

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



Antony Wong, *Treasurer*
Emma Smith, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.manhattancb2.org

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

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

FULL BOARD MEETING AGENDA

DATE: Thursday, July 18, 2024
TIME: 6:30 PM
PLACE: In Person at St. Anthony of Padua Church, Lower Hall, 155 Sullivan Street (at Houston Street), and Remotely Via Zoom

I. PUBLIC SESSION: Members of the community may speak for a time to be specified by the Board Chair on any issue of interest to the community. **In-person Public Speaker's Cards available at registration. *Virtual Public Speaker's cards must have been submitted before 4:00 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. Treasurer's Report | Antony Wong |
| 5. District Manager's Report | Mark Diller |

BUSINESS SESSION

IV. APPROVAL OF THE JUNE FULL BOARD MINUTES

VI. RESOLUTIONS FROM STANDING COMMITTEES

- | | |
|-----------------------------------|-------------------------------|
| 1. Parks & Waterfront | Rich Caccappolo |
| 2. Landmarks | Chenault Spence |
| 3. Street Activities & Resiliency | William Benesh |
| 4. Traffic & Transportation | Shirley Secunda |
| 5. SLA Licensing | Donna Raftery |
| 6. Land Use | Katy Bordonaro and Eugene Yoo |

VIII. REPORTS WITHOUT RESOLUTIONS

- | | |
|-----------------------|-----------------|
| • Human Services | Susanna Aaron |
| • Schools & Education | Patricia Laraia |

IX. NEW BUSINESS

ADJOURNMENT

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



Antony Wong, *Treasurer*
 Emma Smith, *Secretary*
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Treasurer Report - July 2024
FY: July 1, 2023 to June 30, 2024

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	Fiscal Yr Projection		Current	
Accounts				
Street Fair Funds - Beginning July 1, 2023	\$	68,519.00	\$	68,519.00
Revenues				
City Funds	\$	273,428.00	\$	273,428.00
Discretionary Funds - CM Marte	\$	6,000.00	\$	6,000.00
Street Fair Funds - FY24	\$	5,643.86	\$	9,656.13
	\$	353,590.86	\$	357,603.13
Expenses				
<i>Personnel Services (PS)</i>				
Staff	\$	(233,846.00)	\$	(208,158.42)
<i>Other Than Personnel Services (OTPS)</i>				
Equipment & Software / Copy Machine	\$	(10,000.00)	\$	(3,605.83)
Misc/Printing/Transportation	\$	-	\$	(681.84)
Postage	\$	(300.00)	\$	(30.45)
Professional Services	\$	(20,000.00)	\$	(41,584.42)
Space Rental	\$	(500.00)	\$	-
Supplies	\$	(500.00)	\$	(911.46)
Tech Subscriptions/Services	\$	(5,000.00)	\$	(13,143.92)
Telephone Services	\$	(2,926.00)	\$	-
	\$	(273,072.00)	\$	(268,116.34)
Balance	\$	80,518.86	\$	89,486.79

Revised: July 17, 2024

August 2024						
◀ July						September ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
TO BE SCHEDULED:				1	2	3
4	5 STREET ACTIVITIES & RESILIENCY	6 SLA-1	7 PARKS & WATERFRONT	8 SLA-2	9	10
11	12	13 LAND USE	14 OUTDOOR DINING WG	15 LANDMARKS	16	17
18	19 "FULL BOARD" (REALLY EXECUTIVE) PACKAGE	20 EXECUTIVE	21	22	23 FIRST FULL SEPTEMBER CALENDAR VIA EBLAST	24
25	26	27 TRAFFIC & TRANSPORTATION	28	31	30	

September 2024						
◀ August						October ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 To Be Scheduled:	2 LABOR DAY	3 SLA-1	4 PARKS & WATERFRONT	5 SLA-2	6	7
8	9 STREET ACTIVITIES & RESILIENCY	10 CANNABIS LICENSING	11 LAND USE	12 LANDMARKS	13	14
15	16	17 EXECUTIVE	18 FULL BOARD PACKAGE	19 FULL BOARD	20	21
22	23 SCHOOLS & EDUCATION	24 TRAFFIC & TRANSPORTATION	25 OUTDOOR DINING WG	26 HUMAN SERVICES	27	28
29	30 FIRST FULL OCTOBER CALENDAR VIA EBLAST					

October 2024						
◀ September						November ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
To be Scheduled:		1 CANNABIS LICENSING	2 ROSH HASHANAH BEGINS AT SUNDOWN	3 ROSH HASHANAH SECOND NIGHT	4	5
6	7 STREET ACTIVITIES & RESILIENCY	8 SLA-1	9 PARKS & WATERFRONT	10 SLA-2	11 YOM KIPPUR BEGINS AT SUNDOWN	12
13	14 COLLUMBUS / INDIGENOUS PEOPLES' DAY	15 OUTDOOR DINING WG	16 LAND USE	17 LANDMARKS	18	19
20	21	22 EXECUTIVE	23 FULL BOARD PACKAGE	24 FULL BOARD	25 FIRST FULL NOVEMBER CALENDAR VIA EBLAST	26
27	28 SCHOOLS & EDUCATION	29 TRAFFIC & TRANSPORTATION	30 PARKS & WATERFRONT (for November)	31 HUMAN SERVICES		

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PARKS & WATERFRONT COMMITTEE MEETING

July 10, 2024

The Parks & Waterfront Committee of Community Board #2, Manhattan held its monthly meeting on Wednesday, July 10, 2024, at 5:30 in person at CB2's office and via Zoom – **it was a joint meeting with the CB2 Land Use Committee**

The joint meeting covered one subject:

- Presentations by the Department of Parks and Recreation and the Department of Housing Preservation and Development on updates concerning the Tony Dapolito Recreation Center and plans for the new building at 388 Hudson Street.

Board Members Present: Susanna Aaron (Vice Chair); Chris Dignes; Anne Hager; Matthew Metzger; Shirley Secunda; Frederica Sigel

Board Members Remote: Rich Caccappolo (Chair)

Board Members Absent with Notice: Ritu Chattree

Board Members Absent without Notice:

Public Members Remote: Coral Dawson; Elizabeth Gilmore; Sharon Woolums

Public Members Absent with Notice:

Other Board Members Present: Susan Kent, Board Chair; Jeannine Kiely; Valerie De la Rosa; Ryder Kessler; Patricia Laraia; and Land Use committee members

In total, approximately 75-100 people attended the meeting.

There was one resolution resulting from this meeting.

1. Presentation by the Department of Parks and Recreation (DPR) and the Department of Housing Preservation and Development (HPD) on updates concerning the Tony Dapolito Recreation Center and plans for the new building at 388 Hudson Street.

I opened the meeting by explaining that I had been contacted by Steve Simon, Chief of Staff Manhattan for DPR asking if we could arrange to hold a joint committee meeting with the Land

Use committee to discuss the potential of including a new Recreation Center in the new mixed-use affordable housing building proposed to be built at 388 Hudson St.

DPR Manhattan Borough Commissioner Tricia Shimamura kicked off the presentation thanking everyone for the opportunity to present such a proposal.

Jesslyn Moser, a project administrator with the Parks Department Planning Division, presented both an update on the status of the Tony Dapolito Recreation Center and the idea of including a new Recreation Center within the proposed mixed-use development diagonally across the street (as our community has requested). She noted that the Tony Dapolito Rec Center, located at One Clarkson Street, had been a well-used community resource featuring indoor and outdoor pools, fitness areas, and various programming spaces and that the center has been closed since 2020 due to significant structural issues discovered during planned repairs.

Ms. Moser explained that it has become clear that renovating or even repairing the aging building(s) (it is actually 3 buildings cobbled together over the 100 years of its existence), has proven extraordinarily challenging, would be extremely costly and would result in reduced usable space. We have been told that the City (not just DPR) will engage in a planning process on what to do with the building and the space in the future; that process will take a long time and multiple possible uses will be considered. While that process is underway, DPR would like to move forward with a plan for a new facility. We have been assured that moving forward with a plan for a new facility in the new building at the water tunnel site does not mean that certain recreational features won't remain or be included in what results from the planning process at One Clarkson Street, but the new center could provide improved amenities, including a larger indoor pool, a regulation-sized basketball court, and a dedicated fitness area.

One important consideration is an outdoor pool. That feature is not within the scope of the plan for the new facility. The existing outdoor pool at the Tony Dapolito Rec Center has been closed / unusable / inaccessible for several years because it is closely linked to the unsafe building, both structurally and operationally. Ms. Moser emphasized the priority of safety. DPR is open to considering a way to save the pool in its' current location. DPR is coordinating with historic preservation entities and the Keith Haring Foundation to save the famous mural on the pool wall.

Ms. Moser highlighted that the collaboration with the Housing Preservation and Development (HPD) at 388 Hudson St. offers a timely opportunity to restore recreational services to the community sooner and more efficiently. The new recreation center would be managed by NYC Parks and provide enhanced facilities while supporting affordable housing development.

Tyler Tichenor, a planner at HPD and project manager for the Request for Proposal (RFP) for the new building at 388 Hudson St., provided more details of the potential project. Mr. Tichenor emphasized that community input has been crucial in shaping the plan, particularly the longstanding request for a recreation center at this site. He noted that the community has repeatedly supported the idea of a Recreation Center in the new building and HPD is attempting to satisfy that request. (CB2 has long advocated for a recreation center at this site, as reinforced by multiple resolutions.) Our City Councilmember has expressed support for a new Rec Center and feedback from over 500 community members backs it, too.

He explained that the proposed building/development envisions a large number of affordable housing units and that DPR and HPD would like community support for including a new Recreation Center in the RFP (such that developers who submit proposals would explain how they will deliver one).

He stressed the importance of design excellence and maximizing affordable housing while ensuring the building complements the surrounding neighborhood.

A challenge to these goals is the "no drill zone buffer" on the southern part of the site due to critical water infrastructure, but HPD is working with DEP, DPR, and the Department of Education (DOE) to provide flexibility in design. For example, DEP and the DOE, which is responsible for the City as School facility next door, have agreed to allowing light and air easements, reducing required setbacks and enabling a more efficient building layout with larger floor plates. This flexibility, Mr. Tichenor said, helps in maximizing the number of affordable units and achieving design excellence, while giving enough space to include a recreation center; thereby achieving the goals of addressing both affordable housing and recreational needs of the community.

Questions were posed regarding how a Recreation Center could be fit. Mr. Tichenor shared some more details of the vision of the Recreation Center space. The current center is approximately 27,000 square feet. The goal is to match or exceed the current facility's offerings, potentially improving on the existing gym's size. Given the 13,000 square foot size of 388 Hudson St., the new recreation center would require multiple floors to fit the necessary amenities. The plan includes an indoor pool in the double floor height cellar (DEP has approved this below-grade excavation) and additional spaces on two above-ground floors to accommodate similar core uses including a regulation gym and rooms with fitness equipment.

Ms. Moser emphasized that the new recreation center would be a public facility managed by NYC Parks, with a dedicated entrance separate from the residential lobby. The planning process will involve community input to ensure the new center meets local needs, similar to how parks and public spaces are typically developed.

Questions on the timeline were posed. Amy Pivak, Director of Predevelopment Planning and Urban Design at HPD, explained that they aim to release the RFP "as quickly as we can" with potential developer teams typically having 3 months to respond. The entire process is expected to take several years due to a rigorous review process.

Respectfully submitted,

Rich Caccappolo,
Chair, Parks & Waterfront Committee
Community Board 2, Manhattan

A Resolution Supporting Inclusion of a Recreation Center Within the Proposed Mixed-Use Affordable Housing building at 388 Hudson St.

Whereas:

1. On July 10, 2024 at 5:30pm, CB2 Manhattan's (CB2M) Land Use & Housing and Parks & Waterfront committees met jointly to hear a presentation by the NYC Department of Parks & Recreation (DPR) and the NYC Department of Housing Preservation & Development (HPD) on the future of recreation center space in our neighborhood, more specifically at the new affordable housing building proposed to be built at 388 Hudson St. on the north side of the NYC Dept of Environmental Protection (DEP) water tunnel site. [The south side of this lot is planned to become public open space operated by the Hudson Square Business Improvement District and administered by the DPR in coordination with DEP, which has placed constraints on the site to protect access to water tunnel infrastructure below.]
2. In repeated resolutions over the past two years, CB2M has expressed the need for a public recreation center in the neighborhood while the Tony Dapolito Recreation Center has been closed for repairs. The area around the center is now a construction site that is challenging to maintain.
3. In addition, CB2M has stressed its interest in locating a new public recreation center on multiple floors at 388 Hudson St. regardless of what might occur in terms of renovation, repairs and re-opening of the Tony Dapolito Recreation Center.
4. CB2M has also repeatedly stressed the importance of HPD, DEP and DPR working together to maximize the potential of the residential and open space sites at 388 Hudson St. A ten-foot no-drill zone on the southern flank of the north parcel raises questions of how best to use that space.
5. Tyler Tichenor, HPD planner, reaffirmed that the residential building will be built on the 13,625sf site on the north side of the 388 Hudson lot. He explained that cooperation between DPR, HPD, DEP and the DOE (because of the school that abuts the lot) has resulted in a revision that will permit the site to be utilized with narrower setbacks, increasing the floor plate on lower floors. Below-grade construction is now also seen as possible.
6. DPR and HPD are now proposing that the ground floor plus two floors below grade be used to create a recreation center to include, at a minimum, an indoor pool, basketball courts, fitness and community rooms, a dedicated entrance, etc. An outdoor pool cannot be included in the scope of this project.
7. Representatives stated that the almost 13,625sf size of the base and use of basements and lower floors constitute effective use of square footage that doesn't lend itself to residential use. The current Tony Dapolito Recreation Center is 27,000sf. [As a point of reference, The Chelsea Recreation Center is 56,000sf.]
8. A topic of discussion that was not explored was the ownership structure of a DPR public facility sited within a privately-developed residential building on public land.
9. Though details of future plans for the building at 1 Clarkson Street/ 2-8 Seventh Avenue South have not been determined, DPR also said that it was prioritizing preservation of the Keith Haring mural and the outdoor pool and was exploring suggestions for future uses of the space and that it would be soliciting further input from the community.

10. The Tony Dapolito Recreation Center is within the Greenwich Village Historic District Extension II (although the pool, playground, landscaped areas and ballfields behind it are not¹). The building itself is not landmarked.

Therefore, be it resolved that CB2:

1. Thanks DPR, HPD and DEP for responding to CB2M's request for a modern, full-service, multi-story public Recreation Center at 388 Hudson St. with the potential for regulation-sized facilities that have been unavailable at the Tony Dapolito Recreation Center.
2. Asks that this information be incorporated as a prerequisite into the soon be produced and released HPD Request for Proposals for 388 Hudson St.
3. Insists that DPR consider leasing appropriate space, perhaps a local unused gym on Varick a block away, as an interim Recreation Center while the new building is not yet built.
4. Applauds the agencies for working together as requested by the community board.
5. Recommends that DPR create protocols for public safety at and maintenance of the Tony Dapolito Recreation Center site while it is closed.
6. Prioritizes the preservation of the Haring mural and an outdoor pool.
7. Requests further clarification regarding ownership, investment funding, perpetual public access and maintenance expense protocols when the new DPR recreation center is constructed in the building at 388 Hudson St.
8. Holds DPR to its promise that further community input will be solicited before any decisions are made regarding the disposition of the current Tony Dapolito Recreation Center.

Vote: 10-1 (Metzger)

¹ <https://s-media.nyc.gov/agencies/lpc/lp/2366.pdf> p. 275

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LANDMARKS & PUBLIC AESTHETICS COMMITTEE Chenault Spence, *Chair*

The Community Board 2, Manhattan Landmarks and Public Aesthetics Committee held its monthly meeting on July 11, 2024, by hybrid video conferencing from the CB2 conference room located at 3 Washington Square Village.

