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Brian Pape, *Assistant Secretary*  
Mark Diller, *District Manager*

## COMMUNITY BOARD No. 2, MANHATTAN

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### FULL BOARD MINUTES

**DATE:** October 24, 2024  
**TIME:** 6:30 P.M.  
**PLACE:** MS 323 NYC, Cafeteria, 75 Morton Street and via Zoom

#### ATTENDANCE

**BOARD MEMBERS PRESENT IN PERSON:** William Benesh, Carter Booth, Katy Bordonaro, Amy Brenna, Richard Caccappolo Valerie De La Rosa, Chris Dignes, Arturo Fernandez, Mar Fitzgerald, Susan Gammie, Juliet Kaye, Susan Kent, Janet Liff, Benjamin Listman, Matthew Metzger, Erika Olson, Brian Pape, Donna Raftery, Lois Rakoff, Rocio Sanz, Shirley Secunda, Eddie Siegel, Frederica Sigel, Emma Smith, Dr. Shirley Smith, Anthony Wong, Eugene Yoo (27)

**BOARD MEMBERS PRESENT VIA ZOOM AND COUNTING TOWARD QUORUM:** Ivy Kwan Arce, Chenault Spence (2)

**BOARD MEMBERS PRESENT VIA ZOOM AND NOT COUNTING TOWARD QUORUM:** Ritu Chattree, Andy Diaz, David Gruber, Bo Riccobono (4)

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Susanna Aaron, Keen Berger, Anita Brandt, Stella FitzGerald, Cormac Flynn, Zachary Kazzaz, Ryder Kessler, Jeannine Kiely, Patricia Laraia, Michael Levine, Ed Ma, Susan Wittenberg (12)

**BOARD MEMBERS ABSENT:** (0)

**BOARD MEMBERS PRESENT/ARRIVED LATE:** (0)

**BOARD MEMBERS PRESENT/LEFT EARLY:** Ivy Kwan Arce (1)

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

**ELECTED OFFICIALS’ REPRESENTATIVES:** US Congressman Dan Goldman (Tevin Williams); NYS Senate Brian Kavanagh (Sharif Krabti) NYS Senate Brad Hoylman-Sigal (Caroline Wekselbaun); NYS Assembly Member Grace Lee (Sophia Rasowitz.); NYS Assembly Member Deborah Glick (Roy Ruiz); Mayor Eric Adams (Christian Williams, Robin Forst); Manhattan Borough President Mark Levine (Andrew Chang); New York City Comptroller Brad Lander (Evelin Collado); City Council Member Christopher Marte (Conor Allerton); City Council Member Carlina Rivera (Bianny Rodriguez); NYC Council Member Erik Bottcher (Nicole Barth);

**MEETING SUMMARY**

Meeting Date – October 24, 2024  
 Board Members Present – 33  
 In Person – 27  
 via Zoom Counting toward Quorum – 2  
 via Zoom not Counting toward Quorum – 4  
 Board Members Absent with Notification – 12  
 Board Members Absent – 0  
 Board Members Present/Arrived Late – 0  
 Board Members Present/Left Early – 1

**TABLE OF CONTENTS**

ATTENDANCE..... 1  
 MEETING SUMMARY ..... 2  
 PUBLIC SESSION ..... 3  
 ADOPTION OF AGENDA ..... 4  
 ELECTED OFFICIALS’ AND REPRESENTATIVES’ REPORTS ..... 4  
 BUSINESS SESSION ..... 7  
     Chair's Report: Susan Kent..... 8  
     District Manager’s Report: Mark Diller ..... 8  
 STANDING COMMITTEE REPORTS WITH RESOLUTIONS ..... 8  
     FIRST LANDMARKS MEETING ..... 9  
     SECOND LANDMARKS MEETING ..... 11  
     OUTDOOR DINING..... 14  
     SCHOOLS AND EDUCATION ..... 27  
     SLA LICENSING..... 28  
     STREET ACTIVITIES..... 71  
     TRAFFIC AND TRANSPORTATION ..... 79

STANDING COMMITTEE REPORTS WITHOUT RESOLUTIONS .....	84
LAND USE .....	84
Land Use Capital Budget Priorities .....	84
Capital budget Priority 1 (Land Use).....	84
Land Use Expense Budget Priorities .....	85
Expense budget priority 1 (Land Use).....	85
Expense budget priority 2 (Land Use).....	85
Expense budget priority 3 (Land Use).....	86
Expense budget priority 4 (Land Use).....	86

**PUBLIC SESSION**

**115 Christopher St. SL2 Licensing, # 4. Christopher Street Hospitality LLC - The following are opposed to their liquor license application:**

**Jessica Schulte:** Resides at 115 Christopher and is asking the Board to reconsider the Committee recommendation (deny unless the applicant adheres to signed stipulations). In recent weeks, the applicant has ignored stop work orders, has failed to provide requested information. The applicant has a history of poor performance. The same ownership group runs the White Horse Tavern, which has its own history of disruptive operations.

**Mary Redding:** Resides at 115 Christopher, former chef. Attended multiple meetings with neighbors requesting denial of this application. Christopher Street Hospitality has not been transparent with area residents, and is currently working on renovations without permits. The management company has requested these documents.

**Claudia Kestenberg:** Resident at 115 Christopher. Notes that the building is landmarked. Expressing concern over renovations to a landmark building without permits. Provided additional materials and documentation in email form to CB office.

**Alfred Fuente:** Notes that certificate of Occupancy for the building only allows for a restaurant, no bar.

**Marissa Becher:** Opposed. Not present to speak.

**Kathryn Quinn:** Opposed. Not present to speak.

**Elliott Fredouelle:** Opposes the application which is the subject of Landmarks agenda item #4 – the 727 Greenwich St. proposal.

**Darlene Lutz:** Representing the 1st Precinct Community Council.

- The 1<sup>st</sup> Precinct Community Council’s Monthly meeting will take place on Wednesday, Oct 30, at the Precinct House at 6pm.
- 1st Precinct is getting a new commanding officer.
- Crime Stats just released for last 3 months. 21% increase in violent acts against the elderly, 5% increase in violent acts against women.

**Lois Rakoff:** Inviting community to a free event hosted by the Edgar Allan Poe Room. Friday, Nov 22, from 6-8pm at NYU Law School’s Vanderbilt Hall. RSVP at (212) 998-2400, or via email to [community.engagement@nyu.edu](mailto:community.engagement@nyu.edu) .

**Stephanie Bodini:** Issue with local bar, Bisou Bar at 112 6th Avenue, 6<sup>th</sup> Avenue between Watts and Broome. Noise, litter, poor maintenance of the sidewalk. Neighbors have submitted complaints to SLA and 311.

**Alfred Fuente:** Expresses opposition to City of Yes for Housing Opportunity. Cites vacant rent stabilized units in the City, suggests that landlords are “warehousing” units per WSJ article.

## **ADOPTION OF AGENDA**

The agenda was adopted by acclamation.

## **ELECTED OFFICIALS’ AND REPRESENTATIVES’ REPORTS**

### **Sharif Krabti - Community Affairs Liaison, NYS Senator Brian Kavanagh’s Office, 27th District:**

- Business cards now available – one month into this liaison position.
- On October 9, the Governor signed crucial legislation carried by Sen. Kavanagh concerning gun laws.
- NYCHA launched 2 new programs to provide up to \$158 million in rental assistance to tenants with arrears from the COVID era. (Funding was received through the American Rescue Plan Program and was awarded by HUD).
- Outdoor dining sheds are starting to come down.
- Route 9a safety study results are due next week.
  - Q: R. Sanz: what programs are available to support tenants outside of NYCHA with rent arrears
  - A: Beyond the scope of the current legislation.

### **Tevin Williams, Director of Community & External Affairs, US Congress Representative Dan Goldman’ Office, 10th District:**

- Happy LGBTQ history month.

- Rep. Goldman is carrying a bill to restrict access to certain firearms without the requisite background checks and waiting periods.
- Reminder to Please Vote.

**Caroline Wekselbaun, NYS Senator Brad Hoylman-Sigal's Office, 47th District:**

- Hosted annual older adult resource fair earlier this month at the Lincoln Square Neighborhood Center.
- Published a West Side older adults' resource guide.
- Rolled out West Side family's resource guide.

**Sophia Rasowitz, NYS Assembly Member Grace Lee's Office, 65th District:**

- Roundtable with Brad Hoylman-Sigal re: community and district needs.
- Held a successful shredding event last Tuesday with DSNY.
- Continued concern about 5G Link NYC towers especially in landmark historic districts.
- Passed "Stop Hiding Hate" Act.
- Request for expansion to free OMNY card for students.

**Roy Ruiz, Community Liaison, NYS Assembly Member Deborah Glick's Office, 66th District:**

- The Governor signed Assembly Member Glick's bill to expand the number of red light cameras.
- Participated in the walking tour of Washington Square Park and the surrounding streets and Sixth Avenue Corridor with the Mayor and certain community partners last week to discuss Quality of Life issues and related drug sale and use issues. The Community Link program is currently active in the area.
- Rallied with the community to create designate as a landmark the historic NY Eye and Ear Infirmary.
- Electricity issues in Hudson / Canal areas are being addressed.
- Q/A
  - S. Gammie, F. Sigel, E. Smith, S. Smith asked for additional details on the Washington Square Park walk-through and why the Community Board was not invited.
- Conducting hearings with the NYS Dyslexia Task Force on the current status of support and legislation.
- Supporting the Met Council's Tenant Rights workshops, including on topics such as Good Cause Eviction limitation.

**Christian Williams, Assistant Commissioner, NYC Mayor Eric Adams's Community Affairs Unit:**

- Hosted the parade to celebrate New York's W.N.B.A. Liberty winning.
- First section of East Side Resiliency project has been completed ahead of schedule.
- Mayor announced new tax incentives to build affordable housing. Extension of former 421A program. Estimates that 71,000 new homes, including 21,000 affordable units, will be built.

**Andrew Chang, Community Liaison, Manhattan Borough President Mark Levine's Office:**

- Hosting Community Leadership Training Series next week for all CB members and others. Information forwarded to CB2.
- Senior resource guide has been added to the resources section of the MBPO website.
- Wrote letter to MTA regarding gaps in their capital plan around accessibility, etc.
- Working to promote composting. One-pager with instructions for residents and landlords.
- Q/A
  - R. Sanz ordered her compost bins weeks ago and hasn't received.

**Evelin Collado, Manhattan Borough Director, NYC Comptroller Brad Lander's Office:**

- Released report on media industry.
- Announced efforts to achieve zero net emissions in NYC. Divesting from fossil fuels.

**Conor Allerton, Director of Land Use and Housing, NYC Council Member Christopher Marte's Office, District 1:**

- OTC cards are not being accepted at many grocery stores. Raising awareness of OTC cards.
- City is proceeding with a plan to force retirees into Medicare Advantage plans instead of traditional Medicare, despite rejections of the plan in various court challenges. C-M Marte introduced legislation in the Council to keep retirees on their current Medicare plans.
- Participatory budgeting process is ongoing – accepting community ideas on how to spend up to \$1 million in capital funding (capital funding is available for projects with a cost of at least \$50K and a useful life of more than 5 years).
- Temporary outdoor dining program is coming to an end. Roadway sheds must be compliant with the new rules by November 1<sup>st</sup>, and must be removed by November 29<sup>th</sup> (and not reinstalled until April).
- Council is considering the City of Yes for Housing Opportunity zoning text amendment this week. CM asked questions on increasing affordability.
- Q/A
  - E. Olson asked for updates on the Elizabeth Street Garden. C-M is continuing to advocate for an alternative site for the affordable housing slated for that location. The Garden coalition has lost its lawsuit to prevent the destruction of the Garden, and a warrant of eviction was issued. The Appeals delayed the warrant on a technicality.
  - I. Kwan Arce asked for clarification on the technicality that succeeded in delaying the Elizabeth Street Garden eviction.
  - R. Sanz asked for clarification on the timeline for dismantling outdoor dining sheds. Restaurants must start to comply with regulations starting on November 1. Roadway program closes for the winter starting at the end of November. Sidewalk cafes must be compliant as of November 1<sup>st</sup>, and can remain in place throughout the winter.

**Bianny Rodriguez, Director of Community Outreach, NYC Council Member Carlina Rivera's Office, District 2:**

- Participatory budgeting season – soliciting ideas at neighborhood assemblies (in person and virtual) for capital projects.
- C-M is hosting an Emergency preparedness session on Tuesday, Oct 29, 6-8pm.
- C-M introduced legislation to expand supportive housing for individuals exiting incarceration.

**Nicole Barth, Community Liaison, NYC Council Member Erik Bottcher's Office, District 3:**

- Upcoming events:
  - Paper shredding next Wednesday, Oct 30, from 9am-12pm at AIDS Memorial Park.
  - “Hocus Pocus” – outdoor movie viewing on Gansevoort and Horatio on Monday, Oct 28, at 6:30pm.
- Participatory budgeting process is on-going – seeking capital projects.
- C-M along with C-M Gutierrez have introduced legislation to eliminate parking minimums Citywide.
- Curbside composting information sessions are ongoing.
- Ongoing housing clinics – second Tuesday of each month.
- Participated in the Mayor's walkthrough of Washington Square Park and environs. The Commanding Officer of the 6th Precinct has continuously reached out to Mayor's office to come and observe our conditions first-hand. C-M also sent a public letter to the Mayor on these issues.
- Q/A
  - L. Rakoff asked for C-M's position on the Tony Dapolito Rec Center and the potential that it may be demolished.
  - A: C-M awaiting additional information request following the CB2 meeting.

**Xin-rui Lee - NYC Independent Budget Office (IBO):**

- IBO is a nonpartisan / independent city agency that provides data-driven insights for residents and government. IBO's primary function is to provide information for the public and C-Ms (reports, testimony).
- Recently put out a report on HRA, water bills, and education indicators.
- IBO will accept requests for data reports.
- Trainings on NYC budget upcoming, as well as on participatory budgeting.

**ADOPTION OF MINUTES**

The minutes of September 2024 Full Board were adopted by acclamation.

**BUSINESS SESSION**

## **Chair's Report: Susan Kent**

### MBP Anti-Bias Training

- Anti-bias training is mandatory and must be taken by each CB2 member each term.

### Quorum Reminder

- Reminder that quorum is necessary to conduct business.

### December Meeting Date

- Please respond to the survey emailed to Board Members seeking to determine whether we are more likely to achieve quorum on the originally scheduled date or an alternative date in December.

## **District Manager's Report: Mark Diller**

### Full Board Meeting at 75 Morton

- Thanks to Principal Rivera, Assistan Ashley and Building Chief Custodian Andrew Pezzella for making the building available to CB2.

### Calendar Updates

- SLA 1 is moving to November 6, as is P&W.
- Landmarks expects to have a second meeting and may double up with Cannabis on November 18.

### Upcoming E-blast

- E-blast is intended for tomorrow, but if the calendar and meeting agenda information is not available, the eblast will be delayed.
- Request for timely submission of calendars and agendas from all Committees.

### MBP Trainings for CB Members

- Link to trainings has been circulated.

### Participatory Budgeting

- Participatory budgeting is underway. Links to submit ideas to each Council Member in the District has been included in several recent E-blasts.

## **STANDING COMMITTEE REPORTS WITH RESOLUTIONS**



## FIRST LANDMARKS MEETING

1. **\*70 Perry St.** –Application is to replace two wooden panels with glass in the entrance doors.

(Moved to the October 17 meeting.)

2. **\*594 Broadway** –Application is to install a flagpole and banner.

### Whereas:

A. The pole, banner, and placement mirror a neighboring installation which was approved by the Landmarks Commission; and

B. The pole is 13' , the banner is 10' x 5' and the banner has an clearance of 15' above grade; all of which are within the guidelines for similar situations in the district; and

C. The flag is equidistant from flags or banners on two neighboring, minimizing a cluttered appearance in the streetscape; now

**Therefore be it resolved** that CB2, Man. recommends **approval** of the application for a pole and banner that conform to regulations.

**Vote:** Unanimous, with 33 Board members in favor.

3. **\*138 Grand St.** – Application is to install an ADA compliant ramp at the entrance.

### Whereas:

A. The building requires an ADA ramp for entrance to the residential lobby and a shop adjoining the lobby; and

B. The ramp will be at the minimum size and intrusion onto the sidewalk to conform to ADA regulations; and

C. The applicant showed a similar ramp in a similar building in the neighborhood that was approved by the Commission; and

D. A section of diamond plate will be added at the foot of the ramp to provide a flat surface to the sidewalk; and

E. The supports are minimal with galvanized finish and the design is of a generally light appearance; now

**Therefore be it resolved** that CB2, Man. recommends **approval** of the application for a well-designed ADA ramp.

**Vote:** Passed, with 32 Board members in favor, and 1 recusal (E. Yoo).

**Note: Subsequent to the meeting, the applicant contacted the Committee saying that they now wish to propose a new application that is substantially different from this application. They will presumably present the new application at the November meeting.**

**4. \*727 Greenwich St.** - Application is to relocate window openings in the rear and side of the building, add an exterior bay window and renew the stucco to accommodate the new floor levels between the original front section of the building and an extension.

**Whereas:**

A. The building is one of several similar buildings in a cooperative which surround a common interior courtyard, and the work is being undertaken by the holders of the building with the permission and support of the board; and

B. Front facade work has been approved by the Commission staff and this application is exclusively for work at the rear and south facades; and

C. The exterior work is necessitated by the aligning of the level of the rear floors of the extension with the floor levels in the original (front) section of the building; and

D. The proposed replacement and added windows and door in the rear and south side facades are in the style and color of similar facades in the courtyard; and

E. The design respects neighboring buildings in the courtyard; and

F. The substantial stair bulkhead will not be modified; and

G. A member of the co-op board read a letter of support on behalf of the board and submitted other letters from 8 other members of the cooperative in support, and one letter in opposition was sent after the meeting: now

**Therefore be it resolved** that CB2, Man. recommends **approval** of this sensitive modification of the building in the context of a cluster of buildings in a common interior courtyard.

**Vote:** Unanimous, with 33 Board members in favor.

**5. \*48 Barrow St.** – Application is to reconstruct and reconfigure the rear facade with larger windows, including a studio window on the top floor, excavate the rear yard to add a foundation and to install steel structural support.

A. The building was constructed as one of a row of five similar houses, some of which have been variously changed in the rear; and

- B. The extension has extensive structural problems, including lack of a proper foundation for the existing extension, necessitating rebuilding and remediation; and
- C. The windows throughout are degraded and, on the upper floors, are not of historic design; and
- D. The rear wall of the extension and the upper floors are proposed to be rebuilt with large openings to accommodate steel windows that lack any detailing, and which create a stark modern appearance with no reference to, or respect for, the historic design of the building; and
- E. The basement and parlor floor windows are united with the appearance of double height windows, the second floor has a door and two windows of unequal width in the rebuilt rear wall that would clearly have originally had the usual historic three punched equally spaced windows of equal size; and
- F. The roof has been raised at the back to accommodate an artist's studio and a large studio window is proposed to reflect this use; and
- G. The removal of the low masonry wall from the top of the addition further enhances the stark modern appearance and the meager railing is clearly non-historic; and
- H. The application refers to ecologically unsound hardscaping modifications to the garden which were not presented by the applicant; and
- I. Most buildings in the large doughnut have original rear facades or sensitive modifications and extensions and this stark and entirely modern design is an aggressive visual intrusion; and
- J. Several members of the public spoke forcefully against the application: now

**Therefore be it resolved that CB2, Manhattan recommends:**

- A. **Denial** of this ill-conceived modern intervention, which seems to favor a contemporary window catalog at the expense of historic reference and sensitivity to a historic row house; and
- B. That the applicant return with a design that respects both the historic character of the building and the reasonably intact doughnut.

