereas, at this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on March 5, 2024, the Applicant requested **to lay over** this application to April/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 **Crosby Street Bar LLC 90 Crosby St 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor

13. Tony Chan 41 Elizabeth St 10013 (OP–Bar/Tavern)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on March 5, 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 **Tony Chan 41 Elizabeth 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.

14. Great Jones Distillers LLC dba Great Jones Distilling Co 686 Broadway 10012 (OP–Restaurant, Bar/Tavern)

Whereas, following this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on March 5, 2024, the Applicant requested to lay over this application to April/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 **Great Jones Distillers LLC dba Great Jones Distilling Co 686 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.

15. Veg 240 Lafayette LLC 240 Lafayette St 10012 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on March 5, 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 **Veg 240 Lafayette LLC 240 Lafayette St 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community

be fully heard.

Vote: Unanimous in favor.

Respectfully submitted,

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

DRAFT

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

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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, March 7, 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 and B. Pape

Public Members Present: R. Ely (arrive late)

Committee Board Members Absent with Notice: Dr. S. Smith

Other Board Members Present: Valerie De La Rosa, David Gruber

RESOLUTIONS:

1. Adoro Lei LLC 287 Hudson St 10013 (OP–Restaurant) (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 Restaurant Liquor License (Lic. ID# 0340-22-103540, Legacy SN# 1274447), to operate a full service “Italian American Bistro specializing in Napolitano style pizza” in the ground floor storefront of a mixed-use building on Hudson Street between Spring and Dominick Streets; and
- ii. Whereas**, the Applicant originally came before Community Board 2 in [October/2013](#) for its On-Premises Restaurant Liquor License, at which time the board unanimously recommended approval of the license, the corporate change is that one of the three members of the LLC is buying the interest of another member, that member being the one who originally signed the stipulations; there will be no change to method of operation, the NYSLA Application for Approval of Corporate Change being provided, the Applicant re-signing the stipulation agreement; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a Corporate Change to the On-Premises Restaurant Liquor License in the name **Adoro Lei LLC 287 Hudson St 10013** **unless** the statements presented by the Applicant are accurate and complete.

Vote: Unanimous in favor (6 board, 1 public–0)

2. 20X Hospitality LLC dba Spicy Moon Vegan Szechuan 68 W 3rd St 10012 (OP–Restaurant) (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 Restaurant Liquor License (Lic. ID# 0340-21-118507, Legacy SN# 1321966), to operate a full service Szechuan Restaurant/café serving health-conscious Vegan fare in a ground floor storefront in a five story (ca. 1900) mixed-use building on West 3rd Street between Thompson Street and LaGuardia Place in the designated Landmark South Village Historic District in the Greenwich Village neighborhood; and
- ii. **Whereas**, the Applicant originally came before Community Board 2 in [September/2019](#) for On-Premises Restaurant Liquor License, at which time the board unanimously recommended approval of the license, the corporate change is that the minority LLC member is leaving and the remaining member will hold 100% interest in the LLC, there will be no change to method of operation, the NYSLA Application for Approval of Corporate Change being provided, the Applicant re-signing the stipulation agreement; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a Corporate Change to the On-Premises Restaurant Liquor License in the name **20X Hospitality LLC dba Spicy Moon Vegan Szechuan 68 W 3rd St 10012** **unless** the statements presented by the Applicant are accurate and complete.

Vote: Unanimous in favor (6 board–0)

3. Mitsuru and Reynolds 4th St LLC dba Mitsu 149 W 4th St 10012 (RW–Restaurant)

- i. **Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application for a Restaurant Wine License to operate a full-service Omakase and sushi restaurant on the ground floor of a mixed-use, five (5)-story walk-up tenement building (circa 1900) on West 4th Street between Sixth Avenue and MacDougal Streets (Block #552/Lot #36); and
- ii. **Whereas**, the premises is approximately 2,300 sq. ft. with 1,300 sq. ft. on the ground floor and 1,000 sq. ft. in the basement, the basement being accessed via both an interior stairway and a sidewalk hatch, there is no patron use of the basement; there will six (6) tables and 16 seats and one (1) bar with 14 seats for a total seated patron occupancy of 30 persons; there is one (1) entry which will serve as patron ingress and egress and one (1) bathroom; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and
- iii. **Whereas**, the hours of operation will be from 12 PM to 12 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and