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

Board Members Absent with Notice: Chenault Spence

Board Members Absent without notification: Bo Riccobono

Public Members Present: Albert Bennett

Public Members Absent with notice: Andy Clark

Board Members: Carter Booth

Guests Present: Bob Esnard, Peter Miller, Sarah Shi, Greg Fournier, Danielle Fournier, Anne Mitcheltree, Jacqueline Peu-Duvallon, Helen Thomas-Harvey, Chloe Gregoire, Nancy Pasley, Audrey Wolf, James Kot, Jeffrey Povero, Fafael Yussifov

1. *122 Macdougal St. —Application is to install a stoop gate at the bottom of the building's entrance stairs.

The applicant did not appear as scheduled for the hearing and therefore there is no recommendation concerning the application. The applicant must appear for a public hearing before the CB2 Landmarks Committee prior to the consideration of the application by the Landmarks Commission.

2. *65-83 W. Houston St. – Application is to paint over graffiti on the building masonry façade, in LPC approved colors, to match the existing polychromed CMU masonry façade.

Whereas:

A. This property is a chronic graffiti target and after decades of utilizing graffiti removing chemicals on the ground floor, the applicant found that repeated applications of these chemicals was scarring the

building façade, so hired a consultant to offer a plan for future graffiti removal that would be both more immediately remedial and less harmful to the building façade over time; and

B. The consultant presented a plan to strip the façade down to the original surface and to address future graffiti by having building management allow retail tenants to paint over graffiti in acrylic paint to match the original façade color, and to address the resulting inevitable paint build up by a maintenance cycle of removal of the over-painting every few years; and

C. The paint colors presented were a convincing match for the original façade, the plan would seem to significantly reduce the use of the more damaging stripping chemicals previously used, and this plan allows for more timely graffiti removal; now

Therefore be it resolved that CB2, Man. recommends **approval** of the plan as presented, as long as the plan is limited to the first floor.

Vote: Unanimous

3. *338 Bowery – Application is to replace the existing wood doors and frame with steel frame and metal doors in kind and design to match existing, repaint window frames from white to black, request the use of existing bracket for signage, plaque size on façade and blade sign on 2nd floor.

Whereas:

A. The subject property is a fairly intact example of the sort of establishment for which the Bowery was once known, and provides an important architectural reference point in the context of the historic district, and its renovation/ restoration provides a unique opportunity to understand a distinctive aspect of the NoHo Historic District’s history; and

B. The first part of the application proposes to paint the second, third, and fourth story window frames and fire escape doors the same black as the ground floor steel window frames, rather than replicating the white color seen in the designation photo, which is more typical in creating a visual demarcation of street level from upper stories; and

C. The wooden entry doors are proposed to be replaced by steel doors, with a pattern of square divided lights that is awkward in both its interruption of the rhythm of the rectangular lights seen in the ground floor windows, and in its relationship to the sills of the adjacent windows; and

D. The five shiny brass lighting fixtures seem nautical, and are non-contextual in both material and design; and

E. The internally lit 75” high blade sign in neon green acrylic, seems particularly out of sync with the district, misses an opportunity to take inspiration from the look of the original “White House Rooms” sign that was once there, and lacks coherence with the proposed bronze plaque at the entrance; and

F. The cellar stair will have a new access gate and its reconfiguration requires the removal of 3 courses of brick beyond what was already approved by the Commission in order to comply with Code; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Denial** of the black paint on the window frames and fire escape doors on floors 2, 3, and 4, and advocates for the top three floors to be painted in a soft white, as seen in the historic photos. We further suggest that, should the fire escape doors ultimately need to be replaced that they be replaced with partially glazed doors; and
- B. **Denial** of the change of front door material from wood to steel, noting that the effect of the proposed changes in material to the signage, lighting, and doors have the aggregate effect of homogenizing the façade to a point where it loses its defining presence within the NoHo Historic District; and
- C. **Denial** of the five brass lighting fixtures due to their lack of meaningful reference within the district; and
- D. **Denial** of the blade sign due to its lack of meaningful reference within the district, and suggest that the applicant look to the historic photos for signage inspiration; and
- E. **Approval** of the bronze plaque at the entry; and
- F. **Approval** of cellar gates and the removal of 3 additional courses of brick.

Vote: Unanimous

4. *51 Barrow St. – Application is to repair double-hung window, construct a 5’ horizontal extension in the rear, construct a non-visible rooftop terrace, add non-visible mechanical equipment, and partially excavate at the rear yard.

Whereas:

- A. The scope of work for public review is limited to the rear façade, rear addition, leveling of roof and rooftop mechanicals, and is largely invisible from a public thoroughfare; and
- B. The existing rear addition no longer reflects the home’s Federal Style and presents serious structural issues; and
- C. There will be partial excavation in the rear yard that the applicant represented as having been already approved at staff level; now

Therefore be it resolved that CB2, Man. recommends:

- A. Approval of the window repair, the rear extension, the non-visible rooftop terrace and mechanical equipment; and
- B. That the applicant give evidence to the Commission that proper engineering studies have been undertaken with respect to the excavation, and that required notification to owners of adjacent properties has been given, and that a plan of demolition and construction that ensures the integrity of the subject property and adjoining properties is being followed.

Vote: Unanimous

5. *44 Jane St. – Application is to reconstruct a 3-story high rear extension and create a new rooftop addition to the house.

Whereas:

- A. The two family row house is being returned to its original one family plan and the rear extension will be modified from its current odd configuration and will now fill the void at the ground level; and
- B. Although most of the elements of the Greek Revival/Italianate Style house are no longer apparent in the rear façade and the applicant represented that there is no evidence of a tea porch, there is an original wood cornice that will be restored, and the top floor contains characteristic 3 punched openings which are retained and in harmony within the row; and
- C. The new addition in brick, stucco and cast brownstone, does not encroach into the rear yard any further than the previous one and sits well with the row; and
- D. The rooftop addition has taken some of its design inspiration from the many atelier/skylight examples seen within the district; and
- E. The position of the house makes the rear portion of the addition highly visible from a public thoroughfare as seen in vantage point B in the application; and
- F. In acknowledgement of its inevitable visibility, the architect stated that the addition was designed for visibility and cited its atelier/ skylight typology; and
- G. While the minimally visible front portion of the addition facing Jane Street does reflect this typology, the maximally visible rear portion does not, and it appears completely contemporary and entirely out of place; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the reconstructed rear yard extension; and
- B. **Denial** of the rooftop addition as currently designed, noting that the highly visible portion is sorely out of place in the district, and asks that the applicant return to the Committee with a design that is more truly evocative of the historical reference cited.

Vote: Unanimous

Respectfully submitted,

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STREET ACTIVITIES AND RESILIENCY COMMITTEE

July 2024

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

Committee Members Present in Person: William Benesh (Chair), Erika Olson, Rocio Sanz, Brian Pape

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

Committee Members Absent with Notice: Ryder Kessler, Amy Brenna

Street Activity Applications

1. ***7.10.24 – Furby Waz Here Activation at Astor Place Plaza (Sponsor: Amplify Marketing, Inc.), Astor Pl. Plaza (So.) [full]**

Whereas, the applicant, representing toy brand Furby, is sponsoring a pop-up on the Astor Place Plaza on Wednesday, July 10th; and

Whereas, the activation is expected to consist of a passive “scene” set up on the plaza that passers-by will be able to interact with by scanning QR codes which will link to the Furby product page; and

Whereas, load-in is expected to begin as early as 2 AM, but with minimal sound (hand drills only), with the activation in place for 12 hours from 9 AM to 9 PM, and breakdown occurring shortly thereafter; and

Whereas, there are no other “active” elements of the activation, with no giveaways or amplified sound planned; and

Whereas, the applicant will have one security guard and one brand ambassador on site for the duration of the event; and

Whereas, the applicant has been in coordination with the Village Alliance BID ahead of the execution of the event; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of Furby Waz Here Activation at Astor Place Plaza (Sponsor: Amplify Marketing, Inc.), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously

2. *7.11.24 – Kendra Scott Food Truck (Sponsor: Kendra Scott Food Truck), Greene St. bet. Broome & Spring Sts. [curb lane only-W.]

Whereas, the applicant, representing jewelry brand Kendra Scott, is seeking to hold an ice cream truck activation in the west curb lane of Greene Street between Spring and Broome Streets, in front of their Soho store location, on Thursday, July 11th; and

Whereas, the activation will consist of an ice cream truck parked in the curb lane which will be giving away around 250 ice cream samples in order to promote a collaboration the brand is doing with Disney; and

Whereas, the truck may pull in to hold the curb space around 10 AM, with the activation scheduled to occur between 3:30 PM to 8:30 PM, or until all samples run out; and

Whereas, the activation will not feature amplified sound; and

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

Whereas, the applicant was open to suggestions of ensuring the truck is parked at least one full vehicle length from the intersection of Green and Spring streets for purposes of “daylighting”; now

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

Vote: Adopted unanimously.

3. *7.11.24 – Pair of Thieves (Sponsor: Promobile), Washington Sq. No. bet. 5th Ave. & Macdougall St. [curb lane only-No.]

Whereas, the applicant, representing sock brand Pair Of Thieves, is seeking to hold an activation in celebration of their 10th anniversary in the north curb lane of Washington Square North between 5th Avenue and Macdougall Streets, on Thursday, July 11th; and

Whereas, the activation will consist of a branded photo backdrop and a vending machine from which participants can receive a free pair of socks; and

Whereas, the set-up is expected to occur from 8 AM to 11 AM, with the event live from 12 PM to 7 PM, or until all samples run out; and

Whereas, the applicant plans to give out around 200 pairs of socks; and

Whereas, the activation will not feature amplified sound; and

Whereas, the activation will include rope/stanchions and brand ambassadors for line management; and

Whereas, barricades will be used in the curb lane to protect participants from vehicular traffic; and

Whereas, the applicant is partnering with 10 nonprofit organizations in conjunction with their 10th anniversary celebration, some of which are located in the tri-state area, and will be donating free socks to these organizations; now

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

Vote: Adopted unanimously.

4. ***7.12-7.13.24 – NEST at Broadway – NYFTA (Sponsor: New York Food Truck Association), Broadway bet. Broome & Spring Sts. [curb lane and partial sidewalk use-W.]**

Whereas, the applicant, representing fragrance brand NEST, is seeking to hold a food truck activation in the west curb lane of Broadway between Spring and Broome Streets, on Friday, July 12th and Saturday, July 13th; and

Whereas, the activation will consist of a truck parked in the curb lane which will be giving away lemonades and “mini candles” to attendees; and

Whereas, load-in will occur each day at approximately 7:30 AM, with brand ambassadors arriving at 9 AM, the activation “live” from 11 AM to 5 PM, and load-out at 5:15 PM; and

Whereas, the applicant is expecting up to 700 attendees per day, depending on weather; and

Whereas, the activation will not feature amplified sound; and

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

Whereas, the has performed outreach ahead of the event to neighboring business such as Zara; and

Whereas, there continues to be a concern in the community over the sheer number of activations occurring with regular frequency on this block, as well as with a SAPO classification system that allows events with 700+ attendees to be labeled as “small” street events; now

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

Vote: Adopted unanimously.

5. ***7.27-7.28.24 – Living Proof – Broadway – NYFTA (Sponsor: New York Food Truck Association), Broadway bet. Broome & Spring Sts. [partial sidewalk closure-E.]**

Whereas, the applicant, haircare brand Living Proof, is seeking to hold a food cart activation on the east sidewalk of Broadway between Spring and Broome Streets, on Saturday, July 27th and Sunday, July 28th; and

Whereas, the activation will consist of a cart on the sidewalk which will be giving away lemonades and hair product samples to attendees; and

Whereas, load-in will occur each day at approximately 8:30 AM, the activation “live” from 11 AM to 5 PM, and load-out at 5:15 PM; and

Whereas, the applicant is expecting up to 700 attendees per day, depending on weather; and

Whereas, the activation will not feature amplified sound; and

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

Whereas, the has performed outreach ahead of the event to neighboring business such as Lululemon; and

Whereas, there continues to be a concern in the community over the sheer number of activations occurring with regular frequency on this block, as well as with a SAPO classification system that allows events with 700+ attendees to be labeled as “small” street events; now

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

Vote: Adopted unanimously.

6. *7.27.24 – Bumble & Bumble Glass Truck Meatpacking District (Sponsor: Firefly), W. 13th St. bet. 9th Ave. & Washington St. [curb lane only-No.]

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, the sponsor of the event has consistently not appeared or had their applicants appear for other events held in Community District 2 in the past; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Bumble & Bumble Glass Truck Meatpacking District (Sponsor: Firefly)**.

Therefore Be It Further Resolved that CB2 Manhattan further requests that SAPO take note of future applications by said sponsor and issue denials should they continue to not appear before CB2's SAR committee.

Therefore it Be Finally Resolved CB2 Manhattan further requests that DSNY's enforcement arm take enforcement action should applicants under this sponsor proceed with holding events despite receiving SAPO denials.

Vote: Adopted unanimously.

7. *7.27.24 – Denim Tears 5-Year Anniversary Event (Sponsor: Denim Tears), Spring St. bet. Thompson St. & W. Broadway [full sidewalk closure-both]

Whereas, the applicant, representing clothing store Denim Tears, is seeking to hold an activation in celebration of their 5th anniversary, in front of their store on Spring Street, on Saturday, July 27th; and

Whereas, the activation is planned to complement a party that is being held inside the store, and will consist of a cordoned off area in the curb lane in front of the store for guests to mingle, along with a red carpet area on the sidewalk; and

Whereas, the applicant intends to apply for a temporary SLA permit in order to serve wine and beer in the cordoned off area, with trained bartenders; and

Whereas, the applicant intends to apply for an amplified sound permit to play music during the event; and

Whereas, the set-up is expected to occur from 10 AM to 12 PM, with the event live from 12 PM to 7 PM, and breakdown by 7:30 PM; and

Whereas, the applicant is expecting around 200 attendees, generally limited to customers and friends of the store who are receiving invitations; and

Whereas, the applicant stated that they had reached out to other business on the block, including Bistro Les Amis, ahead of the event; and

Whereas, the applicant was informed that the planned location for the event will be an Open Street that day, which may assist with pedestrian passage; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of Denim Tears 5-Year Anniversary Event (Sponsor: Denim Tears), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

8. *7.28.24 – Public Theater Summer 2024 Block Party (Sponsor: The Public Theater/New York Shakespeare Festival), Astor Pl. Plaza (So.) [full]

Whereas, the Public Theater is currently performing construction on the Delacorte Theater in central park, and thus instead of the traditional Shakespeare in the Park performances in 2024, will be conducting a series of “mobile” shows throughout the city; and

Whereas, in conjunction with this initiative, the applicant seeks to hold a “block party” in the Astor Place Plaza on Sunday, July 28th, following “preview performances” held on the Plaza in May; and

Whereas, the block party will consist of a small stage set up on the plaza with various performances throughout the day, as well as speeches from Public Theater leadership; and

Whereas, there will additionally be small tents set up by sponsors on the plaza with food/drink giveaways and activities such as face painting; and

Whereas, the applicant will also set up a-frame signs on the plaza directing attendees towards the Public Theater (on Lafayette adjacent to the Astor Place Plaza), which will have additional programming inside during the block party; and

Whereas, set-up will begin at 8 AM, with the block party occurring from 12 PM – 4 PM, and breakdown complete by 6:30 PM; and

Whereas, the applicant will be hiring its own sanitation company to manage waste, and has also been coordinating with the Village Alliance BID; and

Whereas, the applicant also intends to apply for an additional permit to park food trucks on Lafayette in front of the Public Theater; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of Public Theater Summer 2024 Block Party (Sponsor: The Public Theater/New York Shakespeare Festival), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

9. *8.5.24 – SoHo Bible Study Block Party (Sponsor: SoHo Bible Study), Greene St. bet. Broome & Spring Sts. [sidewalk and street closure-both]

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; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **SoHo Bible Study Block Party (Sponsor: SoHo Bible Study)**.