**Vote:** Unanimous, with 33 Board members in favor.

**SECOND LANDMARKS MEETING**

**6. 70 Perry St.** –Application is to replace two wooden panels with glass in the entrance doors.

**Whereas:**

- A. The pair of entrance doors have four panels and the two upper panels are to have the wooden panels removed and replaced with clear glass panels; and

B. The moldings will be preserved giving the existing appearance apart from glass replacing the solid wooden upper panels; and

C. The applicant showed photographs of similar doors in the street with glass as proposed; now

Therefore **be it resolved** that CB2, Man. recommends approval of the change of wooden panels in the entrance doors to glass.

**Vote:** Unanimous, with 33 Board members in favor.

**7. \*327 Bleecker St.** – Application is to construct a new building on the vacant lot.

**Whereas:**

A. The recently demolished building was at an important intersection of two major village streets, was a unique part of the streetscape with three intact, buildings typical to the neighborhood and bore the history of four alterations and additions; and

B. The building was in poor condition and an emergency demolition order was given by DOB in 2021 and the demolition was subsequently carried out; and

C. The application answers the objections from the Committee and the Commission to the prior application in that it respects the original design of the building and the eastern extension and storefronts at the ground floor; and

D. The original building was a three-story row house, typical to the district, and was subsequently enlarged in four phases, acquiring a distinctive appearance as a result of the several interventions throughout its history; and

E. The facades for the proposed building are in red brick with cast stone detailing and double hung windows, a heavy cornice and a high parapet; and

F. There are typical storefront windows with 24” bulkheads in the main building on both facades and one large bay with windows and door in the western extension; and

G. The rooftop mechanical equipment is only partially enclosed with acoustic material; and

H. The applicant showed several examples of similar treatments of similar buildings in the immediate neighborhood; and

I. The ground floor detailing has sandstone and granite elements and sill panels salvaged from the original building; and

J. The resulting building appears as a reproduction of a generic design of the period of the original construction and carries no reference to the distinctive history of the unusual four alterations and additions over its life; and

K. There was public testimony, with emphasis on the homogenized design; now

**Therefore be it resolved** that CB2, Man. recommends approval of the application provided:

A. The design is modified to recall the history of the interventions and modifications to the building such as the mansard roof, the addition to the fourth story, the irregularity of the Christopher Street facade and the separation of the extension from the original building; all of which made it a distinctive part of the varied streetscapes of Greenwich Village; and.

B. That the rooftop mechanical equipment is completely surrounded by sound deadening acoustic fencing.

**Vote:** Passed, with 32 Board members in favor, and 1 in opposition (B. Pape).

**8. \*79-81 Jane St.** – Application is to construct rear and rooftop additions, and to excavate and expand the cellar.

**Whereas:**

A. The houses, even with their twin-like appearance, historically presented and continue to present as two distinct row houses and are the only intact pair in the row; and

B. The interior party wall is to be removed, having no effect to the facades, and the areaway railings will be repositioned to provide for entrances in the fences away from the stoops, the missing parlor floor window guards in 81 will be matched to existing ones at 79, and the alterations to the areaways include bluestone pavers and new gates; and

C. The areaways will be lowered and modified and paved with bluestone; and

D. The facade will be repointed with no intervention to the bricks except for repair and windows in 81 will be matched to the historic design in 79; and

E. The owner and architect lately undertook similar approved alterations at an adjacent pair of houses at numbers 81 and 83 including complete interior demolition and rebuilding and a similar rebuilding of the rear facade and the rear facade essentially reproduces this layout with different windows; and

E. The rear facade is to be rebuilt with full-width multipage steel windows on the basement and parlor floors and double hung windows on the upper floors and a light well of modest size adjacent to the basement and the addition does not unduly intrude upon the rather fully built doughnut; and

F. The cellar and garden excavations are similar to the adjacent houses and extend to the property lines on the east and west and to five feet from the east and west property lines, and in the garden to 5' from the north property line; and

G. There is an elevator bulkhead and stair bulkhead that are shown from photographs of the mockup not to be visible from any public thoroughfare; and

H. The excavation, similar to that carried out in the neighboring houses, are that the basement floor is to be lowered to 8'9" and the excavation extends under the rear yard to five feet from the rear property line; and

I. The party wall between 79 and 77 will be underpinned in the same manner as was successfully carried out between 79 and 81; and

J. The garden is covered in blue pavers with a light well and skylights; and

K. The central party wall is to be removed with the building having been stabilized with temporary supports similar to the work in 81 and 83 and the applicant gave convincing testimony that the interior demolition, excavation, underpinning and other engineering work are being carefully considered and that the work will be carefully planned and carried out with monitoring and observing all applicable regulations; and

L. Members of the public testified, primarily to the point that the front facade should not look as though the buildings, though a mirror image pair, should not look as though they had been combined; now

**Therefore be it resolved** that CB2, Man. recommends:

A. The front façade proposal be amended to include subtle differences in order to ensure that the houses retain their unambiguous current and historic appearance as two separate and individual row houses; and

B. That the rear facade and non-visible rooftop additions be approved; and

C. That the excavation, underpinning, monitoring, and any other engineering work be approved provided that it carefully follow all applicable rules and regulations to ensure the integrity of the property and the adjoining properties.

**Vote:** Unanimous, with 33 Board members in favor.

**9. \*271 W. 11th St.** – Application is to renovate rear façade to include new steel doors at basement and ground floor and replace double hung wood windows at 3rd and 4th floors in existing window openings; install new painted wood panels at 2nd floor and bluestone wall finish at ground and basement floor, repair or replace brick walls at upper floors to match existing.

**(LAID OVER)**

**OUTDOOR DINING**

**Resolution #1**

**Application to DOT for a Sidewalk Cafe:**

**St. Tropez Wine Bar LLC dba St. Tropez Wine Bar, 302 West 4th Street, 10014**  
**(Dining Out NYC – Sidewalk Cafe)**

**Whereas**, the comments related to the sidewalk cafe setup’s **physical footprint and dimensions**:

- The establishment is located on West 4th Street between Bank Street and West 12th Street in the West Village;
- The sidewalk on West 4th Street at this location is 10’ (10 feet) wide;
- The updated site plan dated October 22, 2024 indicates there is one area on the sidewalk where one (1) table and two (2) chairs is proposed for the sidewalk cafe measuring 7’ (7 feet) length by 2’ (2 feet) width;
- The Applicant/Licensee, Yohann Pecheux, appeared via Zoom at the CB2 Outdoor Dining Working Group meeting on October 15, 2024;

**Whereas**, the comments related to **pedestrian flow** are as follows:

- The establishment is located on a neighborhood corridor street, which requires an 8-foot clear path on the sidewalk;
- There is a cellar door on the sidewalk, located south of the proposed sidewalk cafe perimeter, is frequently open throughout the day and during service, and there are no tables or chairs adjacent to or on top of the cellar door;
- Several members of the public testified regarding inaccurate measurements on the Applicant/Licensee’s original site plan, which has since been mitigated and reflected in the updated site plan dated October 22, 2024;
- 

**Whereas**, the comments related to potential conflicts with **existing curb use** (i.e. planters, bike racks, bus stops) are as follows:

- There are two tree beds, one located north of the proposed sidewalk cafe setup and the other located south of the sidewalk cafe setup which are not in conflict with the proposed sidewalk cafe setup;

Additional Notes:

- It should be noted that the Applicant/Licensee received a Department of Buildings violation and summons for Work without a Permit on February 26, 2021 for installing electrical wiring

for the Applicant/Licensee's outdoor dining structure during the temporary Open Restaurants program;

- It should be noted that several members of the public testified against this roadway cafe application because the Applicant/Licensee was not, in their opinion, cooperative in maintaining an outdoor dining setup that was in compliance with the rules during the temporary program and currently through this transition from the temporary program to the permanent program;

**Whereas, the recommended modifications** for the sidewalk cafe setup are:

The Applicant/Licensee acknowledged and agreed to modifications relating to the above-referenced sidewalk cafe application when they appeared in person at the October 15, 2024 CB2 Outdoor Dining Working Group meeting.

- Acknowledges that the sidewalk width of West 4th Street at the location of the establishment measures 10' (10 feet), which is indicated on the updated site plan dated October 22, 2024;
- Acknowledges that the required 8-foot clear path cannot be met with the proposed table that is closest to the tree bed north of the northern door of the establishment and therefore agree to remove this table from the proposed site plan, which is now indicated on the updated site plan dated October 22, 2024;
- Confirm that the Applicant/Licensee has a signed Cellar Door Certification on file with DOT in the Dining Out NYC application portal that is signed and sealed by a licensed design professional, which ensures that *“(iii) the placement of tables and chairs [on top of the cellar door] is safe for the use of sidewalk cafe patrons and the general public;”*
- Will have only one (1) table and two (2) chairs on the sidewalk between the two doors of the establishment in order to maintain the required 8-foot clear path on West 4th Street, which is a Neighborhood Corridor street in DOT's Pedestrian Mobility Plan;
- Support of the Applicant/Licensee's position which was initiated by the Applicant/Licensee and offered verbally at the CB2 hearing: the Applicant/Licensee intends to withdraw the sidewalk cafe for this if the Applicant/Licensee is approved by NYC DOT for a roadway cafe in the Dining Out NYC program at this location. This was also codified in writing and signed by the Applicant/Licensee;
- Submitted an updated site plan dated October 22, 2024 to CB2 and NYC DOT reflecting the modifications outlined in this section;



**Whereas**, the Working Group voted to conditionally deny the application as-is in order to work with the Applicant/Licensee, who did appear at the CB2 public hearing on October 15, 2024 via Zoom, towards agreement on the proposed modifications voted on by the Working Group;

**Whereas**, the Applicant/Licensee agreed to the proposed modifications for the sidewalk cafe, and the denial is now an approval with modifications;

**Whereas**, the Applicant/Licensee agreed to return to CB2 prior to submitting any changes to any modifications agreed to herein;

**Therefore Be It Resolved**, Manhattan CB2 **recommends approval with modifications** of the Dining Out NYC sidewalk cafe for St. Tropez Wine Bar LLC dba St. Tropez Wine Bar, 302 West 4th Street, 10014.

**Vote:** Unanimous, 33 Board Members in favor.

## **Resolution #2**

### **Application to DOT for a Sidewalk Cafe:**

**Mino Wine Bar LLC dba Mino Brasserie, 225 West 12th Street, 10011**

**(Dining Out NYC – Sidewalk Cafe)**

**Whereas**, the comments related to the sidewalk cafe setup's **physical footprint and dimensions:**

- The establishment is located at the intersection of West 12th Street and Greenwich Avenue in the West Village;
- The sidewalk on West 12th Street at this location is 15' (15 feet) wide and the sidewalk on Greenwich Avenue at this location is 14' (14 feet) wide;
- The updated site plan dated October 22, 2024 indicates there are two areas on the sidewalk where a sidewalk cafe is set up:
  - West 12th Street: 21.5' (21.5 feet) length by 7' (7 feet) width;
  - Greenwich Avenue: 9.10' (9.10 feet) length by 5.6' (5.6 feet) width;
- The Applicant/Licensee, Yohann Pecheux, appeared via Zoom at the CB2 Outdoor Dining Working Group meeting on October 15, 2024;

**Whereas**, the comments related to **pedestrian flow** are as follows:

- The establishment is located at the intersection of two neighborhood corridor streets – West 12th Street and Greenwich Avenue, which requires an 8-foot clear path on the sidewalk;
  - As long as the sidewalk cafe setup on West 12th Street does not exceed 7' (7 feet) wide, the 8' (8-foot) clear path will be maintained;
  - As long as the roadway cafe setup on Greenwich Avenue does not exceed 6' (6 feet) wide, the 8' (8-foot) clear path will be maintained;

**Whereas**, the comments related to potential conflicts with **existing curb use** (i.e. planters, bike racks, bus stops) are as follows:

- There is a manhole cover on the sidewalk at the corner, which requires a 1'-6" (1 foot, 6 inch) clearance from the obstruction;
- There is a light pole on the sidewalk on West 12th Street, which requires an 8-foot clearance which is also the same requirement for the clear path on West 12th Street;
- There is a primary building entrance, east of the establishment, which requires an 5-foot clearance to the perimeter of the sidewalk cafe;

**Whereas**, the **recommended modifications** for the sidewalk cafe setup are:

The Applicant/Licensee acknowledged and agreed to modifications relating to the above-referenced sidewalk cafe application when they appeared in person at the October 15, 2024 CB2 Outdoor Dining Working Group meeting.

**West 12th Street:**

- Will only have one (1) table and two (2) chairs in the row of tables closer to the curbside in the middle of the sidewalk, removing three tables that are on the proposed site plan in the application package in order to maintain compliance with the required 8-foot clearance from the light pole;
- Will only place tables that are against the building on West 12th Street along the white part of the building on West 12th Street until the eastern edge of the white column in order to maintain the required 5-foot clearance between the primary building entrance and the establishment;
- Will not place tables along the brick wall on West 12th Street – specifically from the eastern edge of the white column next to the brick wall – and the only in order to maintain the required 5-foot clearance between the primary building entrance east of the establishment and the perimeter demarcation of the sidewalk cafe on West 12th Street;

- Will accurately illustrate the true location of the manhole and accurately illustrate the required 1'-6" (1 foot, 6 inch) clearance of the manhole from the sidewalk cafe perimeter on the site plan;

### **Greenwich Avenue**

- Will only have one (1) table and two (2) chairs on the Greenwich Avenue;

**Whereas**, the Working Group voted to conditionally deny the application as-is in order to work with the Applicant/Licensee, who did appear at the CB2 public hearing on October 15, 2024 via Zoom, towards agreement on the proposed modifications voted on by the Working Group;

**Whereas**, the Applicant/Licensee agreed to the proposed modifications for the sidewalk cafe, and the denial is now an approval with modifications;

**Whereas**, the Applicant/Licensee agreed to return to CB2 prior to submitting any changes to any modifications agreed to herein;

**Therefore Be It Resolved**, Manhattan CB2 **recommends approval with modifications** of the Dining Out NYC sidewalk cafe for Mino Wine Bar LLC dba Mino Brasserie, 225 West 12th Street, 10011.

**Vote:** Unanimous, 33 Board Members in favor.

### **Resolution #3**

#### **Application to DOT for a Sidewalk Cafe:**

**NRK Cafe Inc. dba Lelabar, 422 Hudson Street, 10014**

**(Dining Out NYC – Sidewalk Cafe)**

**Whereas**, the comments related to the sidewalk cafe setup's **physical footprint and dimensions**:

- The establishment is located on Hudson Street between Morton Street and St. Luke's Place/Leroy Street in the West Village;
- The sidewalk on Hudson Street at this location is 20' (20 feet) wide;

- The proposed site plan indicates there is one area on the sidewalk where a sidewalk cafe is set up;
- The proposed sidewalk cafe setup on the site plan is: 6’ (6 feet) length by 4.5’ (4.5 feet) width next to the building, south of the establishment’s entrance;
- Since January 2023, the establishment has received thirty-one (31) 311 outdoor dining complaints, and twelve (12) of those complaints were related a site setup condition – all received in 2024 – specifically for the sidewalk cafe at this location;
- The Applicant/Licensee did not appear at the CB2 Outdoor Dining Working Group meeting on October 15, 2024;

**Whereas**, the comments related to **pedestrian flow** are as follows:

- Hudson Street at this location is a regional corridor, which requires a 10-foot clearance for the clear path on the sidewalk;
- Since January 2023, the establishment has received thirty-one (31) 311 outdoor dining complaints, and fourteen (14) of those complaints were classified as “sidewalk zone blocked,” which applies to the current sidewalk cafe setup at this location;

**Whereas**, the comments related to potential conflicts with **existing curb use** (i.e. planters, bike racks, bus stops) are as follows:

- There is a tree bed in the furnishing zone on Hudson Street, and the tree bed runs parallel to the perimeter of the proposed sidewalk cafe setup;
  - The site plan submitted with the application does not adhere to the required 10-foot clear path;

**Whereas**, the **recommended modifications** for the sidewalk cafe setup are:

- Will only have one (1) table in the sidewalk cafe – either one (1) two-top table with two (2) chairs or one (1) four-top with four (4) chairs in order to maintain the required 10-foot clear path on Hudson Street, a clearance which supersedes the 8-foot clearance from the tree bed because the tree bed is parallel to the perimeter demarcation of the proposed sidewalk cafe;
- Will remove two (2) tables from the proposed sidewalk cafe site plan in order to maintain the required 10-foot clear path on Hudson Street;

- Will illustrate the distance (in feet) from the primary building entrance (residential entrance for 522 Hudson Street) that is north of the establishment’s entrance and will illustrate the distance (in feet) from the primary building entrance to the south of the establishment’s entrance;
- Will not place or store coolers, champagne buckets, or any other ancillary restaurant items in the front of the doorway to the primary building entrance north of the establishment’s entrance – this includes before, during, and after service;
- Will not place a host stand anywhere on the sidewalk to comply with the required 10-foot clear path on Hudson Street;
- Confirm that the Applicant/Licensee has a signed Cellar Door Certification on file with DOT in the Dining Out NYC application portal that is signed and sealed by a licensed design professional, which ensures that “(iii) *the placement of tables and chairs [on top of the cellar door] is safe for the use of sidewalk cafe patrons and the general public;*”

**Whereas**, the Working Group voted to conditionally deny the sidewalk cafe application as-is in order to work with the Applicant/Licensee, who did not appear at the CB2 public hearing on October 15, 2024 via Zoom, towards agreement on the proposed modifications voted on by the Working Group;

**Whereas**, the Applicant/Licensee agreed to the proposed modifications for the sidewalk cafe;

**Whereas**, CB2 received the update site plan (dated November 2, 2024) and signed modifications agreement from the Applicant/Licensee after the October Full Board meeting (October 24, 2024) and before the DOT deadline for community board review of this application (November 16, 2024); therefore, CB2 has amended its position to approval with modifications;

**Therefore Be It Resolved**, Manhattan CB2 **recommends approval with modifications** of the Dining Out NYC sidewalk cafe for NRK Cafe Inc. dba Lelabar, 422 Hudson Street, 10014.

