

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



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

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

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

FULL BOARD MINUTES

DATE: November 21, 2024
TIME: 6:30 P.M.
PLACE: Gould Welcome Center at NYU, 50 West 4th Street and via Zoom

ATTENDANCE

BOARD MEMBERS PRESENT IN PERSON: Susanna Aaron, William Benesh, Keen Berger, Carter Booth, Katy Bordonaro, Anita Brandt, Amy Brenna, Richard Caccappolo, Valerie De La Rosa, Chris Dignes, Mar Fitzgerald, Stella FitzGerald, Cormac Flynn, Susan Gammie, David Gruber, Susan Kent, Ryder Kessler, Jeannine Kiely, Patricia Laraia, Janet Liff, Erika Olson, Brian Pape, Donna Raftery, Lois Rakoff, Rocio Sanz, Shirley Secunda, Eddie Siegel, Emma Smith, Eugene Yoo (29)

BOARD MEMBERS PRESENT VIA ZOOM AND COUNTING TOWARD QUORUM: Ivy Kwan Arce, Ed Ma, Frederica Sigel, Chenault Spence (4)

BOARD MEMBERS PRESENT VIA ZOOM AND NOT COUNTING TOWARD QUORUM: Ritu Chattree, Arturo Fernandez, Matthew Metzger, Bo Riccobono, Susan Wittenberg (5)

BOARD MEMBERS ABSENT WITH NOTIFICATION: Andy Diaz, Juliet Kaye, Zachary Kazzaz, Michael Levine, Benjamin Listman, Dr. Shirley Smith, Antony Wong (7)

BOARD MEMBERS ABSENT: (0)

BOARD MEMBERS PRESENT/ARRIVED LATE: (0)

BOARD MEMBERS PRESENT/LEFT EARLY: (0)

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 Senator Brian Kavanagh (Sharif Krabti) NYS Senator 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); Manhattan District Attorney Alvin Bragg (Peter Tse)

MEETING SUMMARY

Meeting Date – November 21, 2024

Board Members Present – 38

In Person – 29

via Zoom Counting toward Quorum – 4

via Zoom not Counting toward Quorum – 5

Board Members Absent with Notification – 7

Board Members Absent – 0

Board Members Present/Arrived Late – 0

Board Members Present/Left Early – 0

TABLE OF CONTENTS

ATTENDANCE.....	1
MEETING SUMMARY	2
PUBLIC SESSION	3
ADOPTION OF AGENDA	3
ELECTED OFFICIALS’ AND REPRESENTATIVES’ REPORTS	3
BUSINESS SESSION	8
Chair's Report: Susan Kent.....	8
District Manager’s Report: Mark Diller	9
STANDING COMMITTEE REPORTS WITH RESOLUTIONS	9
CANNABIS LICENSING.....	9
...HUMAN SERVICES.....	14

FIRST LANDMARKS MEETING	17
SECOND LANDMARKS MEETING	22
OUTDOOR DINING.....	26
SCHOOLS AND EDUCATION.....	38
SLA 1 LICENSING.....	39
SLA 2 LICENSING.....	52
STREET ACTIVITIES.....	63
TRAFFIC AND TRANSPORTATION	68
STANDING COMMITTEE REPORTS WITHOUT RESOLUTIONS	72
PARKS AND WATERFRONT	72

PUBLIC SESSION

Re: Traffic and Transportation: Resolution requesting extension of the protected bicycle lane on Varick St. from Houston St. to Canal St.

- **Daniel Sutton:** Supports expansion.
- **Darlene Lutz:** Opposes - A resident of a building that will be impacted by the bike lane. The entrance to the building will be impeded by the bike lane and adjacent parking loss.

Washington Square Music Festival

- **Lois Rakoff:** Inviting the community to a free event on December 8th at 4pm. Washington Square Music Festival Winter Concert will be held at 131 East 10th Street, St. Marks Church in the Bowery. No reservations or tickets required.

Reflections on Role of CB2:

- **Ryder Kessler:** Speaking about the presidential election and the connection to the work we do on the Community Board. Asks why blue areas shifted so notably to the right. New York can only be a haven if people can afford to live here. The Community Board can work to advance values of affordability.

ADOPTION OF AGENDA

The agenda was adopted by acclamation.

ELECTED OFFICIALS' AND REPRESENTATIVES' REPORTS

Robin Forst, Office of Mayor Eric Adams:

- Mayor elevated the drought alert level to a “drought warning,” the second of three levels, requiring greater conservation efforts. One result is that the long-term work on the Delaware Aqueduct has been delayed to allow the City to use all available water supply reservoirs during the drought.
- The holiday season can be a difficult time for those needing mental health support – the 988 mental health hotline is an important resource.
- Mayor's Office has been very involved in working to address the issues in Washington Square Park, in the Sixth Avenue corridor including Washing, Waverly and Cornelia Streets, and along West 4th Street. The Deputy Mayor of Public Safety will be leading a multi-agency “hub,” organized under the aegis of the New York County District Attorney, to coordinate an overall response to the persistent issues in these areas, including those resulting from untreated serious mental illness, drug sales and use, aggressive behavior, and those who prey upon these vulnerable populations. The Mayor’s Community Affairs Unit will provide support.
- Questions
 - S. Aaron thanks Robin for the Mayor's involvement in the establishment of the interagency task force.
 - L. Rakoff asks if there are any specific findings from the Mayor's walkthrough of Washington Square Park. Robin shares that the issues noted are homelessness, drug use and sales.
 - C. Spence asks how we are only just now beginning to address this issue.

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

- Greetings; No oral report.

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

- Supports the renewed launch of the congestion pricing program.
- Sponsored Senate Bill 8843A, which would require extensive investigation and community engagement efforts before a hospital closure.
- Clinic for flu shots and COVID boosters.
- Annual turkey drive at Loisaída Center on November 25th.
- Spotighting the importance of bone marrow donors.
- Questions
 - R. Sanz: Concern for the impact of congestion pricing on individuals who must travel for medical treatments and who cannot afford to pay the fee.

NYS Senator Brad Hoylman-Sigal, 47th District:

- The string of murders across the city earlier this week are deeply concerning. This is connected to a broader issue of mental illness, as is visible at the West 4th Street subway station and elsewhere in Washington Square Park and along Sixth Avenue.
 - Working to expand the HELP Act in order to expand the ability of medical professionals to make the determination that individuals suffering from mental illness are a danger to themselves or others, thus allowing for mandated treatment.
 - Slow progress is being made. Have seen an increase in the number of psychiatric beds. The Legislature committed \$1B to this problem in last year's budget.
 - Participated in the walkthroughs of the West 4th Street Subway Station. Recommends more patrolling of the station, and revisiting the decision to remove station agents from the subways. Addressing the removal of bus shelter on Waverly and 6th Avenue.
- Very honored to be re-elected. District had highest turn-out of any Senate district in the State.
- Pleased that the city passed Proposition 1, codifying certain civil rights in the state constitution.
- Working to secure funding for local public libraries, schools.
- Governor is poised to sign legislation requiring insurance to cover neurological testing for students with dyslexia.
- Passed 83 bills in the Senate. One of these bills is the "Seinfeld Bill."
- Working on removal of sidewalk sheds/scaffolds.
- Questions
 - R. Sanz: Bail reforms allow individuals with mental illness who are arrested to walk free.
A: Bail reform is more equitable for individuals without resources. Recent revisions to the bail reform statutes now makes recidivists' activities bail-eligible.
 - S. Aaron: The closure of Mount Sinai Beth Israel will severely impact the availability of psychiatric beds.
A: Bellevue will be the closest facility with psychiatric capacity. Advocates for pressure on MSBI.
 - C. Flynn: Concern for climate protection action.
A: The Governor's return to congestion pricing is a step in the right direction – supports congestion pricing.
 - A. Brenna: Will President Biden publish the federal ERA amendment before he leaves office.
A: US Senator Gillibrand confirmed to Sen. Hoylman-Sigal that she is leading the fight on this issue.
 - W. Benesh asks about the HELP Act and inquires about the timeframe and process through which an individual in need would be eligible for involuntary commitment.

A: Most referrals are made by NYPD, though it is possible to have organizations on the ground involved in this process.

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

- Encourages sign-ups for turkey distribution.
- Legislative priorities focusing on NYCHA and AAPI.
- "Stop Hiding Hate Act" to hold social media companies accountable for disinformation and hate speech on their platforms.

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

- Expresses gratitude for the rain, as we are in a drought warning. Refers community to the monthly report which includes a link for guidance on how to conserve water, and notes that the city should do more to support water conservation.
- Office is waiting for a report on how "Forever Chemicals" (PSFAs) are impacting our environment.
- NYS DOT Commissioner conducting a forum on November 25th at 6:30pm.

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

- Hosting a public forum on Monday, November 25th at 6:30pm on the revitalization of parks.
- Hosting an event for Veterans, "Vets Take the Met," on Wednesday, December 4th, 1-4pm at the Metropolitan Museum of Art.
- Senior resource guide is available online.
- Fellowship/Intern opportunities for young leaders available through the MBPO. Deadline to apply is Sunday, December 1st.

Peter Tse, Community Liaison, Manhattan District Attorney Alvin Bragg's Office:

- The DA's office is giving attention to quality-of-life issues and criminal activity that does not rise to the level reported in Compstat statistics in the neighborhood.
- DA's Office is taking a leading role in convening an interagency hub, working with 3 co-chairs. Co-chairs will be working with city agencies in closed meetings with the support of the Mayor's office. Goal is to make measureable improvement in persistent issues around public safety. Shared this information in the 6th Precinct meeting yesterday evening.
- Questions
 - R. Sanz: What is the DA's office is doing to address quality of life criminal activity.
A: DANY's office is prosecuting crimes when appropriate, and is using diversion programs that prioritize treatment and care when not appropriate rather than incarceration.

- S. Aaron: Gratitude and support for the task force.