Vote: Adopted unanimously.

10. *8.12-8.20.24 – Stanley Barbie Event (Sponsor: Marty Barnes, Inc.), 1) Crosby St. bet. Broome & Grand Sts. [curb lane only-W.]; 2) Broadway bet. Broome & Grand Sts. [sidewalk & curb lane closure-E.]

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, the sponsor of the event has consistently not appeared or had their applicants appear for other events held in Community District 2 in the past; and

Whereas, this event appears to feature a brand which has become incredibly popular and gained a “cult” following on social media, thus spurring safety concerns around the number of potential attendees and “buzz” created around such event; and

Whereas, this event is submitted as a “production event” when such event would clearly take up a significant amount of sidewalk and curb space for an extended period of time, and should be more correctly labeled as a street event; and

Whereas, many members of the public spoke in significant opposition to this event; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Stanley Barbie Event (Sponsor: Marty Barnes, Inc.)**.

Therefore Be It Further Resolved that CB2 Manhattan advises SAPO and NYPD of serious safety concerns should this event be allowed to proceed.

Therefore Be It Further Resolved that CB2 Manhattan further requests that SAPO take note of future applications by said sponsor and issue denials should they continue to not appear before CB2’s SAR committee.

Therefore it Be Further Resolved CB2 Manhattan further requests that DSNY's enforcement arm take enforcement action should applicants under this sponsor proceed with holding events despite receiving SAPO denials.

Therefore Be It Finally Resolved that CB2 Manhattan asks that SAPO consider methods to monitor applicants for "Production Events" which are mislabeling Street Events as Production Events despite these events taking up significant sidewalk and/or curb space for an extended period of time.

Vote: Adopted unanimously.

11. *8.14.24 – Bobbi Brown SoHo (Sponsor: Firefly), Broadway bet. Prince & Spring Sts. in front of Sephora [curb lane only-No.]

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, the sponsor of the event has consistently not appeared or had their applicants appear for other events held in Community District 2 in the past; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Bobbi Brown SoHo (Sponsor: Firefly)**.

Therefore Be It Further Resolved that CB2 Manhattan further requests that SAPO take note of future applications by said sponsor and issue denials should they continue to not appear before CB2's SAR committee.

Therefore it Be Finally Resolved CB2 Manhattan further requests that DSNY's enforcement arm take enforcement action should applicants under this sponsor proceed with holding events despite receiving SAPO denials.

Vote: Adopted unanimously.

12. *8.15.24 – Tatcha Spring Street Pop Up for Sephora (Sponsor: IDEKO Productions), Spring St. bet. Broadway & Mercer St. [curb lane only-So.]

Whereas, the applicant, representing the Tatcha beauty brand and in conjunction with Sephora, is seeking to hold a sidewalk pop-up activation in front of 153 Mercer Street on Thursday, August 15th; and

Whereas, the applicant had initially planned to hold the activation on Spring Street, but has decided to move it due to scaffolding that has gone up on Spring, and plans on updating the SAPO application accordingly; and

Whereas, the activation will consist of brand ambassadors stationed on the sidewalk, interacting with passers-by and handing out skincare samples and small bottles of matcha; and

Whereas, the activation will not feature amplified sound or influencers; and

Whereas, the activation will include rope/stanchions and security on site; and

Whereas, setup is expected to begin at 8:30 AM, with the activation running from 10 AM to 4 PM, and breakdown complete by 4:30 PM; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of Tatcha Spring Street Pop Up for Sephora (Sponsor: IDEKO Productions), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

13. *8.16.24 – BSA Family Welcome Event (Sponsor: Broome Street Academy Charter School), Broome St. bet. Hudson & Varick Sts. [sidewalk & curb lane closure-both]

Whereas, the applicant, BSA Charter School at 555 Broome Street (co-located with The Door), is looking to hold a “Welcome” BBQ on Friday, August 16th, for new students ahead of the start of the school; and

Whereas, though the current SAPO application lists Broome Street between Hudson and Varick Streets for the site of the event, the applicant stated that they actually wish to hold this event on “Little” 6th Avenue, across from the entrance to the school, but was having trouble selecting that location in the SAPO system; and

Whereas, set-up for the event is planned to start at 10 AM, with the activation running from 12 PM to 4 PM, and breakdown complete by 5 PM; and

Whereas, the activation will include a grill and several tables from which there will be giveaways of snow cones and popcorn, along with a craft table; and

Whereas, the applicant is expecting around 150 attendees (75 families or so), but the event is open to the public; and

Whereas, the school has its own facilities team which will assist with sanitation; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of BSA Family Welcome Event (Sponsor: Broome Street Academy Charter School), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Adopted unanimously.

FYI / Renewals

14. .3, 8.10, & 8.17.24 – Open Streets- Summer Streets (Sponsor: NYC Dept. of Transportation), 1) Lafayette St. bet. Reade & Spring Sts. [full street closure]; 2)

- Lafayette St. bet. Worth St. & Wanamaker Pl. [full street closure]; 3) 4th Ave. bet. Wanamaker Pl. & E. 14th St. [full street closure]
15. 8.18.24 – 135th Annual Feast of St Rocco Block Party (Sponsor: St. Rocco Society of Potenza Inc.), Baxter St. bet. Canal & Hester Sts.-in front of Most Precious Blood Church [full street closure-both]
 16. 9.15.24 – The Urban Bear Street Festival (Sponsor: Callen Lorde Community Health Center), Little W. 12th St. bet. 10th Ave. & Washington St. [full street closure]
 17. 9.18.24 – Charlton Street Festival (Sponsor: Hudson Square BID), Charlton St. bet. Hudson & Varick Sts. [full street closure]
 18. 9.22.24 – Astor Place Fair (Sponsor: 6th Precinct Community Council), Astor Pl. bet. Broadway & Lafayette Sts. [full street closure]

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

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

Vote: Adopted unanimously.

19. 9.14.24 – The Village Trip (Sponsor: The Village Trip), W. 4th St. bet. Barrow St. & 6th Ave. [full street closure]

Whereas, CB2 wishes to have the opportunity to hear more about this event from the applicant; now

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

Vote: Adopted unanimously.

20. 10.31.24 – NYU & CB2 Children’s Halloween Parade (Sponsor: New York University and Community Board 2), LaGuardia Pl. bet. Washington Sq. So. & W. 3rd St. [full street closure]

No resolution on this event.

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



Antony Wong, *Treasurer*
Emma Smith, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

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TRAFFIC AND TRANSPORTATION COMMITTEE

June 2024

The Traffic and Transportation Committee of Community Board #2, Manhattan held its monthly meeting on Tuesday, June 25, 2024, at 6:30 p.m., in Hybrid format (in person at CB2 office and online).

Board Members Present in Person: Shirley Secunda, (Chair), Stella Fitzgerald, Susan Gammie, Jeannine Kiely, Janet Liff, Antony Wong.

Board Members Absent with notification: Amy Brenna, Lois Rackoff, Rocio Sanz.

Public Members Present in Person: Daniel Miller.

Public Members Present Remotely: Joseph Flahaven.

Public Members Absent:

Other Board Members Present: In Person: Ben Listman, Eddie Siegel.

Remotely: Carter Booth, Katy Bordonaro, Donna Raftery.

Guests: Preston Johnson, Kate Scherer, Shawn Macias & Craig Baerwald (DOT), Nicole Barth (Council Member Erik Bottcher), Jake McNally & Sean Lewin (Hudson Sq. BID), Pete Davies, Molly Gozlan, Darlene Lutz, Michael Markowitz, Jonathan Weizmann, Chris Sanders, Kathy Park Price, Conrad Fried, Gaston Maticorena, Andrea Pedersen, Jack Ahern, Daniel Sutton, Ethan Littlefield, Austin Celestin, Scott Clark, Viven Mehta, Ashya Worah, ADRV Worah.

RESOLUTIONS:

1. Resolution in response to presentation by NYC Dept. of Transportation (DOT) proposing Protected Bike Lane Upgrades on 6th Avenue from Lispenard St. to West 14th St.

Whereas the NYC Dept. of Transportation (DOT) presented a proposal for extending the 6th Ave. bike lane south from W. 8th St. to Lispenard St. and adding upgrades along that corridor and up to W. 14th St. to improve safety and accessibility for pedestrians, cyclists and public bus (M55 and M21) users; and

Whereas DOT's proposed design includes:

Lispenard St. to W. Houston St.

- 8 ft. protected bike lane on e. side of 6th Ave. (e. side location avoids conflicts with and congested intersections from left-turning tunnel-bound traffic on w. side). 3 ft. buffer, 9 ft. parking lane/painted pedestrian space, three travel lanes (11 ft, 10 ft, 11 ft.), with 8 ft. parking lane on w. side.
- Bus boarding islands on e. side of 6th Ave. to reduce conflict btw. buses and bikes and improve MTA bus accessibility. Boarding island placements are being studied at existing bus stops at W. Broadway, Thompson, Broome, Prince and Spring Sts.
- Pedestrianization of Sullivan St. slip lane at Watts St. with northbound access retained from Broome St.

W. Houston St. to W. 8th St.

- 8 ft. protected bike lane on w. side of 6th Ave., 3 ft. buffer, 9 ft. parking lane/painted pedestrian space, three travel lanes (10 ft., 11 ft., 11 ft.), with 8 ft. parking lane on e. side.
- Bus stops remain in place on e. side of 6th.

W. 8th St. to W. 14th St.

- Widened (10 ft.) protected bike lane (allowing cyclists passing - 5 ft. + 5 ft.) on w. side of 6th Ave., 3 ft. buffer, 9 ft. parking lane/pedestrian island, three travel lanes (11 ft., 11 ft., 11 ft.), with 11ft. parking lane on e. side.
- Existing concrete islands preserved in place.
- Travel lanes continuing configuration from below 8th St.

Whereas Community Board No. 2 Manhattan (CB2) has been requesting that the 6th Ave. protected bike lane be extended from its W. 8th to W. 14th St. CB2 location south to Canal St. in several resolutions since 2016, and DOT is proposing an extension to Lispenard St., actually one block south of Canal, providing a continuous and very welcome protected bike lane connection and safe passage all the way from Church St. and 6th Ave. btw. Barclay and Lispenard Sts. to 59th St. where, except for the stretch btw. Lispenard and W. 8th St., protected bike lanes have previously been installed; and

Whereas in its resolution of January 22, 2016, CB2 requested that the travel lanes on 6th Ave. btw. Canal and W. 14th Sts. be reduced from four to three in the interest of shorter, safer street crossings for pedestrians and more room for bicycle safety plus amenities, citing similar lane reductions on 8th and 9th Aves. that DOT studies showed didn't cause additional congestion; and

Whereas currently, DOT has run traffic models that show that a preponderance of the traffic on 6th Ave. heads west to the Holland Tunnel, allowing sufficient space to accommodate the remaining moving vehicles in three lanes; and

Whereas although there are concrete pedestrian refuge islands at intersections on the W. 8th to W. 14th St. portion of 6th Ave. (with the existing bike lane) providing shorter crossings and safe havens for pedestrians traversing the street, the DOT's plans for such intersection crossings on the Lispenard to W. 8th St. proposed bike lane portion allow only for markings, paint and vertical plastic bollards. However, DOT has indicated that if CB2 feels strongly that concrete refuge islands are needed at specific locations, DOT encourages CB2 to share information with

them about these locations and needs, and DOT will take another look and see what can be done, keeping in mind the limited amount of concrete DOT has available; and

Whereas bicycle volumes on 6th Ave. have grown heavily (2,000 bikes in a recent 12 hour count) and continue to grow, accompanied by greater e-bike use with larger speed differences and more passing in the bike lane as well as wider cargo bikes that leave less room for passing, necessitating added bike lane width; and

Whereas the bike lane crossover from the east to the west side of 6th Ave. is planned to occur at Houston St., aided by signalization and markings such as green dashes across the intersection directing cyclists where to go. Advance notice to be prepared for the switch is imperative; and

Whereas there are continuous problems with traffic conflicts, congestion and gridlock as vehicles advance to enter the Holland Tunnel from 6th Ave. that call for continuous oversight and enforcement by the NYPD which has been diminished and needs to be increased; and

Whereas attention needs to be paid to ensure an orderly progression of traffic on 6th Ave. that is headed to the Holland Tunnel and to organize and separate those vehicles that are proceeding to the Tunnel from the through traffic, i.e., vehicles that are continuing to go on straight ahead; and

Whereas it was observed that there is a significant amount of loading and unloading activity on 6th Ave. in the Canal to 14th St. bike lane area that needs to be accommodated to avoid double-parking and other vehicular conflicts; and

Whereas there were concerns that extensive subway construction and infrastructure projects taking place on both sides of 6th Ave. from Canal St. up and beyond Grand St. would conflict with the anticipated bike lane installation, and DOT assured that they've done a site visit with DOT engineers and have been conferring with MTA, and that they are prepared to work around the obstacles as needed;

Therefore be it resolved that CB2 thanks DOT for responding to the need to fill the gap of a missing protected bike lane on 6th Ave. btw. W. 8th and Canal Sts., as expressed by CB2's many resolutions since 2016, and extending the lane further south to Lispenard St., providing for a continuing safe route for cyclists from the Financial District to Central Park; and

Be it further resolved that CB2 is in favor of reducing the four travel lanes on 6th Ave, where motor vehicles often move at high speed, to three travel lanes; and

Be it further resolved that CB2 asks DOT to install concrete pedestrian refuge islands as initial elements in the protected bike lane upgrades on 6th Ave. at the following hazardous locations:

- SW corner of Greenwich Ave., considered to be an exceptionally (perhaps the most) dangerous 6th Ave. crossing, at a busy, complex intersection with an oddly angled left turn into Greenwich where a concrete refuge island also is needed for protection.
- SW corner of Waverly Pl., another location where motorists turn left from 6th.
- NW corner of Carmine St.
- NW corner of Bleecker St.

- NW corner of W. 4th St.
- NW corner of Washington Pl.; (At these remaining four cross streets, motorists turn left into 6th Ave.); and

Be it further resolved that CB2 requests that DOT put in planters in the concrete pedestrian refuge islands that will be newly installed, similar to those that DOT previously installed in the concrete refuge islands on 6th Ave. btw. W. 8th and W. 14th Sts.; and

Be it further resolved that CB2 supports the greater width of the 6th Ave. bike lane from Lispenard to W. 14th Sts. to accommodate ever-increasing bicycle traffic as well as faster moving bikes and wider bike configurations; and

Be it further resolved that CB2 strongly recommends that DOT erect signage and other highly visible cues announcing the upcoming bike path switch from east to west on 6th Ave. at Houston St. at least one block, or more, in advance of reaching Houston; and

Be it further resolved that CB2 urges the NYC Police Department to increase its assignment of traffic officers at approaches to the Holland Tunnel to enforce the safe and orderly movement of motor vehicles to the Tunnel; and

Be it further resolved that CB2 advises DOT to separate 6th Ave.'s Holland Tunnel-bound traffic from its through traffic through the use of flex posts that form the dividing line between 2 tunnel-bound lanes on the west and one through-lane on the east, especially in the area of Canal, Watts and Broome Sts., similar to what is done on Varick St. and on Hudson St.; and

Be it further resolved that CB2 calls upon DOT to conduct a study to identify key spots where considerable delivery and loading/unloading activities take place on 6th Ave. from Canal St. to 14th St. and based on its findings, to develop and install dedicated loading zones where needed in that area; and

Be it finally resolved that CB2 encourages DOT to continue to confer with and monitor the construction work on 6th Ave. of MTA NYC Transit, particularly at Grand Canal Courts, as well as with DEP regarding construction at Duarte Sq., and to coordinate 6th Ave. bike lane installation with these efforts.