**Vote:** Unanimous, 33 Board Members in favor.

#### **Resolution #4**

##### **Application to DOT for a Roadway Cafe:**

**NRK Cafe Inc. dba Lelabar, 422 Hudson Street, 10014**

**(Dining Out NYC – Roadway Cafe)**

**Whereas**, the comments related to the roadway cafe setup’s **physical footprint and dimensions**:

- The establishment is located on Hudson Street between Morton Street and St. Luke's Place/Leroy Street in the West Village;
- The roadway on Hudson Street at this location is 50' (50 feet) wide;
- The proposed site plan indicates there is one area on the roadway for the roadway cafe setup;
- The proposed roadway cafe setup on the site plan is: 15.5' (15.5 feet) length by 8' (8 feet) width, which complies with the required 15-foot emergency lane clearance on Hudson Street;
- The width and length of the barriers for the roadway cafe is not calculated into the roadway cafe dimensions provided by the Applicant/Licensee, which is required by NYC DOT Dining Out NYC rules;
- The barriers included into the proposed dimensions of the roadway cafe would extend the roadway cafe beyond the establishment's frontage, which is not in compliance with NYC DOT Dining Out NYC rules;
- The interior size of the cafe is actually smaller than what is indicated on the site plan since the dimensions on the plan do not take into account the width and length of the barriers;
- Since January 2023, the establishment has received thirty-one (31) 311 outdoor dining complaints, and five (5) of those complaints were related to a barrier condition and site setup condition, specifically for the roadway cafe at this location;
- The Applicant/Licensee did not appear at the CB2 Outdoor Dining Working Group meeting on October 15, 2024;

**Whereas**, the comments related to **pedestrian flow** are as follows:

- The tree bed in the furnishing zone of the sidewalk is parallel to the roadway cafe, which allows for one means of egress into the roadway cafe;
- The importance of a service aisle within the roadway cafe due to one means of egress;
- The proposed roadway cafe flooring is at-grade with the roadway with no raised floor or additional flooring material;

- ADA access into the roadway cafe due to one means of egress and the placement of tables within the roadway cafe to allow for a temporary ADA ramp to be used as needed was also questioned;
- The Applicant/Licensee currently uses the sidewalk in front of a primary building entrance next door to store coolers, champagne buckets, and other ancillary dining service items while operating their current outdoor dining setup;

**Whereas**, the comments related to potential conflicts with **existing curb use** (i.e. planters, bike racks, bus stops) are as follows:

- See pedestrian flow comments above;

**Whereas**, the **overall recommendations** for the roadway cafe setup are:

- See suggested modifications below;

**Whereas**, the **suggested modifications** related to the above referenced application are:

- Acknowledges that the barrier width 2.5' (2.5 feet) on three sides of the roadway cafe has to be calculated within the measurement of the roadway cafe width and length and that the interior seating area of the roadway cafe is actually 10.5' (10.5 feet) in length and the width of the interior seating area is actually 6' (6 feet) once the barrier width is taken into consideration and counted;
- Will add the measurement of the width of the proposed barriers into the calculation of the roadway cafe length as the proposed site plan in the application package has the roadway cafe extending 2' (2 feet) beyond the frontage on both sides because the barrier width is not included in the measurement on the proposed site plan;
- Acknowledges that the proposed site plan in the application package exceeds the 17-foot frontage of the establishment because the barrier width was not calculated into the roadway cafe width and roadway cafe length;
- Will only have six (6) tables and twelve (12) chairs in the roadway cafe in order to comply with the roadway cafe size that adheres to the requirement that the cafe does not extend beyond the establishment's frontage;
- Will maintain an interior service aisle in the roadway cafe;
- Confirm that the Applicant/Licensee has a temporary ADA ramp available for patron use;

- Confirm that umbrellas will not be used since the roadway cafe form for this location does not have the box checked confirming that umbrellas will be in use for the roadway cafe;
- Confirm that if the Applicant/Licensee does indeed intend to use umbrellas in the roadway cafe that the base of the umbrellas be indicated on the roadway cafe site plan and the Applicant/Licensee also updates the roadway cafe form, checking off the checkboxes relevant to umbrellas and submitting the updated form with the updated site plan;

**Whereas**, the Working Group voted to conditionally deny the roadway cafe application as-is in order to work with the Applicant/Licensee, who did not appear at the CB2 public hearing on October 15, 2024, towards agreement on the proposed modifications voted on by the Working Group;

**Whereas**, the Applicant/Licensee agreed to the proposed modifications for the roadway cafe;

**Whereas**, CB2 received the update site plan (dated November 2, 2024) and signed modifications agreement from the Applicant/Licensee after the October Full Board meeting (October 24, 2024) and before the DOT deadline for community board review of this application (November 6, 2024); therefore, CB2 will amend its position to approval with modifications;

**Therefore Be It Resolved**, Manhattan CB2 **recommends submitting the comments as stated above (approval with modifications)** regarding the Dining Out NYC roadway cafe for NRK Cafe Inc. dba Lelabar, 422 Hudson Street, 10014.

**Vote:** Unanimous, 33 Board Members in favor.

### **Resolution #5**

#### **Application to DOT for a Roadway Cafe:**

**Feast on Us Inc. dba Feast on Us, 645 Hudson Street, 10014**

**(Dining Out NYC – Roadway Cafe)**

**Whereas**, the comments related to the roadway cafe setup’s **physical footprint and dimensions**:

- The establishment is located on Hudson Street between Horatio Street and Gansevoort Street in the West Village;
- The roadway on Hudson Street at this location is 50’ (50 feet) wide;
- The proposed site plan indicates there is one area on the roadway for the roadway cafe setup;
- The proposed roadway cafe setup on the site plan is: 16’ (16 feet) length by 8’ (8 feet) width;



- The Applicant/Licensee, Nadia Quanbar, appeared via Zoom at the CB2 Outdoor Dining Working Group meeting on October 15, 2024;

**Whereas**, the comments related to **pedestrian flow** are as follows:

- The sidewalk on Hudson Street is 20' (20 feet) and requires a 10-foot clear path;
- The sidewalk side of the roadway cafe is open to the sidewalk with several means of egress into the roadway cafe;
- There are three tables proposed with ample room within the roadway cafe;
- There is a tree bed on the northern end of the roadway cafe;

**Whereas**, the comments related to potential conflicts with **existing curb use** (i.e. planters, bike racks, bus stops) are as follows:

- There is a manhole cover in the roadway on Hudson Street next to the proposed roadway cafe setup;

**Whereas**, the **overall recommendations** for the roadway cafe setup are:

- See suggested modifications comments below;

**Whereas**, the **suggested modifications** related to the above referenced application are:

- Adjust the length of the roadway cafe so that it 1'-6" (1 foot, 6 inches) from the manhole cover and update on the site plan;

**Whereas**, the Working Group voted to conditionally deny the roadway cafe application as-is in order to work with the Applicant/Licensee, who did appear at the CB2 public hearing on October 15, 2024 via Zoom, towards agreement on the proposed modifications voted on by the Working Group;

**Whereas**, the Applicant/Licensee agreed to the proposed modifications for the roadway cafe and returned both the updated site plan (dated October 31, 2024) and signed modifications form, the denial is now an approval with modifications

**Whereas**, the Applicant/Licensee agreed to return to CB2 prior to submitting any changes to any modifications agreed to herein;

**Therefore Be It Resolved**, Manhattan CB2 **recommends submitting the comments as stated above (approval with modifications)** regarding the Dining Out NYC roadway cafe for Feast on Us Inc. dba Feast on Us, 645 Hudson Street, 10014.

**Vote:** Passed, 30 Board Members in favor, 3 against (R. Chattree, F. Sigel, C. Spence).

## **Report**

Agenda Item #6:

### **FY26 District Needs Statement and Capital & Expense Budget Priorities**

The number one problem in reviewing applications for Dining Out NYC is inaccurate and incomplete site plans, particularly the plans that are not created by a licensed architect. In the cases where plans are not created by a design professional, the applicant usually ends up having to adjust the plan due to an incorrect measurement or missing obstruction.

The Working Group proposes that the NYC Department of Business Services create a grant program for restaurant operators to use for procuring architectural services related to Dining Out NYC.

#### **Expense Budget Item for FY26 Priorities:**

Request: Establish funding for a grant program that provides restaurant operators with financial support to cover architectural services for developing site plans as part of their Dining Out NYC applications

Agency: Department of Small Business Services

Agenda Item #7:

#### **New Business**

A few hours before the meeting start time on Tuesday, October 15, 2024, NYC DOT referred one sidewalk cafe application (Upright Holdings 547 LLC dba Leitao, 547 Hudson Street, 10014) to CB2, which was unusual because the agency typically refers applications on Mondays only. However, the week of the meeting, there was a holiday on Monday, October 14.

In addition, DOT referred this application to CB2 with an incorrect deadline stated on the application – giving the board only nine (9) days to review the application, which is incorrect as the legislation and rules allow forty (40) days for community board review of sidewalk cafe applications. This is not the first time this has happened. In addition, the agency has also erroneously sent applications intended for MCB2 to Brooklyn CB2. As of the date of this meeting, community boards across the city have not been granted access to the Dining Out NYC program, which was promised by DOT back in March and rely solely on receiving application referrals via email.

The committee briefly acknowledged the receipt of Leitao sidewalk cafe application referral. The public hearing for this application will be held in November.

## SCHOOLS AND EDUCATION

### **Resolution Urging Governor Hochul to Sign Senate Bill [S. 5481 /A. 2898](#) into Law to Provide Critical Support for Individuals with Dyslexia and Their Families**

1. **Whereas**, dyslexia is a specific learning disability that impacts as many as one in five children, impeding their ability to achieve academic and personal success without timely diagnosis and intervention<sup>1</sup>; and
2. **Whereas**, comprehensive neuropsychological exams are recognized as the most effective tool for diagnosing dyslexia, yet are prohibitively expensive and often not covered by insurance, leaving many families unable to afford these essential services<sup>2</sup>; and
3. **Whereas**, the information gap between evaluations provided by the city compared to those done privately — which typically cost over \$5,000 — is part of a broader systemic issue of inequitable access to special education services<sup>3</sup>; and
4. **Whereas**, interviews with more than two dozen advocates, parents, and experts revealed a flawed two-tiered evaluation system that leaves many students' needs unaddressed, creating disparities in the quality of services provided<sup>34</sup>; and
5. **Whereas**, like many aspects of the city's public school system, the evaluation process for special education is complicated for parents to navigate, with families who can afford private evaluations gaining a significant advantage<sup>4</sup>; and
6. **Whereas**, school psychologists, who are responsible for conducting special education evaluations, work under heavy caseloads, which can make it challenging to conduct thorough evaluations, often delaying assessments and leaving students without vital services for months<sup>56</sup>; and
7. **Whereas**, untreated dyslexia is linked to long-term consequences such as anxiety, depression, lower education levels, increased poverty, and higher incarceration rates, all of which strain New York's social and economic systems<sup>7</sup>; and
8. **Whereas**, Senate Bill [S. 5481/A. 2898](#) passed the New York State Senate on June 7, 2024, demonstrating strong legislative support for ensuring equitable access to dyslexia diagnosis and intervention;

**Therefore, be it resolved** that Community Board 2 (CB2) supports Senate Bill [S. 548/A. 28981](#) , which mandates that health insurance policies provide coverage for neuropsychological exams necessary to diagnose dyslexia, ensuring equitable access to early diagnosis and intervention for all New Yorkers, regardless of their financial status; and

**Be it further resolved** that CB2 calls upon Governor Hochul to sign Senate Bill [A. 2898/S. 5481](#) into law to provide critical support for individuals with dyslexia and their families.

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1. Shaywitz, S. (2003). *Overcoming Dyslexia: A New and Complete Science-Based Program for Reading Problems at Any Level*. [www.amazon.com/Overcoming-Dyslexia-Second-Science-Based-Problems/dp/0385350325](http://www.amazon.com/Overcoming-Dyslexia-Second-Science-Based-Problems/dp/0385350325)

2. *NYU Child Study Center. (2019). Understanding Neuropsychological Testing. [nyulangone.org/conditions/neuropsychological-testing-in-children](http://nyulangone.org/conditions/neuropsychological-testing-in-children)*
3. *Haimson, L. (2022). Why Private Evaluations Matter for Special Education in NYC Schools. [insideschools.org/news-&-views/why-private-evaluations-matter-for-special-education-in-nyc-schools](http://insideschools.org/news-&-views/why-private-evaluations-matter-for-special-education-in-nyc-schools)*
4. *Advocates for Children of New York (2021). NYC Special Education Guide. [advocatesforchildren.org/get\\_help/guides\\_and\\_resources](http://advocatesforchildren.org/get_help/guides_and_resources)*
5. *NYC Department of Education, Special Education Services Guide (2020). [schools.nyc.gov/special-education/school-settings/special-education-in-public-schools](http://schools.nyc.gov/special-education/school-settings/special-education-in-public-schools)*
6. *National Association of School Psychologists (NASP), The Shortage of School Psychologists: An Ongoing Challenge. [nasponline.org/research-and-policy/policy-priorities/critical-policy-issues/shortage-of-school-psychologists](http://nasponline.org/research-and-policy/policy-priorities/critical-policy-issues/shortage-of-school-psychologists)*
7. *The Yale Center for Dyslexia & Creativity. The Economic and Social Impact of Dyslexia. [dyslexia.yale.edu/resources/dyslexia/what-is-dyslexia/the-economic-and-social-impact-of-dyslexia/](http://dyslexia.yale.edu/resources/dyslexia/what-is-dyslexia/the-economic-and-social-impact-of-dyslexia/)*

**Vote:** Unanimous, 33 Board Members in favor.

## SLA LICENSING

### SLA 1 LICENSING

1. **450 West Broadway LLC & Lowder-Tascarella Hospitality LLC dba Principe 450 West Broadway 10012** (OP–Restaurant) (Lic ID #0340-23-133134, SN #1346923, exp 1/31/2025) (Change in Method of Operation)
  - i. **Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application to the NYS Liquor Authority for a Change in Method of Operation to the existing On-Premises Restaurant Liquor License to continue to operate a neighborhood restaurant serving breakfast, lunch and dinner in the ground floor and cellar of an M1-5/R7X-zoned, one (1)-story commercial building (ca. 2002) on West Broadway between Prince and West Houston Streets (Block #516/Lot #37) the building falling within NYC LPC’s designated SoHo-Cast Iron Historic District Extension; and
  - ii. **Whereas**, the Applicant has been in operation with an on-premises liquor license at this location since February/2023, the original application being heard by CB2, Manhattan in [February/2022](#), the premises being previously unlicensed, the Change in Method of Operation is to extend the hours of operation by one hour Mondays through Saturdays, the Applicant explaining the purpose of said extension of hours is for patrons who are already in the restaurant to be able to extend their time to have another drink and not for the purposes of permitting patrons to enter later, the Applicant stating that the advertised hours of operation would not be changing and there would be no other change to their method of operation; and

- iii. Whereas,** the hours of operation will be from 7 AM to 12 AM Sundays, 7 AM to 1 AM Mondays through Thursdays and 7 AM to 2 AM Fridays and Saturdays; there is sidewalk café seating within the property line which the Applicant appeared before CB2, Man. for an alteration application to add the space to their licensed premises in [August/2023](#), that outdoor seating will continue to end at 11 PM nightly; music will be quiet background only (consisting of music from iPod/CDs/streaming services); there will be no dancing, DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; there may be acoustic live music and DJs, both at background levels, in the cellar only and only during a private event of which there will be no more than 24 per year; and
- iv. Whereas,** concerns were raised by CB2, Man. that the granting of the later hours of operation with those hours being later than most “restaurant” hours in the area would change the method of operation from that of a restaurant to that of a late night bar, those concerns being addressed when the Applicant gave assurance that the advertised hours would remain within the current method of operation, though unable to state what the current advertised hours were, and that the intent was simply to allow dinner guests to linger longer and not to extend the hours for new arrivals; the current posted closing hours being Mondays and Tuesdays at 9 PM, Wednesdays to Saturdays at 10 PM; following the committee meeting the Applicant unwilling to agree to sign stipulations specifically stating those advertised closing hours but willing to agree to advertising hours not later than 11:30 PM and 12:30 PM with the understanding that the reason Community Board 2, Man. is recommending approval of the application with signed stipulations is to permit guests that arrive under their current method of operation to stay a bit longer for an after-dinner drink and not to permit patrons to arrive later than one would for a full dinner service under the existing hours of operation (12 AM and 1 AM Fridays and Saturdays); and
- v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Restaurant Liquor License, with those stipulations as follows”
1. Will operate a full-service restaurant, specifically a neighborhood restaurant with an Italian menu with the kitchen open and full menu items available until closing every night.
  2. The hours of operation will be from 7 AM to 12 AM Sundays, 7 AM to 1 AM Mondays through Thursdays and 7 AM to 2 AM Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing time. Licensee’s advertised hours will be no later than 11:30PM Sunday to Thursday and 12:30AM Friday and Saturday.
  3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  4. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk café located immediately adjacent to the storefront within the building line with no more than 5 tables and 10 patron seats. Service to patrons seated within the property line on the sidewalk will be through the separate doors located to the south of

the main entry. All service will take place from within the property line. Seating may be reduced to accommodate access from those doors. There is no sidewalk café located on municipal property or service to patrons seated within the property line from the public sidewalk. No roadbed seating.

5. All outdoor seating will close no later than 11 PM Sundays through Saturdays. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs.
6. Will play quiet ambient recorded background music only on the ground floor. Acoustic live music and DJs with music at background levels is permitted in the cellar only and only when a private event is being held in that location.
7. Will have no more than an average of two (2) private events per month. All private events will take place in the cellar space only. No private events on the ground floor.
8. Will not have televisions.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Will not have any of the following: dancing, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or barricades or doormen/security personnel.
16. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for change in method of operation to the existing On-Premises Restaurant Liquor License for **450 West Broadway LLC & Lowder-Tascarella Hospitality LLC dba Principe, 450 W Broadway 10012, unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the NYSLA Liquor License.

**Vote:** Unanimous, 33 Board Members in favor.

**2. Laduree Soho LLC dba Laduree 396-398 W. Broadway 10012 (OP–Restaurant)**

- i. **Whereas**, the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for new on-premises restaurant liquor license to operate a full-service restaurant, tea salon and patisserie located in a ground floor retail store located within a three (3)-story mixed-use building (ca. 1910) on

West Broadway between Spring and Broome Streets (Block #488/Lot #23 and Lot #12), this building falling within NYC LPC's designated SoHo-Cast Iron Historic District Extension and the designated Special SoHo NoHo Mixed Use District; and

- ii. **Whereas**, the storefront premises is roughly for a 10,700 sq. ft. premises (3,020 sq. ft. in the basement, 3,033 sq. ft. on the ground floor and 2,578 sq. ft. on the second floor, all connected via an interior stairway in addition to 2,068 sq. ft. in the ground floor backyard/garden) there are 40 tables and 110 seats inside and 95 additional seats plus one (1) standup bar with eight (8) seats in the backyard and one (1) additional service bar inside; a temporary certificate of occupancy showing a maximum occupancy of approximately 145 with a proposed occupancy of 205 seated patrons to include backyard; there is no sidewalk café or roadway use; there are one entrance/exit on West Broadway and another entrance/exit on Thompson Street and three patron bathrooms on the ground floor, there is no patron use of the cellar or the 2<sup>nd</sup> floor; and
- iii. **Whereas**, the hours of operation for the inside will be Sunday through Thursday from 9 AM to 11 PM and Fridays and Saturdays from 9 AM to 12 AM and the hours of operation in the backyard/garden will be Sundays through Saturdays from 9 AM to 10 PM inclusive of any parties and/or private events, there will be no music, speakers or TVs in the backyard/garden at any time and no smoking, music on the interior will be background only inclusive of any parties and/or private events, there will be no DJs or live music, no scheduled performances and no outside promoters but there may be private parties; and
- iv. **Whereas**, the Applicant first appeared before CB2, Man. in [June/2013](#) at which time CB2, Man. recommended approval of the application, the Applicant having been operating with the a similar method of operation at the premises since early 2014, albeit there will no longer be a full dinner menu; the liquor license having recently been allowed to lapse due to legal complications involving the [tied-house law](#) and the addition of a minority investor, the minority investor owning a small portion of a French liquor manufacturer and a small interest in the instant application for the retail on-premises liquor license, the tied-house law restricting the ability of an entity in one tier (manufacturer) from having an interest in an entity in another tier (retail), the representative stating that there was legislation ([Senate Bill S9643A](#)) recently signed by the governor exempting this specific property from the tied-house law so that this individual can become a partner, therefore they are re-applying for essentially the same application; and
- v. **Whereas**, there has been a long history of noise complaints regarding music in the backyard despite the 2013 executed stipulation agreement stating there would be no music in the backyard, the Applicant having appeared before CB2, Man. in both [February/2016](#) and [February/2018](#) to address those issues, the instant application indicating that there will be speakers in the garden and providing specifications for those speakers despite the representative stating that they would abide by the existing stipulations and being unaware of any speakers in the garden; a member of the South Village Neighbors stated that an assistant manager of Laduree reached out to the block association asking for a letter of support but when members of the block association were queried there were no letters either in support

or against the application submitted, another member of the community stating that she frequents the garden area and that there are definitely speakers being used; the representative calling the Applicant and receiving verification that there will no longer be speakers in the backyard garden and agreeing to close the garden at 10 PM each night to alleviate the quality of life issues with the residents that surround and are directly above the garden area; and

**vi. Whereas,** the Applicant has executed and has had notarized a stipulations agreement with CB2, Man. which they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation for the on-premises liquor license, with those stipulations as follows:

1. The premises will be advertised and operated as a full service restaurant, tea salon, patisserie and chocolatier.
2. Hours of operation will be Sundays through Thursdays from 9 AM to 11 PM and Fridays and Saturdays from 9 AM to 12 AM.
3. Will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. Will operate a backyard garden consisting of not more than 124 seats with hours from 9 AM to 10 PM daily. There will be no music, speakers or TVs at any time in the backyard garden. No smoking in the backyard garden. These hours and conditions are inclusive of any private events in the backyard garden.
5. No sidewalk café or roadbed seating.
6. Will play recorded background music at conversational levels in the interior only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products
15. Will not have dancing, DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances, velvet ropes or barricades or security personnel/doormen.
16. 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
17. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.