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

- Sponsoring a Medicare bill to protect retirees from being forced onto a Medicare Advantage plan instead of traditional Medicare.
- One of the first co-sponsors of the FARE Act to prevent landlords for charging up to 15% in annual rent on broker fees. Rent stabilized housing will not be impacted by hypothetical raised rents.
- Legislation to prevent discrimination against LGBTQ individuals.
- Participatory budgeting requests are being submitted to agencies for review.
- City of Yes for Housing Opportunity was discussed at the subcommittee level today and passed. CM Marte is continuing to advocate for adjustments and has seen some movement.
- Illegal vending issues in the District. Supportive of increase in local BID's budget to address these issues.
- Questions
 - R. Sanz: Real Estate Broker fees are negotiable.
A: From personal experience, brokers and landlords employ scare tactics and abuses to require tenants to pay the brokers' fees.

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

- City Council passed the FARE Act removing the obligation of the tenant to pay broker fees for renting apartments.
- CM Rivera advocated for Local Input in Community Healthcare Act to protect community access to care.
- CM Rivera is highlighting increased emergency response times for emergency services.
- Meal and turkey distributions for the holiday.
- Questions
 - R. Sanz: The FARE A is likely to raise rent prices as owners look to compensate.

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

- City Council passed Intro 663, introduced by CM Bottcher, which empowers the DOT to better regulate sidewalk news racks.
- Have had success with the early roll out of composting. Home compost boxes are available at the office.
- CM Bottcher has introduced 3 bills around scaffolding, including regulating increased lighting and the overall size of structures.
- Next installation of "Policy Perspectives" discussions taking place on December 3rd from 5-6pm.

- Upcoming toy drive, further details available in the newsletter.
- Questions
 - R. Sanz asks about issue of crime in the neighborhood. Nicole references the interagency task force that is being assembled. Notes that CM Bottcher sent a letter to the Mayor citing the issues in our neighborhood as a humanitarian crisis. Mayor's office and the 6th Precinct have been coordinating around these issues for some time.

ADOPTION OF MINUTES

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

BUSINESS SESSION

Chair's Report: Susan Kent

- Borough Board Meeting
 - Presentation on MTA's Capital Plan. Budget is available for planned work in 2025 due to reinstatement of congestion pricing, very informational.
- Food Distribution
 - Mayor's office is seeking volunteers for food giveaways at locations across the City.
- Hudson River Park Advisory Council
 - On November 12th, the Hudson River Park Advisory Council met to discuss the development of remainder of Hudson River Park. The proposal for this area includes a high-end casino.
- Fund for the City of New York
 - We have been assigned a research fellow, Lauren Leiker.
 - Grateful that Arturo Fernandez developed a proposal relating to land use and zoning impacts, and will be our point person for the project. The project asks how Land Use has changed in CB2 over the last 20 years, including the impacts of various rezonings and text amendments.
- Calendar
 - The Board cannot take any action, including voting on resolutions adopted by our Committees, unless there is a quorum present. The Open Meetings Law prescribes what constitutes a quorum – only those with an eligible disability may count toward quorum while participating remotely. All meetings depend on the presence of a quorum.
 - The December 2024 meeting will remain scheduled for December 19th -- the previously scheduled date. The survey conducted by the Office as to which proposed date would be more likely to produce a quorum indicated that the

original date would be preferable, and those who planned around that date should be accommodated.

District Manager's Report: Mark Diller

- NYU Hosts
 - Thank you to NYU for use of this beautiful space, and to Valentine and Arlene Peralta for hosting us.
 - Thanks to the efforts of Chair Susan Kent and David Gruber, who interceded with NYU Leadership, CB2 will hold all Full Board meetings in this location for the entirety of 2025.
- Calendar
 - Look ahead calendar for the entire 2025 calendar year is included in the board package. Please note some changes in the usual schedules due to various holidays and observances. For example, the June Full Board meeting will need to be a week later than usual due to the City's observance of Juneteenth.
- Staff
 - Grateful for the technical support and muscle provided Ryosuke, whom Board Members may see at future meetings.
 - Pleased that Francine is back in the office.
 - Fran is continuing to provide support in the interim and helping with a smooth transition. Fran will be working on our on-going project to use Air Table to improve the search function for resolutions and other materials on our website..
- Venues
 - The Church at which CB2 holds its SLA Committee meetings will be undergoing significant renovations in 2025. Exact dates not yet available.
 - The Office has secured alternate space, but is looking for additional potential SLA venues that do not have curfews, given the late hours to which those Committees often work.
- Holidays
 - The District Office will remain staffed during the Thanksgiving and year-end holidays, albeit at times with limited hours.

STANDING COMMITTEE REPORTS WITH RESOLUTIONS

CANNABIS LICENSING

1. Resolution to Deny the Application for Elise Pelka LLC d/b/a Flynnstoned, 388 West Street 10014

1. **WHEREAS**, on October 17, 2024, CB2 received a Notification to Municipality form OCM-06009 for an Adult-Use Retail Dispensary License for Elise Pelka LLC d/b/a Flynnstoned Cannabis Co. at 388 West Street, 10014, a one-story building with a cellar level located within the Weehawken Street Historic District; and
2. **WHEREAS**, the proposed premises is on the north/west corner of Christopher Street and the riverfront featuring 89’ feet of frontage on West Street, 30’ feet on Christopher Street to the north, 80’ feet on Weehawken Street to the east, with alternate addresses at 390 West Street, 187 Christopher St., and 10 Weehawken St.; and
3. **Whereas**, a projected opening date of April 2025, and proposed hours of operation, Monday-Wednesday 10AM-9PM, Friday-Saturday 10AM-10PM, Sunday 10AM-8PM were submitted via questionnaire; and
4. **WHEREAS**, on July 19, 2023, the corporate entity [Elise Pelka LLC](#)¹ was granted a provisional license No. OCMCAURD-2022-000180, yet no individual demonstrating control over the applying business was present; and
5. **WHEREAS**, a NY DOS Certificate of Incorporation was submitted to CB2 on behalf of this application for [Flynnstoned Corporation](#), as was an OCM Certificate of Licensure No. OCM-CARD-23-00001 dated (6/2/2023), also in the name of Flynnstoned Corporation, not the business entity submitted to CB2, [Elise Pelka LLC](#)/OCMCAURD-2022-000180², raising questions about what entity is applying; and
6. **WHEREAS**, while Ms. Pelka was cited on the questionnaire as the qualifying justice involved individual owning at least fifty-one percent (51%) controlling interest of that business, the cap table³ submitted to CB2 identifies Ms. Pelka and Mr. Flynn as having equal ownership at 50% each; and Mr. Flynn’s description of Ms. Pelka as “just a silent partner” raises questions about TPI compliance; and
7. **WHEREAS**, Mr. Flynn answered in the affirmative via questionnaire a plan to transfer or sell ownership or voting stakes in the business raising questions about who would have control over the proposed dispensary and operations; and
8. **WHEREAS**, the [official Flynnstone Cannabis Company YouTube](#)⁴ channel, [and other YouTube channels](#)⁵ contains several video of individuals, including dispensary staff, partygoers, and ownership participating in cannabis consumption at a third floor lounge,

¹ <https://www.nycompanyregistry.com/companies/elise-pelka-llc/>

² https://cannabis.ny.gov/system/files/documents/2023/07/ccb-caurd-provisional-license-approvals-7-19-23_0.pdf

³ A cap table, or capitalization table, is a document that shows a company's ownership structure and equity capitalization.

⁴ <https://www.youtube.com/watch?v=oalcFOMXnCE>

⁵ <https://www.youtube.com/watch?v=ygr7P8HaLV0>

and other spaces within the Flynnstoned flagship in Syracuse, raising questions about compliance with on-site consumption regulations and operational integrity; and

9. **WHEREAS**, the proposed premises is a one-story retail building completed in 1938 within the landmarked [Weehawken Street Historic District](#)⁶, a distinctive enclave of fourteen buildings on one of the city's shortest blocks representing a century of history, character architecture and development in the Village's Hudson River waterfront, ; and
10. **WHEREAS**, the property broker stated that the premises is currently under construction, which was confirmed by the applicant (then rescinded), yet no required permits have been filed with the Landmarks Preservation Commission (LPC), or Department of Buildings (DOB) raising questions about compliance with district regulations; and
11. **WHEREAS**, The [1938 Certificate of Occupancy](#)⁷ allows for only 10 occupants, yet the applicant has 40 employees which the Applicant later said was a typo; and
12. **WHEREAS**, neither a current **DOB Certificate of Occupancy** or **DOB Letter of No Objection** was provided, and an alternate non-compliant document from a third-party was submitted in their stead; and
13. **WHEREAS**, the proposed premises is located in a flood zone with a history of severe flooding, yet no flood mitigation measures were addressed raising concerns about structural safety and tenant vulnerability; and
14. **WHEREAS**, residents living within 300-feet of the proposed premises cited heightened security concerns due to ongoing burglaries on the block; and
15. **WHEREAS**, security concerns are justified theft, robberies, burglaries of licensed dispensaries are becoming increasingly common, as multiple NYS dispensaries have been subject to such criminal activities; and
16. **WHEREAS**, it has been reported that an [attempted burglary at the Flynnstoned](#)⁸ flagship in Syracuse, and similar events at multiple licensed dispensaries throughout the state sometime result in crime spilling over into the surrounding areas; and
17. **WHEREAS**, the heightened risk of crime associated with a cash-heavy business model is evidenced by the recent burglary of a CB2 dispensary mere days ago on November 16, 2024; and
18. **WHEREAS**, failure to conduct meaningful outreach to local stakeholders has fostered mistrust with the community; and

⁶ <https://s-media.nyc.gov/agencies/lpc/lp/2183.pdf>

⁷ <https://drive.google.com/file/d/1tGF-26en4NI0xc59yI5q66Bqsat0cQj1/view?usp=sharing>

⁸ <https://www.syracuse.com/crime/2024/08/five-boys-accused-of-break-ins-at-2-gun-stores-failed-attempt-at-syracuse-cannabis-shop.html>