Vote: Unanimous in favor.

2. Resolution Welcoming Stop signs on Washington St. at Bank St.

Whereas the intersection where Bank St. crosses Washington St. is the only one where Washington St. has lacked either a Stop sign or a traffic light as it heads south from the Meatpacking District to Canal St., creating highly hazardous conditions for both pedestrians and cyclists crossing Washington at that location as well as for motorists either traveling on Washington or entering that intersection heading east from Bank, because these conditions have facilitated fast-moving, non-stop traffic there; and

Whereas there is a traffic light one block immediately north of the Washington/Bank St. intersection, at Bethune St., and a traffic light one block immediately south, at W. 11th St., which has exacerbated the tendency for drivers to speed up through Bank St., surging ahead to catch the next green light and failing to take account of those crossing Washington at Bank while they focus on trying to beat the light; and

Whereas there are Stop signs on the northwest and southwest corners of Bank St. at Washington St., but there's a small incline as Bank approaches Washington, interfering with visibility and making it necessary for drivers to advance halfway into the intersection before they can see approaching vehicles on Washington, that has further compounded the potential for dangerous conflicts that now can be avoided with oncoming motorists halted by Stop signs that the NYC Dept. of Transportation (DOT) now has installed on Washington; and

Whereas there are high visibility crosswalks traversing both the north and south sides of Washington St., but they have not been accompanied by the customary Stop signs or traffic lights which are usually required with crosswalks; and

Whereas there has been a pedestrian crossing sign at the northeast corner of Washington St. at Bank, which has been ignored by motorists, and, as a great majority of Community Board No. 2 Manhattan (CB2) members and community constituents have observed, these types of signs are neither noticed, nor recognized, nor heeded by drivers and are a weak and useless substitute for Stop signs and a totally ineffective traffic control. Stop signs are established and easily-recognized, strong in their impact and highly effective; and

Whereas CB2 has been reporting these conditions and requesting Stop signs on Washington St. at Bank St. since 2014, 10 years, and constituents have noted that the danger at this crossing goes back many years before that; and

Whereas numerous complaints have continued to be received regarding this neglected threat to people's safety which has been worsening as automotive traffic has intensified, pedestrian and bicycle activity has increased and the population in the West Village area has grown. Constituents have reported not only endless near misses but also pedestrians hit by vehicles, plus vehicular collisions, some described vocally or in writing and others documented in photos and video; and

Whereas with the new Greenwich House Senior Center operating at 155 Bank St., a considerable number of highly vulnerable older people are now and will be using this Washington/Bank St. intersection frequently and need protection from the non-restrained traffic that has been there, along with the many others who have been regularly exposed to the dangers of this up to now uncontrolled crossing; and

Whereas this area is particularly crowded with pedestrians going back and forth all day: the many local families who reside there, people on their way to and from the Hudson River Park, children from the West Village Houses and Westbeth crossing Washington St. on their way to and from P.S. 41, P.S. 3 and other local schools, those heading to MS297/75 Morton, students going to the New School for Drama, pre-schoolers and their parents coming to the Perry Nursery

School, patrons of the Westbeth Theater, people walking to art events at the Westbeth galleries, as well as bicyclists accessing the Citi Bike station on Bank St. and cycling across Washington St., all who have been exposed to the constant danger of oncoming, non-stopping, swift vehicular traffic; and

Whereas scaffolding juts out on the west side of Washington St. in relation to masonry and facade work that is being done there in Westbeth buildings beginning at 137 Bank St./744 Washington St. at the northwest Washington/Bank St. corner and going north to Bethune St., obscuring visibility. This will need to remain for approximately two more years; and

Whereas in past evaluations of this extremely dangerous situation at Washington and Bank St., DOT has relied rigidly on formulas such as those in the MUTCD (Manual on Uniform Traffic Control Devices), but these are only guidelines that don't reflect the actual day-to-day experience of those who live around and/or constantly use this intersection and are regularly exposed to the hazardous conditions at that location, a situation that it has been imperative to correct; and

Whereas DOT has now recognized the dangerous conditions at this intersection with its installation of Stop signs on the northeast and northwest corners of Washington St. at Bank St.;

Therefore be it resolved that CB2 thanks DOT for installing Stop signs on the northeast and northwest corners of Washington St. at Bank St.; and

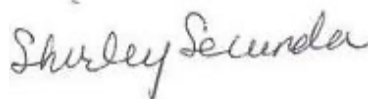
Be it further resolved that CB2 further thanks DOT for adjusting the Stop sign placement on the northwest side of Washington St. at Bank St. to avoid interference with visibility by the existing scaffolding; and

Be it further resolved that CB2 appreciates DOT's recognition of the day-to-day experiences and observations of those who live around and/or constantly use this intersection and have been regularly exposed to the hazardous conditions at this location; and

Be it finally resolved that CB2 strongly recommends that DOT paint STOP on the roadbed of Washington St. as it approaches Bank St. without delay to provide needed extra protection from the untenable traffic conditions at this location that have required remediation for so long.

Vote: Unanimous in favor.

Respectfully submitted,



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

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



Antony Wong, *Treasurer*
Emma Smith, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

COMMUNITY BOARD NO. 2, MANHATTAN

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SLA LICENSING COMMITTEE 1

The SLA Licensing Committee's #1 and #2 of Community Board 2, Manhattan, held an in person, non-hybrid joint meeting at 6:30 PM on Tuesday, July 9, 2024 at the Church of St. Anthony of Padua, Lower Hall, 154 Sullivan St.

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

Public Members Present: R. Ely

Committee Board Members Absent with Notice: C. Flynn, L. Rakoff and A. Wong

Other Board Members Present: Valerie De La Rosa

RESOLUTIONS:

- 1. Spunto, Inc 65 Carmine St 10014 (OP-Restaurant, Lic ID# 0340-21-119590, SN# 1275071)**
(Alteration: Dining Out NYC-sidewalk on 7th Ave. So.)
 - i. Whereas,** the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 & #2 to present an application for an alteration to an On-Premises Restaurant Liquor License to add sidewalk seating on 7th Avenue South to their ground floor licensed premises located in a mixed-use, tenement-style building on Carmine Street between 7th Avenue South and Bedford Streets, the Applicant having been at the location since approximately 2009; and
 - ii. Whereas,** the Applicant previously had a licensed sidewalk café at the premises on 7th Avenue South under the prior DCA/DCWP program (Lic. ID #1325458-DCA) with 14 tables and 28 seats which closed at 10 PM, the instant application being the same as what previously existed (14 tables/28 seats with closing being 10 PM), the Applicant additionally agreeing to abide by all clear path requirements of the new Dining Out NYC program; and
 - iii. Whereas,** there will be no changes to the method of operation of the family-style Italian restaurant, the restaurant hours of operation will remain from 11 AM to 11 PM Sundays through Thursdays and 11 AM to 12 AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no DJs, promoted events, private parties, scheduled performances or cover fees, velvet ropes or movable barriers and no TVs; and
 - iv. Whereas,** a member of Carmine Street Residents Association appeared to speak in favor of the application provided that there would be no seating in either the sidewalk or roadway on

Carmine Street and that the seating currently in place be removed, the Applicant agreeing that they would not be applying for any seating on Carmine Street and that the current roadbed and sidewalk seating would be removed by August 3rd as is mandated by the Dining Out NYC program; 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 full-service Italian restaurant with the kitchen open and full menu items available until 11 PM every night.
 2. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 3. The hours of operation will be from 11 AM to 11 AM Sundays through Thursdays and 11 AM to 12 AM Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing time.
 4. Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café operating under the Dining Out NYC program located on 7th Avenue South consisting of not more than 14 tables and 28 seats.
 5. Sidewalk café will close no later than 10 PM and abide by all rules and regulations of the Dining Out NYC program including clear path requirements and that all service will be from within the sidewalk café boundaries. No exterior music, speakers or TVs
 6. No roadbed seating.
 7. Roadbed and sidewalk seating installed on Carmine Street as part of the temporary Open Restaurants program will be removed not later than August 3, 2024.
 8. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
 9. Will not have televisions.
 10. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 11. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 12. Will not install or have French doors, operable windows or open 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 keep current at all times required Permits and Certificates.
 15. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 16. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
 17. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel.
 18. 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 Restaurant Liquor License for **Spunto, Inc 65 Carmine**

St 10014, 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 board, 1 public)

- 2. Ruby’s West Village LLC dba Little Ruby’s Cafe 225 West 4th St 10014 (OP–Restaurant, Lic. ID# 0340-23-138523, SN# 1345228) (Alteration: Dining Out NYC-unenclosed sidewalk café)**
 - i. Whereas,** the Applicant and Applicant’s Representative appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 & #2 to present an application for an alteration to their On-Premises Restaurant Liquor License to add sidewalk seating on both West 4th Street and 7th Avenue South to their ground floor licensed premises located within a four-story mixed use townhouse building (ca. 1910) with a single story extension on a triangular corner of Seventh Avenue and West 4th Street in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and
 - ii. Whereas,** the Applicant originally appeared before CB2, Man. in November/2021 for their On-Premises Restaurant liquor license at which time Community Board 2, Man. unanimously recommended denial of the application due to the Applicant’s negative history and past conduct at their other establishments in CB2, Man.; at its March 22, 2023 full board hearing the NYSLA also denied the application due to the substantial negative history of one of the principals (Nicholas Mathers), the Applicant removed that principal from the license (although he retained financial involvement through a loan to the remaining principals) and was granted reconsideration of the application at the July 12, 2023 NYSLA full board hearing at which time the NYSLA approved the On-Premise Restaurant liquor license despite CB2’s objection that the issue was not just with the one principal but also with the remaining principal who was the manager at the other problematic establishments; the approval from the NYSLA having conditions including closing hours of 12 AM Sundays through Thursdays, 2 AM Fridays and Saturdays, background music only, that there would be no outdoor seating until the Applicant proved that they “were earnest and trying to get along” and that the fence on West 4th Street would come down; and
 - iii. Whereas,** the ground floor storefront premises, which operated for years as The Riviera Café, is roughly 4,835 sq. ft. (2,460 sq. ft. ground floor and 1,325 sq. ft. basement with the basement not being presented for patron service), the ground floor space being located in multiple buildings (225 and 229 West 4th St.) combined, with 35 tables and 70 patron seats, one (1) stand-up bar with 10 seats, in addition to 10 tables and 20 seats in the enclosed sidewalk café, the enclosed sidewalk cafe not physically separated from the interior premises, for a total interior patron seating occupancy of 100 seats, there is currently a single patron entrance in the “apex,” the southern, triangle part of the premises starting just north of the intersection of 7th Avenue and West 4th Street and running north on both sides until meeting the building entrance, the area being enclosed by a metal fence attached to the sidewalk, that fence having been installed by the owners of The Riviera Café (who also own the building) years ago, there is also an entrance on 7th Avenue South into the enclosed café which the initial application

showed would be the single entrance, that entrance not currently in use; a Certificate of Occupancy presented which permits eating and drinking on the first floor at 225 West 4th Street and at 229 West 4th Street; and

- iv. **Whereas**, the Applicant first appeared before CB2, Man.’s SLA2 Licensing Committee in June/2024 to present the instant alteration application at which time a number of concerns were raised and the Applicant requested to lay over the application to July/2024; nearby residents and the West Village Residents Association spoke against the application stating that the Applicant was continuing their past transgressions of not following agreements, photos were provided of patrons both sitting and drinking outside despite the fact that the NYSLA granted the license with the condition that there would be NO outdoor, there currently being bench seating in the enclosed “apex” area and a tall bench with chairs within the property line outside the interior restaurant by 10th Street and 7th Avenue South contrary to those specific and clear conditions imposed by the NYSLA; and
- v. **Whereas**, questions were raised about the metal fence along both West 4th Street and 7th Avenue South, the fence being shortened but not removed from West 4th Street as requested by the NYSLA, the proposed sidewalk café area consisting of 4 tables and 8 seats on West 4th Street being within the enclosed fence, the fence being 6’1” from the curb yet West 4th Street is a Neighborhood Corridor which requires an 8’ clear path in the DOT Dining Out NYC program and therefore the proposed seating does not follow the rules of the Dining Out NYC program; additional questions were raised about the initial illegal installation of the permanent fence, there being a stamped architectural drawing from 1993 made by an engineer (Nishan Balikjian) to accompany an application dated 2/8/93 for Zonor Restaurant Corp to NYC DOT showing a **removable** fence and removable red tiles, the installed fence instead being permanently affixed to the public sidewalk, the DCA/DCWP sidewalk café program at the time also requiring an 8’ clear path, yet the drawing shows a 6’ clear path with 4’11” being inside the fenced area, the sidewalk being 10’11” in width according to the engineer’s drawing; and
- vi. **Whereas**, the Applicant returned this month without providing any new materials prior to or at the meeting but stating that they were removing the permanent fence on West 4th Street and replacing it with a removeable fence, that they would adjust the proposed seating on West 4th Street by moving the fence and seating east 2’ to leave the required 8’ clearance while maintaining the 4 tables and 8 seats on West 4th Street in addition to 4 tables and 8 seats on the 7th Avenue South side of the “apex,” the bench, planters and fence on West 4th Street are currently in place and unchanged from their original location, there being no diagrams provided that document the changes being proposed, there are an additional 10 tables and 20 seats on the northern end of the 7th Avenue South side of the restaurant, in addition the Applicant is adding the counter and two seats within the property line that remain outside, the proposed exterior sidewalk seating being 18 tables with 36 seats and one counter with two seats for a total outdoor seating of 38 seats, all outdoor seating, doors and windows will close by 10 PM nightly; and
- vii. **Whereas**, a week following the SLA Licensing Committee meeting the Applicant provided a detailed diagram with measurements showing the removal of the fence around the “apex” with planters defining the sidewalk café area, the number of tables and chairs remaining the

same with the West 4th Street seating being moved to the east to allow for the Dining Out NYC required 8' sidewalk clear path on West 4th Street, all other seating remaining the same and conforming to the Dining Out NYC guidelines; and

viii. Whereas, there will be no changes to the method of operation of the restaurant, the restaurant hours of operation will remain from 9 AM to 12 AM Sundays through Thursdays and 9 AM to 2 AM Fridays and Saturdays and serve breakfast, lunch and dinner; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no DJs, promoted events, private parties, scheduled performances or cover fees, velvet ropes or movable barriers and no TVs; and

ix. 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 family friendly restaurant serving breakfast, lunch and dinner with the kitchen open until at least 10:30 PM nightly food available until closing every night.
2. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
3. The hours of operation will be from 11 AM to 11 AM Sundays through Thursdays and 11 AM to 2 AM Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing time.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café operating under the Dining Out NYC program with no more than 4 tables and 8 seats on West 4th Street, 14 tables and 28 patron seats on 7th Avenue South and one counter with two seats within the property line on 7th Avenue South which will operate with the same hours as the Dining Out NYC sidewalk seating.
5. Will abide by all rules and regulations of the Dining Out NYC program including all clear path requirements and that all service will be from within the sidewalk café boundaries.
6. Unenclosed sidewalk café and exterior seating within the property line will close no later than 10 PM. All tables and chairs will be secured at this hour. No exterior music, speakers or TVs.
7. Pre-existing enclosed sidewalk café consisting of 10 tables / 20 seats which was licensed with the Department of Consumer Affairs follows the same hours as the interior restaurant. There will be no speakers in the enclosed sidewalk café.
8. No roadbed seating.
9. Primary entrance will be located on 7th Avenue with entrance through the enclosed sidewalk café.
10. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
11. Will not have televisions.
12. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
13. Will not have patron occupancy/service to any portion of the basement of licensed premises.