- iv. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, according to LAMP there being **83 active licenses** within 750 feet of the proposed premises to be licensed and an additional 8 pending licenses within this same area, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule; and
- v. **Whereas**, the local block association, West 4th/Mac 6th Block Association, appeared before the committee and submitted materials to both the committee and applicants documenting issues with drug use on this specific block and other quality of life issues; they stated they were not opposed to the application but requested that the applicant not pursue roadbed dining at this time, which the applicant agreed to; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Restaurant Wine License, with those stipulations as follows:
1. Premises will be advertised and operated as full-service service Omakase and sushi restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be 12 PM to 12 AM Sundays through Saturdays. No patrons will remain after stated closing time.
 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 4. Any future sidewalk café seating will consist of not more than one (1) table and two (2) chairs. There will be no roadbed seating at this time. All outdoor seating now or in the future will close no later than 9 PM and will conform to all rules and regulations.
 5. 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.
 6. Will have no more than 24 private parties per year.
 7. Will not have televisions.
 8. Will close all doors and windows at all times allowing only for patron ingress and egress.
 9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 10. Will not install or have French doors, operable windows or open facades.
 11. Will not make changes to the existing façade except to change signage or awning.
 12. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, 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 to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine License in the name of **Mitsuru and Reynolds 4th St LLC dba Mitsu 149 W 4th St 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6 board, 1 public–0)

4. Entity to be formed by Mariquit Ingalla d/b/a Rosecrans, 7 Greenwich Ave. aka 1 Christopher St. 10014 (New RW–Florist/Cafe)

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA #2 Committee to present an application to the NYS Liquor Authority for a new Tavern Wine Liquor License to continue to operate a retail florist shop with ancillary cafe in a ground floor storefront located within a 16 story residential building at the corner of Greenwich Avenue and Christopher Street in Greenwich Village, with this building falling within NYC LPC’s designated Greenwich Village Historic District; and,
- ii. **Whereas**, the storefront proposed to be licensed has operated as a retail florist and café serving lite fare and small plates with outdoor sidewalk seating but without a full service kitchen, the interior storefront is roughly 900 sq. ft., there is a 800 sq. ft. basement used for storage purposes only, with 9 interior tables with 18 patron seats and 2 additional counter seats for a total indoor seated patron occupancy of 20 persons, the storefront infill being fixed, there are no operable French doors or windows, with 1 entrance on Greenwich Ave. and 1 patron bathroom; and,
- iii. **Whereas**, the Applicant’s hours of operation will be Sunday to Saturday from 8 AM to 10 PM, music will be quiet recorded background only; there will be no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; there will be a sidewalk seating on Greenwich Avenue only that will close by 10 PM every night and conform to all rules and regulations of the Dining Out NYC program; and,
- iv. **Whereas**, the instant application is essentially a re-notification of the application the Applicant had initially appeared before Community Board 2 in [April/2023](#), the Applicant having to re-notify the Community Board because over 270 days had passed since their previous notice and they had not yet filed with the NYSLA; in April/2023 the Applicant had met with the local block association and had garnered their support by agreeing to stipulations which included configuring the Covid-era sidewalk seating so as to maintain a pedestrian clear path on Greenwich Avenue and not having sidewalk seating on Christopher Street because of the inability to meet clear path requirements; the block association rescinding their support for the instant application due to the Applicant not maintaining a clear path on either Greenwich Avenue or Christopher Street since their appearance in April/2023 with seating located on Christopher Street in direct contradiction to the temporary Open Restaurants program guidelines, the Applicant stating that since they had not yet moved forward with the application they did not believe the stipulations were in effect; and
- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, according to LAMP there being **71 active licenses** within

750 feet of the proposed premises to be licensed and an additional 7 pending licenses within this same area, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule; and

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

1. Will operate a retail florist shop with ancillary café serving light fare with full menu items available until closing every night.
2. The hours of operation will be Sundays to Saturdays from 8 AM to 10 PM.
3. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café located on Greenwich Ave. only, following all rules and regulations including clear path requirements of Dining Out NYC. No seating on Christopher St. side. No roadbed seating.
5. All exterior seating will close no later than 10 PM every night. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. Will have no televisions.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
13. It will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
14. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
15. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
16. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for change in method of operation or alteration to license prior to submitting plans to NYSLA for permanent sidewalk or roadbed seating.
18. Will appear before CB2, Man. for any seating as part of the Dining Out NYC program.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a new Restaurant Wine License to **Entity to be formed by Mariquit Ingalla dba Rosecrans, 7 Greenwich Ave. aka 1 Christopher St. 10014** unless the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous in favor (6 board, 1 public–0)