- vii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the on-premises Liquor License at this location, there being **49 active licensed premises** within 750 ft. and 3 pending licenses according to LAMP; the Applicant's hours and the agreed upon stipulations being reasonable including the elimination of any music being played in the backyard/garden, a member of the public having recently frequented the premises and noted there were no longer speakers in the backyard/garden, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **denial** of the on-premises restaurant liquor license application for **Laduree Soho LLC dba Laduree 396-398 W. Broadway 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" of the NYSLA Liquor License.

**Vote:** Unanimous, 33 Board Members in favor.

**3. Binx 39 Christopher St LLC dba Binx 39 Christopher St 10014 (OP-Restaurant)**

- i. **Whereas**, the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 for a new on-premises liquor license to operate a full-service restaurant serving sustainable meats and seafood in a ground floor storefront within a six (6)-story tenement style residential building (ca. 1900) on Christopher Street between Waverly Place and 7<sup>th</sup> Avenue South, this building falling within NYC LPC's designated Greenwich Village Historic District; and
- ii. **Whereas**, the storefront proposed to be licensed has operated since 2019 with a similar method of operation as a small plate tapas and wine bar first with a restaurant wine license and then since 2023 with a full liquor license (Lamano West Village LLC, Lic ID #0340-23-127903), but prior to 2018 had never previously operated with any liquor license; the interior storefront is small in size, roughly 441 sq. ft. on the ground floor and 380 sq. ft. in the basement for a total of 821 sq. ft. the basement accessed by a sidewalk hatch with no patron access to the basement, there will be 8 tables with 34 patron seats, one stand-up bar with four (4) additional seats and three (3) window seats for a total indoor seated patron occupancy of 41 persons, there is one (1) entry and one (1) exits and one (1) patron bathroom, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and
- iii. **Whereas**, the Applicant's hours of operation will be Sundays to Saturdays from 12 PM to 12 AM Sundays through Thursdays and 12 PM to 1 AM Fridays and Saturdays, music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; the Applicant intends to apply

to the DOT Dining Out NYC program for not more than two (2) tables and four (4) seats to the east of the entryway, though it remains questionable if the seating will fit within the required clear path requirements, the Applicant agreed that if permitted any future sidewalk café would close no later than 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays; and

**iv. Whereas,** the Applicant met with the West Village Residents Association and agreed to reduce the requested hours for Friday and Saturdays from 2 AM to 1 AM, this being a residential neighborhood, the Applicant operating a wine bar a few blocks away (Moon Flower West 11<sup>th</sup> LLC, Lic ID #0267-22-108076) and agreeing to comply with the sidewalk café regulations at that location by removing the chairs placed in the curbside of the sidewalk, the Applicant has executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan which should continue to be incorporated into the Method of Operation for the on-premises liquor license, with those stipulations as follows:

1. The premises will be advertised and operated as a full-service restaurant serving sustainable ingredients including meats and seafood with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be Sunday to Thursday from 12 PM to 12 AM and Fridays and Saturdays from 12 PM to 1 AM. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café operating under the Dining Out NYC program, if permitted, consisting of not more than 2 tables and 4 seats. All service will be from within the sidewalk café boundaries to seated patrons only. No exterior music, speakers or TVs.
5. Sidewalk café will close no later than 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays. All tables and chairs will be secured at this hour. No exterior music, speakers or TVs.
6. No roadbed seating.
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 close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
11. Will not install or have French doors, operable windows or open facades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will ensure that any venting, fan and any other rooftop equipment will be insulated and professionally installed and timed so as to minimize noise and vibration to the building's residential tenants.

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” on the sale of bottles of alcohol except for the sale of bottles of wine products.
  17. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/doorman.
  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.
- v. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the on-premises liquor license at this location, there being **100 active licensed premises** within 750 ft. and 14 pending licenses according to LAMP; the Applicant met with the West Village Residents Association and reached an agreement on a number of stipulations, the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new on premise liquor license to **Binx 39 Christopher St LLC dba Binx 39 Christopher St 10014** **unless** the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the 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, 33 Board Members in favor.

**4. Cafe Yaya LLC 137 Thompson St 10012 (TW–Bar/Tavern) (previously unlicensed)**

- i. **Whereas**, the Applicant and the Applicant’s representative appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for a tavern wine license to operate a small café serving salads and sandwiches in a ground floor storefront within a five (5)-story tenement-style residential building (ca.1875) on Thompson Street between East Houston and Prince Streets (Block #517/Lot #31), this building falling within NYC LPC’s designated Sullivan-Thompson Historic District, this particular block being zoned for residential occupancy only despite certain pre-existing, non-conforming storefronts being found thereat; and

- ii. **Whereas**, the storefront premises is approximately 450 sq. ft. with nine (9) tables and 18 seats and no stand up bars for a total seated patron occupancy of 18 persons, there is one entrance serving as patron ingress and egress and one (1) bathroom, the store front infill being fixed without operable doors or windows that open out to the sidewalk, there is no exterior seating on the sidewalk or in the roadway; and
- iii. **Whereas**, the hours of operation will be Sundays through Saturdays (7 days a week) from 11 AM to 9 PM; music will be quiet background music only consisting of music from iPod/CD's/streaming services; there will be no televisions; all doors and windows will be closed at all times; there will be no dancing, DJ's, live music, promoted events or scheduled performances, cover fees, private parties and no security/doormen; and
- iv. **Whereas**, the premises to be licensed has previously never been licensed for the service of alcohol and was a nail salon for approximately 12 years, and then a covid testing site; this being a narrow, quiet, residential block that has a school and mix of retail and no other eating and drinking establishments; and
- v. **Whereas**, adjacent and nearby residents as well as a resident of the building and the South Village Neighbors spoke against the application, citing quality of life concerns regarding noise related to having an eating and drinking establishment on their block and the associated noise from patrons, deliveries and garbage pickup, there were other concerns about whether the hot water in the building was sufficient to handle the additional use of a ground floor restaurant, there was no outreach to those living in the building or on the block about the liquor license application which many who spoke found unacceptable, many also describing the block as particularly residential in character due to the school being a major part of the block, this being an active community with many high school children, the overarching concern being the potential negative impacts to this block that the residents witness on surrounding blocks with eating and drinking establishments; and
- vi. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **72 active licensed premises** within 750 feet of the proposed premises according to LAMP to be licensed and an additional 7 pending licenses within this same area, this application being for the service of beer and wine only and thus not subject to the 500 Foot Rule, the applicant having early closing hours and stating that they will not apply for any outdoor seating, will not apply for an upgrade to their liquor license or to extend operating hours past 9 PM in the future, the method of operation being for a small café and sandwich shop and not a wine bar; 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 new tavern wine license, with those stipulations as follows:
  - 1. Premises will be advertised and operated as a small café serving salads, sandwiches and desserts with less than a full kitchen but will serve food during all hours of operation.

2. The hours of operation will be 11 AM to 9 PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
3. The premise will not operate as a Sports Bar, Lounge or Tavern 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 now or in the future.
5. Will not have televisions.
6. Will close all doors and windows at all times, allowing only for patron ingress and egress.
7. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
8. Staff will not play music outside of the regular operating hours of the business.
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will not have e-bike or lithium battery storage inside the premises.
12. Will not apply for a full liquor on-premises license in the future.
13. Will not file for a change in method of operation to extend operating hours past 9 PM in the future.
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. 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.
17. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new tavern wine license in the name of **Cafe Yaya LLC 137 Thompson St 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License.

**Vote:** Unanimous, 33 Board Members in favor.

**5. 150 Sullivan Food Inc dba Let’s Talk Soho 150 Sullivan St 10012 (Restaurant Wine)**

- i. **Whereas**, the Applicant, the Applicant’s representative and the restaurant’s manager appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for a restaurant wine license to operate a restaurant serving breakfast, lunch and dinner in the ground floor storefront of a five (5)-story mixed-use building (ca. 1911, altered 2015) on Sullivan Street between Prince and Houston Streets (Block #518/Lot #32) in NYC LPC’s designated Sullivan-Thompson Historic District, this

particular block being zoned for residential occupancy only despite certain pre-existing, non-conforming storefronts being found thereat; this is one of two applications this Applicant and related parties presented to CB2, Man. this month, the other being Café and Spirits Inc at 107 Thompson Street; and

- ii. **Whereas**, the storefront premises consists of the ground floor and basement (600 sq. ft on the ground floor and 1,000 sq. ft in the basement) connected by a stairway which is accessed via the residential hallway and shared by the residents of the building; and
- iii. **Whereas**, there will be 14 tables with 40 patron seats, one bar with eight (8) seats for a total of 48 interior seats; there provided diagram (which is from the previous occupant of the premises) shows one (1) entrance that serves as both patron ingress and egress, the questionnaire stating there are 2 entrances, 3 exists and one (1) bathroom; there is no patron use of the cellar which is used for storage, food prep and kitchen only; the Applicant currently operating in the premises with a temporary license (Lic. ID #0524-24-28311); and
- iv. **Whereas**, the provided questionnaire was missing much of the information, the Applicant verbally providing information to CB2, Man. that was contrary to that on the questionnaire, the proposed hours of operation presented by the Applicant and his representative are 8 AM to 11 PM Saturdays through Sundays (7 days a week) which was in contrast to the 7 AM to 1 AM hours stated on the questionnaire, the Applicant stating music will be quiet background only from iPods/CDs/streaming services, there will be no dancing, no DJ's, no promoted events, no live music, no private parties, no scheduled performances or cover fees, the questionnaire stating juke box and failing to address the other elements listed above; and
- v. **Whereas**, members of the community and the South Village Neighbors spoke in opposition to the application, there had been no outreach to residents of the building or neighbors, there were significant concerns raised about the proposed 1 AM closing that was on the questionnaire, this being a residential block and all the other establishments closing earlier including the prior occupant of the premises (3 of Cups LLC, Lic. ID #0240-22-100659) which had a 12 AM closing time imposed on them by the NYSLA, the residents being relieved to hear that the actual closing time was 11 PM though some thought it should be earlier than that; and
- vi. **Whereas**, there is roadbed seating from the prior occupant, the Applicant of the instant application being unaware that the outdoor seating does not transfer from one operator to the next and has been using the roadbed seating, at first saying they were not serving alcohol outside but then admitting to the service of alcohol in the roadbed when confronted with photographs taken just prior to the CB2, Man. meeting, the prior Applicant having a restriction on the liquor license imposed by the NYSLA at their February 16, 2022 full board hearing that there would be no service of alcohol outside until such time as they returned to CB2, Man. which they never did, the Applicant's manager being unaware of the rules and stating that the service of alcohol will be discontinued and the roadbed removed, the Applicant stating that they will apply for any exterior seating that they can have at a future time; residents on

this narrow, residential block remain opposed to any exterior seating at the location, this being a residential block where outdoor seating was never permitted before the pandemic and the eating and drinking establishments are previously non-conforming uses; residents being concerned about the lack of clarity regarding the method of operation as presented, the Applicant being strictly an investor, the manager appearing unfamiliar with rules and regulations and not having had much experience in running a restaurant, the manager explaining that her daughter, who also appeared, has experience in the hospitality business and is going to be moving back from London to help; and

**vii. Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **92 active licensed premises** within 750 feet of the proposed premises according to LAMP to be licensed and an additional 13 pending licenses within this same area, this application being for the service of beer and wine only and thus not subject to the 500 Foot Rule, the applicant stating the hours are 8 AM to 11 PM with the premises having previously been licensed for the service of beer and wine with similar hours; and

**viii. Whereas**, the committee voted to recommend denial of the application unless the hours as presented and agreed to at the meeting were part of the stipulations along with other stipulations the Applicant and manager agreed to during the CB2 meeting; the Applicant letting CB2 know a number of days later that they did not mean what was said at the meeting regarding closing hours and instead want the hours of operation as written in the questionnaire, those hours being closing at 1 AM daily; in an effort to come to a compromise with the Applicant, the stipulations were amended with a closing hour of 12 AM daily, the same hours as the NYSLA had imposed on the prior occupant, the Applicant unwilling to agree to those hours; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial for **150 Sullivan Food Inc dba Let's Talk Soho 150 Sullivan St 10012** on its application seeking a new restaurant wine license; and

**BE IT FURTHER RESOLVED** that should this application be considered by the NYSLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the NYSLA before any license is issued to this Applicant; and

**THEREFORE, BE IT FURTHER RESOLVED**, that if despite CB2, Man.'s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the members of the Authority consider the following stipulations be imposed on any future restaurant wine license for **150 Sullivan Food Inc dba Let's Talk Soho 150 Sullivan St 10012**:

1. Will operate a full-service restaurant serving breakfast, lunch and dinner.
2. The hours of operation will be from 8 AM to 12 AM Sundays through Saturdays. No patrons will remain after stated closing time.

3. Any future service to roadbed seating or sidewalk café will be to seated patrons only and will close no later than 10 PM.
4. Will play recorded background music at conversational levels only.
5. Will not have televisions.
6. Will close all doors and windows at all times, allowing only for patron ingress and egress.
7. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.”
8. Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

**Vote:** Unanimous, 33 Board Members in favor.

**6. Cafe and Spirits 107 Thompson St 10012 (TW–Bar/Tavern) (previously unlicensed)**

- i. **Whereas**, the Applicant, the Applicant’s representative and the manager appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for a tavern wine license to operate a small coffee shop and wine bar in a ground floor storefront within a five (5)-story tenement-style residential building (ca.1901) on Thompson Street between Prince and Spring Streets (Block #503/Lot #26), this building falling within NYC LPC’s designated Sullivan-Thompson Historic District; this is one of two applications this Applicant and related parties presented to CB2, Man. this month, the other being Let’s Talk SoHo at 150 Sullivan Street; and
- ii. **Whereas**, the storefront premises is approximately 650 sq. ft. (350 sq. ft on the ground floor and 300 sq. ft. in the cellar, the cellar is accessed via a sidewalk hatch with no patron occupancy to the cellar), there will be three (3) tables with nine (9) seats and one counter with seven (7) seats for a total seated patron occupancy of 16 persons, there is one entrance serving as patron ingress and egress and one (1) bathroom, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and
- iii. **Whereas**, the hours of operation as presented at the CB2, Man. meeting will be Sundays through Saturdays (7 days a week) from 8 AM to 1 AM as presented in the questionnaire, the Applicant stating the actual hours are 8 AM to 11 PM and that the later hour is for staff to clean up; music is background music, the questionnaire indicating TVs but the Applicant was unclear as to any specifics, most of the information on the questionnaire was not filled out, the menu provided was the menu for the other application applied for by the Applicant at this same meeting, Let’s Talk SoHo; and
- iv. **Whereas**, the premises to be licensed has previously never been licensed for the service of alcohol, since 2021 the premises has been occupied by Drip Drop Coffee who will be moving to another location on Thompson Street at the end of October/2024 and for many years prior to that as Porto Rico Importing Coffee and Tea; and



- v. **Whereas**, Drip Drop coffee had installed benches around the tree pit and roadbed seating extending significantly past their storefront premises, the Applicant intending to file for as much seating as permitted in both the roadbed and sidewalk but no specifics were provided with the application, the Applicant seeming unaware of any of the rules of the permanent Dining Out NYC program, those rules not permitting roadbed seating to extend past the storefront premises with clear path restrictions on the narrow sidewalk and a fire hydrant adjacent to the premises making the availability of outdoor seating limited if allowed at all, especially as it compares to what the current occupant is utilizing and had most likely been using to sustain their business during the pandemic – the current premises having more seating outside than inside due to not having to abide by the permanent rules nor pay for the use of the roadbed, concerns being raised that the Applicant did not properly evaluate the limited amount of seating that will be available under the new rules, concerns being raised that there was no clear plan or method of operation presented with the application, that much of the information was missing from the questionnaire, that the hours verbally presented were different from those on the instant application, the Applicant having no prior business experience in the hospitality industry stating they are investing significant money and will figure it out and fix things as they learn, the manager, while stating she has some recent experience in conjunction with the Bryant Park Winter Village, has never run a restaurant before and is now proposing to manage two restaurants within a few blocks of each other on residential blocks; and
- vi. **Whereas**, neighbors and the South Village Neighbors block association spoke against the application, there being the usual concerns of licensing another previously unlicensed small retail shop, this being of particular due to both because this is a residential block and the lack of any clear business plan being presented by this Applicant, that coffee shops have much earlier closing hours, the hours requested being late for even a full-service restaurant on that block, the Applicant stating they need to be able to serve wine until 11 PM because the rent is so high; and
- vii. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **67 active licensed premises** within 750 feet of the proposed premises according to LAMP to be licensed and an additional 5 pending licenses within this same area, this application being for the service of beer and wine only and thus not subject to the 500 Foot Rule, the applicant stating the hours are 8 AM to 11 PM; and
- viii. **Whereas**, the committee voted to recommend denial of the application unless the hours as presented and agreed to at the meeting were part of the stipulations in addition to there being no service or consumption of alcohol to patrons sitting on the tree bench along with other stipulations the Applicant and manager agreed to during the CB2 meeting such as background music only, no TVs, that the façade remain fixed and that they return to CB2, Man. for an alteration to their license if they decide to apply for outdoor seating as required by the NYSLA; the Applicant letting CB2 know a number of days later that they did not mean what was said at the meeting regarding hours and instead want the hours of operation as written in the questionnaire, those hours being closing at 1 AM daily; and

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan recommends **denial** of the application for a tavern wine license for **Cafe and Spirits 107 Thompson St 10012**; and

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

**Vote:** Unanimous, 33 Board Members in favor.

- 7. The Bar on Mulberry LLC dba The Mulberry 240 Mulberry St Lower Level 10012** (OP–Bar/Tavern) (Lic ID # 0340-22-110443, SN # **1343027**, exp 11/30/2024) (Change in Method of Operation)
- i. Whereas**, the Applicants and the Applicants’ Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for Change in Method of Operation to the existing On-Premises Tavern Liquor License to continue to operate a cocktail lounge located on the basement level only of a C6-2 zoned, six (6)-story mixed-use building (c. 1901) on Mulberry Street between Prince and Spring Streets (Block #494 / Lot #9) located in the Special Little Italy District; and
  - ii. Whereas**, the Applicant has been in operation with an on-premises liquor license at this location since February/2023, the original application being heard by CB2 in [December/2021](#), the current request being to extend the hours of operation from 2 AM to 4 AM 7 days a week, to add security Thursdays through Saturdays and to add DJs at background levels; and
  - ii. Whereas**, the premises is roughly 1,200 sq. ft.; there are 13 tables with 49 seats and one (1) bar with six (6) seats for a total patron occupancy of 55 seats; there is one (1) entryway which serves as patron ingress and egress and two (2) patron bathrooms; there is no sidewalk café or roadbed seating; and
  - iii. Whereas**, the initial application for The Bar on Mulberry in December/2021 indicated proposed hours of operation until 4 AM nightly, but the Applicant at the time immediately reduced those hours to 2 AM as part of meeting the public interest standard for the initial license, the Applicant not having had any issues since opening aside from a noise issue with an upstairs resident that was quickly remedied, the bar attracts both locals, residents of the building and celebrities, they stated that they are often still busy when closing at 2 AM so would like to accommodate their patrons with later hours with support from building residents; the Applicant’s representative also explaining that the addition of DJs is not really a change but to correctly reflect the method of operation they were currently operating under, the Applicant regularly using DJs to curate music while keeping music at background music levels and not using a microphone, the Applicant thinking that if they were not “working the room”, using a microphone and playing at entertainment levels then they were in compliance with the executed stipulation agreement; and

- iv. **Whereas**, a member from the public spoke against the increase in hours saying it was not a good fit for the neighborhood which consists of small apartments and older people, the Applicant stating that most of the people in the building are customers and that the majority of their clientele is between the ages of 30–50 years old; and
- v. **Whereas**, members of the committee had concerns regarding the 4 AM hours 7 days a week, the Applicant in response agreed to reduce the requested hours of operation to 2 AM Sundays to Wednesdays and 4 AM Thursdays through Saturdays; during business session the majority of the committee remained uncomfortable with the 4 AM closing, so a closing time of 3 AM Thursdays through Saturdays was proposed to the Applicant following the meeting which they agreed to; and
- iii. **Whereas**, the hours of operation will be from 12PM to 2AM Sunday through Wednesday and 12 PM to 3 AM Thursday through Saturday; all doors and windows will be closed by 10PM nightly; music will be quiet background only consisting of music from iPod/CDs/streaming services and may be curated by DJs but will remain at background levels; there will be no dancing, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the “Method of Operation” of the on-premises liquor license, with those stipulations as follows:
  - 1. Premises will be advertised and operated as an upscale cocktail lounge.
  - 2. The hours of operation will be 12PM to 2AM Sundays through Wednesdays and 12 PM to 3 AM Thursdays through Saturdays All patrons will be cleared and no patrons will remain after stated closing time.
  - 3. Will operate with less than a full service kitchen but will serve food during all hours of operation.
  - 4. Will not operate as a Sports Bar or allow any portion of premises to be operated in that manner.
  - 5. Will not operate a backyard garden or other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Dining Out NYC program.
  - 6. Will play ambient background music only consisting of music from iPods/CDs/streaming services, inclusive of any private parties or events. DJs may be used to curate music but music will continue to be played through the existing sound system at background levels. No music will be audible in any adjacent residences at any time.
  - 7. Will not have televisions.
  - 8. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
  - 9. Will ensure there is no congregating on the sidewalk.
  - 10. Will not install or have French doors, operable windows or open façades.
  - 11. Will not make changes to the existing façade except to change signage or awning.