14. Will not install or have French doors, operable windows or open facades.
15. Will not make changes to the existing façade except to change signage or awning or those currently pending or approved by LPC.
16. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
17. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
18. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
19. 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.
20. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
21. Will appear before CB2, Man. once a procedure is put in place for the enclosed sidewalk café under Dining Out NYC.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to the existing On-Premises Restaurant Liquor License for **Ruby’s West Village LLC dba Little Ruby’s Cafe 225 West 4th St 10014**, **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 board, 1 public)

3. Lume West Village LLC dba Lume West Village 259 West 4th St 10014 (OP–Restaurant)

- i. Whereas**, the Applicants appeared before Community Board 2, Manhattan’s SLA Committee #1 & #2 to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate an Italian bakery and café during the day transitioning to a full-service restaurant in the evenings on the ground floor of a six (6)-story mixed-use building (c. 1905) on the residentially-zoned block of West 4th Street between Charles and Perry Streets (Block #612/Lot #7503), the storefront being on the south side of the building; the building falling withing NYC LPC’s designated Greenwich Village Historic District; and
- ii. Whereas**, the premises proposed to be licensed is approximately 2,700 sq. ft. (1,600 sq. ft on the ground floor and 1,140 sq. ft. in the basement, the basement being accessed by an exterior sidewalk hatch with no patron use of the basement, the basement being for storage purposes only), there will be 27 tables with 54 seats and one (1) bar with eight (8) seats for a total patron occupancy of not more than 62 persons; there are three (3) entrances which will be used for patron ingress and egress two (2) bathrooms; and
- iii. Whereas**, the hours of operation will be Sundays to Wednesdays from 8:30 AM to 11 PM, Thursdays through Saturdays from 8:30 AM to 12:30 AM with last call at 12 AM, music will be quiet, recorded background only; there will be no TVs, DJ’s, no promoted events, or scheduled performances, no cover fees, velvet ropes, security personal or doormen, there is

no sidewalk or roadbed seating; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and

- iv. **Whereas**, the location was most recently operated as Let's Eat LLC dba Extra Virgin (Lic. ID #0340-22-106993, SN #1149114, exp. 6/30/2024) since approximately 2004, with a similar method of operation; and
- v. **Whereas**, the instant application initially included sidewalk seating on a previously-installed raised platform on the West 4th Street sidewalk described as being within the property line, that seating being utilized by the prior licensee when the DCWP/DCA sidewalk café program did not permit sidewalk seating within residentially-zoned neighborhoods unless it was within the property line, it being unclear for years how the prior seating was permitted as the seating did not fall within the property line; after meeting with the local block association and nearby residents the Applicant removed the sidewalk seating from the instant application and instead increased the interior seating from 47 seats to 62 seats to compensate for the loss of the exterior seating, there being significant documentation (the Borough President's map for the location, the offering plan for the condo-cop of 259 West 4th Street which indicates the lot line is the façade of the building, the deed to the property, the NYC Dept. of Finance tax lot information which indicates that the lot and building size are the same) that the previously installed platform is not within the property line and should not have been installed or utilized; and
- vi. **Whereas**, local residents wrote letters and appeared to voice their concerns about any seating on the exterior of the premises, this being a residential block with a narrow sidewalk and street, the residents having experienced the very negative quality of life impacts of sidewalk seating from the previous occupant and being strongly opposed to any outdoor seating at this location, the Applicant hearing those concerns and removing the sidewalk seating at this time, concerns were raised that the Applicant was unwilling to agree to not having any sidewalk seating in the future, the sidewalk being only 11' wide, the premises being located in a Neighborhood Corridor which requires an 8' clear path under the DOT Dining Out NYC program, additionally there are two tree pits in the sidewalk across from the restaurant, the residents otherwise being in support of the application and agreeing to the increase in interior seats to compensate for the loss of exterior seating and thankful for the Applicant's willingness to work with them; and
- vii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the On-Premises Liquor License, with those stipulations as follows:
 - 1. The Applicant will operate a full-service Italian bakery, café and restaurant serving breakfast, lunch and dinner with the kitchen open and the full menu available until closing every night. All patrons will be cleared and no patrons will remain after stated closing time.
 - 2. The hours of operation will be Sundays to Wednesdays from 8:30 AM to 11 PM, Thursdays through Saturdays from 8:30 AM to 12:30 AM with last call at 12 AM.
 - 3. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.

4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
5. Will not have any roadbed seating in the future.
6. Will not have more than 62 patron seats now or in the future.
7. 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.
8. Will not have televisions.
9. 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.
10. Will close all doors and windows at all times aside from 8:30 AM to 11:30 AM, allowing only for patron ingress and egress.
11. Will not have patron occupancy/service to any portion of the basement of licensed premises.
12. Will not install or have French doors, operable windows or open facades.
13. Will not make changes to the existing façade except to change signage or awning.
14. Will place any rooftop equipment on a timer so that it does not begin before 8 AM and is turned off every night at 10 PM.
15. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
16. Will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
17. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
18. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
19. Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
20. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
21. Will appear before CB2, Man. for alteration prior to submitting plans for any sidewalk or other outdoor seating.

viii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, where there already are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being **56 active licensed premises** within 750 feet of the subject premises according to LAMP, in addition to 5 pending licenses, the Applicant having met with the local block association and adjacent residents, the agreed upon stipulations being reasonable, the public interest standard being satisfied albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Restaurant Liquor License to **Lume West Village LLC dba Lume West Village 259 West 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 (7 board, 1 public)

4. United States of Aritzia, Inc 560 Broadway 10012 (OP–Restaurant, Clothing Store)

- i. Whereas,** the Applicant and Applicant’s Representative appeared before Community Board 2, Manhattan’s SLA Committee #1 & #2 to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate a retail clothing store with a restaurant in the cellar, ground and second floors of a six (6)-story commercial building (c. 1884) on Broadway between Prince and Spring Streets (Block #497Lot #18); the building falling within NYC LPC’s designated SoHo-Cast Iron District and NYC’s designated SoHo-NoHo Mixed Use District; and
- ii. Whereas,** the premises proposed to be licensed is approximately 35,598 sq. ft. (11,181 sq. ft. in the cellar, 8,390 sq. ft on the ground floor and 16, 027 sq. ft on the 2nd floor, the primary connection between floors being an escalator), there will be 13 tables with 40 seats and one (1) service bar with no seats in the second floor café/restaurant area, there are approximately three (3) tables with 24 seats in the cellar coffee station area; there one entrance on Broadway which will be used for patron ingress and egress and one entrance on Crosby Street which will be used by employees and will not have any patron use aside from emergency egress, there are eight (8) bathrooms; and
- iii. Whereas,** the hours of operation will be Sundays to Wednesdays from 10 AM to 9 PM Sundays through Saturdays (7 days a week), music will be quiet, recorded background only, inclusive of any private parties; there will be no TVs, DJ’s, no promoted events, or scheduled performances, no cover fees, velvet ropes, there is no sidewalk or roadbed seating; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and
- iv. Whereas,** the premises will operate as a clothing store with a full-service restaurant, with patrons being able to consume alcoholic beverages in the restaurant and have alcoholic beverages delivered to the cellar, ground floor and 2nd floor fitting room areas only as specifically indicated on the provided floor plans, the Applicant stating they expect 90% of the alcoholic beverages to be consumed in the restaurant and 10% in the fitting rooms; customers will not be able to carry their drinks from one area to the other, there is no service of alcohol in the cellar coffee station area; there may be two private parties/year at which time alcohol may be consumed in other areas of the store, and
- v. Whereas,** the location was most recently operated as Dean and Deluca New York Inc. (SN# 1305393), a market, since approximately 1977 to 2019; and
- vi. Whereas,** the local block association met with the Applicant and came to agreements regarding the customer use of Broadway Street only for ingress and egress with no customer use of the Crosby Street entryway and dedicated areas for the service of alcohol among other items, the primary concern being the licensing of such a large space albeit that the

consumption of alcohol is not occurring throughout the entirety of the premises, and that if this concept fails there remains the availability of a 35, 500 sq. ft. previously licensed premises for some other type of establishment; and

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

1. The Applicant will operate a full-service restaurant with the kitchen open and the full menu available until closing every night. All patrons will be cleared and no patrons will remain after stated closing time.
2. The hours of operation will be Sundays to Saturdays from 10 AM to 9 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 other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
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. Alcohol consumption will occur only in the designated areas, ie the restaurant and changing room areas, except during private parties. Customers will not be permitted to take drinks from one area to another.
8. Will have not more than two private parties per year.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will use Broadway entryway for customer ingress and egress. Crosby Street entryway will be for employee use only. There will be no customer use of Crosby Street entryway. Prince Street doorway will be closed off.
11. Trash pick up will occur on Crosby Street.
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 provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to opening.
15. Will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
16. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
17. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades.
18. Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
19. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

viii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, where there already are a significant number of licensed establishments in

Community Board 2 and in the immediate area, there being **43 active licensed premises** within 750 feet of the subject premises according to LAMP, in addition to 4 pending licenses, the Applicant having met with the local block association, the agreed upon hours and stipulations being reasonable, the public interest standard being satisfied albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Restaurant Liquor License to **United States of Aritzia, Inc 560 Broadway 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: In favor (For: 6 board D. Raftery, C. Booth, K. Bordonaro, E. Olson, B. Pape, S. Wittenberg; 1 public–R. Ely / Against: 1 board–Dr. S Smith)

5. Great Jones Distillers LLC dba Great Jones Distilling Co 686 Broadway 10012 (OP–Restaurant)

- i. Whereas**, the applicant is Proximo Spirits, an American spirits importer and international distributor based in Jersey City, New Jersey that is best known for importing and distributing Jose Cuervo, the world’s largest-selling tequila brand and who currently holds a NYS Class D Distiller Liquor License (ID # 0056-19-100569, SN # 1304034, exp. 5/31/25) at the location of the instant application; and
- ii. Whereas**, the Applicant and their representative appeared before Community Board 2, Manhattan’s SLA #1 Licensing Committee in March/2024 to present an application to the NYS Liquor Authority for a new Restaurant On-Premises Liquor License to operate a full-service ground floor restaurant and bar with ancillary 2nd floor tasting room, 3rd floor lounge and basement speakeasy spaces located across 4 floors, the kitchen being located in the sub-basement, in conjunction with the already-licensed craft distillery (since 2020) for the manufacturing of spirits and a small retail store, the premises occupying an entire three story commercial building (ca. 1951) which had previously never been licensed for the service of alcohol and had operated as a discount apparel/shoe store and before that as an Office Depot store, the building being located on Broadway between East 4th and Great Jones Streets (Block #531/Lot #3) and falling within NYC LPC’s designated NoHo Historic District and the designated Special SoHo-NoHo Mixed Use District; and
- iii. Whereas**, there are two entrances (2) to the building on Broadway and the Broadway entrances will be the only two entrances used by patrons for ingress and egress, there also being an emergency exit on Great Jones Alley in the rear of the building and a second rear entrance leading to Great Jones Alley that will be used for deliveries and trash removal only; and
- iv. Whereas**, the entire interior building is approximately 15,660 sq. ft., the first floor restaurant and bar taking up 1,775 sq. ft. with approximately 24 tables and 54 table seats, 1

bar with 5 seats, 1 chef's counter with 6 seats for a total seated occupancy of 66 seats and a legal occupancy of 150 persons, the second floor tasting room taking up 665 sq. ft. with 1 bar with 12 seats, 6 tables with 16 patron seats for a total seated occupancy of 28 patrons and legal occupancy of 90 persons, the third-floor lounge being 889 sq. ft. with 3 tables and 28 patron seats and a legal occupancy of 74 persons and cellar speakeasy being 648 sq. ft. with 1 bar with 8 seats and 5 tables with 24 seats for a seated occupancy of 32 and legal occupancy of 150 for a total patron interior seating capacity of 153 patrons from basement to third floor and legal occupancy of 464 persons, there being 14 bathrooms throughout, an additional 1,023 sq. ft. kitchen in the sub-cellar with additional employee lounge and storage facilities, there will be no TVs outside of private events; and

- v. **Whereas**, DJs or live amplified music and pre-advertised ticketing fees will be permitted and are limited to one-time private events that will not reoccur (a private event is defined as closing two or more spaces from public access for one event), but otherwise the entire eating and drinking premises will operate with background music or live acoustic music on every floor on a daily/nightly basis; and
- vi. **Whereas**, there will be no outdoor areas for the service of alcohol to patrons on the rooftop, sidewalk in front or elsewhere, and the hours of operation will be from 11:30 AM to 2:00 AM every day/night of the week with all patrons being cleared from the premises at 2:00 AM every night; and
- vii. **Whereas**, the Applicant originally appeared before CB2, Man. in January/2018 for an On-Premises Liquor License for a restaurant, bar/lounge and distillery at which time the full board of CB2, Man. recommended denial of the application due to a significant amount of community opposition which is outlined in the [January/2018](#) resolution, despite the Applicant being willing to agree to a number of stipulations, those stipulations were not sufficient to sway a large portion of local residents or members of CB2, Man., the Applicant moving forward with the Distillery Liquor License but not pursuing the On-Premises Liquor License at that time; and
- viii. **Whereas**, the holder of a NYS Farm Distiller (Class D) license “may produce liquor, has a 75,000 gallon limit on annual production, and requires 75% New York State ingredients in its products. A farm distiller may sell its liquor and any other New York State labeled products (beer, cider, wine, mead, liquor) at the licensed premises and to go.” The Applicant stating they want the On-Premises Liquor License in order to enhance the beverage menu offerings by having the ability to sell liquor not made in New York State but that otherwise the method of operation would stay essentially the same; and
- ix. **Whereas**, included in the March/2018 stipulations that the Applicant was willing to agree to at the time, but were not enough to appease the community or a number of community board members, were closing hours of 12 AM with the restaurant open until 11 PM nightly, background recorded music/no live music outside of private events, patrons being restricted from taking drinks from each distinct eating/drinking area to another, no cover/entrance fees, a limit of 12 full buy-outs per year for private or special events at which time there may be DJs, no transfer of the license to an unaffiliated party (ie the On-premises license will be surrendered upon leaving the premises); and