5. 214 Sullivan LLC 214 Sullivan St 10012 (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 Restaurant Liquor License for an offshoot of Bottino restaurant, and Italian restaurant which has been in business in West Chelsea since 1997, in the ground floor storefront located on a residential block in a six (6)-story commercial building (ca.1900) on Sullivan Street between Bleecker and West 3rd Streets in NYC LPC’s designated South Village Historic District; and
- ii. Whereas,** the premises proposed to be licensed is roughly 5,000 sq. ft., with 2,000 sq. ft. on the ground floor and 3,000 sq. ft. in the cellar; the ground floor will have approximately 38 tables with 100 seats and one (1) bar with 11 seats for a total of 111 seats on the ground floor, the cellar will have 10 tables with 44 seats for a total combined interior patron seating of 155 persons, there is one doorway serving as patron ingress and egress and three (3) patron bathrooms; the storefront infill is fixed, without French doors/windows or operable windows; and
- iii. Whereas,** the Applicant’s interior hours of operation will be 11 AM to 10 PM Sundays, 5 PM to 11 PM Mondays, 12 PM to 11 PM Tuesdays through Thursdays and 12 PM to 1 AM Fridays and Saturdays; any future sidewalk seating will close by 10 PM and any future roadbed seating will have a last seating no later than 9 PM and a closing no later than 9:30 PM as a concession to adjacent residents, especially those with ground floor apartments next door to the premises, the area having not previously been permitted to have any outdoor seating; the proposed future roadbed seating being located in a “No Parking 8 AM to 6 PM” zone which was created specifically to allow for commercial parking to service the commercial building the premises is located within, the Applicant currently being unaware if the roadbed seating will create an issue with other tenants of the building; and
- iv. Whereas,** music will be quiet background only consisting of music from iPod/CDs/streaming services inclusive of any private parties; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- v. Whereas,** the Applicant executed and has had notarized a stipulation agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation on the new On-Premises Restaurant Liquor License as follows:
 - 1. Premises will be advertised and operated as a full-service Italian restaurant with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be 11 AM to 10 PM Sundays, 5 PM to 11 PM Mondays, 12 PM to 11 PM Tuesdays through Thursdays and 12 PM to 1 AM Fridays and Saturdays. 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. Sidewalk café seating will close no later than 10 PM. Roadbed seating will have a last seating no later than 9 PM with a closing no later than 9:30 PM as a concession to adjacent residents. All tables and chairs will be secured at this time. No exterior music, speakers or TVs.
 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 keep all doors and windows closed at all times, allowing only for patron ingress and egress.
 8. Will have not more than 12 private parties per year consisting of a buyout of the entire premises.
 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. prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
 17. Any operation under a temporary license will adhere to all elements of method of operation as indicated above including interior and exterior hours; 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, according to LAMP there being **124 active licensed premises** within 750 feet of the subject premises, in addition to 11 pending licenses, this being a residential block with the premises having adjacent ground floor apartments, the Applicant being a well-respected and known operator from their other restaurant, Bottino (Lic. ID# 0340-23-131646) which has operated in Chelsea since 1997, the hours of both the interior and exterior being reasonable and the number of private parties encompassing the entirety of the premises being limited so as not to cause a late night disturbance to the nearby residents, 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 **214 Sullivan LLC 214 Sullivan St 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated

into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (6 board, 1 public–0)

6. Cornelia Street Bar LLC 162 W 4th St 10014 (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 to operate a full service Mexican taco restaurant on the ground floor and a high-end speakeasy in the cellar of a ground floor storefront located in a five (5)-story, tenement style mixed-use building (ca. 1835) on the Southwest corner of Cornelia and West 4th Streets (Block #590/Lot #32) in NYC LPC’s designated Greenwich Village Historic District Extension II; and
- ii. Whereas,** the premises proposed to be licensed has operated as a restaurant in the past, most recently as Oppa Corp (Lic. ID# 0340-23-133871, exp. 7/31/25); the ground floor premises is 1,558 sq. ft. and the cellar is 1,866 sq. ft. connected by an interior stairway; the ground floor, which will operate as a high-end Mexican taco restaurant has 10 tables and 40 seats and one (1) standup bar with 12 seats; there is one (1) bathroom, the ground floor kitchen will serve both the ground floor restaurant and cellar speakeasy; the cellar will operate as a separate speakeasy and has 20 tables and 54 seats and one (1) standup bar with 12 seats and two (2) bathrooms; the total number of seats in the premises is 118; there is an existing certificate of occupancy which indicates occupancy on the ground floor of 74 patrons for an eating and drinking establishment and in the cellar for 74 patrons for a food prep area, storage, boiler, toilets and an eating and drinking establishment; there is no existing Place of Assembly Permit in place; there are no outdoor areas included in this application; there are three doors (one on West 4th Street, one on the corner of West 4th and Cornelia Streets and another on Cornelia street, the Cornelia street door will be used an emergency egress only); and
- iii. Whereas,** the Applicant’s hours of operation for the ground floor restaurant will be 11 AM to 2 AM Sundays through Saturdays (7 days a week) and for the cellar speakeasy will be 11 AM to 2 AM Sundays through Wednesdays and 11 AM to 4 AM Thursdays through Saturdays; all doors and windows will close by 10 PM every night or anytime music is playing, all entry to the premises will be via the doors on West 4th Street; there is no outdoor seating with this application; and
- iv. 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 security personnel; and
- v. Whereas,** the Applicants have met with the Central Village Block Association and have agreed to hours with method of operation being that of a ground floor restaurant and cellar high-end speakeasy; and, further, applicants agreed that they would wait for three years after opening and return to the block association before seeking any form of outdoor seating; 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 Restaurant Liquor License, with those stipulations as follows:

1. Premise will be advertised and operated as a full-service Mexican taco restaurant on the ground floor with the kitchen open and full menu items available until closing every night and a high-end, primarily reservation-only speakeasy in the cellar featuring high-quality cocktails and snacks under a second DBA / name. All service will be by wait staff to seated patrons only. Walk-ins will be accepted if there is a table immediately available, however there will be no standing at the ground floor bar waiting for a table in the cellar.
2. Hours of operation will be: ground floor restaurant will be 11 AM to 2 AM Sundays through Saturdays (7 days a week) and for the cellar speakeasy will be 11 AM to 2 AM Sundays through Wednesdays and 11 AM to 4 AM Thursdays 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 have no more than 12 private parties/year and they will end by 1 AM.
5. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or 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 at any time.
7. Will not have televisions.
8. Will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
9. Will close all doors and by 10 PM or anytime music is playing, allowing only for patron ingress and egress during all hours of operation.
10. Cornelia Street door to cellar and ground floor will be used as an emergency egress only.
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 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 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.
18. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
19. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating and will not do so until at least three (3) years after opening as a concession to local residents.

- 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, according to LAMP there being **98 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 and a well-regarded speakeasy in lower Manhattan and worked with the local block association regarding hours and outdoor seating 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 **Cornelia Street Bar LLC 162 W 4th St 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (6 board, 1 public–0)

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

7. 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 March 7, 2024, the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and

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

Vote: Unanimous in favor (6 board, 1 public)

8. Makimaki 350 Hudson LLC 350 Hudson St, Unit 103 10014 (RW–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on March 7, 2024, the Applicant requested **to lay over** this application to April/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 **Makimaki 350 Hudson LLC 350 Hudson St, Unit 103 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 board, 1 public)

9. Sushi By Bou West Village LLC 107 Greenwich Ave 10014 (OP–Tavern/Sushi Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on March 7, 2024, the Applicant requested **to lay over** this application to April/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 **Sushi By Bou West Village LLC 107 Greenwich Ave 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 board, 1 public)

10. 28 Seventh Ave S Hospitality LLC 28 Seventh Ave S 10014 (OP–Restaurant) (Transfer)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on March 7, 2024, the Applicant requested **to lay over** this application to April/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 **28 Seventh Ave S Hospitality LLC 28 Seventh Ave S 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor (6 board, 1 public)

11. Sullaluna New York LLC dba Sullaluna 41-43 Carmine St. 10014 (OP-Restaurant)

Whereas, at this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on March 7, 2024, the Applicant requested to lay over this application to April/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 **Sullaluna New York LLC dba Sullaluna 41-43 Carmine St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous in favor (6 board, 1 public)

Respectfully submitted,

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



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OUTDOOR DINING WORKING GROUP

March 2024

The Outdoor Dining Working Group of Community Board 2, Manhattan held its monthly meeting on Tuesday, March 12 at 6:30PM in the conference room of the CB2 board office. This was a hybrid meeting.

Working Group Members Present: Valerie Ann De La Rosa (Chair), Carter Booth, Stella Fitzgerald, Donna Raftery, and Shirley Secunda.

Other CB2 Members Present: Susan Kent (Zoom), Brian Pape (Zoom), Matt Metzger (Zoom and in-person)