19. **WHEREAS**, the security plan submitted via questionnaire failed to include adequate measures to prevent burglaries, or deter spillover crime impacting neighboring residential buildings and businesses; and
20. **WHEREAS**, the proposed dispensary's **close proximity to several places** that provide services and activities for local families including multiple **schools**, educational facilities, the 420 apartments of in the [West Village Houses development](https://en.wikipedia.org/wiki/West_Village_Houses)⁹, the Christopher/West Street bus stop¹⁰ and the [Hudson River Park and Christopher Street Pier/45](https://hudsonriverpark.org/)¹¹, directly across the street from the proposed premises, where many schools and children's classes/activities occur all year round, raised concerns about public safety and community impact; and
21. **WHEREAS**, the proposed premises is directly opposite (75ft.) a supportive housing site for homeless and/or very low-income New Yorkers slated for 180 Christopher Street¹², raises additional concerns about the impact on vulnerable populations; and
22. **WHEREAS**, several formal letters of opposition have been received by CB2 and local elected officials, including from two buildings representing approximately 140 residential units; and
23. **WHEREAS**, several residents from nearby buildings attended the hearing, citing concerns which included increased insurance premiums, increase in pedestrian and vehicular traffic in the already busy residential area, increased illegal use of cannabis in area parks and other public and prohibited spaces, an uptick in criminal activity, and general neighborhood disruption; and
24. **WHEREAS**, the president of a nearby Condo Association confirmed that its insurance premiums would substantially increase if the dispensary is approved raising concerns that longtime Village residents ability to age in place if priced-out of their homes as a result of the dispensary; and

THEREFORE, BE IT RESOLVED, Community Board 2 (CB2) strongly recommends the **denial** of the Adult-Use Retail Dispensary License application for Elise Pelka LLC d/b/a Flynnstoned Cannabis Co. at 388 West Street, NY, NY 10014, due to the extensive and documented issues outlined, and, and that this decision shall be deemed part of the record upon which the Office of Cannabis Management (Office) makes its recommendation to the Cannabis Control Board (Board) to grant or deny the application per §76 section 4 of NYS Cannabis Law.

⁹ https://en.wikipedia.org/wiki/West_Village_Houses

¹⁰ <https://bustime.mta.info/m/index?q=903030>

¹¹ <https://hudsonriverpark.org/>

¹² <https://villageview.nyc/2024/01/05/bailey-holt-house-to-be-replaced-with-a-16-story-tower/>

- Inconsistent and incomplete documentation regarding ownership, entity control, and compliance with regulatory requirements.
- Possible violations of cannabis consumption regulations and operational integrity at the applicant's other business locations.
- Failure to address historic preservation requirements and flood zone mitigation measures for the landmarked premises within the Weehawken Street Historic District.
- Concerns regarding public safety, increased crime risks, and insufficient security measures for a cash-heavy business in a residential neighborhood.
- Lack of meaningful outreach to local stakeholders and overwhelming community opposition, including formal letters of objection from residents to the CB and elected officials.
- Proximity to schools, parks, supportive housing for vulnerable populations, and other sensitive areas that make the location inappropriate for a cannabis dispensary.

BE IT FURTHER RESOLVED, CB2 strongly advises that applications of this nature must meet the highest standards of transparency, community engagement, and compliance with all applicable regulations, including but not limited to cannabis law, state regulations, zoning, historic preservation, and security requirements, to be considered viable. The applicant's demonstrated lack of preparedness and the significant concerns raised by the community make this application unsuitable for approval.

Vote: Passed, 37 Board members in favor, 1 recusal (M. Metzger).

2. Resolution to Deny the Application for Seven Forty Eight LLC d/b/a DAZED, 112 Mulberry Street 10013

1. **WHEREAS**, on October 21, 2024, CB2 received a Notification to Municipality form OCM-06009 for an Adult-Use Retail Dispensary License for Seven Forty Eight LLC, 112 Mulberry Street 10013, a 5-story mixed-use building built in 1920 with 18 units; and
2. **WHEREAS**, Various parties have previously submitted and withdrawn NTM forms on behalf of Seven Forty Eight LLC, 112 Mulberry Street 10013 on 7/18/24, 8/2/24, 8/13/24, 9/16/24, and 10/3/24, repeatedly imposing undue burden on the Community Board and CB2 office staff, as significant time and City resources are expended to research and process each individual application prior to hearings; and
3. **WHEREAS**, the proposed premises is on the east side of Mulberry Street between Hester Street to the North and Canal Street to the South with 25.92 ft of street frontage; and
4. **WHEREAS**, the proposed premises is subject to Special Use Regulations and strict construction and design restrictions as it is located within the [Special Little Italy District \(LI\)](#)¹³; which was established to preserve and enhance the historic and commercial character of this traditional community, preserve the vitality of street life by reducing

¹³ <https://zr.planning.nyc.gov/article-x/chapter-9>

conflict between pedestrian and vehicular traffic, permit rehabilitation and new development consistent with the residential character and scale of the existing buildings in the area, improve the physical environment, and promote the more desirable use of land in the area; and

5. **WHEREAS**, a projected opening date of April 2025, and proposed hours of operation, 8AM-12AM, 7-days per week were submitted via questionnaire; and
6. **WHEREAS**, on July 19, 2023, the corporate entity Seven Forty Eight LLC was granted a license No. OCMCAURD-2022-000287 on July 20, 2024, yet the individual with principal control over the applying business was not present; and
7. **WHEREAS**, ownership of this license was submitted via questionnaire as: Victor Parise 30%, Richard Rainone 24.5%, Christopher Vianello 24.5%, and Keshawn Warner 21%; and
8. **WHEREAS**, all three minority owners [have two other dispensaries in Monson and Holyoke Massachusetts](#), and own and have operated Dazed dispensary at 33 Union Square West since April 2023; and
9. **WHEREAS**, the [Dazed Instagram page](#)¹⁴ channel, and other social media account¹⁵ contains several videos featuring extensive programming on the sidewalk outside the store, just opposite the Union Square Park Playground, which includes [smoking cafes](#), [branded BMX activations](#), performances and amplified music, [liquor partnerships and bar set-ups](#) from [Villon Cognac](#) and [Belaire Rosé Champagne](#), as well as in-store events with rap performances, influencers and deejays, raising questions about the brand's operational methods, compliance with city laws and state regulations, operational integrity; and
10. **WHEREAS**, research has revealed that Mr. Praise the principal owner of Seven Forty Eight LLC have some association with the unlicensed cannabis delivery service [VGT](#)¹⁶, or Vic's Green Team which advertises sale, discounts and delivery of multiple products including out-of-state cannabis, flavored nicotine vapes and magic mushrooms; and
11. **WHEREAS**, nearby Mulberry Street business owners, including the producers of the [Feast of San Gennaro](#)¹⁷, an annual festival and major economic driver for Little Italy businesses that takes place over 11 days across 11 blocks of Mulberry Street annually, verbally expressed strong opposition to the proposed dispensary, they have yet to submit comments; and

¹⁴ <https://www.instagram.com/dazedcanna/reels/?hl=en>

¹⁵ <https://www.youtube.com/watch?v=ygr7P8HaLV0>

¹⁶ <https://vgtnyc.com/?express=false&orderType=Delivery>

¹⁷ <https://sangennaronyc.org/>

12. **WHEREAS**, Mr. Rainone stated that he spoke with two individuals he met exiting the residential portion of the building, no meaningful outreach has been performed; and

THEREFORE, BE IT RESOLVED, Community Board 2 (CB2) recommends the denial of the Adult-Use Retail Dispensary License application for Seven Forty Eight LLC d/b/a DAZED at 112 Mulberry Street, NY, NY 10013 due to the documented issues herein, and that this decision shall be deemed part of the record upon which the Office of Cannabis Management (Office) makes its recommendation to the Cannabis Control Board (Board) to grant or deny the application per §76 section 4 of NYS Cannabis Law.

Vote: Passed, 37 Board members in favor, 1 recusal (M. Metzger).

HUMAN SERVICES

Resolution in support of human service providers in Community Board 2

WHEREAS:

1. CB2 is the site of many not-for-profit organizations providing compassionate care to New Yorkers both within our district and without.
2. CB2 is home to organizations that operate with a city contract as well as organizations that do not. Some are primarily funded by public grants and others rely largely on private donations.
3. CB2 continues to experience elevated rates of street homelessness due to a lack of shelter space, mental and addiction services, and general social services. Especially in the corridor between Washington Square Park to the West 4th Subway Station. Community members have testified throughout the year on the unmet needs for said populations.
4. There are 4,140 people living unsheltered in NYC, the highest number since 2005 (when the survey was initiated). This is an addition to the approximately 40-50K who are currently in permanent and temporary shelters in NYC. [1]
5. Human services organizations in the district who serve these vulnerable communities are financially constrained, impacting their ability to scale to meet the needs. Despite that, they have been responsive to the diverse needs of their beneficiaries, adding social services above their existing programming.
6. The Human Services Committee of CB2 has met with many groups within our district, but clearly not all.
7. CB2 wishes to express support for the organizations operating within our district that have not already received endorsement through a resolution approved by CB2. These organizations do not comprise all of the groups whose work is so valuable to our community.
 - a. Red Door Place, a food pantry and soup kitchen, has begun a new initiative called

Bridging the Gap (BTG). In May 2024, BTG began offering referrals to mental health and other social services. Clients seeking help from BTG can request it when they visit for any reason. Volunteer staff are equipped with a database of agencies and organizations and can refer clients to get help with housing, mental health treatment, Supplemental Nutrition Assistance Program (SNAP) benefits, insurance, suicide prevention, English as a Second Language (ESL) support, General Education Development (GED), and more. Some legal expertise is also provided by a volunteer attorney.