- x. **Whereas**, in its capacity as a distillery, the Applicant has been operating since 2020 with a full-service restaurant and bar on the ground floor, a tasting room bar open to the public on the 2nd floor, a VIP lounge/private, special event space on the 3rd floor and a stand-alone bar in the cellar level used for tours and private events with tours of the distillery offered to the public daily until approximately 8:30 PM, the distillery closing by 12 AM nightly (in 2018 the Applicant produced a “Letter of Intent” with the two adjacent buildings – 684 and 688 Broadway – limiting the operations of the Great Jones Distillery and hours of the restaurant and ancillary bars/lounge to reduce noise, maintain crowd control on Broadway in front of the premises and to curb excessive or disruptive uses of the Great Jones Alleyway during its proposed operations) though there is no limitation on their hours of operation under the farm distillery license; and
- xi. **Whereas**, the instant application differs in significant ways not only from the current method of operation but from what was agreed to, yet ultimately denied, in 2018; despite the Applicant presenting the method of operation as staying essentially the same as their current operations, they are asking to: extend the closing hour to 2 AM nightly and close the full-service kitchen an hour earlier at 10 PM nightly, switching kitchen service to lighter bar fare and thereby creating a late night 3 hour bar scene daily; add acoustic, non-amplified music to the daily operations with no restriction on location; have the ability for patrons to carry their drinks between floors and distinct eating/drinking areas; have up to 52 private events (a private event is defined as closing two or more spaces from public access for one event) per year potentially meaning that every Friday or Saturday night upwards of 200 persons would be leaving a private party with DJs and entertainment level music at 2 AM; also, with the addition of the On-Premises Liquor License, their service of alcohol will no longer be limited to that of New York State producers permitting them to serve any brand of alcohol including the full range of Proximo Spirits brands of alcohol; and
- xii. **Whereas**, the building is located within an M1-5B zoning district which allows certain residential use as of right and is located directly across the street from a C6-2 Zoning District; the abutting building to the North being residential on the upper floors, the abutting building to the South is residential on the upper floors, the building to the rear is residential on the upper floors and the building across the street is residential on the upper floors; and
- xiii. **Whereas**, as they had in 2018, the Applicant submitted an amended “Letter of Intent” with the two adjacent buildings (684 and 688 Broadway) limiting the operations of the Great Jones Distillery and hours of the restaurant and ancillary bars/lounge to 2 AM nightly provided there are not complaints from neighbors, stating that they had the support of the two closest residential buildings, yet no one from those buildings appeared to speak either in support or opposition to the application, residents of those buildings had appeared in 2018 in opposition to the On-Premises application with closing hours of 12 AM stating they were unaware of the agreement; and
- xiv. **Whereas**, a representative of nearby stakeholders representing 6 buildings and 110 stakeholders appeared and submitted written testimony in opposition to the instant application, stating that there had been no outreach to them, they had opposed the On-Premises application in 2018 with earlier closing hours and are opposed to the licensing of

a venue of this size with late night hours and a significant number of special events, most of these stakeholders having been members of the NoHo Bowery Stakeholders who shared their concerns and opposed the application in 2018, and continue to have the same concerns with the large number of special events, simultaneous small scale events in multiple spaces and similar style events and ongoing tours, which would have an impact on the quality of life in the immediate area; and

- xv. **Whereas**, there was additional written opposition from the owner of Kings County Distillery in Brooklyn concerned that the granting of an On-Premises Liquor License to Great Jones Distillery being owned by Proximo, a spirits giant that is best known for the brand Jose Cuervo, as well as other spirits such as Stranahan's, Bushmills, and Proper Twelve Irish Whiskey will create a corporate hub for these other spirit brands which is certainly not in the spirit of the New York distillery laws, as enacted in 2003 and 2009, that there are suitable spirits made in NY that meet every cocktail need as seen in the creativity from other farm distillery tasting rooms and sharing concerns that the granting of the On-Premises Liquor License sets a "dangerous precedent for any spirits behemoth to put up a token still and use it as a trojan horse to create a direct channel to sell marked down commodity spirits to a naïve audience;" and
- xvi. **Whereas**, at the March/2024 SLA committee meeting in an effort to see if there were parameters that could worked out to minimize the quality of life impacts, the Applicant was asked if the 2 AM closing could be confined to a single room or rooms to ameliorate concerns over the large size of the venue, the Applicant stating they needed the 2 AM for various events and couldn't be confined to any specific area, that they needed the flexibility to hold a large number of events until 2 AM, that they had not had complaints in the 3 years they have been in operation, it being pointed out that they closed at midnight, generally the time of other restaurants in the area, and that the quality of life impacts happen in the later hours; and
- xvii. **Whereas**, at the March/2024 SLA Committee meeting, the Applicant requested to lay the application over to April/2024 in order to do outreach to the neighbors and to determine if a list of stipulations could be agreed upon; to that end the SLA Committee provided a list of stipulations to the Applicant based off of the agreed upon stipulations in 2018 and what was heard both from the public and the Applicant at the March/2024 meeting for them to use as discussion points, the Applicant requesting to negotiate the stipulations outside of the SLA Committee meeting, being told instead to reflect on what was heard and discussed at the meeting, to do outreach to the neighbors and return to review the stipulations at the April/2024 SLA Committee meeting; and
- xviii. **Whereas**, the Applicant returned to CB2 Man.'s SLA Licensing Committee in April/2024 to further present their application for a Restaurant On-Premises Liquor License, the only significant change in the application from March/2024 was a reduction in hours from Sunday to Tuesdays to close at 12 AM nightly, the hours would remain from 11 AM to 2 AM Wednesdays through Saturdays, any private events would close at 2 AM regardless of the day of the week, the full kitchen would close at 10 PM nightly, it remained necessary for patrons to carry their drink from one designated area to another, including outside of private events, stating that patrons waiting for a table in the restaurant might be having a drink in one of the other areas, all of which are located on other floors, and need to carry the drink to the table once it's available, concerns remaining that this will lead primarily to

a large bar scene not only during private events but in the requested later evening hours, no one appeared to speak or submit written testimony in favor of the application, the Applicant again saying the Letter of Intent shows support from the two adjacent residential buildings yet there are no letters from specific residents of those buildings, the neighborhood group representing 6 buildings and 110 stakeholders again spoke and submitted testimony in opposition to the application citing the same quality of life concerns over the size of the venue and the late night hours; and

- ixx.** **Whereas**, after hearing testimony of the community and the needs of the Applicant, the Committee presented the Applicant with stipulations which included hours of 11 AM to 12 AM, 7 days a week (the hours agreed to by the Applicant in 2018) with 52 private events* per year (**a private event being defined as closing two or more spaces from public access for one event*), 12 of which can extend closing hours to 2 AM regardless of the day of the week with the possibility of a DJ and/or live amplified music during private events, the Applicant being willing to agree to all of stipulations aside from closing hours of 12 AM daily, instead insisting they need to close at 2 AM Thursdays through Saturdays; and
- xx.** **Whereas**, this application being subject to the 500 foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, there being 34 licensed premises within 750 ft. of the premises according to LAMP, there being quality of life concerns due to the size and late hours of the proposed operation, there being nothing unique added with the granting of this license as there are already numerous bars and restaurants in the immediate vicinity, the uniqueness of the premises being that of a distillery, the distillery itself taking up a small portion of the premises, that uniqueness being minimized by the addition of the On-Premises license, the Applicant currently able to operate with unlimited hours and number of private events under the existing Class D Distiller Liquor License only limited by their agreement with Board of Managers of 1 Great Jones Alley Condominium (as successor to Downtown RE Holdings LLC) and 684 Owners Corp., the Letter of Intent dated October 25, 2023 limiting the hours to 2 AM; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for Great Jones Distillers, LLC dba Great Jones Distillers, 686 Broadway basement, 1st, 2nd & 3rd Floors, 10012 on its application seeking a new Restaurant On-Premises Liquor License; and

THEREFORE BE IT FURTHER RESOLVED that if this application is filed by the applicant and is considered by the New York State Liquor Authority, CB2, Man. requests that this recommendation to deny the application is fully considered and thoroughly reviewed at the 500-ft. hearing and request that appropriate consideration be weighed that the licenses previously issued to the applicant for Class D-1 Farm Distiller licenses (for which no demonstration of public interest, convenience and advantage is required and which allows for the service of alcohol produced on site, from other NYS producers and other allowable uses) be considered as adequate for the premises, despite the applicant proposing that only 50% of the distilling process will occur at this premise; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the Liquor Authority after a 500-ft. hearing is conducted, CB2, Man. respectfully requests that this item be calendared to appear before the Members of the Authority for Determination; and

THEREFORE BE IT FURTHER RESOLVED that if this application is approved by the Members of the Authority, despite the above-stated recommendation to deny this application, CB2, Man. requests that all the stipulations listed below along with any additional stipulations that would address the impact of events at the premises, quality of life and other issues raised by immediately impacted residents and those with standing be incorporated into the “Method of Operation” on the Restaurant On-Premises Liquor License: (**A private event is defined as closing two or more spaces from public access for one event*)

1. Premise will be advertised and operated as a craft distillery, restaurant and bar with a small retail store across three floors and basement designed to promote and feature craft made liquor and other products from New York State (NYS). This application is to add a Restaurant OP Liquor License overlay to complement existing beverage offerings in order to expand offerings to include non-NYS manufactured liquor, but the focus of the premises will remain primarily on NYS craft made liquor and other products from NYS.
2. The normal hours of operation will be from 11 AM to 12 AM/midnight Sunday through Saturday. No patrons will remain after stated closing times.
3. Will operate full service restaurant and bar/lounge spaces with the kitchen open and full menu items available until at least 11 PM every night or one hour prior to closing, whichever is earlier.
4. The premises will operate as a distillery, full service restaurant and bar/lounge spaces with the kitchen open and full menu items available until at least 11 PM every night or one hour prior to published closing time for the restaurant, whichever is earlier; after that time substantial food items (e.g., appetizers, burgers, salads) will continue to be served.
5. The total number of private events* per year will not exceed 52. There may be up to 12 private events* that end at 2 AM, the remaining 40 private events end by 12 AM/midnight. No patrons will remain after stated closing times. A log will be kept and available for review of all private events*.
6. There will be no more than 3 stand up bars and 1 service bar. Any temporary stand up bar or service bar will be limited to private events* only.
7. The premises will not operate as a sports bar or allow any portion of the premises to be operated in such a manner.
8. The premises will not have televisions except 4-6 televisions used for private events* only.
9. There will be no outdoor dining including any sidewalk café, roadbed or rooftop/terrace seating.
10. Will play ambient recorded and acoustic (no brass, percussion, microphones) music at background levels only. Music system will be consistent with what was described in March 2024 CB2 questionnaire.
11. If necessary, will use an electronic reservation or queuing system capable of online messaging to interact with customers remotely to prevent crowds from queuing/gathering/waiting to enter on sidewalk, including for private events.
12. Will close all doors and windows at 8 PM every night and anytime there is amplified music, live music or a DJ. Should operable windows on the 2nd and 3rd floors cause issues with neighbors, GJD will revisit this policy to mitigate complaints.

13. Will comply with NYC Department of Buildings Regulations and will obtain Place of Assembly Certificate and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not offer “boozy brunches”. No pitchers of beer. There will be no “bottle service” or the sale of bottles of alcohol for on-site consumption except for the sale of bottles of beer or wine products. Exception for Great Jones Distilling branded products only.
15. Total patron occupancy on each floor will be limited to the proposed occupancy as presented to CB2 in March 2024 (proposed occupancy/legal occupancy: cellar speakeasy–40/150, ground floor restaurant–74/150, 2nd floor tasting room–42/90, 3rd floor lounge–36/74) for a total proposed occupancy of 192 and a legal occupancy of 464. Patrons will be restricted from taking drinks from each distinct eating/drinking area except when being led by a host from one of the other areas to the restaurant and during private events.*
16. All staff and all patrons/guests will enter on Broadway only and no patrons will be permitted in the Great Jones Alley at any times. The use/access to/from rear service entrance on GJ Alley will be limited to/for deliveries and trash removal and such use/access will be limited to daytime hours only. Employees will be prohibited from smoking or congregating in Great Jones Alley for any purpose other than deliveries and waste removal.
17. There will be an indoor refrigerated garbage room and all waste will be stored in this interior space before it is brought out for removal. Great Jones Alley will only be used to bring garbage out to the street and for deliveries via handcart or forklift during daytime hours at certain times (between 6 AM and 8 AM and again between 11 AM and 3 PM) as agreed upon with 684 Owners Corp. and Downtown RE Holdings LLC, the other parties in control of the Great Jones Alley.
18. GJD will take steps when needed to ensure that no double parking occurs on Broadway.
19. GJD affirms all appropriate sound proofing measures have been taken as recommended by GJD’s contracted sound consultant. Signs will be posted adjacent to the main entrance advising patrons to “Please respect our neighbors by lowering your voice”, or similar language, contingent upon approval from the New York City Landmarks Preservation Commission.
20. DJs and live (amplified) music, and pre-advertised ticketing fees, may be permitted and are limited to one-time private events* only that will not reoccur. There will be no dancing permitted except at a wedding or similar private event.
21. There will be dedicated personnel to manage patron street activity (ingress, egress, congregating and smoking) from 9 PM to close and anytime there is any event of fifty (50) or more people, or otherwise needed. The dedicated staff will also work to ensure that traffic on Broadway is not interrupted by patrons arriving and departing in vehicles, especially during private or special events.
22. There will be no 3rd party promoters or “red carpet” events or events that will attract groups of people and/or paparazzi/freelance photographers to crowd and overwhelm the sidewalk or roadway in front of the premises, and there will be no queuing on the sidewalk. Any type of cross promotional or promotional events consisting of more than one hundred-fifty (150) guests will be limited to four (4) events per month, will strictly adhere to all stipulations during those events, and all areas in front of and adjacent to the premises will be kept clear of related activity at all times with no lines, barriers, or congregating and no additional outdoor activity or placement of promotional related exterior signage, exterior furniture or related vehicles in front of or adjacent to the premises. If there are multiple private events* at any one time, GJD will use commercially reasonable efforts to stagger start/finish times of any such events in an

- effort to avoid sidewalk congestion. GJD may have up to 52 full buyouts per year for private or special events.
23. GJD shall provide neighbors and the Community Board with a working telephone number and email address and the names of the designated person who may be contacted for questions or complaints. GJD is committed to meeting regularly with the Community Board and members of the Community upon request and making best efforts to resolve unforeseen quality of life issues that may arise to the satisfaction of all parties.
 24. A copy of the executed stipulations will at all times be available for inspection and kept in close proximity to the liquor license.
 25. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

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

6. Noho Neighbors LLC 54 Great Jones Street (RW–Restaurant)

- i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 in [March/2024](#) 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 Applicant subsequently submitted a 30-day notice for a Restaurant Wine license for the premises, requesting a waiver of the 30-day waiting period and appearance, all other elements of the application remaining the same, the NYSLA currently permitting applicants to file for a beer and wine license concurrently due to the backlog at the NYSLA in order for applicants to get a temporary beer and wine license while waiting for approval of the On-Premises Liquor License; the details of the instant application are as follows:
- iii. **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
- iv. **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
- v. **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

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

1. Premises will be advertised and operated as a 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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a new Restaurant Wine License in the name of **Noho Neighbors LLC 54 Great Jones Street** unless the statements presented by the Applicant are accurate and complete and that

the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Restaurant Wine License.

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

7. 998LQ Sushi Inc dba Okinii 216 Thompson St 10012 (RW–Restaurant) (Corporate Change) (Lic. ID# 0240-230140741, SN# 1285920)

- i. Whereas,** the Applicant notified Community Board 2 Manhattan of a Corporate Change application being filed with the NYS Liquor Authority for their licensed premises operating as a Japanese Sushi restaurant in a mixed-use building located on the ground floor on Thompson St. between Bleecker and West 3rd Streets for a roughly 2,500 sq. ft. premise with 27 tables and 56 seats and one (1) sushi counter with 6 seats (not a stand up bar) for a total of 62 interior seats, there is one (1) service bar only, there is no sidewalk café and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an existing Certificate of Occupancy; and
- ii. Whereas,** the Applicant has been operating the premises since 2015 with no known complaints, the Corporate Change is that the majority shareholder is purchasing the shares of the other two shareholders becoming the sole owner of the LLC; and
- iii. Whereas,** the method of operation will remain the same with the hours of operation being from 11 AM to 12 AM (midnight) 7 days a week, music will be quiet background only consisting of music from ipod/cd’s/streaming, all doors and windows will be closed at all times except for patron ingress and egress, there will be no DJs, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV’s; and
- iv. Whereas,** the Applicant signed and executed a stipulations agreement with CB2, Man. in [March/2015](#) that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:
 1. The premises will be advertised and operated as a Japanese Restaurant/Sushi Restaurant.
 2. The hours of operation will be 11 AM to 12 AM and no patrons will remain after stated closing times.
 3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
 4. The premises will not have more than 2 televisions, no larger than 42 inches each (no projection tv’s).
 5. There will be no sound (zero volume) on any televisions.
 6. Televisions will not be visible from the street (i.e. through the front façade).
 7. The premises will not permit dancing.
 8. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
 9. The premises will not have a sidewalk café.

10. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at any time.
11. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. The premises will not have French doors, operable windows or open facades and will keep all doors closed at all times except for patron ingress and egress.
13. The premises will operate as a restaurant only.
14. There will be waiter service only. There will be no alcohol service to any standing patrons.
15. There will be no stand up bar – there will be 1 service bar only.
16. The storefront façade will remain closed at all times.
17. The licensee will never seek to upgrade to a full On-Premises liquor license.
18. The premises will not have “unlimited” drink specials.
19. All happy hour specials will end by 7 PM.
20. There will be no karaoke at any time.
21. Signage will not change from the existing style/design except for the name.

- v. **Whereas**, as the Applicant was the signer of the stipulation agreement in 2015 and there is no Change in Method of Operation or Alteration being filed for in conjunction the Corporate Change application, appearance by the Applicant at the July CB2, Man. joint SLA Licensing Committee's #1 & #2 meeting was waived; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Corporate Change to the existing Restaurant Wine license for **998LQ Sushi, Inc. dba OkinII, 216 Thompson St. 10012** (Lic. ID# 0240-23014074) **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 “Method of Operation” of the NYSLA Liquor License.

Note: Unanimous in favor (7 board, 1 public)

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

8. **NRK Cafe Inc dba Lelabar 422 Hudson St 10014** (TW-Bar/Tavern) (Alteration: Add backyard use, increase bar size)

Whereas, at this month's CB2, Manhattan's joint SLA #1 & #2 Licensing Committee Meeting on July 9, 2024, the representative requested **to lay over** this application to August/2024 so that the Applicant could be in attendance 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 **NRK Cafe Inc dba Lelabar 422 Hudson St 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and has shown that the use of the rear yard for an eating and drinking establishment is specifically permitted by DOB and provides supporting documentation and that CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

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

9. Air Mail 546 Hudson Street LLC dba Air Mail 546 Hudson 10014 (TW–Bar/Tavern)
(Rear Yard)

Whereas, just prior to this month's CB2, Manhattan's joint SLA #1 & #2 Licensing Committee Meeting on July 9, 2024, the Applicant requested to lay over this application to August/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 **Air Mail 546 Hudson Street LLC dba Air Mail 546 Hudson 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and has shown that the use of the rear yard for an eating and drinking establishment is specifically permitted by DOB and provides supporting documentation and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

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

10. Christopher Street Hospitality LLC 115 Christopher St. 10014 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's joint SLA #1 & #2 Licensing Committee Meeting on July 9, 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 **Christopher Street Hospitality LLC 115 Christopher St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application

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

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

11. MCD Hospitality LLC dba Le Baratin 26 Greenwich Ave 10011 (OP–Restaurant)
(Alteration: Dining Out NYC-sidewalk)

Whereas, at this month’s CB2, Manhattan’s joint SLA #1 & #2 Licensing Committee Meeting on July 9, 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 **MCD Hospitality LLC dba Le Baratin 26 Greenwich Ave 10011 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

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

12. Bento Brooklyn LLC dba Bento on Hudson aka Triangle Loft 675 Hudson St 5S 5N 10014 (OP–Catering facility) (Corporate Change)

Whereas, at this month’s CB2, Manhattan’s joint SLA #1 & #2 Licensing Committee Meeting on July 9, 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 **Bento Brooklyn LLC dba Bento on Hudson aka Triangle Loft 675 Hudson St 5S 5N 10014 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

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

13. 4 Charles Street Restaurant LLC dba 4 Charles Prime Rib 4 Charles St 10014 (OP– Restaurant) (Alteration to add adjacent space)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on July 9, 2024, the Applicant requested **to lay over** this application to August/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 **4 Charles Street Restaurant LLC dba 4 Charles Prime Rib 4 Charles St 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

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

Respectfully submitted,

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

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



Antony Wong, *Treasurer*
Emma Smith, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

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LAND USE & HOUSING COMMITTEE July 2024 Report to Full Board

Manhattan Community Board 2 Land Use & Housing Committee met Wednesday, July 10, 2024 @ 5:30 PM in person at CB 2's Conference Room and virtually via Zoom.

The first portion of the July 10 meeting (5:30 – 6:30pm) was a Joint Meeting with Manhattan Community Board 2 Parks & Waterfront Committee.

Land Use committee members present: Katy Bordonaro (Co-Chair), Eugene Yoo (Co-Chair), Anita Brandt (remote does not count for quorum), Carter Booth, Stella Fitzgerald (remote does not count for quorum), David Gruber, Michael Levine, Donna Raftery, Bo Riccobono (remote does not count for quorum), Frederica Sigel and Susan Wittenberg

Land Use committee members absent with notice: Anita Brandt

Land Use committee members absent without notice: none

Land Use public members present via Zoom: John Paul DeVerna (attended remotely)

Land Use public members absent with notice: Sean Sweeney

CB2 members present: Jeannine Kiely (Former CB2 Chair), Susan Kent (CB2 Chair), Chris Dignes, Valerie De La Rosa, Ryder Kessler, Matthew Metzger, Eddie Siegel, and Emma Smith

The Joint Meeting covered one topic:

- Presentations by the Department of Parks and Recreation and the Department of Housing Preservation and Development on updates concerning the Tony Dapolito Recreation Center and plans for the new building at 388 Hudson Street.

Notes from that Joint Meeting are covered under the Parks & Waterfront Committee Meeting Minutes.

The remainder of the Land Use meeting covered two additional topics:

1. * 503 Broadway – application to renew a previously granted special permit to conduct a large retail establishment under zoning that otherwise would not permit it.
2. Continued Discussion and Possible Consideration of a Resolution Concerning City of Yes for Housing Opportunity Citywide Zoning Text Amendment.

There were two resolutions resulting from this meeting:

1. [503 Broadway](#) – is an application to renew a [previously granted special permit](#) to legalize a 42,000sf retail establishment on the cellar, first and second floors of a condominium in the SoHo-Cast Iron Historic District.

Whereas

1. 503 Broadway is requesting a 3-year renewal of their special permit pursuant to ZR 74-922 which came before CB2 in 2019. This 74-922 action before the City Planning Commission was in regard to Zara’s unpermitted Large Retail operation at 503 Broadway, which had been found to be operating contrary to its Certificate of Occupancy by the NYC Department of Buildings and lacking the required Special Permit.
2. When the special permit application came before CB2 in 2019, the neighborhood had specific quality of life complaints – specifically that the deliveries for Zara, the retail store tenant, on Mercer Street were noisy and disturbing to residents and local businesses, and that such use would draw considerable vehicular traffic through local streets. CB2 recommended denial of the special permit at that time.
3. In the following years, the deliveries were switched from Mercer Street to Broadway and the quality of life complaints about deliveries ceased.
4. Currently, the employees of Zara take their breaks on Mercer Street. They eat and smoke on the stairs of local residents and businesses causing quality of life issues for the neighbors.
5. No one from Zara attended the July 2024 committee meeting.
6. The applicant’s attorneys did attend the July 2024 committee hearing but were unable to address the quality of life complaints.
7. At our July meeting, the Land Use committee requested that a representative of Zara attend the full board meeting on July 18 to explain how Zara intends to address the persistent quality of life complaints.

Therefore be it resolved that

1. CB2’s position of 2019 on the illegality of the floor area of this over-sized retail establishment has not changed.
2. CB2 is pleased that the delivery process has changed for the better.
3. CB2 urges the applicant to address the disruption of the neighbors on Mercer Street by working with their employees to use their break room.
4. CB2 requests that Zara or their attorneys provide all the relevant paperwork to the Board Office.

Passed unanimously (10 in favor, 0 against, 0 abstain and 0 recusals).

2. Continued Discussion and Possible Consideration of a Resolution Concerning **City of Yes for Housing Opportunity** Citywide Zoning Text Amendment.

The **City of Yes for Housing Opportunity** (COYHO) is a complex citywide zoning reform proposal from the Department of City Planning (DCP) covering many aspects of zoning with the stated goal of building a little more housing in every neighborhood. This approach, while worthy in its goal, fails to address in CB2M many of the failures and shortcomings of past rezonings as they related to the production of housing. CB2M believes that any zoning reforms specifically applicable within CB2M **must**: a) incentivize the production of housing over commercial and office development and b) include within any new housing production a significantly stronger mandate for required affordable housing.

Whereas:

1. CB2M has a history of strongly advocating for affordable housing (AH) in our district, but we have consistently lost to private developers in negotiations for the inclusion of voluntary new AH or inclusion of AH as of right in the Hudson Square district, as well as losing a huge amount of rent regulated units across the district prior to passage of the Housing Stability and Tenant Protection Act of 2019 through various decontrol loopholes. CB2M also has faced a steady loss of housing units due to conversions of multi-unit buildings to single-family homes.
2. While CB2M understands the need for more housing, we urge the proposal to be much bolder to incentivize affordable housing as a **mandatory** part of the entire COYHO. This could create a real incentive, where if developers of market rate housing want to move forward, they will need to incorporate affordable housing in their projects.
3. CB2M acknowledges the great need for housing in general. The COYHO plan addresses this city wide, but only in the area of market rate housing.
4. The only component of COYHO that touches on affordable housing relies on voluntary programs, which CB2M has seen rarely generates the number of projected units and does nothing to address the imbalance of commercial to residential in our district.
5. Key to our thinking on this issue is the 2013 Hudson Square rezoning, which was projected to create 3,300+ units of housing and included what the City considered generous incentives for building affordable housing. Since then, only nine new residential properties have been or are currently in the process of being built, culminating in adding only 1,618 new residential units to the neighborhood, 18% of which are affordable. Meanwhile, commercial projects such as the Google and Disney campuses have been built on sites projected for housing development.
6. COYHO will impact each community, neighborhood and community board differently across our diverse city of 8.33 million. CB2M believes that each of the communities specifically impacted by the many components of COYHO should have a louder and more decisive voice on those specific issues. Many of those proposals that do not directly impact CB2, such as town center zoning, elimination of parking mandates, transit-oriented development, district fixes and railroad right-of-way may include positive elements within them, but CB2M believes that the voices of

communities that are directly impacted by those elements of COYHO should be considered first in determining how to best incorporate those elements within their own communities and still achieve the citywide goals of COYHO.

Whereas proposals for COYHO include:

1. **Universal Affordability Preference and Updates to Mandatory Inclusionary Housing.** Universal Affordability Preference (UAP) is a program that replaces Voluntary Inclusionary Housing (VIH). It is designed to give additional floor area, typically 20% or more, in exchange for affordable housing with an average of 60% AMI. The updates to Mandatory Inclusionary Housing (MIH) are zoning text changes that would allow for Option 3 (“deep affordability”) to be selected on its own within Manhattan.
2. **Convert Non-Residential Buildings to Housing.** This proposal is designed to expand adaptive reuse regulations, allowing them in more geographical areas and with a larger subset of eligible buildings. The entire City would now be eligible, and buildings that were built up to 1990 would be eligible (previously, buildings were eligible if they were built in 1961 or before).
3. **Accessory Dwelling Units.** Accessory dwelling units (ADUs) are defined as a new type of residence structure that is at most 800 square feet and can be situated in the rear yard of a single- or two-family dwelling.
4. **Campus Infill.** This proposal changes how campuses can be developed, where a campus is defined as a housing development such as NYCHA, but the definition also includes other campus developments such as Washington Square Village in CB2M. These rules change how new development can occur in these campuses, moving away from “height factor zoning” which preserves the open space on these campuses and simplifies the zoning rules, removing the requirement for “open space” entirely. These infills can also be market-rate.
5. **Small and Shared Housing.** This proposal removes the “dwelling unit factor” in Manhattan, which is a method of ensuring that buildings are not built solely with small units. The reason for removing the dwelling unit factor is to allow for a greater variety of housing types, including single-room occupancy (SRO) housing with shared kitchens and common facilities, and micro apartments.
6. **Landmark Transferable Development Rights.** This proposal would allow as-of-right transfers of development rights, commonly referred to as “air rights”, from individual landmarks across a greater geographic area.
7. **New zoning districts.** This is a technical change that adds four new zoning districts in the Zoning Resolution, but does not add these to the zoning map.

Therefore be it resolved, Community Board 2 Manhattan is **opposed** to COYHO because it fails to address two long standing issues which stunt the production of housing and affordable housing across all income levels in CB2M, specifically the lack of incentivization of housing production over commercial and office development and the lack of inclusion of required affordable housing within new developments; and rejects COYHO **unless these issues are addressed and** the following changes are made:

1. **Update Mandatory Inclusionary Housing to reduce reliance on Universal Affordability Preference.**

CB2M is severely disappointed that COYHO places too much reliance on the UAP, instead of making substantive improvements to the mandatory affordable housing program. Notably, UAP is the **only** affordability component of COYHO. Overall, this represents a missed opportunity to

create more affordable housing, and CB2M supports updating MIH through a text amendment that for each MIH option would: a) deepen AMI averages; b) increase the percentage of affordable units per development; c) require a greater percentage of deeply affordable units per development; and d) increase the number of allowed income bands to ensure a range of lower incomes are evenly targeted. UAP formalizes a policy that makes affordable housing optional, and moves the City away from a framework of mandatory affordable housing. CB2M has also seen that, given a choice, developers have not chosen the voluntary program in the past, such as in the 2013 Hudson Square rezoning (see above).

2. Convert Non-Residential Buildings to Housing.

CB2M supports conversion of vacant offices and other non-residential buildings to housing but urges City Planning to further disincentivize developers to build offices instead of housing in CB2M to more fully realize the goals of COYHO. Historically, commercial buildings have typically been granted a larger FAR than a residential building in CB2M, so in a conversion scenario it is likely that the building being converted will have a larger FAR than if it had originally been built as a residential building. This is effectively a “bonus” for the developer. In keeping with the mindset that any bonus should be used for production of affordable housing, this proposal will be more effective and equitable in requiring that any difference between the total FAR of a converted office building and the maximum allowable FAR of a residential building in the same zoning be allocated towards affordable housing.

3. Legalize Accessory Dwelling Units in R1 through R5 districts.

CB2M contains a number of single- and two-family dwellings with rear yards, although the requirement for direct access to a street does limit the number of eligible lots.

There may exist configurations, similar to how carriage houses were incorporated into numerous Village townhouses, where an ADU may now be legalized within CB2M, although DCP categorizes this as “low density” proposal. In light of that possibility, it would be remiss to not include a provision for mandating affordable housing in these units.

4. Revise Campus Infill to Protect Affordable Housing Residents.

CB2M supports making it easier for campuses to add new buildings but insists that Mitchell-Lama and other public housing site campuses allow for use of Quality Housing regulations only through a new CPC special permit that requires 100 percent affordability on public sites, requires that public housing and large scale development sites meet certain findings related to impact on existing buildings and residences, and grants the City Council the opportunity to hear and vote on each application. This will protect existing affordable housing residents and preserve public review as these sites are expanded.

5. Eliminate Dwelling Unit Factor for Small and Shared Housing.

CB2M supports proposals that would bring a diversity of housing types to the district. The proposal to re-introduce housing with shared kitchens or other common facilities would do so by eliminating the dwelling unit factor, currently set at 680 square feet. However, there is a concern that eliminating the dwelling unit factor would allow developers to produce buildings of all-

studio apartments, decreasing the diversity of apartment types. A better solution may be to lower the dwelling unit factor, not eliminate it, thereby allowing single-room occupancy style housing while also preventing all-studio developments. Reducing, but not eliminating, the dwelling unit factor would still allow for micro apartments, which have been very successful in other cities as an entry point for people having their own dwelling.

6. Add Affordability Mandates when Expanding Radius of Transferable Development Rights for Individual Landmarks.

CB2M contains 70+ individual landmarks and is home to fourteen historic districts, so this is of special concern to CB2.