12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
17. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
18. Will appear before CB2, Man. for change in method of operation/alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a change in method of operation to the existing on-premises tavern liquor license for **The Bar on Mulberry, LLC d/b/a The Mulberry, 240 Mulberry St. 10012**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the NYSLA Liquor License.

**Vote:** Unanimous, 33 Board Members in favor.

- 8. Baotea Mulberry Inc dba Bao Tea House 122 Mulberry St 10013 (New OP–Restaurant) (Class Change)**
  - i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA #1 Licensing Committee #1 to present an application to the NYS Liquor Authority for a class change of their Restaurant Wine License (Lic ID 0240-24-122836, exp. 7/30/2026) to an on-premises restaurant liquor license to operate an Chinese restaurant on the ground floor of a C6-2G-zoned, three (3)-story mixed-use building (c. 1910, altered 1986) on Mulberry Street between Hester and Canal Streets (Block #205/Lot #12), the building falling within the designated Special Little Italy District; and
  - ii. Whereas**, the ground floor premises is approximately 800 sq. ft.; there is a basement which is connected by an interior staircase that will be used for storage and by patrons for bathroom access only, no sq. ft. was provided for each individual floor; there will be one (1) table with seven (7) seats and one (1) bar with 12 seats for a total of 19 interior seats; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom; there is a large operable window which has been installed in the front façade facing the sidewalk, the parents of the Applicant have been operating at the location for approximately 20 years; and
  - iii. Whereas**, the hours of operation will be from 11 AM to 11 PM Sundays through Saturdays (7 days a week); all doors and windows will close by 10 PM nightly; music will be quiet

background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doorman; and

- iv. **Whereas**, the Applicant sent notice to CB2/Man in February/2023 for their restaurant wine and beer license but then failed to appear, the board unanimously recommending denial of the application at the time and asking that the NYSLA also deny the application, calendar the application for a SLA Full Board meeting and send the Applicant back to CB2, Man., which the NYSLA failed to do and issued the restaurant wine license; and
- v. **Whereas**, the Applicant executed 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 of the new on-premises restaurant liquor license, with those stipulations as follows:
  - 1. Premises will be operated as a full-service Chinese restaurant with the kitchen open and full menu items available until closing every night.
  - 2. The hours of operation will be 11 AM to 11 PM Sundays through Saturdays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
  - 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  - 4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
  - 5. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
  - 6. Will not have televisions.
  - 7. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
  - 8. Patron occupancy of basement is for bathroom use only. There will be no service to patrons in the basement.
  - 9. Will not make changes to the existing façade except to change signage or awning.
  - 10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
  - 11. Will not have unlimited drink or unlimited food and drink specials. Will not have more than 2 for 1 or half price drink specials. Will not have “boozy brunches.” No pitchers of beer.
  - 12. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
  - 13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
  - 14. 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; and

vii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a liquor license at this location where there already are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being **59 active licensed premises** listed on LAMP within 750 feet of the subject premises, in addition to 6 pending licenses, the Applicant having operated for the past year at this location without incident, the premises having been in the family for the past 20 years, with the hours of operation being reasonable and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a new on-premises restaurant liquor license for **Baotea Mulberry Inc dba Bao Tea House 122 Mulberry St 10013**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the into the “Method of Operation” of the NYSLA Liquor License.

**Vote:** Unanimous, 33 Board Members in favor.

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

**9. Bowery Dream LLC/220 Hospitality Partners LLC dba Nolita Express 218-220 Bowery 10012 (OP–Hotel)**

**Whereas**, following this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on October 1, 2024, the Applicant requested **to withdraw** this application from further consideration due to the revelation during the meeting that the premises currently operates as an SRO and the Applicant’s stated plans for the renovation of the premises do not include full height walls for guest rooms along with other requirements necessary to change the DOB occupancy from that of an SRO to a hotel, there being no plans filed with DOB or submitted with the application illustrating how the occupancy can be changed to that of a hotel including guest rooms with no windows, the representative requesting to lay over the application during the meeting in order to do further review with the Applicant on whether the application will be for a hotel or restaurant liquor license, an SRO not being able to be licensed for the sale of alcohol, the Applicant’s representative affirming they 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 then later withdrawing the application following the meeting; 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 **Bowery Dream LLC/220 Hospitality Partners LLC dba Nolita Express 218-220 Bowery 10012** **until** the

Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 33 Board Members in favor.

**10. Hex Squared LLC dba Hex & Company 801 Broadway 10003 (TW–Bar/Tavern) (Board Game Cafe)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 1, 2024 the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2 Manhattan; and

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Hex Squared LLC dba Hex & Company 801 Broadway 10003 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 33 Board Members in favor.

**11. Talum LLC 183 Grand St 10013 (TW–Bar/Tavern)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 1, 2024 the Applicant **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2 Manhattan; and

**Whereas**, the Applicant's original 30-day notice was received by CB2, Man. in September/2023 and the application was placed on the October/2023 agenda, their representative requested to layover the application to November and then to December at which time the representative appeared without the Applicants and requested to lay over the application February/2024; on February 5, 2024 the representative requested to lay over the application to March/2024, on February 7, 2024 the application was filed with the NYSLA according to LAMP, in March/2024 the representative requested to lay over the application to April/2024 and was placed on the April 2, 2024 CB2, Man. SLA licensing agenda at which time the Applicant failed to appear without providing any reason or explanation; on April 26, 2024 after it was discovered by CB2, Man. that the Applicant had filed their application with NYSLA, CB2, Man. sent a letter to the Deputy Commission of Licensing at the NYSLA requesting the Applicant be returned to CB2, Man. stating

that CB2, Man. would be proactively placing the item on the May 7 agenda and advised the representative that they were on the agenda, the representative responding that they were not ready to appear and a “no show denial” [resolution](#) was unanimously adopted by CB2, Man. at their May full board meeting; and

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Talum LLC 183 Grand St 10013 10003** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 33 Board Members in favor.

**12. Miznon Spring NY LLC 194 Spring St 10012 (OP–Restaurant/RW)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on October 1, 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 **Miznon Spring NY LLC 194 Spring St 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 33 Board Members in favor.

**13. 343 Broome Tomorrow LLC 146 Bowery 10013 (OP–Restaurant)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on October 1, 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 **343 Broome Tomorrow LLC 146 Bowery 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 33 Board Members in favor.

#### **14. LDVkenmare LLC 98 Kenmare St 10012 (OP–Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on October 1, 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 **LDVkenmare LLC 98 Kenmare St 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 33 Board Members in favor.

#### **15. Banana Republic, LLC 552-556 Broadway 10012 (OP–Bar/Tavern)**

**Whereas**, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on October 1, 2024, the Applicant requested **to lay over** this application to November/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 **Banana Republic, LLC 552-556 Broadway 10012** **until** the Applicant has presented their application in front of CB2's

SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 33 Board Members in favor.

## SLA 2 LICENSING

- 1. New York Water Tours Inc dba Oasis 353 West Street, Pier 40 10014** (New VW–Vessel/Boat/Ship)
  - i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for two new Vessel Wine licenses for two ships – Oasis and Enchanted – considered together by Community Board 2 given the consistent nature of each application outside of the unique characteristics of each vessel, to operate chartered Hudson River cruises originating from and docked at Pier 40 in Hudson River Park on the West side of Manhattan at West Houston Street and West Street; and
  - ii. Whereas**, the ships are quite similar in size with Oasis carrying a maximum of 149 passengers and 155 passengers including crew, each ship consists of two (2) decks, two (2) bars, two (2) bathrooms and a kitchen; each are docked on the northern and western perimeters of Pier 40, and will operate for events, sightseeing and dinner cruises on the Hudson River in and about New York and New Jersey harbor area, each vessel currently holding all USCG permits; and
  - iii. Whereas**, the Applicant’s hours of operation are Saturdays and Sundays from 12 PM to 10 PM and Mondays through Fridays from 7 PM to 10 PM; there will be open air decks; music will include DJs, live music and music from iPod/CD’s/streaming services at background levels, the Applicant agreeing to specific stipulations regarding music as indicated below; and
  - iv. Whereas**, complaints were shared by members of CB2, Man. with the Applicant in regards to the music volume levels played on the previously licensed vessels operating both out of Pier 40 and out of NJ that docked at Pier 40 when those ships are docked at Pier 40, when they disembark Pier 40 and when they return to Pier 40, the harmful quality of life impacts having been a persistent problem in the past for the surrounding residential buildings and to other users of the park, the Applicant understanding all the concerns and signing the stipulations that were put in place to mitigate the issues of the prior operators, this operator stating and stipulating that they will not be advertising as a party boat rental or have booze cruises; and

- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be incorporated into the “Method of Operation” of the Vessel Wine New York Water Tours Inc dba Oasis, with those stipulations as follows:
  1. The licensed vessel will be operated as a sightseeing, event and dinner boat rental business on open waters with passenger embark/disembark at Pier 40.
  2. Will not advertise as a party boat rental or have booze cruises.
  3. The hours of operation will be Saturdays and Sundays from 12 PM to 10 PM and Mondays through Fridays from 7 PM to 10 PM.
  4. When docked and/or during embarking or disembarking of passengers from Pier 40, will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.
  5. All vessels will cease playing music within .5 nautical mile of shoreline and/or pier 40 (for all vessel approaching/leaving Pier 40 for purposes of dockage or berthing vessels at Pier 40).
  6. Owner will provide dedicated, updated and shared contact number for members of the Community and Community Board 2 to contact the cruise line directly should there be noise complaints or other problems.
  7. All noise complaints will be immediately shared with all managers and staff to prevent unreasonable noise intrusions to residents living nearby.
  8. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
  10. Will not change any principals prior to submission of original application to NYSLA.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **denial** of a vessel wine license for **New York Water Tours Inc dba Oasis 353 West Street, Pier 40 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 “Method of Operation” on the NYSLA vessel wine license.

**Vote:** Unanimous, 32 Board Members in favor.

- 2. **New York Water Tours Inc dba Enchanted 353 West Street, Pier 40 10014** (New VW– Vessel/Boat/Ship)
  - i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for a new Vessel Wine licenses for two ships – Oasis and Enchanted – considered together by Community Board 2 given the consistent nature of each application outside of the unique characteristics of each vessel, to operate chartered Hudson River cruises originating from and docked at Pier 40 in

Hudson River Park on the West side of Manhattan at West Houston Street and West Street;  
and

- ii. **Whereas**, the ships are quite similar in size with Enchanted carrying 132 passengers and 138 passengers including crew, each ship consists of two (2) decks, two (2) bars, two (2) bathrooms and a kitchen; each are docked on the northern and western perimeters of Pier 40, and will operate for events, sightseeing and dinner cruises on the Hudson River in and about New York and New Jersey harbor area, each vessel currently holding all USCG permits; and
- iii. **Whereas**, the Applicant's hours of operation are Saturdays and Sundays from 12 PM to 10 PM and Mondays through Fridays from 7 PM to 10 PM; there will be open air decks; music will include DJs, live music and music from iPod/CD's/streaming services at background levels, the Applicant agreeing to specific stipulations regarding music as indicated below; and
- iv. **Whereas**, complaints were shared by members of CB2, Man. with the Applicant in regards to the music volume levels played on the previously licensed vessels operating both out of Pier 40 and out of NJ that docked at Pier 40 when those ships are docked at Pier 40, when they disembark Pier 40 and when they return to Pier 40, the harmful quality of life impacts having been a persistent problem in the past for the surrounding residential buildings and to other users of the park, the Applicant understanding all the concerns and signing the stipulations that were put in place to mitigate the issues of the prior operators, this operator stating and stipulating that they will not be advertising as a party boat rental or have booze cruises; and
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be incorporated into the "Method of Operation" of the Vessel Wine License for New York Water Tours Inc dba Enchanted, with those stipulations as follows:
  - 1. The licensed vessels will be operated as a sightseeing, event and dinner boat rental business on open waters with passenger embark/disembark at Pier 40.
  - 2. Will not advertise as a party boat rental or have booze cruises.
  - 3. The hours of operation will be Saturdays and Sundays from 12 PM to 10 PM and Mondays through Fridays from 7 PM to 10 PM.
  - 4. When docked and/or during embarking or disembarking of passengers from Pier 40, will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.
  - 5. All vessels will cease playing music within .5 nautical mile of shoreline and/or pier 40 (for all vessel approaching/leaving Pier 40 for purposes of dockage or berthing vessels at Pier 40).
  - 6. Owner will provide dedicated, updated and shared contact number for members of the Community and Community Board 2 to contact the cruise line directly should there be noise complaints or other problems.
  - 7. All noise complaints will be immediately shared with all managers and staff to prevent

unreasonable noise intrusions to residents living nearby.

8. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not change any principals prior to submission of original application to NYSLA.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **denial** of a vessel wine license for **New York Water Tours Inc dba Oasis, New York Water Tours Inc dba Enchanted 353 West Street, Pier 40 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 “Method of Operation” on the NYSLA vessel wine license.

**Vote:** Passed, with 32 Board members in favor.

**3. One Jane LLC dba Cinico 1 Jane St 10014 (TW–Bar/Tavern Wine) (previously unlicensed)**

- i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a tavern wine license to operate an “Italian café-bistrot, renown for our elegance, customer service and quality of food” in a six (6)-story, C1-6-zoned, residential building with ground floor retail (c. 1939) on the northwest corner of Jane Street and Greenwich Avenue (Block #616/Lot #27), this building falling within NYC LPC’s designated Greenwich Village Historic District; and
- ii. Whereas**, the ground floor premises is roughly 595 sq. ft.; there will be six (6) tables with 16 seats and one (1) bar with eight (8) seats, there is one (1) entry which will serve as patron ingress and egress and one (1) bathroom; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and
- iii. Whereas**, the hours of operation will be 4 PM to 10 PM Sundays through Thursdays and 4 PM to 12 AM Fridays and Saturdays, there are no operable doors or windows nor any plan to change the exterior storefront façade, there will be no DJs, no promoted events, no live music or TVs, no sidewalk café or other outdoor areas for the service of alcohol; and
- iv. Whereas**, the premises has been operating from 2019 to 2024 as Glosslab nail salon and prior to that had been a clothing store from approximately 2013 to 2016 and a coffee bar operating without a liquor license prior to that; and
- v. Whereas**, the Applicant appeared before CB2, Man. in [September/2024](#) for an on-premises tavern liquor license application at which time the board unanimously recommended denial of the application due to a multitude of concerns about the method of operation which included DJs, live music, outdoor seating with minimal seating and no kitchen capacity inside,

the Applicant's lack of outreach to the residents of the building and other adjacent residents and the lack of any public interest for the application as presented; the Applicant returning this month for a tavern wine license which does not carry the burden of meeting the public interest standard, this application showing modified hours, no DJs, no live music and no outdoor seating – something the Applicant had previously stated was essential to his business model; and

- vi. Whereas**, the Applicant is the principal of a coffee bar which opened on Madison Avenue in September/2023 (BVJH International Corporation dba Cinico, Lic ID #0267-24-100297, exp 12/31/25), that coffee bar offering breakfast, lunch and dinner with posted closing hours of 9 PM daily, that premises being much larger and having a full kitchen where bread and meals are made, the Applicant stating as he did last month that most of the meals would be prepared at his other premises and brought down to the Jane Street premises, questions being raised again about the viability of this method of operation if it relies on food being prepared at the sister location which has been open for only approximately one year; and
- vii. Whereas**, a member of the Jane Street Block Association, who was also contacted by a resident living above the premises and who was in touch with other nearby residents, came to speak about concerns remaining that there had been no outreach again to residents living in the building, that those residents said they could hear people's footsteps walking down the street at night because it was so quiet and the impacts this establishment might have on their quality of life, that there was no plan presented for soundproofing as there had not been when the Applicant appeared for the on-premises license the residents being able to clearly hear the past retail activities within this premises which operated during normal daytime business hours, and that the Applicant had not engaged with the Jane Street Block Association regarding this new application and the proposed changes made to the method of operation to help alleviate the residents' concerns since presenting their on-premises application to CB2, the Jane Street Block Association being their only direct neighborhood contact; and
- viii. Whereas**, the method of operation still not being clearly defined as the instant application builds off of their uptown location, yet their uptown location's method of operation is more of a daytime to early evening premises serving breakfast, lunch and dinner – the earlier hours being something this neighborhood is lacking yet the instant application has removed the earlier hours and its business model is to open for dinner hours only in an area that has an abundance of dinner options including many specializing in Italian food; and
- ix. Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being 62 active licensed premises within 750 feet of the proposed premises to be licensed according to LAMP and an additional 8 pending licenses within this same area, this application being for the service of beer and wine only and thus not subject to the 500 Foot Rule, the Applicant adjusting their hours and other aspects of the application to be more in alignment with the residents' concerns, though there remains a lack of understanding by CB2 as to how so many elements of the original application which we were told were essential to the business model can be removed (full

liquor, late hours, live music, outdoor seating, events) and the business model remain viable without any expansion of hours or services into the earlier part of the day, the Applicant stating they are confident the proposed method of operation will work for them; and

x. **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 incorporated into the “method of operation” of their tavern wine license and the stipulations are as follows:

1. Premises will be advertised and operated as an Italian café with less than a full kitchen but will serve food during all hours of operation.
2. The hours of operation will be 4 PM to 10 PM Sundays through Thursdays and 4 PM to 12 AM Fridays and Saturdays. No patrons will remain after stated closing time.
3. The premise will not operate as a Sports Bar, Lounge or Tavern 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 now or in the future.
5. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
6. Will install adequate soundproofing in ceiling and walls so as to create an acoustical barrier between the premises and adjacent residents.
7. Will not have televisions.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. Will not have private events or pop-up events.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. 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.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
16. 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.
17. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the tavern wine application for **One Jane LLC dba Cinico 1 Jane St 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed

to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” of the NYSLA liquor license.