- b. The Door, a youth services organization, has developed a partnership with NYU that began in September 2023. This enables staff at the door to receive a deeply discounted tuition to obtain a Masters in Social Work (MSW) degree from New York University in exchange for a multi-year commitment to remain on staff at The Door.
- c. The Manhattan Outreach Consortium (MOC) conducts outreach to street homeless adults. The catchment area below 23rd Street is assigned to Goddard Riverside, which operates the Downtown Goddard (DG) program. MOC provides direct engagement for un-homed adults on the street. DG works with individuals who have traditionally refused to enter the city's shelter system, and provides wraparound case management services.
- d. Greenwich House has served our community since 1902. In addition to a nursery school, music school, and pottery school, Greenwich House also provides free services in many areas. These include senior services; mental health care and wellness; substance use treatment; and workforce development.

THEREFORE, BE IT RESOLVED THAT COMMUNITY BOARD 2, MANHATTAN

- 1. Formally supports the work of the organizations listed here: Red Door Place; The Door; Manhattan Outreach Consortium; and Greenwich House.
- 2. Supports compassionate care to New Yorkers in need by providers not listed here.

Vote: Unanimous, with 38 Board Members in favor.

Resolution expressing support for the innovative approach of Intensive Mobile Treatment and requesting demonstration of its efficacy.

WHEREAS

- 1) Intensive Mobile Treatment (IMT) is a program designed and overseen by NYC Department of Health and Mental Hygiene (DoHMH) and operated by independent providers contracted by the city; and

- 2) IMT is designed to provide intense attention to a small population of individuals with serious mental illness for whom other programs have failed; and
- 3) The office of the NYC Comptroller conducted an audit of IMT in February of 2024 that raised questions about the program's efficacy and DoHMH's ability to track key success metrics and performance measures; and
- 4) DoHMH agrees with many of the audit's recommendations but cautions that the comptroller's audit followed a period of rapid expansion of the program, and was hence premature, and that an accurate evaluation of the program requires more time with a stable cohort; and
- 5) Community Board 2, Manhattan, has advocated for an increase in IMT teams so as to meet the need in CD2; and
- 6) DoHMH is not advocating to increase IMT at this time in order to refine the program with a stable cohort.

THEREFORE, BE IT RESOLVED THAT COMMUNITY BOARD 2, MANHATTAN

- 1) Supports DoHMH's efforts to refine IMT so as to serve some of the neediest New Yorkers living with serious mental illness; and
- 2) Looks forward to an evaluation demonstrating the efficacy of IMT in producing better outcomes in terms of incarcerations, hospitalizations, medical treatment, substance use, housing placement and other indicators of stability, recognizing that the nature of its client population may require nontraditional assessment tools; and
- 3) Would encourage that a cost-benefit analysis be conducted, when appropriate, to confirm that this innovative model makes good use of city resources; and
- 4) Appreciates DoHMH's reluctance to expand the program at this time but hopes that the needs in CD2 will be deemed a high priority for IMT going forward.

Vote: Unanimous, with 38 Board Members in favor.

LANDMARKS

FIRST LANDMARKS MEETING

1. ***137 Waverly Pl.** – Application is to approve a stoop gate installed without approval by the Landmarks Commission.

(Note: The title of the application has been revised to the application as presented.)

Whereas:

- A. The street is a busy thoroughfare and the difficulties of stoops being misused by passersby is well documented and there have been a number of approved applications in the block for stoop gates that are harmonious with existing ironwork; and
- B. The application was to install a gate and, with much questioning by the Committee, the applicant (owner of the building) admitted that the gate has been installed without approval from the Commission and the reason for this was unclear and the application title has been modified to reflect this change; and
- C. The gate is in a plain industrial design having no relationship to the existing delicate historic ironwork and detracting from the building's intact historic appearance and the streetscape; and
- D. The applicant represented that the gate had automatic closures though this was not shown in the presentation; now

Therefore be it resolved that CB2, Man. recommends **denial** of the legalization of the existing gate and that a new design respecting the existing delicate ironwork and the usual standards for gates in the district be presented to a public meeting.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (R. Sanz).

2. *27-29 Great Jones St. – Application is to replace existing steel/glass storefront with new aluminum/glass storefront.

Whereas:

- A. The existing steel and glass infill is deteriorated and has suffered extensive vandalism; and
- B. The proposal is to replace the infill with simply designed aluminum with appropriate detailing as four glass doors with transoms in the four central infills, and the end bays are in similar framing with 3'9" high louvers at grade; and
- C. The louver's height intrudes on the otherwise respectfully designed infill and the appearance would benefit from covering them with historically referenced grill work and decreasing their height to bulkhead level; and
- D. There are lighting fixtures above the doors replacing the existing fixtures and the proposed replacement "can" fixtures have no historic reference and the unobtrusive existing fixtures are preferable; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the aluminum and glass infill; and
- B. **Denial** of approval of the louvers unless they are covered with a decorative grill of historic design and, if possible, lowered to a bulkhead height; and
- C. **Denial** of the modern lighting fixtures and that the existing unobtrusive fixtures remain or are replaced by fixtures of historic design.

Vote: Unanimous, with 38 Board members in favor.

3. ***458 Broadway** – Application is to partially replace the sidewalk and perform associated structural work at vault level.

Whereas:

- A. It is evident from photographs that there is considerable degrading of the structure below the portion of the sidewalk that is to be replaced; and
- B. The only existing vestige of vault lights is empty frames and a photograph from 1912 shows that the area is completely covered in paving; and
- C. An area of the sidewalk to be restored is 35 'X 18 'and was described by the applicant as reproducing existing conditions without providing a sample of the finish; and
- D. The applicant represented that this application is seen as the first phase of a complete sidewalk restoration; and
- E. With the intention of complete restoration, it is essential that this phase be seen as setting a “master plan” for the entire project; and
- F. The existing sidewalk covers a considerable area in several finishes and it is unclear what color and material “existing” will be; and
- G. A member of the public spoke concerning the color of the finish; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Denial** of the application for the clearly needed replacement of the sidewalk section until a sample of a finish that is appropriate for the section in the application and subsequent phases of the restoration of the very considerable area of sidewalk of the building can be presented for public review
- B. That the applicant submit a master plan for the eventual work for the entire sidewalk.

Vote: Unanimous, with 38 Board members in favor.

4. ***70 Prince St.** – Application is to legalize the installation of signage and painting of the facade without LPC permits.

Whereas:

- A. The applicant seeks approval for the signage and paint installed contrary to prior approved application; and
- B. The prior approved application included a white cornice that was instead painted black; and
- C. The light green infill, though not historic, has precedent in approved designs in the district and is not objectionable; and
- D. A halo sign of three letters on the cornice with halo lighting is marginally deeper than routinely permitted and not objectionable; and
- E. There are two simple modern “Hollywood Deco” lighting fixtures on the Crosby Street facade that have no historical relationship to the style of the building; and
- F. The face of the ramp has been painted in a checkerboard design reflecting the branding of the company and there is lettering on the panels below the Prince Street windows, all of which is busy and has no historical relationship to the style of the building; and
- G. The proposed green fabric flag is 24” x 36” and is hung in an appropriate location; and
- H. A blade sign is to be removed; and
- I. Members of the public spoke in opposition to aspects of the application; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the black cornice, the light green paint at the infill, the halo letter sign, the flag sign, and the removal of the blade sign; and
- B. **Denial** of the painted design on the ramp face, the lettering on the panels below the window, and the modern lighting fixtures as busy decorations that detract from the historic character of the building.

Vote: Unanimous, with 38 Board members in favor.

5. ***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 on the facade of the extension and to repair or replace brick walls at upper floors to match existing.

Whereas:

- A. The volume of the existing extension is preserved and the application seeks to replace the facade; and
- B. The third and fourth floor masonry is to be restored, the windows replaced with appropriately historic ones and the center window on the third floor elongated to be made a door; and
- C. The third and fourth floor facades are to be restored with historic windows and a door in central bay of the third floor leading to a new terrace with simple black railing on the roof of the extension; and
- D. The basement and parlor floors are full width multi-light windows respecting the outside edges of the original windows; and
- E. The rear facade is clad in wood paneling and painted glossy black which gives an intrusive heavy appearance to the extension; and
- F. The applicant showed as a precedent for the glossy black paint a building with a similarly painted porch tea porch of historic design with delicate columns that in no way relates to the large painted area of the proposal; and
- G. The second floor has two windows that do not relate to the full width windows below or the tripartite historic windows above and are an unacceptable, awkward solution to providing windows for the two rooms to be created on this floor; and
- H. The roof is to be flattened and the cornice will be simplified and metal safety railing installed; and
- I. A stairway from the parlor floor to the garden is in the same style as the railing; and
- J. There was testimony from members of the public opposed to the application.

Now therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the restoration and modification of the third and fourth floor provided that the door is a faithful extension of the window that it replaces including the moulding, and is of equal width to the other windows on those floors; and
- B. **Approval** of the basement and parlor floor windows; and

C. **Denial** of the second-floor windows and that they be modified to be more in keeping with the horizontal plane of the parlor floor with four evenly spaced punched windows spanning the width; and

D. **Approval** of the panel cladding of the extension; and

E. **Denial** of the glossy black paint for the large expanse of the panel area and in particular for its obscuring the articulation of the panel cladding.

Vote: Unanimous, with 38 Board members in favor.

6. ***83 Horatio St.** – Application is to excavate at cellar level; revise the design of the rear yard; install a new double-height opening at the rear facade at garden (basement) level; replace iron gate under front stoop and window guards at the front facade at street level; install a new elevator overrun at roof level; expand the existing rooftop bulkhead.

(WITHDRAWN)

SECOND LANDMARKS MEETING

7. **138 Grand St.** – Application is to install an ADA compliant ramp of a new design at the entrance.

(WITHDRAWN)

8. ***430 Lafayette St.** – Application is to install a wheelchair lift at the front of the building.