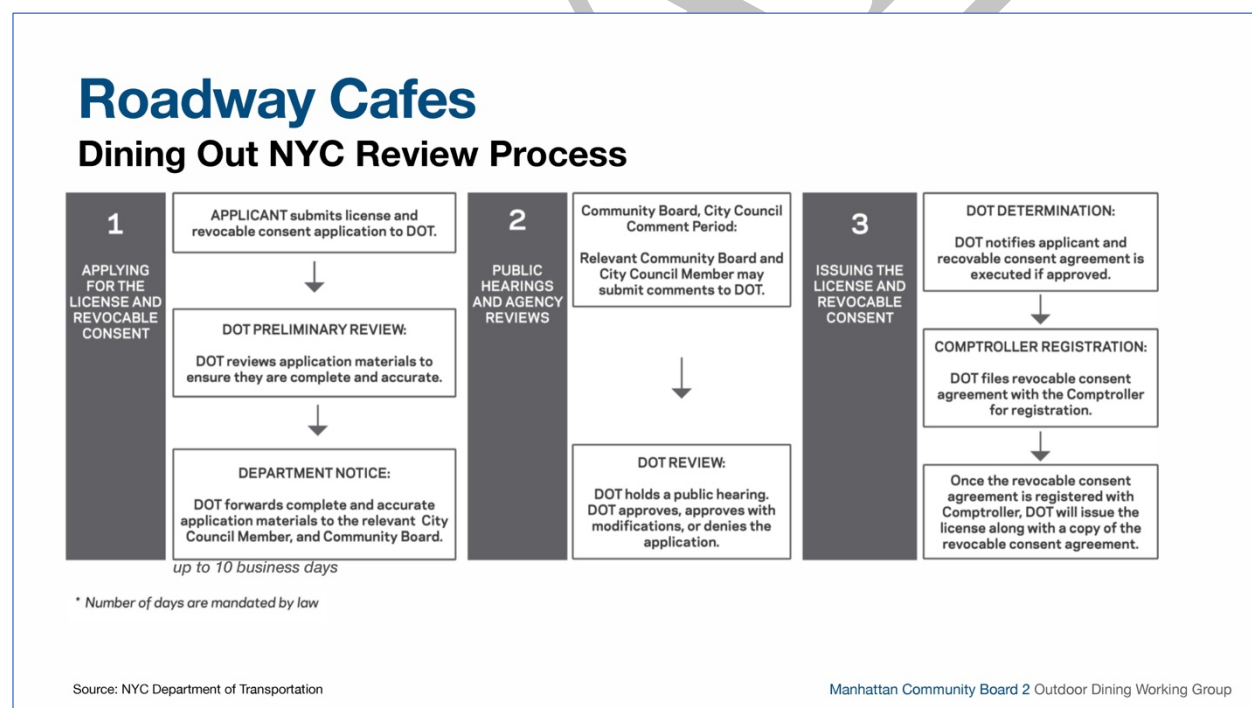
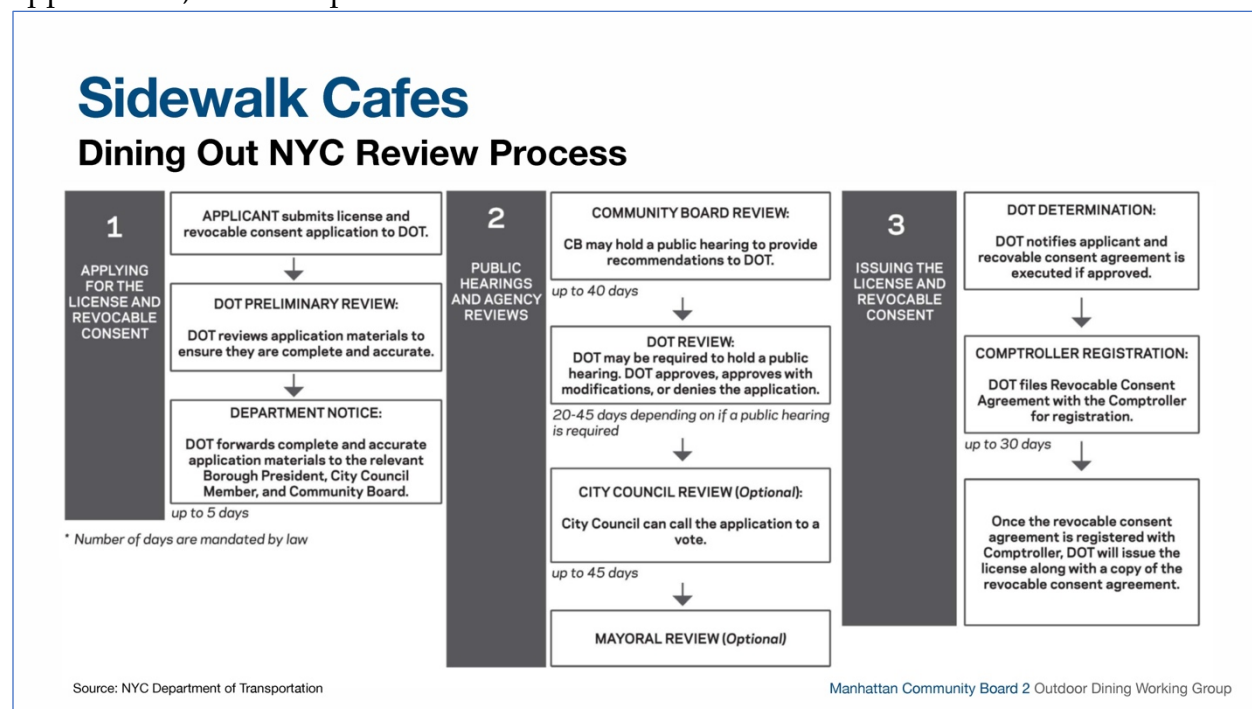
There are no resolutions from this meeting. The meeting report is as follows:

The meeting was called to order at 6:39PM by the Working Group Chair, Valerie Ann De La Rosa. There was a motion to adopt the agenda by Donna Raftery. The motion was seconded by Shirley Secunda.

There was one agenda item for this meeting: Process for reviewing Dining Out NYC (permanent outdoor dining program) applications for roadway and sidewalk cafes. This was not a public hearing.

The Dining Out NYC application portal opened on Tuesday, March 5 to receive roadway and sidewalk cafe applications. As of the date of this meeting and subsequently the writing of this report, no Dining Out NYC applications have been referred to CB2 for review yet. Applications are vetted for completeness by DOT before they are referred to community boards for review.

In order to understand how the CB2 Outdoor Dining Working Group will process applications, the DOT process was reviewed first:



Discussion about CB2 Review Process for Dining Out NYC sidewalk and roadway cafe applications

The Working Group discussed how we anticipate the applications will be received by the CB2 board office and how they will be distributed to the public. The rules and

legislation state that roadway cafe applications have a 30-day comment period by community boards and sidewalk cafe applications have a 40-day review period by community boards. Upon reviewing the application requirements, CB2 will issue one of the three following recommendations: Approve, Approve with Modifications, or Disapprove. It was noted that the rules state that DOT will hold a public hearing for all roadway cafe applications after the 30-day comment period for community boards.

Review of DOT Petition Requirements for Sidewalk Cafes and Roadway Cafes

The Working Group reviewed DOT's Petition Requirements for Sidewalk Cafes and Roadway Cafes: Petition Form, Owners Consent Form, Proof of Insurance Form, Pest Control Plan, Site Plan (Clearances, location of tables, and chairs, adjacent property line), and Photographs showing the entire area and adjacent areas.

Review of DOT Sidewalk Cafe Requirements: Siting, Clearances, Design, and Operations

The Working Group then reviewed DOT's Sidewalk Cafe Requirements, which fall into four categories: Siting, Clearances, Design, and Operations. A summary of that discussion follows below. *Note: the discussion below is not meant to be inclusive of every single requirement for a sidewalk cafe. For a full list of the requirements, please visit the Dining Out NYC website and review the Dining Out NYC amended rules document.*

Sidewalk Cafe Siting Requirements

For the siting of sidewalk cafes, applicants must be familiar with the DOT Pedestrian Mobility Plan and select which corridor category their street is classified as in the plan. The corridor category determines the size of the required clear path, not only for the Dining Out NYC program but for any other sidewalk use. In addition, the phrase "amenity zone" from the temporary outdoor dining program is now referred to as the "furnishing zone" both in the Pedestrian Mobility Plan as well as the Dining Out NYC rules. Other items of note from the DOT's sidewalk cafe siting requirements include that sidewalk cafes can only be adjacent to / directly in front of the ground floor restaurant's premises and located on a sidewalk or a sidewalk widening. A sidewalk cafe cannot be sited in the furnishing zone.

Sidewalk Cafe Clearance Requirements

Continuing the discussion on, DOT's clearance requirements for sidewalk cafes indicate that the clear path is greater than 50% of the sidewalk and for sidewalk cafes on Global Corridor streets, that requires a 12-foot clear path and for sidewalk cafes on Regional Corridor streets, that requires a 10-foot clear path. The Dining Out NYC rules also provide for some exceptions to Regional Corridor clear path requirements. Also falling under the Sidewalk Cafe clearance

requirements are clearances for obstructions such as tree pits, fire hydrants, fire escapes, residential entrances, etc. The full list is available in the amended rules for the Dining Out NYC program. One of the key differences from the pre-pandemic sidewalk cafe and the Dining Out NYC program is how clearances from tree pits are measured as it is more restrictive now than it was in the past.