**Vote:** Unanimous, 32 Board Members in favor.

**4. Christopher Street Hospitality LLC 115 Christopher St 10014 (OP–Restaurant) (Transfer)**

- i. Whereas,** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 for a new on-premises restaurant liquor license to operate a neighborhood restaurant/bar in a ground floor storefront within a seven-story mixed use building (circa 1903) on a residential-zoned block on Christopher Street between Bleecker and Bedford/Hudson Streets (Block #619/Lot #7501), this building falling within NYC LPC’s designated Greenwich Village Historic District; and
- ii. Whereas,** the ground floor storefront sought to be licensed is a transfer application from The Village Academy Bar Inc dba The Hangar (Lic. ID # 0340-23-130034, SN # 1025682) which operated as an unassuming gay bar from June 1993 to January 2024, prior to that the premises had been licensed as Christopher’s since the 1980’s, and as the Green Hornet in the 1960’s; and
- iii. Whereas,** the interior storefront is approximately 3,100 sq. ft. with 1,900 sq. ft. on the ground floor and 1,200 sq. ft. basement, the basement being accessed by entering a vestibule shared by the residential occupants of the building which connects to the interior staircase leading to the Applicant’s basement space, there will be no patron use of the basement, the basement being used for storage purposes only; there will be seven (7) tables and 24 seats and two (2) bars with 40 seats for a total patron occupancy of 64 and a legal occupancy of 88, there is a full-service kitchen, the storefront’s infill being fixed with no doors or windows that open out to the sidewalk aside from the door used for patron ingress/egress; doors will be kept closed at all times allowing only for patron ingress and egress, there will be no outdoor seating; ; and
- iv. Whereas,** the proposed hours of operation are Fridays through Sundays from 12 PM to 4 AM and Mondays through Thursdays from 2 PM to 4 AM, there will be two (2) TVs, music will be recorded background music at conversational levels only inclusive of any private parties utilizing small speakers installed throughout the premises, there will be soundproofing installed between the licensed premises and the residents of the building to ensure music is not heard in the adjacent residences; there will be no DJs, live music, promoted events, no dancing, no scheduled performances or cover fees, no velvet ropes and no movable barriers, no security personnel or doorman; and
- v. Whereas,** the Applicant first appeared before CB2, Man. in May/2024 at which time residents of the building, neighbors and the local block association raised many concerns about the application including the 4 AM closing time and the possibility of outdoor seating, this being a residential block with many pre-existing, non-conforming ground floor retail spaces, the



involvement of Eytan Sugarman who is the owner of White Horse Hospitality LLC at 569 Hudson Street where there has been an extensive disciplinary history and who was most recently before the NYSLA regarding an endorsement application for HHLP Union Square Associates LLC, etc dba Hyatt Union Square; Bowery Road; Library of Distilled Spirits at 76 East 13<sup>th</sup> Street (Lic. ID #0343-23-103211), and the lack of outreach to the residents of the area, the Applicant asking to lay the application over to do further outreach with the community; and

- vi. **Whereas**, the Applicant returned to CB2, Man. after doing outreach to residents of the building, including conducting a conference call at which a number of residents participated, and getting into the premises to address some of the concerns raised at the previous meeting – outdoor seating has been removed from the application, music will be background only with no DJs as there were complaints that the prior operator would occasionally have DJs and live music, the front windows will not be made operable and will remain closed at all times and doors will remain closed at all times, they will have security to keep the frontage of the premises and immediate surrounding area clear, to bring people inside and to prevent cars from idling outside, there will be regularly scheduled pest maintenance, the Applicant stated they are not willing to apply for closing hours earlier than 4 AM and while they may close earlier, they would like the ability to be open until 4 AM as the prior occupants of the premises were permitted to do because they stated that this premises was not subject to the 500 ft rule because the location had been continuously licensed since prior to 1993; and
- vii. **Whereas**, residents of the building continued to voice their concerns over the application, those concerns being the late hours in a residential block and neighborhood, there are both young children and older adults living in the building and those hours, especially during the week, will cause quality of life issues for them; there were many concerns about work being done in the basement and ground floor with no permits posted, that there are new hot water heaters, the Applicant’s attorney stating he checked with the Applicant and those involved with any work the Applicant may be doing and that building permits were not necessary for work they are doing at the time and that the hot water heaters were not installed by the Applicant; additional concerns were raised about patrons previously being able to access the shared vestibule area outside of the licensed premises that leads to the cellar, the Applicant stating they will strictly monitor the door to the vestibule, agreeing in executed stipulations to post signage on that door stating “Employees Only”; neighbors also continued to raise concerns about the involvement of Eytan Sugarman because of his negative history with his other establishments in the immediate area, the Applicant and his attorney not able to clarify at this time what percentage of ownership he will hold in the LLC as that was still be worked out, as the Applicant was not able to answer there were significant concerns as to who would be actually making the final decisions about the business and its method of operation; there remained concerns about the front window being operable despite assurances by the attorney that if the existing window is currently operable it will remain closed, the neighbor pointing out that this attorney had made those same assurances a number of years ago elsewhere and that window was made operable and has caused considerable quality of life concerns for those

residents; another newer resident of the building said that he had had discussions with the Applicant and his attorney and found them to be responsive and was not opposed to the application; and

**viii. Whereas**, while members of CB2’s SLA Licensing Committee, residents of the building and the public would like earlier closing hours consistent with hours that a non-conforming business should operate on a residentially only zoned street and in a residential building, the Applicant stating that this application is not subject to the 500 Foot Rule as it has been continuously licensed prior to 1993, therefore the public interest standard does not apply to this application, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **86 active licensed premises** within 750 feet of the proposed premises according to LAMP to be licensed and an additional 9 pending licenses within this same area, 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 incorporated into the “method of operation” of their on-premises restaurant liquor license and the stipulations are as follows:

1. The premises will be advertised and operated as a neighborhood bar with a full-service kitchen with the kitchen open full menu items available until midnight every night and a lighter bar menu offered until closing.
2. The interior hours of operation will be Fridays through Sundays from 12 AM to 4 AM and Mondays through Thursdays from 2 PM to 4 AM. No patrons will remain after stated closing time.
3. Will not operate as a Lounge 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 through small speakers installed throughout the premises. Music levels will remain at conversational background levels during any private parties or events. No music will be audible in any adjacent residences at any time.
6. Will install soundproofing to create an acoustical barrier between the licensed premises and the residents of the building.
7. Will have no more than two (2) televisions no larger than 55".
8. Will contract with a pest control management company for services on a regular schedule.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will have security as needed to prevent patrons from congregating and/or smoking outside the licensed premises and to prevent cars from idling.
11. Will post signage on the door leading from the restaurant to the common hallway / cellar stairs stating “Employees Only” to discourage patron use.

12. Will not have patron occupancy/service to any portion of the basement of licensed premises.
13. Will not install or have French doors, operable windows or open facades.
14. Will not make changes to the existing façade except to change signage or awning.
15. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
16. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
17. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
18. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades.
19. Will provide Community Board 2, Man. with a listing of all principals with 5% ownership or greater, prior to opening.
20. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new on-premises restaurant liquor license to **Christopher Street Hospitality LLC 115 Christopher St 10014** **unless** the statements the Applicant has presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” of the NYSLA liquor license.

**Vote:** Passed, 28 Board Members in favor,

4 Board Members against (R. Chattree, A. Fernandez, E. Smith and C. Spence).

**5. DeMolinari Greenwich Inc dba St. George 62 Greenwich Ave 10011 (RW–Restaurant)**

- i. Whereas**, the Applicants and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a bakery and café in the entirety of a three (3)-story (exclusive of cellar) commercial building (ca. 1915) on Greenwich Avenue between 7<sup>th</sup> Avenue South and Charles/West 10th Street (Block #606/Lot #26) the building falling within NYC LPC’s designated Greenwich Village Historic District; and
- ii. Whereas**, the premises is approximately 4,000 sq. ft. premise (1,000 sq. ft. each basement, 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors, patron dining is on 1<sup>st</sup> and 2<sup>nd</sup> floors only, there is no patron use of the basement or 3<sup>rd</sup> floor office, all floors connected by an interior stairway), with 12 tables and

44 table seats across the 1st and 2nd floors and one (1) bar located on the 1<sup>st</sup> floor with eight (8) bar seats and one (1) window counter with nine (9) seats for a total of 60 interior seats, there is one (1) patron bathroom on the 1<sup>st</sup> floor, there is no sidewalk café or roadbed seating included with this application; there is an existing Certificate of Occupancy and a letter of no objection was presented indicating an eating and drinking establishment, UG#6, Non-Place of Assembly for less than 75 persons at the 1<sup>st</sup> and 2<sup>nd</sup> floor; and

- iii. **Whereas**, the hours of operation will be from 7 AM to 11 PM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs/streaming; all doors and windows will be closed at all times, there will be no dancing, DJs, live music, promoted events, scheduled performances or cover fees, velvet ropes or movable barriers or security; and
- iv. **Whereas**, the premises to be licensed had operated with an on-premises restaurant liquor license since approximately early 2017 as a steak house under the name 62 Greenwich LLC dba Greenwich Steak House FG (Lic ID #0340-17-107817) which came before CB2, Man. in [September/2016](#), CB2, Man. unanimously recommending approval of the application with extensive stipulations that took into account the adjacent property owners, the premises at that time having a large glass wall in the rear which directly faces residential buildings, those residents being very involved with the application in 2016, but not appearing for the instant application, it being thought that since they face the rear of the premises and that area was inadvertently not posted for calendared CB2, Man meeting this month the residents may not have been aware of the instant application, the Applicant stating they did not see a large glass window / wall in the rear and agreed to abide by the previous stipulations and keep the rear wall covered; and
- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **57 active licensed premises** within 750 feet of the proposed premises according to LAMP to be licensed and an additional 5 pending licenses within this same area, this application being for the service of beer and wine only and thus not subject to the 500 Foot Rule, the hours being reasonable and the premises previously being licensed for the service of alcohol; 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 bakery and café with the kitchen open and full menu items available until closing every night.
  - 2. The hours of operation will be 7 AM to 11 PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
  - 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.

4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
5. Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
6. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. Will not have patron occupancy/service to any portion of the basement or 3rd floor of licensed premises.
10. Will not operate rooftop outdoor seating or have any patron use of any rooftops, specifically the second-floor rear outdoor area (lower roof) located to the rear of the building will never be used for patron dining or patron occupancy and will be used by staff for maintenance purposes only.
11. Will ensure that the enhancements made by prior tenants to ensure privacy between the licensed premises and the tenants facing the rear of the premises remain in place, those enhancements consisting of (i) the Rear Glass Wall including the door is completely covered with sheet metal panels or similar substance so as to completely cover the vision area and (ii) acoustic separation between the occupied spaces (the entire first and second floors) and the exterior above the Rear Lower Roof shall be achieved by the existing envelope plus a metal stud and gypsum board system that completely separates the occupied spaces from the Rear Glass Wall. There shall be no gaps or openings in this system except for self-closing door(s) which will have a keyed lock on both sides.
12. There will be no sidewalk a-frame signage, menu boxes, greeting or hostess stations or other outdoor furniture.
13. Will not install or have any French doors, operable windows or open facades.
14. Will not make changes to the existing façade except to change signage or awning.
15. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
16. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
17. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
18. Will not have 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 changes to any stipulation agreed to herein.

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends denial of the application for a new Restaurant Wine License in the name of **DeMolinari Greenwich Inc dba St. George 62 Greenwich Ave 10011**, 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 liquor license.

**Vote:** Unanimous, 32 Board Members in favor.

**6. RemyMidtown LLC 35 E 13th St aka 119-121 University PI 10003 (OP–Bar/Tavern)**

- i. Whereas,** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for an On-Premises Tavern Liquor License to operate a bar and lounge on the 2<sup>nd</sup>, 3<sup>rd</sup> and rooftop floors of a three (3)-story commercial building (ca. 1950) on the northeast corner of University Place and East 13<sup>th</sup> Street (Block #565/Lot #5; and
- ii. Whereas,** the premises is approximately 5,400 sq. ft, with each floor being approximately 1,800 sq. ft., the floors connected by an interior stairway; the information provided did not specify how many tables and chairs but stated the occupancy on the 2<sup>nd</sup> and 3<sup>rd</sup> floors to be 150 persons each and the rooftop 74 persons for a total occupancy of 374 persons, there are three (3) stand up bars, one on each floor including the rooftop, there are ten (10) seats at the bar on the 2<sup>nd</sup> floor and no seats at the other bars, there are four (4) bathrooms, there is one entry on University Place and another on East 13<sup>th</sup> Street which may both be used for patron ingress and egress; there are operable windows throughout the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the premises, there are no enclosures on the rooftop; and
- iii. Whereas,** the hours of operation are from 11 AM to 2 AM Sundays and Mondays and 11 AM to 4 AM Tuesdays through Saturdays on the interior and 11 AM to 12 AM Sundays through Thursdays on and 11 AM to 2 AM Fridays and Saturdays on the rooftop; music will be amplified at entertainment levels with DJs and live music, there will be up to 36 private parties per year, there will be 20 TVs on the 2<sup>nd</sup> floor, four (4) TVs on the 3<sup>rd</sup> floor and two (2) TVs on the rooftop, all doors and windows will be closed at all times except for patron ingress and egress, there will be two to six security personnel as needed, mostly on Fridays through Sundays; and
- iv. Whereas,** the diagrams provided were roughly drawn with no orientation of the streets, both the Applicant and the representative having difficulty being able to orient the drawings, there was no indication of the patron entry from either street leading from the ground floor to the 2<sup>nd</sup> floor or throughout the premises, the building having only temporary Certificate of Occupancies active sporadically over the years, the last one expiring November 6, 2019, there are separate Place of Assembly permits for each floor as opposed to one for the overall premises, the Applicant trying to say that the premises had been licensed prior to 1993, but there remain questions as to when each floor was licensed and the cumulative impacts of the successively added 2<sup>nd</sup>, 3<sup>rd</sup> and roof top floors, the ground floor never been a part of this premises, the prior occupant appearing before CB2, Man. in March/2010 to add the rooftop to the license, there are safety concerns because the premises has never received a final

Certificate of Occupancy with multiple temporary certificates of occupancy which have only been sporadically sought over the years in effect for short 90 day periods throughout the previous licensee's history of operation, remaining without an active permit for much more time than ever having an active temporary permit, it remaining an open question as to whether each of the separate place of assembly permits for the large occupancies on the 2<sup>nd</sup> and 3<sup>rd</sup> floor are active if there is no certificate of occupancy, believed to be a required element to seek a permanent place of assembly and keep it active; and,

- v. **Whereas**, significant concerns were raised about the operation of the rooftop, the late hours, the Applicant intending to have speakers and TVs on the unenclosed rooftop, there may be heaters used to extend the season, the Applicant intending to use the standup bar installed by the prior occupant, that bar was initially presented to CB2, Man. as a service bar, the stipulations of the prior occupant stating there would be no music on the rooftop which they disregarded, the premises having a large amount of 311 noise complaints over the past with a significant number occurring in the past few years, when the rooftop was initially built out to expand the licensed premises, large metal sheets or some other material were placed on the west and south sides (the open sides) in an effort to isolate any sound from escaping, at the time there were not as many residential buildings around the building that were taller so sound going up and out from the rooftop did not impact surrounding residents as much, the stipulations agreed to minimize this impact, prior to the installation of the rooftop it was more the sound escaping from the poorly insulated interior and the glass windows, but in the past few years there have been multiple new taller residential buildings built in the immediate area that the rooftop activities and lack of adherence to the stipulations created a significant impact, there has also been an increase in 311 noise complaints at the establishment since those buildings have been built; and
- vi. **Whereas**, the Applicant, who intends to manage the premises, has never held a liquor license before, his experience is from owning an unlicensed pizza restaurant in New Jersey for many years, concerns being raised regarding his lack of experience in running a fully-licensed premises in New York, that concern being exacerbated by the other aspects of the application – that this is an application for a club/lounge with DJs, dancing and live music, the 2 AM and 4 AM hours closing hours with it being often noted that nothing good happens between 2 AM and 4 AM, the open air rooftop and bar with a history of operating improperly and that the area is surrounded by colleges with those students likely to be the ones frequenting the establishment, the Applicant not showing any plans as to how the premises will be managed; and
- vii. **Whereas**, several members of the East 12<sup>th</sup>, 13<sup>th</sup> St Block Association and University Pl Residents Association that live close to the premises had spoken with the Applicant and had concerns regarding the application, the premises being the most problematic for the neighbors going back over ten years on University Place, the members under the impression that the 500 Foot Rule may not apply here after being told that by the applicant with no evidence, thereby eliminating the public interest standard for the license and conversations to mitigate the impacts not occurring, CB2, Man. believing otherwise, the residents therefore trying to ensure

that the Applicant will properly insulate the premises and do sound tests with the local residents but had serious concerns about the application including the continuation of noise issues from music and crowds on the sidewalk, the use of the rooftop, dancing, the significantly late night hours and the lack of experience of the Applicant; and

- viii. **Whereas**, the Applicant stating they will insulate the premises but provided no concrete plans for such insulation, the existing insulation not proving to be sufficient over the years, the applicant providing a sound review of the existing placement of all the speakers and entertainment level sound system which have proved to be troublesome and not credible in stating that the existing sound insulation is adequate; the Applicant not willing to reduce the interior hours of operation for the premises but did agree to limit the hours on the rooftop until midnight 7 days a week, the Applicant was not able to agree to having no sound generating devices on the rooftop; and
- ix. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the On-Premises Liquor License at this location, there being 55 active licenses within 750 ft. and 5 pending licenses according to LAMP; the hours being too late with the Applicant unwilling to reduce them, there being no plans shown to properly insulate the premises for the type of entertainment level sound that has been and is planned to be generated at the establishment, the establishment located on the upper floors and rooftop of the building and containing multiple windows on both the 2<sup>nd</sup> and 3<sup>rd</sup> floors, the rooftop use and late hours have been already shown to cause additional significant quality of life issues for the surrounding residents, added to that is the Applicants inexperience in running any type of licensed establishment let alone a club with late hours, DJs and live music in the middle of a number of colleges; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Liquor License for **RemyMidtown LLC 35 E 13th St aka 119-121 University Pl 10003**; and

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

**Vote:** Unanimous, 32 Board Members in favor.

**7. Bird is The Word LLC dba Birds 64 Downing St. 10014 (OP–Restaurant)**

- i. **Whereas**, the Applicants appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the NYS Liquor Authority for a new on-premises restaurant liquor license to operate a full-service restaurant focusing on Greek food with conversational piano music in the entirety of a one-story commercial building located in a



seven story residential apartment building (circa 1940) on Downing Street between Varick and Bedford Streets (Block #528/Lot #24); and

- ii. **Whereas**, the storefront is roughly 2,592 sq. ft. (1,192 sq. ft. on the first floor connected via an internal stairway to a 1,400 sq. ft basement with no patron use of the basement) with 10 tables and 40 seats, one stand-up bar with 11 seats for a total interior patron seating of 51 persons, with a full service kitchen, there is one entry serving as patron ingress and egress and two bathrooms; and
- iii. **Whereas**, the hours of operation will be Sundays to Thursdays from 5 PM to 12 AM and Fridays to Saturdays form 5 PM to 2 AM, there will be no outside seating, windows and doors will be closed at all times, music on the interior will be quiet background only consisting of music from iPod/CD's/streaming services and there may be live, unamplified piano music, the restaurant will operate primarily as reservation-only with bar seating left for walk-ins, there will be no dancing, DJs, live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. **Whereas**, the Applicant and her brother have been operating a sustainable restaurant called Lighthouse in Williamsburg, Brooklyn for the past 15 years and recently extended the lease there for another 15 years, they have a number of friends in the music industry, primarily in the jazz community and will be highlight pianists from the NY area; and
- v. **Whereas**, the applicant has executed a stipulations agreement with CB2 that they agreed would be attached and incorporated into the method of operation on the new restaurant on-premises liquor license stating that:
  - 1. Premises will be a family restaurant specializing in Greek food with the kitchen open and full menu items available until closing every night.
  - 2. Hours of operation will be Sundays to Thursdays from 5 PM to 12 AM and Fridays to Saturdays form 5 PM to 2 AM. No patrons will remain after stated closing time.
  - 3. Will not operate a backyard garden, rooftop or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
  - 4. Will play recorded background music at conversational levels only and may have live piano music. No music will be audible in any adjacent residences at any time.
  - 5. Will not have televisions.
  - 6. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  - 7. Will not have patron occupancy/service to any portion of the basement of licensed premises.
  - 8. Will not install or have French doors, operable windows or open facades
  - 9. Will not make changes to the existing façade except to change signage or awning.
  - 10. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates
  - 11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.