Whereas:

A. The historic row was designated as an Individual Landmark soon after the law was enacted; and

B. This house is a substantially intact house within the row; and

C. The applicant has explored three possible installations and the one presented is the least obtrusive and requires minimal disturbance of historic materials; and

D. The proposal is for a wheelchair lift along a railing attached to the front of the building and along the entrance stairs; and

E. The application was woefully incomplete in that there were no clear renderings, photographs of the lift, or depiction of similar lifts in similar situations making it impossible to evaluate the application; now

Therefore be it resolved that CB2, Man. recommends that the application not be heard by the Landmarks Commission until the applicant has presented adequate materials for a public hearing before the CB2 Landmarks Committee and that the Board has made a recommendation.

Vote: Unanimous, with 38 Board members in favor.

9. *428 Lafayette St. – Application is to install a handicapped accessible lift at the front of the building.

Whereas:

A. The historic row was designated as an Individual Landmark soon after the law was enacted; and

B. This house is a substantially intact house within the row; and

C. The proposed lift is a cab that moves from the sidewalk to the basement level utilizing the area of the existing sidewalk hatch area and no historic material will be disturbed; and

D. When the lift is stored at the lower level, a black metal guard rail extends 42” above the sidewalk; and

E. Ventilation louvers in the wall above the hatch will be modified without changing the existing appearance to any noticeable degree; and

F. The detailed presentation showed that this is a relatively unobtrusive method of achieving ADA access to the premises; now

Therefore be it resolved that CB2, Man. recommends **approval** of the application as achieving ADA access with minimal impact to the historic building.

Vote: Unanimous, with 38 Board members in favor.

10. *56 W. 12th St. – **Application is a Revocable Consent to construct a stoop and stairs and install a gate.**

Whereas:

A. Community Board 2 Manhattan recommend approval of an application that included the welcome restoration of the front stoop and stairs on April 20, 2023; and

B. The application accurately depicted the minimal extent of the intrusion onto the sidewalk of the reconstructed front steps; now

Therefore be it resolved that CB2, Man. recommends that the Department of Traffic and Transportation approve of the application for Revocable Consent.

Vote: Unanimous, with 38 Board members in favor.

11. *228 & 230 Mercer St. – Application is a Revocable Consent to construct stairs at each building entrance.

Whereas:

A. Community Board 2, Manhattan recommend approval of an application that included the welcome restoration of the front stoop and stairs on July 20, 2023; and

B. The application accurately depicted the minimal extent of the intrusion onto the sidewalk of the reconstructed front steps; now

Therefore be it resolved that CB2, Man. recommends that the Department of Traffic and Transportation approval of the application for Revocable Consent.

Vote: Unanimous, with 38 Board members in favor.

12. *23 E. 9th St. –Application is to replace windows, restore front cornice, replace front entryway, install front railings and replace cellar hatch, modify roof and bulkhead, extend rear addition, build new rear yard brick fence, and to repair and apply mineral coating to façade.

Whereas:

A. The building was constructed as a typical row house similar to others in the row and the stoop and stairs have been removed and a basement entrance and shop window were installed and the cornice was removed; and

B. The front facade is to be restored with new historic windows, the brick painted in a soft white protective paint, a row of windows replaces the show window, and there will be a brownstone color finish at the basement level; and

C. The applicant represented that the facade brick is degraded and that the paint was the only solution to preserving the facade; and

D. The below grade entrance will be preserved with the doorway shifted toward the front of the building; and

E. The houses in the row are all exposed brick, but other examples were shown with similar white paint within the district, and there are examples of light-colored brick in the block on the opposite side of the street; and

F. The cornice will be restored according to historic records; and

G. The rooftop stair and elevator bulkhead in white stucco is clearly visible to an unacceptable degree from a public thoroughfare across an alleyway; and

H. The top two floors of the rear facade are to be rebuilt with multi-pane windows and a door conforming to the existing punched openings; and

I. The new rear extension has a double height window with a spandrel seeming to suggest an enlarged transom rather than referencing the two stories of the space; and

J. The proposed brick fence in the back garden was not presented; and

K. A member of the public spoke against the application; now

Therefore be it resolved that CB2, Man. recommends:

A. **Approval** of the front facade windows, cornice, and entrance modifications; and

B. **Approval** with reservations of the white paint represented by the applicant as necessary for preservation of the facade; and

C. **Approval** of the rooftop addition provided that steps are taken to reduce its visibility from a public thoroughfare; and

D. **Approval** of the two upper floors of the rear facade and approval of the rear extension provided that the window be heightened to reflect the two-story historic facade; and

E. That the garden fence which was not presented be reviewed by Commission staff.

Vote: Unanimous, with 38 Board members in favor.

13. *244-246 Waverly Pl. – Application is to combine and restore the facades, construct a recessed roof addition and redesign the previously modified rear elevations.

Whereas:

A The original matching individual houses were combined pre-designation to form a multi-family house notably with stoops and stairs removed, asymmetrical entrances at grade, and the areaway removed, creating a generally disorderly appearance; and

B. The application is convert the house to one family use; and

- C. The north stoop and stairs are to be replicated, the historic configuration of windows is restored, and at the south entrance at grade according to historic photographs and one four sash window is to be added; and
- D. The areaway is to be restored with iron work replicating the existing original examples; and
- E. Terracotta panels are to be restored at the top story;
- F. The rear facade is degraded and the rear yard is unusually shallow; and
- G. The rear extension is to be rebuilt with full width window panels at the first and second floors and parlor floors and two full length windows with Juliette balconies at the center and double hung windows at the edges; and
- H. Lot line windows on the north and south facades are to be reconfigured; and
- I. The extended basement and a new cellar cover the entire house and garden areas and require extensive excavation (14' below the existing basement and 22' below the garden) and abut an existing retaining wall at the rear resulting in a patio area at the first-floor level; and
- J. Both side walls, which abut alleyways and the rear wall at the retaining wall require underpinning and no details about engineering studies concerning the excavation and no details about the retaining wall were provided; and.
- K. The extensive rooftop addition is finished in zinc and is sloped, reflecting the applicant's intention to minimize its prominence, as it is more clearly visible from a public thoroughfare than the degree usually permitted in Greenwich Village; and
- L. A member of the public spoke favorably about the application; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the front facade restoration as a welcome return of the house to a reasonable modification of its historic design; and
- B. **Approval** of the rear extension and facade modifications and the lot line window reconfiguration; and
- C. **Approval** of the extensive excavation and underpinning provided that the Landmarks Commission receives assurances that proper engineering studies have been carried out and that all regulations are observed so that the integrity of the house or adjacent properties is not compromised.

Vote: Unanimous, with 38 Board members in favor.

- 14. **244-246 Waverly Pl.** – Application is a Revocable Consent to construct a stoop and stairs.

Whereas:

A. Community Board 2 Manhattan recommended approval of an application that included the welcome restoration of the front stoop and stairs on November 19, 2024; and

B. The application accurately depicted the minimal extent of the intrusion onto the sidewalk of the reconstructed front steps; now

Therefore be it resolved that CB2, Man. recommends that the Department of Traffic and Transportation approve of the application for Revocable Consent.

Vote: Unanimous, with 38 Board members in favor.

OUTDOOR DINING

Resolution #1

Application to DOT for a Roadway Cafe:

Talea Beer Inc. dba Talea Beer, 102 Christopher Street, 10014 (roadway)

(Dining Out NYC – Roadway Cafe)

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

- The establishment is located on Christopher Street between Bleecker Street and Bedford Street in the West Village in the Greenwich Village Historic District;
- The roadway on Christopher Street at this location is 25' (25 feet) wide;
- The establishment's frontage on Christopher measures 31'-3" (31 feet, 3 inches) length as indicated on the updated site plan dated November 20, 2024;
- The updated site plan dated November 20, 2024 indicates there is one areas on the roadway where a roadway cafe is proposed:
 - Christopher Street: 26'-3" (26 feet, 3 inches) length by 8' (8 feet) width;
- The proposed roadway cafe setup on the site plan is: 8' (8 feet) wide and Christopher Street at this location includes a 6' (6 foot) bike lane, which leaves an (11') 11-foot travel lane, however, the bike lane is considered useable for emergency travel lane, so compliance with the 15-foot emergency lane is met at this location;
 - Christopher Street at this location is also an M8 bus route;
- The width and length of the barriers for the roadway cafe are calculated into the roadway cafe dimensions provided by the Applicant/Licensee, which is required by NYC DOT Dining Out NYC rules;
- The Applicant/Licensee, Tara Hankinson, appeared via Zoom at the CB2 Outdoor Dining Working Group meeting on November 12, 2024;

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

- The proposed roadway cafe flooring is at-grade with the roadway with no raised floor or additional flooring material;
- The Applicant/Licensee indicated that they intend to install an ADA ramp that is “compliant with Outdoor Dining standards” on the lowest part of the curb on the side or the proposed roadway cafe closer to Bleecker Street;
 - Outside of a short sentence requiring compliance with ADA outlined in the Dining Out NYC rules, CB2 requests additional guidance for operators in conjunction with the Mayor’s Office for People with Disabilities (MOPD) in order to ensure transparency on best practices which should also include a checkbox on the Dining Out NYC site plan forms as well as guidance for operators to indicate on the site plan for roadways where a ramp on the setup exists or where to expect a temporary ramp to ensure egress is accessible, especially for setups where the flooring is at-grade with roadway;

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

- In between the Applicant/Licensee filing this sidewalk cafe application and the referral of this application to MCB2, Con Edison (ConEd) installed a ventilation grate in the roadway which was not on the Applicant/Licensee’s original site plan rendering it incomplete and inaccurate as a default;
- The ventilation grate on the roadway is on the western end of the establishment’s frontage and requires an 18-inch clearance;
- The reduction of the length of the proposed sidewalk cafe from the original site plan in the referral package – 29’ (29 feet) in length – to 26’-4” (26 feet, 4 inches) is indicated on the updated site plan dated November 20, 2024 and agreed to by the Applicant/Licensee who signed and notarized the modifications form;

Whereas, suggested modifications for the above referenced application are as follows:

- The Applicant/Licensee acknowledged and agreed to modifications;
- The Applicant/Licensee provided an updated site plan incorporating the modifications and submitted this site plan to MCB2, which is dated November 20, 2024; this updated site plan should be uploaded to the Dining Out NYC portal as the complete and accurate site plan;
- The updated site plan dated November 20, 2024 should also be added to the Revocable Consent Agreement as the site plan of record for this application so that the Agreement reflects the complete and accurate site plan dated November 20, 2024 and so that the

Proposed Revocable Consent Agreement is accurate when it is posted to the NYC DOT Dining Out NYC Issued Licenses Map upon approval by the agency;

Whereas, the Applicant/Licensee agreed to the proposed modifications for the sidewalk cafe and submitted an updated site plan illustrating the proposed modifications, dated November 20, 2024;

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 (approval with modifications) as stated above** regarding the Dining Out NYC roadway cafe for Icook Bowery Inc. dba Sanmiwago, at 90 Bowery, 10013.