Sidewalk Cafe Design Requirements

In regard to DOT design requirements for sidewalk cafes, a perimeter demarcation is required with a height of 2 feet and a width of 6 feet. Flooring for sidewalk cafes is required to be level with the sidewalk with no platform or flooring allowed and no ground cover. Furnishings are required to be lightweight and not permanently affixed. Lighting in a sidewalk café is only allowed within the perimeter and must be at least 14 feet above. Heaters can be used within sidewalk cafes. Overhead, sidewalk cafes can have an awning, an overhead covering, or an umbrella. And for advertisements, the name can be displayed on a limited surface area with no illumination.

Sidewalk Cafe Operations Requirements

DOT Operations requirements for sidewalk cafes outline the hours stated in both the rules and regulations, generally a midnight closing. Service for sidewalk cafes must take place within the mandatory perimeter demarcation. Applicants are required to have their sidewalk cafe in good order, which also means developing a plan to prevent excessive congregation of patrons. No smoking or electronic cigarettes are allowed to be used within sidewalk cafes. No musical instruments or sound reproduction or amplification devices are allowed to be used within sidewalk cafes; the NYC Noise Code should be cross-referenced. And lastly, as far as maintenance, no trash is allowed to be stored within or between sidewalk cafes.

Review of DOT Roadway Cafe Requirements: Siting, Clearances, Design, and Operations

The Working Group then reviewed DOT's Roadway Cafe Requirements, which fall into four categories: Siting, Clearances, Design, and Operations. A summary of that discussion follows below. *Note: the discussion below is not meant to be inclusive of every single requirement for a roadway cafe. For a full list of the requirements, please visit the Dining Out NYC website and review the Dining Out NYC amended rules document.*

Roadway Cafe Siting Requirements

DOT's siting requirements for roadway cafes focus on two things: what type of parking space is in front of the ground-floor restaurant and the dimensions of the roadway café in relation to its frontage. Roadway cafes can only be sited adjacent

to / directly in front of the premises, which means a roadway cafe cannot extend beyond the premises and per the Dining Out NYC rules, exceptions for an extension cannot be contracted out with a neighboring business. Parking spaces where roadway cafes are allowed: Metered and non-metered, commercial parking, alternate side parking, angled parking, floating parking lanes, and spaces with seasonal restrictions. The Dining Out NYC rules also outline types of parking spaces where roadway cafes are not allowed. The full list should be consulted in the amended rules. For the purposes of this meeting, the following prohibited parking spaces for roadway cafes outlined in the DOT rules were brought up as part of the discussion: Taxi stand, No Standing Anytime, No Standing Anytime during Specific Hours, No Stopping Anytime during Specific Hours, and Bus stops.

Regarding the dimensions, the maximum length for a roadway cafe is 40 feet. Adjacent roadway cafes that are 40 feet long require a minimum distance of 6 feet between one another. In addition, if the roadway cafe is 40 feet in length *and* adjacent to another cafe, the applicant is required to subtract 4 feet, 6 inches from the perimeter. Adjacent roadway cafes that are less than 40 feet long require a minimum distance of 3 feet from one another. If the roadway cafe is less than 40 feet *and* adjacent to another cafe, the applicant also subtracts 1 foot, 6 inches from the perimeter. The required 15-foot emergency travel lane was also discussed.

Roadway Cafe Clearance Requirements

As far as clearance requirements by DOT for roadway cafes, the same obstruction clearances that apply for sidewalk cafes also apply here. The furnishing zone must be clear. And no element of the roadway cafe may encroach on street trees or be attached to a street tree bed or street bed canopy.

Roadway Cafe Design Requirements

DOT's design requirements for roadway cafes cover several distinct areas. One of the biggest changes is that sand or gravel is not allowed in the barriers anymore. All barriers for roadway cafes must be filled with water and must be 30-42 inches high and 4 inches wide with three (3) outer side perimeters. A 4-inch reflective tape must be adhered to all three sides of the perimeter on the barriers. Flooring has to be lightweight and easily removable with no rugs or turf allowed and level with the curb with a 6-inch covered channel at the curb. Whether or not a roadway cafe has flooring or no flooring, the roadway café must be ADA accessible.

Furnishings in roadway cafes have to be lightweight and cannot permanently affixed with plantings a max of 46 inches in height. One key distinction is that

any element of a roadway cafe cannot be located within 50 feet of any regulatory or warning sign which includes but is not limited to a signage indicating Stop, Yield, One-Way, Wrong Way, Do Not Enter, Pedestrian Crossing, School Crossing, and Speed Limit.