12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products
  13. Will not have dancing, DJ’s, promoted events, any event where a cover fee is charged or any scheduled performances, velvet ropes or barricades, security personnel or doormen.
  14. 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.
  15. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
- vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the On-Premises Liquor License at this location, there being **61 active licensed premises** within 750 ft. and 14 pending licenses according to LAMP; the Applicant’s hours and the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a On-Premises Restaurant L License in the name of **Bird is The Word LLC dba Birds 64 Downing 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, 32 Board Members in favor.

**8. Blue Stripes 13th Street LLC dba Blue Stripes 28 East 13th St 10003** (Class Change) (OP-Bar/Tavern)

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for class change to their tavern wine license (Lic. ID # 0267-24-107342) to an on-premises tavern license to continue to operate a coffee shop and wine bar on the ground floor of a C6-1-zoned, four (4)-story mixed-use building (c. 1899) on East 13th Street between University Place and Fifth Avenue (Block #570/Lot #19); and
- ii. **Whereas**, the storefront premises is approximately 930 sq. ft. (approximately 630 sq. ft. on the ground floor and 300 sq. ft. in the cellar, the cellar being accessed via an internal staircase with no patron use of the cellar); there are approximately 11 tables with 35 seats and one food counter with no seats for a total interior seated occupancy of 35 persons; there is no full service kitchen; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and

- iii. **Whereas**, the hours of operation will remain from 8 AM to 12 AM Sundays through Saturdays (7 days a week); music will be ambient recorded background music only with the exception of Fridays and Saturdays when there may be live, acoustic (unamplified, no horns or percussion) music between the hours of 6 PM and 10 PM, musicians will be located in the rear of the premises consisting of not more than three (3) musician.; there will be no: dancing, DJs, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; the Applicant has removed the sidewalk seating it had been using as part of the temporary outdoor dining program and stated that he has not and does not intend on applying for any outdoor seating; and
- iv. **Whereas**, the premises to be licensed has been operating since approximately 2018 as a coffee bar specializing in food and beverage revolving around the cacao fruit and its health and wellness benefits with a low-key atmosphere, the Applicant having come to CB2, Man. in [June/2023](#) for their tavern wine license at which time CB2, Man. unanimously recommended approval of the application; and
- v. **Whereas**, a member of the East 12<sup>th</sup>, 13<sup>th</sup> St Block Assn and University Pl Residents Assn spoke against the application saying there was not a public interest to license a coffee shop when there is an abundance of liquor license sin the area; and
- vi. **Whereas**, the Applicant stated that they wanted the upgrade in order to enhance their cacao offerings to include alcohol and made the argument that his premises was in the public interest as many of his customers would prefer to have a drink in the quieter environment of his coffee shop than in a bar; and
- vii. **Whereas**, the premises is quite small and to CB2s knowledge there have not been any complaints about their operation since receiving their tavern wine license, that the Applicant has a somewhat unique offering of specializing in food and beverages around the cacao fruit and that the upgrade provides the opportunity to expand that specific offering while not increasing the capacity of the premises or increasing the hours, both of which would be an expansion in the method of operation that would be problematic to the residents, in addition the Applicant has also removed the sidewalk seating that he had been utilizing under the temporary program; and
- viii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the on-premises liquor license, with those stipulations as follows:
  - 1. Premises will be advertised and operated as a coffee shop / beer and wine bar with a limited food menu with less than a full service kitchen but will serve food during all hours of operation.
  - 2. The hours of operation will be from 8 PM to 12 PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.

3. Will not operate as a Lounge 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 now or in the future.
5. A-frame signs (sandwich boards) will be kept within 3' of the building line as per NYC Sidewalk Usage Guidelines.
6. Will play quiet ambient recorded background music only with the exception of Fridays and Saturdays when there may be live, acoustic (unamplified) music (no percussion or horns) between the hours of 6:00PM and 10:00PM. Musicians will be located in the rear of the premises consisting of not more than three (3) musicians. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will not have any of the following: dancing, DJs, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
15. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

**ix. Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the On-Premises Liquor License at this location, there being **51 active licensed premises** within 750 ft. and 5 pending licenses according to LAMP; the Applicant’s hours and the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a new on-premises liquor license in the name of **Blue Stripes 13th Street LLC d/b/a Blue Stripes, 28 E 13th St 10003** **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

**Vote:** Unanimous, 32 Board Members in favor.

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

- 9. Puttery Manhattan LP dba Puttery 446 W 14th St 10014** (OP–Restaurant) (DJ) (Security Personnel) (Change in Method of Operation: 1st, 2nd, 3rd floors–2AM; Cellar– 4AM, lounge, patron dancing, outside promoters, scheduled performances)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on October 10, 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 **Puttery Manhattan LP dba Puttery 446 W 14th 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, 32 Board Members in favor.

- 10. 74 Up Inc dba Nom 34 E 11th St 10003** (RBC-Restaurant) (Class Change from Grocer)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on October 10, 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 **74 Up Inc dba Nom 34 E 11th St 10003** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

**Vote:** Unanimous, 32 Board Members in favor.

**11. West Hospitality LLC 432 6th Ave 10011 (OP–Restaurant/Bar)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on October 10, 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 **West Hospitality LLC 432 6th 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, 32 Board Members in favor.

**12. Pyramid Effect LLC dba Fellini 176 7th Ave South 10014 (Class Change) (Alteration) (OP-Restaurant)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on October 10, 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 **Pyramid Effect LLC dba Fellini 176 7th Ave South 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, 32 Board Members in favor.

**13. GVI West Village LLC dba Vin Sur Vingt Wine Bar 192 7th Ave South 10014 (Class**

Change) (OP-Bar/Tavern)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on October 10, 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 **GVI West Village LLC dba Vin Sur Vingt Wine Bar 192 7th Ave South 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, 32 Board Members in favor.

## **STREET ACTIVITIES**

### **1. \*10.10.24 – J. Crew Men’s Shop Engineered Garments Collab Launch Event (Sponsor: J. Crew), Bond St. bet. Bowery & Lafayette Sts. [partial SW closure-So.]**

**Whereas**, the applicant, representing clothing store J. Crew, in conjunction with a new collaboration with Engineered Garments is seeking a partial sidewalk and curb lane activation in association with an event occurring inside its store on Bond Street; and

**Whereas**, the activation is expected to occur from 6 to 9 PM, with setup beginning at 3:30 PM and load-out complete by 10 PM; and

**Whereas**, the activation will consist of a tent set up partially on the sidewalk and partially in the curb lane, with two grills on site, serving hamburgers to attendees; and

**Whereas**, the event will be free and open to the public, though attendees must get free “tickets” from inside the store for a hamburger; and

**Whereas**, the applicant stated that they had applied for the requisite FDNY permits for the grills; and

**Whereas**, the event will not feature amplified sound outside of the store; and

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

**Whereas**, due to the presence of a fire hydrant and an elevated cast iron “curb” on the sidewalk in front of the store, the committee did not see a plausible way for the applicant to site the activation legally in front of its store while maintaining requisite distance from the hydrant and a 5-foot pedestrian walkway; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of **J. Crew Men’s Shop Engineered Garments Collab Launch Event (Sponsor: J. Crew)**.

**Vote:** Unanimous, 33 Board Members in favor.

**2. \*10.13.24 – MacDougal Street Mamba (Sponsor: Roscioli NYC), MacDougal St. bet. Prince & W. Houston Sts. [full street closure-full]**

**Whereas**, the applicant, representing Italian restaurant Roscioli on MacDougal Street, is seeking a full street closure for a “Block Party” to be held on Sunday, October 13<sup>th</sup>; and

**Whereas**, set-up for the activation will begin at 9 AM, with the block party expected to occur from 12 PM to 7 PM, and load-out completed by 8:30 PM; and

**Whereas**, the various elements of the block party are intended to be food stands from Roscioli and other participating restaurants on the block, live jazz and other “low key” background music, and a performance from a “Florentine flag waving troupe”; and

**Whereas**, the applicant stated that they had reached out to all of the other restaurants on the block, and that all but one would be participating in the block party, though they had not yet conducted extensive outreach to residents on the block; and

**Whereas**, the applicant stated that they had applied for an SLA permit for alcohol sales by a few of the food stands on the block, but did not seem aware of SLA rules & regulations that require alcohol to be served in delineated / cordoned-off areas; and

**Whereas**, the applicant intends to have “soft” generators on site as well as portable restrooms; and

**Whereas**, the applicant intends to have four security guards on site during the event; and

**Whereas**, the applicant plans to have an extensive sanitation plan with multiple bins around the block party and at each food stand, as well as a rented U-Haul to stow filled bins; and

**Whereas**, the event is sponsored by Resy/Amex, who will be helping to promote the block party over various channels; and

**Whereas**, the applicant stated that they were expecting approximately 1,000 guests over the course of the 7-hour event; and

**Whereas**, the applicant stated that they planned on blocking off the street with temporary barriers, though they still seemed unclear on where exactly such barriers would go; now



**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of **MacDougal Street Mamba (Sponsor: Roscioli NYC)**, **provided that** the application conforms with all applicable laws, rules, regulations, and clearance requirements.

**Vote:** Passed, 23 in favor, 9 against (W. Benesh, C. Booth, V. De La Rosa, S. Gammie, S. Kent, E. Olson, D. Raftery, L. Rakoff, S. Secunda), 1 abstain (R. Sanz).

**3. \*10.13-10.22.24 – Mustang Pop Up at 105 Wooster St. (Sponsor: Slaack Productions), Wooster St. bet. Prince & Spring Sts. [SW & curb lane closure-W.]**

**Whereas**, the applicant is seeking partial sidewalk and curb-lane closures for production parking and ropes/stanchions for line management in conjunction with a pop-up at 105 Wooster Street associated with celebrity musical artist Billie Eilish; and

**Whereas**, such pop-up is likely to have a substantial impact on the community and the surrounding blocks, with likely long lines likely to form that will impede entrances to residences and businesses and may wrap around one or multiple blocks, while running for multiple days in a row; and

**Whereas**, this event is yet another iteration of a type of influencer or celebrity pop-up that is occurring more frequently within CB2, causing significant disruption over the course of multiple days; and

**Whereas**, the applicant had conducted no outreach to residents and businesses on the block that might be impacted by this event; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of **Mustang Pop Up at 105 Wooster St. (Sponsor: Slaack Productions)**.

**Therefore Be It Further Resolved** that CB2 Manhattan in general is strongly opposed to these types of pop-up events that have substantial impact on neighbors and surrounding blocks over multiple days.

**Vote:** Unanimous, 33 Board Members in favor.

**4. \*10.15.24 – Biite Taco Bell 1 (Sponsor: Promobile), Howard St. bet. Broadway & Mercer St. [SW & curb lane closure-No.]**

**5. \*10.17.24 – Biite Taco Bell 2 (Sponsor: Promobile), Washington Sq. No. bet. 5th Ave. & MacDougal St. [SW & curb lane closure-No.]**

**Whereas**, the applicant, representing Taco Bell, is seeking to hold two pop-up food truck activations in two separate locations on October 15<sup>th</sup> and October 17<sup>th</sup>; and

**Whereas**, the first location will be on Howard between Broadway and Mercer on October 15<sup>th</sup> from 4 – 10 PM, and the second location will be on Washington Square North between 5<sup>th</sup> Ave and MacDougal from 12 – 7 PM; and

**Whereas**, the activation will consist of giveaways of a few hundred Taco Bell crunch wraps with a “twist”; 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; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval of Biite Taco Bell 1 (Sponsor: Promobile) and Biite Taco Bell 2 (Sponsor: Promobile), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Vote:** Unanimous, 33 Board Members in favor.

**6. \*10.18-10.20.24 – Jacquemus (Sponsor: Lime Media Group, Inc.), Wooster St. bet. Broome & Spring Sts. [curb lane only-W.]**

**Whereas**, the applicant, representing French clothing brand Jacquemus, is seeking to hold a three-day pop-up airstream activation from October 18<sup>th</sup> through October 20<sup>th</sup>, in association with the brand’s first store opening in the US; and

**Whereas**, the applicant will be handing out servings of orange juice to an estimated ~250 attendees per day; and

**Whereas**, the site chosen should minimize disruption to the surrounding area, being in front of a vacant lot; 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; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval of Jacquemus (Sponsor: Lime Media Group, Inc.), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

**Vote:** Unanimous, 33 Board Members in favor.

**7. \*10.19.24 – Interior Define (Sponsor: Havenly), Greene St. bet. Broome & Spring Sts. [partial SW closure-E.]**

**Whereas**, the applicant, representing furniture store Interior Define, is seeking a partial curb lane closure for a pop-up activation on Saturday, October 19<sup>th</sup>, in front of the Interior Define store at 66 Green Street; and

**Whereas**, the activation will consist of a contest where participants will compete to see who can keep their hand on an Interior Define couch the longest; and

**Whereas**, there will also be trivia questions to help narrow down the contestants and prevent a contest that runs too long; and

**Whereas**, setup for the event will be from 10 AM-12 PM, with the event running from 12 PM to 6 PM, and breakdown by 7 PM; and

**Whereas**, additionally, the applicant plans on serving bagels and coffee at the activation; and

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

**Whereas**, brand ambassadors will be on site for line management, sanitation and to observe the contest participants; now

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

**Vote:** Unanimous, 33 Board Members in favor.

**8. \*10.24.24 – Grand Opening of Commodity Fragrances (Sponsor: Commodity Fragrances), Crosby St. bet. Bleecker & Howard Sts. [SW & curb lane closure-E.] [in front of 113 Crosby St.]**

**Whereas**, the applicant is a new fragrance store named Commodity Fragrances that is opening at 113 Crosby St. and planning on having an opening celebration / cocktail party on Thursday, October 24<sup>th</sup>; and

**Whereas**, the in-store celebration will be from 6 – 10 PM and is intended as a private event for “friends and family”; and

**Whereas**, the applicant is seeking a partial sidewalk closure for a small cordoned-off area as an “overflow” space for attendees to the event to stand outside; and

**Whereas**, no other activation elements, including amplified sound, are expected to occur on the sidewalk; and

**Whereas**, the applicant will ensure that the requisite 5-foot pedestrian right-of-way remains on the sidewalk; now

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

**Vote:** Unanimous, 33 Board Members in favor.

9. **\*10.25.24 – Knix in NYC (Sponsor: Vector Media), 1) Broadway bet. Broome & Spring Sts. [curb lane only-W.]; 2) University Pl. bet. E. 13th & E. 14th Sts. [curb lane only-E.]**

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

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of **Knix in NYC (Sponsor: Vector Media)**.

**Vote:** Unanimous, 33 Board Members in favor.

10. **\*10.26-10.27.24 – Benow Fwee – Broadway – NYFTA (Sponsor: New York Food Truck Association), Broadway bet. Broome & Spring Sts. [partial SW closure-W.]**

**Whereas,** the applicant, representing a Korean skincare brand, is seeking to hold a two-day pop-up partial curb lane and sidewalk activation on October 26<sup>h</sup> and 27<sup>th</sup>, in order to help build brand awareness in the US; and

**Whereas,** the applicant will be handing out keychains with sample sizes of blush to an estimated 250-500 attendees; and

**Whereas,** the event will not include food or drinks; 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; now

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

**Vote:** Unanimous, 33 Board Members in favor.

11. **\*10.27.24 – Barebells (Sponsor: Lime Media Group, Inc.), W. Broadway bet. Prince & Spring Sts. [curb lane only-W.]**

**Whereas**, the applicant, representing protein bar brand Barebells, is seeking to hold a one-day pop-up partial curb lane activation on October 27<sup>th</sup>; and

**Whereas**, the activation will feature a branded school bus from which they will be handing out free protein bar samples; and

**Whereas**, other than the protein bars being handed out, the event will not include food or drinks; 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 promised to do outreach to the surrounding neighbors ahead of the event; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval of Barebells (Sponsor: Lime Media Group, Inc.), provided that** the application conforms with all applicable laws, rules, regulations, and clearance requirements.

**Vote:** Unanimous, 33 Board Members in favor.

**12. \*10.30.24 – Keys Soulcare Pop Up (Sponsor: Shadow), Elizabeth St. bet. E. Houston & Prince Sts. [SW & curb lane closure-W.]**

**Whereas**, the applicant, representing Keys Soulcare, a beauty brand associated with singer Alicia Keys, is seeking to hold a one-day pop-up partial curb lane activation on Wednesday, October 30<sup>th</sup>; and

**Whereas**, the activation will feature giveaways of small sample sizes of a new serum that is being launched by the brand; and

**Whereas**, a media-specific activation is expected to occur at the site from 9 AM – 11 AM, with a reset between 11 AM -12 PM and the pop-up being open to the public from 12 – 4 PM; and

**Whereas**, the applicant expects around 100 attendees per hour, with the line expected to run north up the block; and

**Whereas**, the event will not include food or drinks; 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**, no celebrities or influencers (including Alicia Keys herself) are expected to attend the event; and

**Whereas**, the applicant promised to do outreach to the surrounding neighbors ahead of the event; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval of Keys Soulcare Pop Up (Sponsor: Shadow)**, **provided that** the application conforms with all applicable laws, rules, regulations, and clearance requirements.

**Vote:** Unanimous, 33 Board Members in favor.

**13. \*10.30.24 – IShare (Sponsor: Roaming Hunger LLC), 7th Ave. So. bet. Perry & W. 11th Sts. partial SW closure-No.]**

**Whereas**, the applicant, representing candy store Lil' Sweet Treat, which has recently opened at 184 7<sup>th</sup> Ave So., is seeking to hold a one-day pop-up partial sidewalk activation on Wednesday, October 30<sup>th</sup>; and

**Whereas**, the activation will feature a branded food cart on the sidewalk with giveaways of small sample sizes candy and “swag”; and

**Whereas**, load-on is expected to occur at the site from 10 AM – 2 AM, with the activation from 3 to 9 PM, and load-out by 10 PM; and

**Whereas**, the applicant expects around 100 attendees per hour, with the line expected to run north up the block; and

**Whereas**, the only amplified sound will be from a small, low-decibel speaker; and

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

**Whereas**, the applicant promised to do outreach to the surrounding neighbors ahead of the event and had already done outreach to nearby businesses; and

**Whereas**, the SAR committee had some concern about the “double line” set-up that this pop-up would create with a line to enter the store against the building and a line for the pop-up along the curb lane, and is seeking further SAPO guidance for this type of scenario; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval of IShare (Sponsor: Roaming Hunger LLC)**, **provided that** the application conforms with all applicable laws, rules, regulations, and clearance requirements.