Vote: Unanimous, with 38 Board members in favor.

Resolution #2

Application to DOT for a Sidewalk Cafe:

Upright Holdings LLC dba Leitao, 547 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 Charles Street and Perry Street in the West Village, located in the Greenwich Village Historic District;
- The sidewalk on Hudson Street at this location is 19' (19 feet) wide which includes the curb in the measurement, however without the curb included in the measurement, which is how NYC DOT defines a "sidewalk" in §5-01 of the Dining Out NYC rules, the sidewalk on Hudson Street at this location measures 18'-5" (18 feet, 5 inches);
 - CB2 continues to have applicants appear who do not understand how the sidewalk is measured and present incomplete and inaccurate site plans with sidewalk widths that include the curb;
- The proposed site plan indicates there are two areas on the sidewalk where a sidewalk cafe is set up – one south of the establishment's restaurant entrance and one north of the establishment's restaurant entrance, however, the measurements as presented on the plan are not complete and accurate:
 - **Hudson Street – south of the establishment's door:**
 - **Proposed Site Plan:** 5' (5 feet) length by 6' (6 feet) width
 - The site plan fails to disclose the mandatory 5' (5 foot) clearance for the primary building entrance at 545 Hudson Street, which is directly south of the proposed southern sidewalk cafe setup,

- Actual space available for a sidewalk cafe south of the establishment's restaurant entrance, once the southern primary building entrance is calculated into the measurement: 0' (0 feet) length by 6' (6 feet) width;
- **Hudson Street – north of the establishment's door:**
 - Proposed Site Plan: 5' (5 feet) length by 4'-6" (4 feet, 6 inches) width;
 - The site plan fails to illustrate an accurate measurement of the northern storefront length as well as fails to illustrate an accurate measurement of the sidewalk width on Hudson Street, resulting in two incorrectly stated measurements for the proposed sidewalk setup north of the establishment's restaurant entrance;
 - The sidewalk width of Hudson Street is 19'-4" (19 feet, 4 inches)
 - The sidewalk width between the tree bed on the sidewalk and the proposed sidewalk setup north of the establishment's restaurant entrance is indicated on the site plan as: 14'-6" (14 feet, 6 inches);
 - Hudson Street is a Regional Corridor, as classified by the NYC DOT Pedestrian Mobility Plan, which requires a 10-foot clear path on the sidewalk;
 - Since the tree bed on the sidewalk in front of the proposed sidewalk setup north of the establishment runs parallel to the setup, the Applicant/Licensee is required to maintain a 10-foot clear path superseding the 8-foot clearance for a tree bed obstruction;
 - The width of the proposed sidewalk cafe setup north of the establishment's restaurant entrance is inaccurate as it is 6" (6 inches) shorter than the Applicant/Licensee illustrates on the proposed site plan;
 - Actual space available for a sidewalk cafe north of the establishment's restaurant entrance, once the 10-foot clear path and accurate storefront length of the northern frontage is measured accurately: 5' (5 feet) length by 4' (4 feet) width;
 - The Applicant/Licensee, Daniel Neumann, appeared in person at the CB2 Outdoor Dining Working Group meeting on November 12, 2024;
 - The Applicant/Licensee stated he wanted to check with DOT on the primary building entrance, however, CB2 confirmed to the Applicant/Licensee that the primary building entrance at 545 Hudson Street, south of the establishment's restaurant entrance based on a site visit by CB2 as well as testimony from residents who stated that it is their primary building entrance, which as stated on § 5-11(a) (iv) of the Dining Out NYC rules,

requires a 5-foot clearance, which the Applicant/Licensee failed to show their compliance with this requirement on the proposed site plan by:

- 1) not labeling it as a primary building entrance,
 - 2) failing to show the measurement between the primary building entrance and the proposed sidewalk cafe setup, south of the establishment's front door, and
 - 3) failing to show compliance with the required 5-foot clearance from a primary building entrance;
- The Applicant/Licensee failed to adhere to the rules in the Temporary Open Restaurants program as it relates to compliance with physical footprint and dimensions for outdoor dining setups:
 - At no point in time during the entire duration of the Temporary Open Restaurants program were operators allowed to extend their roadway cafe setups beyond their frontage, and
 - At no point in time during the entire duration of the Temporary Open Restaurants program were operators allowed to contract and exchange money with a neighboring operator in order to extend one's frontage for either a sidewalk cafe setup or a roadway cafe setup;
 - This Applicant/Licensee during the Temporary Open Restaurants program improperly extended their frontage beyond their own store frontage for their roadway café through a contract and exchanging money with the Joe & the Juice at 549 Hudson Street, north of the Applicant Licensee's establishment at 547 Hudson Street;
 - In exchange for a \$1,000 monthly payment plus a free meal, the Applicant/Licensee has been under contract illegally with Joe & the Juice for over **FOUR** (4) years – since October 22, 2020, and in exchange the Applicant/Licensee extended their roadway setup beyond their frontage, and which at the time of this writing, is still extended beyond their frontage failing to comply with NYC DOT's November 1, 2024 deadline for all roadway and sidewalk cafe setups to be in compliance;
- As of November 1, 2024, operators with existing roadway structures and existing sidewalk cafe setups from the Temporary Open Restaurants program are required to be in compliance with the Dining Out NYC rules, however, the Applicant/Licensee, as of the date of the CB2 Outdoor Dining Working Group public hearing for this Dining Out NYC sidewalk cafe application, continues to operate a roadway setup for their establishment that egregiously violates the Dining Out NYC rules;
- Since June 2020, the establishment has received eighty-two (82) 311 complaints for noise – commercial, twenty (20) 311 complaints for noise - street/sidewalk, sixteen (16) 311 complaints for Non-Compliance with Phased Reopening and ten (10) 311 complaints for Outdoor Dining in direct reference to the Applicant/Licensee/s outdoor dining setups in the sidewalk and roadway with the most recent complaint dated November 2, 2024;

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

- The establishment is located on Hudson Street, which is a Regional Corridor as classified by the NYC DOT Pedestrian Mobility Plan and requires a 10-foot clear path on the sidewalk;
- Due to the egregious behavior of the Applicant/Licensee regarding continuous overcrowding on the sidewalk during the temporary outdoor dining program, the Applicant/Licensee entered into an agreement on March 17, 2023 with neighbors, facilitated by NYPD 6th Precinct, which stipulated a maximum of 2 tables for the sidewalk cafe with removal by 9pm on weekdays and 10pm on weekends, and closure of the establishment's French doors, however, the Applicant/Licensee disregarded the terms of the agreement and continues to fail in their compliance with this agreement;
 - Furthermore, the Applicant/Licensee fails to adhere to the required compliance with Dining Out NYC rules for sidewalk cafe setups operating past November 1, 2024;
- It should be noted that several members of the public testified on Zoom and submitted written testimony against this roadway cafe application due to the Applicant/Licensee's past transgressions;
- The proposed sidewalk cafe setup north of the establishment's restaurant entrance has a junction box that was installed in 2023, which requires a permit from the Department of Buildings (DOB) and the Landmarks Preservation Commission (LPC) since the establishment is located in the Greenwich Village Historic District – the Applicant/Licensee failed to obtain a DOB permit and failed to obtain a permit from LPC:
 - There are no online records of a DOB application or DOB permit for the junction box installation;
 - There are no online records of a LPC application or LPC permit for the junction box installation;
- The Applicant/Licensee's failure to obtain a DOB permit for an electrical junction box and continued failure to make amends post-installation to obtain a DOB permit is in direct violation of § 5-11 (a) (v) Lighting and Electrical Connections in the Dining Out NYC rules;

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 on the sidewalk, east of the proposed sidewalk cafe setup that is north of the establishment's restaurant entrance and runs parallel to the sidewalk cafe setup, requiring compliance with the 10-foot clear path on Hudson Street, superseding the 8-foot clearance for a tree bed obstruction;
- There is a primary building entrance, south of the establishment, which requires an 5-foot clearance to the perimeter of the sidewalk cafe proposed on the southern side of the establishment's restaurant entrance;

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

- Request NYC DOT to strongly consider and weigh in their deliberations that the Applicant/Licensee is not in compliance with the Dining Out NYC rules after November 1, 2024 and to take into consideration the egregious disregard for the Temporary Open Restaurants program rules for over FOUR (4) years – soliciting space from a neighboring operator in complete direct violation of the rules and illegally paying this neighboring operator in order to extend their roadway cafe setup which as of the date of this writing is still in blatant disregard of the Dining Out NYC rules that operators are required to adhere to after November 1, 2024;
- Request NYC DOT to verify with the Department of Buildings (DOB) and Landmarks Preservation Commission (LPC) that this Applicant/Licensee is compliant with all building codes and historical preservation regulations, particularly, a review the placement of the junction box on the northern frontage of the establishment's building;

Therefore Be It Resolved, Manhattan CB2 **recommends denial** of the Dining Out NYC sidewalk cafe for Upright Holdings LLC dba Leitao at 547 Hudson Street, New York, NY, 10014..