Roadway Cafe Operations Requirements

When discussing the DOT operations requirements for roadway cafes, the discussion was similar to the sidewalk cafe operations requirements with the exception of the following maintenance and seasonality. Operators are required to keep clean the area of roadway 1.5 feet on all sides beyond the roadway café. For seasonality, the roadway cafes must be removed between November 30 – March 1. Operators must stop operating their roadway cafe on November 30 and have until December 7 (one week) to completely dismantle their roadway cafe. It is also understood that operators will have a week before March 1 to setup their roadway cafe for the upcoming season, but cannot operate until March 1. It is best to consult the Dining Out NYC amended rules for the exact dates.

Review of Enforcement

A general discussion about enforcement in Dining Out NYC was discussed. Per DOT's amended rules, once an applicant is approved for a roadway cafe or sidewalk cafe, they have up to 30 calendar days to bring their setups from the temporary program into compliance if they have an existing setup from the temporary program. DOT will be making a compliance check at the end of that 30-day period from approval. (Deadlines for taking down temporary outdoor dining setups are at the end of this document.) Violations in the Dining Out NYC program are called Corrective Action Requests (CAR). If a CAR is made by DOT (either at this time or any time throughout the 4-year license period), the licensee has a 30-day cure period before DOT issues a summons.

Issues that came up in the discussion of the Dining Out NYC requirements

After the discussion of the petition requirements, siting requirements, clearance requirements, design requirements, and operations requirements for roadway cafes and sidewalk cafes, the following issues were identified:

- It is not clear how applicants with roadway cafes in floating parking lanes in the middle of the street and across a bike lane are required to make their roadway café in the floating parking lane ADA accessible from both the sidewalk curb to the roadway and from the roadway into the actual roadway cafe itself.
- It is not clear exactly what DOT will be sending directly to community boards to review.

- It is not clear how operators applying for both a roadway cafe and a sidewalk cafe will be handled by DOT and community boards. Since the review period (40 days for sidewalk cafes) and comment period (30 days for roadway cafes) differ in duration, it is not clear if boards will have to review each application separately (twice for one operator) or if reviewed together, how many days boards have to review and comment on both the sidewalk and roadway café for one operator together.
- It is not clear in the DOT Dining Out NYC amended rules about required clearances for roadway cafes as it relates to bike lanes. There are two pieces of conflicting guidance in the amended rules. In one place, it says that roadway cafes can about the white buffer line of the bike lane; however, another place in the rules says that roadway cafes must leave 6 inches in between. We are hopeful that the agency will clear up this confusion for applicants.
- It is not clear what is going to happen with the state law that prohibits the service of alcohol across a bike lane. This relates to roadway cafes that are sited in floating parking lanes. This law was not enforced by the city or the state during the temporary outdoor dining program.

What's next for the Outdoor Dining Working Group

The Working Group looks forward to continuing to develop and streamline a quick and efficient process for reviewing Dining Out NYC sidewalk and roadway cafe applications as we learn from DOT how this will roll out.

At the time of this meeting, the Working Group had a second meeting planned for Monday, March 18 to hear Dining Out NYC applications for roadway and sidewalk cafes. However, as of close of business on Friday, March 14, the board office had not received any applications for the Dining Out NYC program. The meeting for Monday, March 18 has been canceled.

Future meeting dates for the Outdoor Dining Working Group

Monday, April 8 Presentation of DOT Pedestrian Mobility Plan (information session)

Monday, May 13

Monday, June 10

Monday, July 8

Monday, August 12

September TBD

Other milestone dates regarding Dining Out NYC:

| | |
|---------------------------------|--|
| Tuesday, March 5, 2024 | Dining Out NYC application portal opens for operators to apply for roadway cafe and sidewalk cafe applications |
| Tuesday, April 16, 2024 | The Landmarks Preservation Commission (LPC) is holding a public hearing for the LPC proposed rules proposed amendments to Chapter 2 of Title 63 of the Rules of the City of New York, consisting of existing rules, including amendments relating to roadway and sidewalk cafes. It is understood that this is going to be handled the same way as the pre-pandemic sidewalk cafe program where anything related to a sidewalk cafe that touches a building in a historic district or on a landmarked building will be referred by NYC DOT to LPC. |
| Saturday, August 3, 2024 | Deadline for restaurants operators with temporary outdoor dining setups to apply to continue operating until NYC DOT approves their Dining Out NYC application. |
| Friday, November 1, 2024 | A temporary program outdoor dining setup that applied before August 3, 2024 must comply with the new Dining Out NYC design requirements by the earlier of: (i) 30 days after NYC DOT approves the Dining Out NYC application or (ii) November 1, 2024. |

To view any of the documents or items referenced throughout this report, visit the CB2 Outdoor Dining page.

There was no new business.

A motion to adjourn by Carter Booth. The motion was seconded by Donna Raftery.

Respectfully,



Valerie Ann De La Rosa
Chair, Outdoor Dining Working Group