**Vote:** Unanimous, 33 Board Members in favor.

## **FYI / Renewals**

**14. 10.13.24 – Hispanic Day Festival (Sponsor: Spanish Benevolent Society), W. 14th St. bet. 7th & 7th Aves. [full street closure]**

**15. 10.19.24 – Treats in the Streets (Sponsor: Meatpacking District Management Association), 1) Gansevoort St//13th/Gansevoort Pedestrian Plaza [full]; 2) 13th/14th Sts./ Gansevoort Pedestrian Plaza [full]**

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

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

**Vote:** Unanimous, 33 Board Members in favor.

## **TRAFFIC AND TRANSPORTATION**

**1. Resolution requesting pedestrian safety upgrades at the intersection of W. 10<sup>th</sup> St. and Greenwich Ave. including Daylighting, signalization changes, curb management and signage, and advocating a comprehensive study of all of Greenwich Ave. from 6<sup>th</sup> Ave. (Ave. of the Americas) to 8<sup>th</sup> Ave.**

**Whereas** on October 3, 2023, Lori Kleinman, a beloved community activist in Greenwich Village, was struck and killed by a car turning left from eastbound W.10<sup>th</sup> St. onto northbound Greenwich Ave. as she crossed Greenwich Ave. at that W. 10<sup>th</sup> St./Greenwich Ave. intersection; and

**Whereas** in the past 15 years or more, Greenwich Ave., once a quiet, easy-to-cross roadway, has become a traffic-filled, disorganized and confusing thoroughfare, hampered by loading/unloading and drop-off/pickup activities that engender double-parking, occupation of crosswalks and disordered driving, endangering pedestrians on a daily basis; and

**Whereas** this unstable activity on Greenwich Ave. that challenges pedestrian safety each day is further intensified on W. 10<sup>th</sup> St. by drivers speeding eastward from 7<sup>th</sup> Ave. S. without interference right through Waverly Pl. to make the light on Greenwich Ave; and

**Whereas** many of these drivers on W. 10<sup>th</sup> St. turn with the green light at Greenwich Ave. while sustaining the same excessive travel speed, oblivious in the absence of any clear line of sight of the potential for hitting pedestrians crossing Greenwich, visibility being obstructed by the clutter of parked and double-parked vehicles; and

**Whereas** the traffic light timing at the Greenwich Ave./W. 10<sup>th</sup> St. intersection allows for a green light for both motor vehicles turning from W. 10<sup>th</sup> into Greenwich and pedestrians crossing Greenwich at the very same time, setting the stage for perilous pedestrian/vehicle conflicts; and

**Whereas** Transportation Alternatives (the pedestrian/bicycling safety advocacy group) presented recommendations for pedestrian safety techniques to prevent the serious dangers to pedestrians that now exist at and around the W. 10<sup>th</sup> St./Greenwich Ave. intersection, including:

- Leading Pedestrian Intervals (LPIs) - timing of lights used on traffic signals to give pedestrians a head start in crossing the street (7 seconds at the minimum) before the light turns green for turning drivers to enter that street.
- Daylighting – carving out street space abutting sidewalks (i.e., in curb lanes) near intersections (typically next to crosswalks) to provide more visibility as vehicles turn from one street into another. This customarily entails removing parking spaces close to the intersection to make it easier for both drivers and pedestrians to see each other on both sides of the turning corner.
- Neighborhood Loading Zones and other Commercial Loading Zones that allocate designated curb space for loading and unloading and drop-offs and pickups that otherwise might entail double-parking or taking up space in crosswalks by delivery trucks and other vehicles.
- Installation of a STOP sign and a crosswalk at Waverly Pl. and W. 10<sup>th</sup> St. to halt and slow down speeding drivers as they progress from 7<sup>th</sup> Ave. S. along W. 10<sup>th</sup> to the corner of Greenwich Ave., not only giving safe crossing to pedestrians at Waverly and W. 10<sup>th</sup>, but also creating a generally calmer, sustained pace that better safeguards pedestrians as these drivers reach W. 10<sup>th</sup> and Greenwich.
- Raised crosswalks, i.e. platforms to cross the street that are level with the sidewalk (sidewalk height above the street) and have regular crosswalk width and markings that are highly visible and are similar to speed humps in the way they slow down approaching vehicles by introducing inclines up from the streetbed and back down that in speed humps curve at the top, while in raised crosswalks the inclines lead to a flat, level walkway; and

**Whereas** studies by both the National Association of City Transportation Officials (NACTO) and the NYC Dept, of Transportation (DOT) show that left-turning vehicles cause serious injuries or fatalities at over three times the rate of right-turning vehicles, borne out by the tragic death of Lori Kleinman, who was hit and killed by a vehicle turning left from eastbound W. 10<sup>th</sup> St. to northbound Greenwich Ave. According to these studies, a major reason why left turns are so dangerous is a blind spot arising from the A-pillar (the vehicle's roof support at the forward left corner of the windshield) when a turn is made, limiting visibility. Daylighting the left (north) side of W. 10<sup>th</sup> St. approaching Greenwich Ave. will increase visibility for left turns there; and

**Whereas** measures are needed to prevent trucks and other vehicles from parking in the Daylighted spaces and blocking that needed visibility. Bollards are sometimes used to define and block such spaces, but they would lack the flexibility needed to accommodate fire engines from Squad 18 at 132 W. 10<sup>th</sup> St. btw. Waverly Pl and Greenwich Ave. as they turn left from W. 10<sup>th</sup> to head north



on Greenwich Ave. in what they consider their quickest route to put out fires. A preferred, more flexible measure is placing planters in the Daylighted spaces (that also can provide attractive enhancement while retaining the needed line of sight and, if necessary, can be moved aside); and

**Whereas** LPIs hold automotive traffic from making turns for several seconds at the start of the pedestrian Walk phase, giving pedestrians discernable presence crossing the street before the turning vehicles can enter but not offering a full pedestrian phase free of vehicles, thus exposing those still crossing the street to moving vehicles and pedestrian-vehicle conflicts, while Split Phase signalization consists of traffic light phases that fully separate pedestrian street crossings from the movements of turning vehicles, providing greater pedestrian safety; and

**Whereas** existing conditions, e.g., the need to accommodate FDNY Squad 18 fire engines as they turn left from W. 10<sup>th</sup> St. to head north on Greenwich Ave. to reach fires as quickly as possible, or Greenwich Ave.'s designation as a truck route, preclude the installation of a raised crosswalk on Greenwich Ave. or W. 10<sup>th</sup>, however, high visibility crosswalks at these crossings, with very defined, visible patterns in reflective thermoplastic tape, with special pavement markings, signage and lighting can help focus drivers' attention on crossing pedestrians; and

**Whereas** there are conflicts between pedestrians, cyclists and motorists on all of Greenwich Ave from 6th Ave. to 8th Ave., with particularly dangerous pedestrian crossings at the southwest corner of 6th Ave. at Greenwich because of cars speeding up 6th Ave. and slipping into the Greenwich northwest-bound lane; and at 7th Ave. S. and Greenwich because of the 5-way intersection, in addition to the dangerous left turn from W. 10<sup>th</sup> St. onto Greenwich northbound and hazardous turns at other similar intersections along Greenwich. This is compounded by the variation in widths of Greenwich Ave. and the general plethora of activities and competitive needs, e.g., large trucks on the two-way truck route and traffic going both ways, loading/unloading and drop-off-pickups, bike riding, the fire engines on their emergency route, dining sheds and even a bus turning right from W. 10<sup>th</sup> St. into Greenwich where it travels to W. 8<sup>th</sup> St. and turns in there;

**Therefore be it resolved** that Community Board 2 Manhattan (CB2) calls upon DOT to immediately implement Daylighting for at least 20 ft. on the left (north) curbside lane of W. 10<sup>th</sup> St. where W. 10<sup>th</sup> St. approaches its intersection with Greenwich Ave.; and

**Be it further resolved** that CB2 encourages DOT to install a planter or planters in the requested Daylighted spaces and inscribe the planter(s) in memory of Lori Kleinman, and suggests that Ms. Kleinman's many loving friends and neighbors compose this inscription and that her devoted fellow board members of the Jefferson Market Garden select the plantings and arrange for their maintenance; and

**Be it further resolved** that CB2 urges DOT to change the traffic light signal phasing at the intersection of Greenwich Ave. and W. 10<sup>th</sup> St. to a full split phase cycle that allows for a separate, conflict-free, green light phase dedicated exclusively for pedestrians crossing Greenwich Ave. that operates concurrently with a red light left-turn arrow for W. 10<sup>th</sup> St. that prevents vehicles from turning left/north from W. 10<sup>th</sup> onto Greenwich at the same time the pedestrians are crossing, but

with through traffic allowed to proceed east on W. 10<sup>th</sup> St. with a simultaneous green light pointing ahead; and

**Be it further resolved** that CB2 requests the addition of loading zones where needed on Greenwich Ave. and possibly W. 10<sup>th</sup> St. and asks that DOT observe loading/unloading and drop-off/pickup activities along Greenwich Ave. and on W. 10<sup>th</sup> St. and confer in particular with business owners to ascertain loading zone needs; and

**Be it further resolved** that CB2 supports installation of a STOP sign and a crosswalk at Waverly Pl. and W. 10<sup>th</sup> St.; and

**Be it further resolved** that CB2 asks that DOT ensure that the high visibility crosswalks at W. 10<sup>th</sup> St. and Greenwich Ave. have the most defined, visible patterns available installed, in highly reflective thermoplastic tape (refreshing this frequently), along with installation of Yield to Pedestrians signage and/or STOP or YIELD pavement markings in advance of the marked crosswalks, and overhead lighting placed to clearly illuminate pedestrian activity; and

**Be it further resolved** that CB2 strongly recommends that DOT conduct a comprehensive study of all of Greenwich Ave. from 6<sup>th</sup> to 8<sup>th</sup> Aves., including in relation to its side streets, concentrating on creating a safer Greenwich Ave. with shorter crossing distances and greater pedestrian visibility, with consideration and evaluation of potential improvements suggested by community members, such as relocation of the truck route, installation of an Open Street (and establishing a program that ensures maintenance partners to operate it in a professional manner), converting from two-way to one-way, putting in a bike lane, and conferring with FDNY Squad 18 (the local firehouse rather than FDNY headquarters which DOT usually consults without receiving details about local conditions and concerns) to address access and other needs as well as alternative approaches for FDNY service; and

**Be it finally resolved** that CB2 implores DOT to install with utmost speed the simple, site specific improvements CB2 recommends and requests in the area of concern at Greenwich Ave. and W. 10<sup>th</sup> St., including Daylighting with planters, split phase signalization, suitable loading zone signage, a STOP sign and crosswalk at W. 10<sup>th</sup> St. and Waverly Pl., and well-defined, clearly seen high visibility crosswalks, Yield to Pedestrians signage and street bed markings, with carefully placed, effective lighting, to provide these sorely needed safeguards to pedestrians as quickly as possible, well in advance of the requested comprehensive study which will take a much longer time.

**Vote:** Unanimous, with 33 Board members in favor.

## **2. Resolution in support of co-naming the northwest corner of Waverly Pl. and Charles St. (or alternatively, another area holding a street post that borders McCarthy Square) Frank Crapanzano Way.**

**Whereas** a great many friends and neighbors who have loved, admired and are grateful to Frank Crapanzano for his many years of work both beautifying and creating a gathering place and sense

of community at McCarthy Square (the verdant triangle on the east side of 7<sup>th</sup> Ave. S. formed by 7<sup>th</sup> Ave. S., Waverly Pl. and Charles St.) have gathered to request that the northwest corner of Waverly Pl. and Charles St. (or another corner or spot holding a street post that borders McCarthy Square) be co-named Frank Crapanzano Way to honor his memory and recognize his significant contribution to enhancing community life; and

**Whereas** when Frank Crapanzano, a 45-year resident of 15 Charles St. in Greenwich Village, retired from his position as a guidance counselor in a NYC public high school in 2006, he had more time to look out the window from his 5<sup>th</sup> floor apartment and observe what was going on in the surrounding community. What he saw was a sadly neglected little triangle park (McCarthy Square) and he decided that he would take care of it; and

**Whereas** from 2006 until over 10 years later when he was no longer physically able (and even then continued to be involved until his death in 2021), Frank Crapanzano devoted his time to bringing McCarthy Square back to life, working every day for endless hours, single-handedly cleaning out trash, weeding, and planting a beautiful array of flowers and greenery, most at his own expense; and

**Whereas** Frank Crapanzano not only rejuvenated McCarthy Square's physical beauty, and with it created a welcoming warmth, but he also transformed it into a special community place by holding events and installing displays that brought people together and enriched community life, e.g., on Halloween he strung up pumpkins and other holiday decorations and invited local school children for refreshments and entertainment, in June he put up lanterns, and at Christmastime, he served hot chocolate and coffee along with setting up colorful Christmas ornamentations; and

**Whereas** in the spirit of the original aim of McCarthy Square and to revive its history, Frank Crapanzano initiated the restoration and rededication of the 1943 monument (granite base and flagpole) that was erected there during World War II, to recognize those who were serving in the U.S. Armed Forces, at the time McCarthy Square was established and named for Bernard James McCarthy, the first Villager to fall in battle in that war, on Guadalcanal, and Frank worked with the American Legion and local residents to raise funds to support that effort. He also arranged for a new plaque on the monument that paid homage to both the "Brave Men and Women who served (women were not acknowledged on the original plaque). Thereafter, he held a ceremony every Veterans Day which included a bugler playing taps, speeches and refreshments; and

**Whereas** a great many neighbors and community friends appeared to support the proposed co-naming, including Vincent Mele, a talented carpenter who, at Frank's invitation, created birdhouses in a variety of architectural styles for the garden, Ralph Musolino, the Chief Operations Officer of the NYC Dept. of Parks & Recreation (DPR) who at that time was District Manager for the parks in Community Board 2, Manhattan (CB2) and praised Frank's dedication, and Yurra Sugarman, a poet and neighbor reading a tribute by another poet neighbor, Arlene Nauer, who wrote "...our beloved gardener, Frank...buys all the plants and flowers and seeds...prunes them, waters...dresses up the garden each and every holiday...all this from a volunteer we owe hugs and cheer."; and

**Whereas** petitions with over 200 signatures from local residents and businesses from within CB2 and many additional non-qualifying signatures from people outside the CB2 district who have admired and enjoyed Frank Crapanzano’s beloved haven were submitted in support of the co-naming; and

**Whereas** the Frank Crapanzano co-naming proposal more than adequately meets the requirements of CB2’s *Street Co-Naming Guidelines*; and

**Whereas** the NYC Dept. of Transportation’s (DOT) liaison to CB2 has indicated that the only requirement for installing a street co-name sign is that it has to be on an existing street post; and

**Whereas** there are existing street posts bordering the McCarthy Square triangle at:

- Northwest corner of Waverly Pl. and Charles St. – This is the preferred location, but it already has three signs: Waverly Pl., Charles St., and McCarthy Square, which appear to leave no room for another street sign (with hopes that one more sign can be added).
- Eastern side of 7<sup>th</sup> Ave. S. btw. Waverly Pl. and Charles St.
- Northeast corner of 7<sup>th</sup> Ave. S. and Charles St.

**Whereas** CB2’s DOT liaison has indicated that DOT’s Borough Engineers have to survey the location where a street co-name is requested and evaluate if it would work and therefore has suggested that alternative co-naming locations at McCarthy Square be submitted;

**Therefore be it resolved** that CB2 wholeheartedly and enthusiastically supports co-naming either the northwest corner of Waverly Pl. and Charles St., or as alternatives, the eastern side of 7<sup>th</sup> Ave. S. btw. Waverly Pl and Charles St. or the northeast corner of 7<sup>th</sup> Ave. S. and Charles St. (or even at the small post on the west side of Waverly Pl. btw. 7<sup>th</sup> Ave. and Charles St.) “Frank Crapanzano Way.”

**Vote:** Unanimous, with 33 Board members in favor.

## **STANDING COMMITTEE REPORTS WITHOUT RESOLUTIONS**

### **LAND USE**

#### **FY26 Capital and Expense Budget Priorities**

### **LAND USE CAPITAL BUDGET PRIORITIES**

#### **Capital budget Priority 1 (Land Use)**

Create a job description for an individual to liaise with the federal government for the purpose of transferring ownership of the parcel at **2 Howard Street**, owned by the General Services Administration (GSA) and used as a parking lot for federal purposes, to city-owned property.

This person will work with federal-elected officials, federal government employees, the NYC Mayor's office, and other relevant City agencies in order to develop 100% permanent affordable housing at this site once it is transferred to the City.

**Responsible Agency:** NYC Mayor's Office

## **LAND USE EXPENSE BUDGET PRIORITIES**

### **Expense budget priority 1 (Land Use)**

Ask the NYC Department of City Planning (DCP), and/or NYC Department of Finance (DOF), and/or NYC Office of Technology and Innovation (OTI) to allocate funds to develop a citywide dataset, going back to at least 2008, of the number of rent-stabilized and rent-controlled units by building, including building-level data such as house number, street name, BBL, BIN, and community district, using data such as DOF tax bills, to be included on the Open Data portal in dataset and map formats, and updated annually. Where necessary, this dataset should include an extract from the appropriate State-level agency (e.g., NYS Department of Housing and Community Renewal (DHCR)) in order to identify these units.

**Responsible Agency:** NYC Department of City Planning (DCP), NYC Department of Finance (DOF), and/or NYC Office of Technology and Innovation (OTI)

### **Expense budget priority 2 (Land Use)**

Ask the NYC Department of City Planning (DCP), NYC Department of Citywide Administrative Services (DCAS) Department of Real Estate, and/or the NYC Department of Housing

Preservation & Development (HPD) to allocate funds to develop a report (periodically update) or a tool that can identify all government-owned properties (city, state, federal – list to be determined) where affordable housing might be constructed (including sites such as police and fire stations). This list should identify any restrictive covenants or easements on the properties.

**Responsible Agency:** NYC Department of City Planning (DCP), Department of Citywide Administrative Services (DCAS), Department of Housing Preservation & Development (HPD)

### **Expense budget priority 3 (Land Use)**

The city should identify development projects that have actually been planned and/or completed within the boundaries of the 2013 Hudson Square Rezoning. The report should identify the number of residential units, floor area of residential, number of affordable and market rate, and for the affordable units, identify the duration of the affordability (e.g., permanent, 20-year, etc).

Per building, the report should identify the AMI levels for the affordable housing and differentiate between rentals and home ownership units. Identify those buildings that were proposed as residential but resulted in commercial development. Evaluate the success of the Hudson Square. Rezoning in terms of its original goals, particularly the creation of housing stock (affordable and market rate).

Based on the results of the study, identify methods available to rebalance or course-correct the rezoning in order to produce additional residential housing stock, with a focus on affordable versus market rate. Identify what tools (e.g., tax abatements, affordable housing frameworks) would be appropriate in order to achieve these goals.

**Responsible Agency:** NYC Department of City Planning (DCP)

### **Expense budget priority 4 (Land Use)**

Ask the NYC Loft Board to create a report identifying the number of units that have been converted from commercial and manufacturing spaces to rent-stabilized residential uses. This should identify building-level detail such as house number, street name, BBL, BIN, and community district. The Loft Board should identify all units that are still in the process of conversion.

**Responsible Agency:** NYC Loft Board

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