Vote: Passed, with 37 Board members in favor, 1 abstention (R. Kessler).

Resolution #3

Application to DOT for a Sidewalk Cafe:

Icook Bowery Inc. dba Sanmiwago, 90 Bowery, 10013

(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 Bowery Street and Hester Street in Chinatown;
- The sidewalk on Hester Street at this location is 11'-6" (11 feet, 6 inches) wide;
 - The proposed site plan incorrectly states the sidewalk width as 13' (13 feet) wide;
- The proposed site plan indicates there are two areas on the sidewalk where a sidewalk cafe is set up;

- Hester Street, west of the establishment's restaurant door: 6'-9.6" (6 feet, 9.6 inches) length by 3' (3 feet) width;
 - Hester Street, east of the establishment's restaurant door: 8' (8 feet) length by 3' (3 feet) width;
- The Applicant/Licensee, Jeffery Liu, appeared via Zoom at the CB2 Outdoor Dining Working Group meeting on November 12, 2024;

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

- The establishment is located at the intersection of two Regional Corridor streets – Hester Street and Bowery, which requires a 10-foot clear path on the sidewalk;
 - When taking the Hester Street sidewalk width (11'-4") into consideration and subtracting the required 10-foot clear path on Hester Street, the potential width for a sidewalk cafe on Hester Street is 1'-4" (1 foot, 4 inches) or 16 inches total;
 - Site Plan - west setup: 6'-9.6" (6 feet, 9.6 inches) length by 3' (3 feet) width;
 - Actual space available once the 10-foot clear path and accurate sidewalk width are taken into consideration: 6'-9.6" (6 feet, 9.6 inches) length by 1'-4" (1 foot, 4 inches) or 16" (16 inches) width;
 - Site Plan - east setup: 8' (8 feet) length by 3' (3 feet) width;
 - Actual space available once the 10-foot clear path and accurate sidewalk width are taken into consideration: 8' (8 feet) length by 1'-4" (1 foot, 4 inches) width;
 - Obstructions listed below will continue to shrink the potential area on the sidewalk for sidewalk cafe setups;

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 on the sidewalk, west of the proposed sidewalk setup, which is west of the establishment's restaurant door, which requires an 8' (8 foot) clearance from the obstruction since the sidewalk cafe setup is not parallel to the tree bed;
 - In order to maintain compliance with the required 8-foot clearance for the tree bed obstruction, this would further reduce the potential area for a sidewalk cafe setup west of the establishment's restaurant door by 9.6" (9.6 inches) in length;
 - Site Plan - west setup: 6'-9.6" (6 feet, 9.6 inches) length by 3' (3 feet) width;

Actual space available once the 10-foot clear path, accurate sidewalk width, and tree bed obstruction are taken into consideration: 6' (6 feet, 9.6 inches) length by 1'-4" (1 foot, 4 inches) or 16" (16 inches) width;

- There is a mailbox on the sidewalk, east of the proposed sidewalk setup which is east of the establishment's restaurant door requires an 8' (8 foot) clearance from the obstruction since the sidewalk cafe setup;
 - In order to maintain compliance with the required 8-foot clearance for the mailbox obstruction, this would further reduce the potential area for a sidewalk cafe setup west of the establishment's restaurant door by 2'-9" (2 feet, 9 inches) in length;
 - Site Plan - east setup: 8' (8 feet) length by 3' (3 feet) width;
 - Actual space available once the 10-foot clear path, accurate sidewalk width, mailbox obstruction are taken into consideration: 5'-3" (5 feet, 3 inches) length by 1'-4" (1 foot, 4 inches) or 16" (16 inch) width;
- As the potential areas for a sidewalk cafe setup on Hester Street continues to shrink due to non-compliance on the site plan with the required clearances for said obstructions, it does not seem reasonable to site a sidewalk cafe at this location while maintaining the required 10-foot clear path and maintaining the required 8-foot clearances each from the tree bed and the mailbox that flank the proposed sidewalk cafe setup;

Therefore Be It Resolved, Manhattan CB2 **recommends denial** of the Dining Out NYC sidewalk cafe for Icook Bowery Inc. dba Sanmiwago, 90 Bowery, 10013.

Vote: Unanimous, with 38 Board members in favor.

Report

The following two resolutions are the comments submitted to DOT by the November 20, 2024 deadline for the applications below:

Resolution #4

Application to DOT for a Roadway Cafe:

Icook Bowery Inc. dba Sanmiwago, 90 Bowery, 10013

(Dining Out NYC – Roadway Cafe)

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

- The establishment is located at the intersection of Bowery Street and Hester Street in Chinatown;
- The roadway on Hester Street at this location is 24'-10" (24 feet, 10 inches) wide;

- The proposed site plan indicates there is one area on the roadway where a roadway cafe is set up:
 - Hester Street: 25' (25 feet) length by 3' (3 feet) width;
- The proposed roadway cafe setup on the site plan is: 25' (25 feet) length by 3' (3 feet) width, which does not comply with the required 15-foot emergency lane clearance on Hester Street;
- The roadway width on Hester Street is 24'-10" (24 feet, 10 inches) leaves a 14' (14 foot) travel lane on Hester Street with the proposed roadway setup;
- The Applicant/Licensee, Jeffrey Liu, appeared via Zoom at the CB2 Outdoor Dining Working Group meeting on Tuesday, November 12, 2024;

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

- The proposed roadway cafe is sited across an exit door for another business, however, the establishment maintains frontage behind the exit door that serves another business in the building;
- The proposed roadway cafe flooring is at-grade with the roadway with no raised floor or additional flooring material;
- The Applicant/Licensee did not have a plan for a temporary ramp for access to proposed roadway cafe setup and indicated that patrons should use the pedestrian ramp at Bowery and Hester to gain access to the roadway cafe from the roadway;

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

- There is a catch basin on the roadway (Hester Street) east of the proposed roadway cafe which requires a 5' (5 foot) clearance from the obstruction;

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

- Will maintain an interior service aisle in the roadway cafe;
- Confirm that the Applicant/Licensee has a temporary ADA ramp available for patron use;

Therefore Be It Resolved, Manhattan CB2 **recommends submitting the comments as stated above (approval with modifications)** regarding the Dining Out NYC roadway cafe for Icook Bowery Inc. dba Sanmiwago, 90 Bowery, 10013.

Vote: Unanimous, with 38 Board members in favor.

Comments submitted to DOT by November 20, 2024 deadline for this application.

Resolution #5

Application to DOT for a Roadway Cafe:

Sweetgreen New York LLC dba Sweetgreen, 101 University Place, 10003

(Dining Out NYC – Roadway Cafe)

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

- The establishment is located on University Place between East 12th Street and East 13th Street in Greenwich Village;
- The roadway on University Place at this location is 36' (36 feet) wide;
- The proposed site plan indicates there is one area on the roadway for the roadway cafe setup:
 - University Place: 22'-6" (22 feet, 6 inches) length by 7'-6" (7 feet, 6 inches) width;
- The proposed site plan indicates there will be five (5) tables, six (6) chairs, and (1) bench in the roadway cafe;
- The establishment has received three (3) non-compliant outdoor dining inspections (June 2021, December 2021, and January 2023) and received one (1) cease and desist for outdoor dining in December 2022;
- The Applicant/Licensee, Patrick Dowd, appeared via Zoom at the CB2 Outdoor Dining Working Group meeting on November 12, 2024;
- The Applicant/Licensee acknowledged that the site plan presented was created before their existing roadway setup (which they mostly built in compliance with the Dining Out NYC rules) which has shifted further north than as presented on the site plan, – the proposed roadway setup is sited south of what is currently in place;

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 and allows for more than one means of egress into the roadway cafe;
- The proposed roadway cafe flooring is a raised floor that is to be flush with the curb at-grade;
- The Applicant/Licensee intends to achieve ADA access by providing an ADA-compliant table and installing flooring in the roadway cafe setup that is flush with the curb as indicated on the site plan form, however, the existing roadway structure on the site shows a gap between the flooring and the sidewalk;
- Umbrellas are indicated on the site plan, however, there is a parking sign on the sidewalk that is not accounted for on the site plan with the required clearance;

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

- There is a mailbox on the sidewalk, south of the setup which requires an 8' (8 foot) clearance, however, the clearance is not stated on site plan – it measures 13' (13 feet);
- There is a fire hydrant on the sidewalk which requires an 8' (8 foot) clearance from the obstruction, however, on the site plan it states a 15' (15 foot) distance and the distance from the current roadway setup is 20'-3" (20 feet, 3 inches);
- There is a marked crosswalk which requires an 8' (8 foot) clearance since it is parallel to vehicular traffic exiting the intersection, however, the distance from the current setup is 20'-3" (20 feet, 3 inches);
- Two lanes of traffic merge into one at this location, so there is a large buffer zone that it basically just as wide as the travel lane next to it:
 - At the narrowest point, the travel lane is 12'3"
 - At widest point, travel lane is 13'8"

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

- Will maintain an interior service aisle in the roadway cafe;
- Will ensure the gap between the raised floor in the roadway and the sidewalk is addressed when the roadway structure is rebuilt in Spring 2025;
 - The Applicant/Licensee acknowledged the flooring not flush issue during the CB2 ODWG November 15, 2024 meeting and confirmed that when the structure is rebuilt in Spring 2025 that the issue will be addressed;
- Will confirm that the proposed roadway setup is at least 20' (20 feet) from the parking sign in order for the proposed umbrellas for the roadway cafe are in compliance from the required clearance of a parking sign;

Therefore Be It Resolved, Manhattan CB2 **recommends submitting the comments as stated above (approve with modifications)** regarding the Dining Out NYC roadway cafe for Sweetgreen New York LLC dba Sweetgreen, 101 University Place, 10003.

Vote: Unanimous, with 38 Board members in favor.

Comments submitted to DOT by November 20, 2024 deadline for this application.