Allowing individual landmarks to sell development rights across a wider transfer radius and simplifying the procedure would create a useful market for Development Rights, allowing owners of landmarked buildings to generate funds for upkeep and maintenance of their historic buildings. The proposal also does not mandate the inclusion of affordable housing, which CB2M feels is a missed opportunity.

Be it further resolved that:

7. CB2M opposes the use of CPC authorizations for new projects and zoning changes instead of existing CPC or BSA special permits, which involve a public hearing to ensure that the needs and voices of our community are heard and acted upon.
8. CB2M agrees that the Mandatory Inclusionary Housing program needs to be overhauled.
9. CB2M finds the move away from Quality Housing to be unfortunate. This move severely reduces light and air requirements, and we recommend reconstituting the reliance on the standards of Quality Housing.

Be it further resolved that CB2M supports:

10. The creation of new zoning districts of:

- R6D: a 3 FAR district (with 75-foot height limit)
- R11: a 12.5 FAR district (with 325-foot height limit, permits towers)
- R11A: a 12.5 FAR district (with 325-foot height limit)
- R12: a 15 FAR district (with 395-foot height limit, permits towers).

Be it further resolved that CB2M strongly supports measures that will increase both the affordable *and* the market rate housing supply.

Passed (Vote: 9 in favor, 1 against (F. Sigel), 0 abstain and 0 recusals).

Respectfully Submitted,

Katy Borodonaro
Co-Chair

Eugene Yoo
Co-Chair

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



Antony Wong, *Treasurer*
Emma Smith, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

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The Human Services Committee of Community Board No. 2, Manhattan held its regular monthly meeting on June 27, 2024, at 6:30pm in a hybrid format.

Committee Members Present in person or remotely and counting towards quorum: Susanna Aaron (Chair), Keen Berger, Ivy Kwan Arce (remote)

Committee Members Absent With Notice: Zachary Kazzaz, Ryder Kessler, Emma Smith

Public Members Absent with Notice: Rachel Yarmolinsky

AGENDA

We will hear from two service providers based in our district that serve the city at large, as well as the outreach work by a local church. We hope to learn more about trends, impact of city and state policies on their work, and plans for the future.

1. Update from God's Love We Deliver
— A report from our November 2022 meeting with GLWD can be found [here](#).
2. Update from The Door— A report from our November 2021 meeting with The Door can be found [here](#).
3. Update from St Luke in the Fields on its outreach mission to support its neighbors

THE DOOR GUEST: KELSEY LOUIE, since 2021 Chief Executive Officer of The Door, a provider of youth development services, and Broome Street Academy, a charter high school housed in the same building.

The Door last joined CB2 in November, 2021. A report of that meeting can be found [here](#).

Updates since our last meeting:

-Biggest change is a larger influx of new New Yorkers. So far in 2024 The Door has received visits from at least 1500 people that fit this profile. These appear to be part of the great influx of migrants that has arrived in the city within the last few years.

-The Door's legal team - 25 lawyers and 25 support staff – are all bilingual in at least one language, but these new clients are bringing new languages with them – African dialects, Creole, etc - and The Door is finding language to be the biggest barrier to serving them effectively. It has developed a picture book to allow clients to point to the services they seek: food, housing, medical attention. The Door is not providing (and clients may not be seeking) counseling, mental health services – or other benefits for which they wouldn't be eligible.

-While The Door caps its clientele at 24 years of age, with this new population it is being less vigilant in providing emergency services: food, clothing, shower facilities.

-The Door served 11,000 young people before the pandemic, after which its clientele dipped to 7,500. It has since risen to about 9,500 this year – so the additional 1500 clients constitute about a 15 % increase, which is a strain on The Door’s budget. It has received a grant from Trinity Church Wall Street but otherwise relies on its government partners and private foundations.

-The Door is finalizing a new strategic plan that outlines four priorities for the next 3-5 years: 1) Continue to strengthen program model, especially in addressing the mental health crisis among youth. 2) Increase profile as thought leader and partner in the field of youth services. 3) Improve internal operations to continue to be an employer of choice. 4) Ensure financial sustainability.

-The Door is already an article 28 Federally Qualified Health Center and is in the final stages of acquiring an article 31, which will allow it to operate an enlarged mental health practice and collect Medicaid reimbursement for these services.

-As an article 28 facility The Door is required to serve individuals regardless of their ability to pay. While this is built into its budget, the recent 15% increase in migrant population produces greater financial losses than anticipated. These are “mission-driven” losses, not poor financial operations, but losses nonetheless.

-To address the shortage of social workers (an issue CB2 has heard repeated by every social service provider), The Door has developed an innovative partnership with NYU that will begin in September. Whereas the schooling for a Masters in Social Work (MSW) normally costs a student \$100,000, this partnership will allow 15 staff members at The Door to receive their MSW from NYU at a cost of only \$10,000. The program is made possible by two of The Door’s donors whose names have not yet been announced.

GOD’S LOVE WE DELIVER (GLWD) GUEST: DAVID LUDWIGSON, As of 18 months ago, President and CEO of God’s Love We Deliver, provider of medically tailored meals to people living with HIV/AIDS, cancer, and other diseases.

GLWD last joined CB2 in November, 2022. A report of that meeting is available [here](#).

-GLWD is the city’s only provider of medically tailored meals (MTM) and continues to grow. Originally tailored to patients with AIDS/HIV, around the beginning of the millennium it expanded its program to address patients with other diseases, such as cancer, Alzheimer’s, cardiac disease, etc. It expects to deliver 4.3 million meals – 650,000 more than last year – and projects over 5 million meals for next year. It expects to reach 10 million meals in the next three years or so.

-Expansion is attributed to overall recognition of the value of MTMs. An imminent 1115 waiver will allow New York State to use Medicaid funds to pay for MTMs. Insurance companies have begun to partner with GLWD because of the efficacy of MTMs in keeping patients healthy. Ludwigson shared statistics published in the Journal of American Medicine: patients on MTM

visit the emergency room 70% less often; those that visit the ER are 50% less likely to be admitted to the hospital; those discharged from a hospital stay are 72% more likely to be released to their home rather than to a nursing home.

- Its budget is about \$55 million, funded mostly by private donations, with around 30% from government contracts, plus discretionary funds from City Council.

-Operating capacity is a challenge. GLWD is at full capacity at its home base in the Michael Kors Building on Sixth Avenue, and in the space is has leased at the Northern Dispensary for additional administrative use. It is currently leasing space from City Harvest in Brooklyn. It has begun a capital campaign for more permanent solution in the form of 25,000-30,000 square feet for cooking and freezing of meals. The economies of scale in having few production locations makes it unfeasible to seek underutilized space in, say, existing church kitchens.

-GLWD staff, including temporary staff, is 240 people; 23,000 volunteers served last year.

-Operating costs include the 40 vans operating daily, the van drivers, and parking at Pier 40, which has increased by about 50% in the last two years.

-Within Community District 2 GLWD distributed over 81,000 meals last year, a 9% increase from the year before. CD2 clients tend to be older than GLWD's overall clientele. In the AIDS Crisis of the 80s, tragically, few of its clients reached old age. Today, about 75% of clientele is over 60 years old; in CD2, this rate climbs to 92%. The number of clients with HIV/AIDS, as opposed to other illnesses, is about 30% in CD2, or three times higher than GLWD's average across the city.

-GLWD would welcome CB2 support for funding additional vans at around \$75,000 each, and advocacy for its \$11 million investment in expansion facilities even though that location would likely be outside CD2.

ST. LUKE IN THE FIELDS ("St. Luke's") GUEST: MOTHER CAROLINE STACEY, Rector at St Luke in the Fields for 19 years.

St. Luke's is planning to build a building on its campus to house its outreach work.

HISTORY

St. Luke was a mission of Trinity Wall Street and the church was built in 1822 at 487 Hudson Street. The townhouses that ring the block were built soon after. The church became independent in the 70s and became the landlord of the block.

St. Luke's School was founded on the property to educate poor children but has since become independent of the church and leases space from it. The use of the schoolyard was loaned to the school but is not in fact covered by its lease.

OUTREACH

Outreach has always been part of St. Luke's mission work. In the 80s it was one of the few churches that would bury people who died of HIV/AIDS. It also had a food pantry, a visitation program, and a soup kitchen for people living with HIV/AIDS.

Its current outreach includes the following:

- GO educational program to help at-risk students with math and English. During the academic year this is held on Saturday mornings; during the summer, it runs full-time for five weeks. St. Luke's has run this program for 30 years and the summer session has over 100 participants.
- Community closet provides free clothing and other supplies on Saturday afternoons. St. Luke's has had to cap clients to 100 participants because of a lack of space. The need to set up and dismantle the shop each week is onerous.
- The Art and Acceptance program is held on Saturday evenings for about 200 LGBT youth ages 18-26. Clients are offered a hot meal and, occasionally, pro bono services, plus arts and recreational activities.
- About once a month the church offers Tea at 3 for older adults. It also offers a weekly yoga class.
- The church loans space to host 12-step program and would like to be able to host space to more groups. However, it is limited by a lack of space.

PLANNING A BUILDING

- The church's parish hall burned down in 1981, and after rebuilding the church interior St. Luke's ran out of money to rebuild it. It relies on the school building and on Laughlin Hall to run its programs.
- To address this, the church plans to build a structure to house its outreach work. The project is in an early phase but some elements have been identified:
- The building will be on Christopher and Hudson Streets, backing up to the brownstones to the north of the church and occupying a part of what is currently the school playground.
- The playground was not part of the lease when the school became independent of the church in 2012. The church has been loaning the space to the school gratis. A shared space protocol was carved out granting the church default usage of designated school spaces on weekends and after 6pm on weekdays.
- The school will retain some of its playground, and the church plans to redesign interior parts of the campus to create additional child-friendly areas.
- The building will constitute roughly 6,000 square feet on a single floor, will be non-residential, and will operate from 9am to 9pm.
- The interior is envisioned as a large flexible gathering space that can be configured for concurrent and varied uses.
- The building's site on the corner is part of a master plan for the campus that was submitted to the Landmarks Preservation Commission in 2013.
- The main entrance to the building is expected to be on Hudson Street. A second egress will be on Christopher Street. A third egress point at the rear (or western side) of the building will be secured during the school day to create a barrier from the school population.
- The planning of this building comes at the end of other changes to the campus: the school expanded; a former parking lot has transitioned to a co-op building with 20% affordable units.

-The program will be a continuation and expansion of existing church activities. Contrary to rumors, it will not house a substance treatment center, senior housing, or a drop-in center.

Questions from the public expressed concerns:

- Loss of the playground space for the school students.
- Fear that the church could run out of funding before the project is finished.
- Impediments presented by Landmarks Preservation Commission approval, vicinity to the PATH train, etc.
- Fear for the safety of children in the nearby elementary schools.
- The impact of construction on the surrounding community.
- Support for the church's mission, but opposition to the location of the new building.
- Guests at the meeting requested that Mother Stacey return to CB2 to further flesh out details of the plan and to respond to community concerns.

DRAFT

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



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SCHOOLS & EDUCATION COMMITTEE

June 2024

The Schools & Education Committee met on Monday, June 24, 2024, at 6:30 PM, in the conference room of the CB2 office (hybrid).

CB 2 Schools & Education Members Present: Patricia Laraia (Chair), Mar Fitzgerald (Vice Chair), Keen Berger, Emma Smith

CB 2 Committee Members Remote: Ed Ma, Rich Caccappolo

CB 2 Schools & Education Board Members Absent with Notice: Anne Hager, Matthew Metzger

Representative from Electeds (remote): Nicole Barth • CM Erik Bottcher's Office

Attendees (remote public): Darlene Lutz

The meeting was called to order at 6:35 pm

Agenda: School Budget Priorities: Capital and Expense Budget Priorities for Fiscal Year 2026

Patricia introduced the committee and announced that Mar Fitzgerald is now the Vice Chair of Schools replacing Anne Hager due to her other commitments. She reviewed the funding needs for the schools in CB 2: [PS 3 Charrette School](#), [PS 41 Greenwich Village School](#), [PS 130 Hernando Desoto School](#), [75 Morton|MS 297](#), [Manhattan School for Career Development \(751M@323\)](#), and six high schools: [Broome Street Academy](#), [Chelsea Career and Technical Education](#), [City-As-School](#), [Harvest Collegiate](#), [Harvey Milk](#) and [NYC iSchool](#).

Principal Renny Fong of PS 130 highlighted the need for window upgrades and new lighting fixtures. He was connected with Caitilin Kelmar from CM Marte's office to

help incorporate this project into the School Construction Authority's 5-year capital plan.

Patricia reiterated Harvest Collegiate High School's need for additional open spaces and 30 MacBooks to support Filmmaking, Graphic Design, Robotics, and AP Computer Science classes.

The Manhattan School for Career Development (751M@323) requested funds for:

- A Health & Wellness Studio for student activities.
- A Student Success Lounge for enhancing literacy, digital skills, and assessments.
- A Sensory Hallway to support students' social-emotional learning.

These requests were forwarded to Nicole Barth from CM Bottcher's office.

Harvey Milk High School requested funding for smartboards, and Patricia connected Assistant Principal Jabir with Katie Loeb from CM Rivera's office to facilitate future funding requests.

Patricia reminded the committee that we will check in with CB2 schools again in September after FY25 requests are answered (est. July 2024).

Business session: CB 2 Schools and Ed Committee met in business session to discuss how to prioritize the District Needs for CB 2 Schools.
Meeting was adjourned at 7:45PM

Schools & Education Committee • Capital and Expense Priorities

Capital

1. Allocate funds for technology improvement, including smart boards for [Harvey Milk High School](#), devices, connectivity, laptops, and computers for [Harvest Collegiate High School](#). (DOE)
2. Allocate funds to upgrade the gymnasium by leveling the flooring and replacing seats with bleachers at Chelsea Career and Technical School (SCA)
3. Allocate funds to create a sensory gym at [PS 3 Charrette School](#) for their students in the [ASD Horizon](#) D2 program. (DOE)
4. Allocate funds to upgrade the air conditioning system in the gymnasium and level the flooring and replace seats with bleachers at [Chelsea Career and Technical School](#) (SCA)
5. Allocate funds to upgrade windows on the building and light fixtures at [PS 130 Hernando Desoto School](#). This will be included in the SCA 5-year plan (SCA)
6. Allocate funds for [Manhattan School for Career Development \(751M@323\)](#):
 - a. Health & Wellness Studio: Multi-purpose recreational space for students to participate in movement and mindfulness. (SCA)
 - b. Student Success Lounge: Space to promote literacy, digital citizenship, and success on assessments. Electrical reconfiguring, adaptive seating, and technology will be needed. (SCA)
 - c. Sensory Hallway: Built in sensory activities in hallways to help students self-regulate as a part of our SEL supports for students. (SCA)

Expense

1. Allocate funding to reduce class size city wide at an estimated cost of \$137 million for hiring teachers, covering only about 1,300 out of the estimated 10,000 to 12,000 teachers needed. Prioritizing first elementary schools, middle schools then high schools within District 2 within the five-year phase-in period ending in 2028. (DOE)
2. Allocate funds for the [NYC Men Teach](#) to recruit, train, and retain talented non-traditional public school educators in order to close the representation gap between our students and those who teach them. (DOE)
3. Allocate funds for teacher training and reading and writing curricula that use a structured literacy approach. (DOE)
4. Allocate funds to maintain the most recent baseline funding for arts education (\$41 million, FY25). (DOE)
5. Allocate funds for the City Environment Quality Review (CEQR) process for funding, siting, and building new public schools. (DOE)
6. [Allocate funds for an array of before-and-after school activities across all grade levels that is free of charge to students and families.](#) (DOE)

Respectfully Submitted,

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