SCHOOLS AND EDUCATION

Resolution in Support of the New York State Education Department's New Graduation Plan

1. **Whereas:** In New York State, students have the opportunity to earn one of three types of high school diplomas. The Local Diploma is the standard diploma for students who meet the basic graduation requirements, the Regents Diploma, requiring students to pass specific

standardized exams, and the Regents Diploma with Advanced Designation for students who take additional Regents exams¹⁸; and

2. **Whereas:** [The NYS Blue Ribbon Commission on Graduation Measures](#)¹⁹ has engaged a broad coalition of stakeholders, including students, parents, educators, and community leaders, to gather insights and develop recommendations. This approach ensures that the new plan reflects the needs and experiences of students and educators across the state; and
3. **Whereas:** The new “portrait of a graduate” metric proposed by the NYS Education Department (NYSED) emphasizes critical thinking, problem-solving, literacy, and effective communication, offering a comprehensive assessment of student readiness for life beyond high school; and
4. **Whereas:** Research from states like Vermont and Maine²⁰, which have implemented similar competency-based education models, indicates that students are better prepared for real-world success when learning is centered around skill development and subject mastery, rather than test-taking alone; and
5. **Whereas:** The traditional emphasis on standardized exams narrows curriculum by creating an environment where schools prioritize test preparation over deeper learning experiences²¹. The new approach allows educators to focus on a broader range of subjects, encouraging creativity, innovation, and personal growth, which aligns with modern educational best practices; and
6. **Whereas:** Research has demonstrated that standardized tests focused almost exclusively on low-level skills of recall, and that alternative assessment methods²², such as portfolios, capstone projects, and performance tasks, are just as effective, if not more so, in measuring student competency across multiple domains; and

Therefore, be it resolved:

1. Community Board 2 supports the plan put forth by the New York State Education Department’s Blue Ribbon Commission on Graduation Measures to refine and develop graduate metrics that accurately reflect the competencies needed for future success in higher education, careers, and civic life.
2. That New York City Public School be provided with the resources and support necessary to implement this new model effectively, including professional development for educators and expanded access to project-based learning opportunities for students.

¹⁸ <https://www.nysed.gov/standards-instruction/graduation-requirements>

¹⁹ [Blue Ribbon Commission Report on Graduation Measures](#)

²⁰ https://www.mainelegislature.org/legis/bills/bills_125th/billtexts/SP043901.asp

²¹ <https://fairtest.org/facts-whatwron-htm/>

²² <https://www.ccsso.org/sites/default/files/2017-12/AssessmentModelsCCSSOLPI03162017.pdf>

3. That NYSED continues to offer Regents exams as an option, for students who wish to pursue them, recognizing that these assessments provide a standardized measure of academic achievement and college readiness, while expanding pathways to graduation that accommodate different learning styles and interests, ensuring high standards in how students demonstrate mastery.

Vote: Unanimous, 38 Board Members in favor.

SLA 1 LICENSING

1. Yakinuku Futago Soho LLC dba TBD 341 W Broadway 10013 (RW–Restaurant)

- 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 Restaurant Wine License to operate a high end Japanese restaurant specializing in Japanese barbecue on the ground floor and mezzanine of M1-5A zoned, 2-story, mixed-use 1930 building on West Broadway between Grand and Broome Streets (Block #475/Lot #3), the building falling within NYC LPC’s designated SoHo Cast Iron Historic District; and
- ii. **Whereas**, the two-story premises is approximately 1,700 sq. ft., with 1,100 sq. ft. on the ground floor store level and an additional 600 sq. ft. on the second floor mezzanine, has a maximum occupancy of 74, the premises had been operating as Nikutei Futago since 2018, the Applicants having had an informal licensing agreement with the parent company since approximately [February 2022](#) which fell through, the Applicants are now taking over the business at this location while maintaining the same method of operation; prior to 2018 the premises had operated as a Hogar Dolce bakery closing by 11 PM every night, there are operable doors on the front façade facing the sidewalk, and the applicant presented a Certificate of Occupancy consistent with the proposed usage; and
- iii. **Whereas**, the premises will have seven (7) tables with 30 seats on the ground floor and two (2) tables with eight (8) seats on the second floor and one service bar with no seats, for a total of occupancy 9 tables and 38 seats, there is no outdoor seating in either the roadbed or sidewalk; 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 Restaurant Wine License, with those stipulations as follows:
 1. Will operate a full-service Japanese restaurant with the kitchen open and full menu items available until closing every night.

2. The hours of operation will be from 12 PM to 11 PM Friday through Sunday, closed Monday and 5 PM to 11 PM Tuesday through Thursday. 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 9 PM every night, allowing only for patron ingress and egress.
8. Will not make changes to the existing façade except to change signage or awning.
9. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
10. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
12. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or barricades or doormen/security personnel.
13. 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.
14. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

vi. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **50 active licensed premises** within 750 feet of the proposed premises according to LAMP to be licensed and an additional 4 pending licenses within this same area, this application being for the service of beer and wine only and thus not subject to the 500 Foot Rule; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for new Restaurant Wine License for **Yakinuku Futago Soho LLC 341 W Broadway 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 “Method of Operation” on the NYSLA Liquor License.

Vote: Unanimous, 38 Board Members in favor.

2. Talum LLC 183 Grand St 10013 (TW–Bar/Tavern) (Garden/Grounds)

- i. Whereas,** the Applicant’s Attorney and proposed manager of the premises to be licensed appeared before Community Board 2, Manhattan’s SLA Committee #1, but not the actual Principals, to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate a tavern serving Mediterranean tapas on the ground floor of a C6-2G-zoned, 3-story mixed-use building (c. 1910) on Grand Street between Mulberry and Centre Streets (Block #236/Lot #17) the building falling within the designated Special Little Italy District; and
- ii. Whereas,** the ground floor storefront premises is approximately 2,000 sq. ft. with 1,600 sq. ft. on the ground floor and 400 sq. ft. in the cellar, the cellar accessed via a sidewalk hatch with no patron use; there are six (6) tables and 14 seats with one (1) bar and nine (9) seats and one drink ledge for a total interior seated occupancy of 23 persons, the certificate of occupancy presented dated 1971 indicating retail store (UG6) on the ground floor with an occupancy of five (5) persons; the premises has one (1) primary door which will serve as patron ingress and egress and one (1) bathroom, there are several other operable accordion doors running the length of the storefront premises; and
- iii. Whereas,** the hours of operation will be from 10 AM to 2 AM Sunday through Saturday; 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
- iv. Whereas,** the premises to be licensed has been previously unlicensed and had operated since 1911 until as John Jovino Gun Shop which was the oldest gun retailer in New York City; and
- v. Whereas,** CB2, Man. has a liquor license history at this location going back to [February/2023](#) when a different Applicant who lived in the immediate neighborhood and was listed as the sole Principal on CB2’s questionnaire, came before CB2, Man. for an On-Premises Liquor license at this location, worked with CB2, Man. to arrive at a stipulation agreement and CB2, Man. unanimously recommended approval of the license; in August/2023 CB2, Man. received requests from the current Applicants of the instant application for a Letter of No Objection to provide to the SLA for multiple day permits to serve beer and wine outside in front of the location during San Gennaro, stating they were partners with the prior applicant, because there was no open restaurant or active liquor license at the location at that time, CB2, Man. did not provide a Letter of No Objection; additionally, the original Applicant emailed CB2, Man. in September/2023 stating he was no longer involved at the location; and
- vi. Whereas,** the current Applicant’s original 30-day notice for a Restaurant Wine License application was received by CB2, Man. in September/2023 and the application was placed on the October/2023 agenda, their attorney requested to layover the application to November and

then to December at which time the attorney appeared without the Applicants/Principals and requested to lay over the application to February/2024 so that the Applicants/Principals could appear; on February 5, 2024 the attorney 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 attorney 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/Principals 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

- vii. Whereas,** on August 15, 2024 the Applicant was issued a temporary beer and wine license according to LAMP, CB2 received a new 30-day notice for a Tavern Wine License on September 18, 2024, dated September 16, 2024 and placed the item on CB2’s SLA Committee #1 October agenda at which time neither the Applicant nor their Attorney appeared and did not provide information or explanation as to such non-appearance so a “no show denial” [resolution](#) was again unanimously adopted by CB2, Man. at their October full board meeting; CB2, Man. receiving another 30-day notice for a Tavern Wine License on October 29, 2024 and placed the item on CB2, Man. SLA Committee #1 November agenda; and
- viii. Whereas,** at the November SLA Committee #1 meeting CB2, Man. expressed concerns that the Applicants/Principals who both reside and are located out of state and are the holders of the liquor license were not in attendance at this month’s CB2, Man. SLA committee meeting despite the meeting dates being posted on CB2’s website months in advance, the Attorney stating that he and the manager were able to make decisions for the Applicants/Principals, a number of concerns being raised about the instant application, those concerns being that the application is now for a tavern wine license serving small tapas as opposed to the original restaurant wine application serving sushi for which they received their temporary beer and wine permit; that this is a previously unlicensed location including use of the rear yard which is adjacent to PS 130 and is surrounded by residential tenants living on upper floors of the surrounding buildings, many with school age children, with requested hours until 2 AM; that there is a small prep area with the remainder of the back of house seeming more focused on alcohol service than food service with three (3) ice bins, the floor plans indicating a drink ledge running opposite and for the full length of the 25' bar; that the Applicants/Principals themselves were not able to be present; the application including use of the rear yard but the certificate of occupancy does not show that use to be permitted, nor does it show that the proposed occupancy or use of the interior for eating and drinking is permitted; there was no outreach to the local residents who appeared and wrote letters in opposition to the application in December/2023 when this same attorney appeared on behalf of the same Applicants; there

was a letter submitted with photographs showing the premises, while not open for business, operating outside during San Gennaro with a bar and beer and wine products for sale out on the sidewalk, without a permit for an outdoor bar, offering alcoholic beverages to go; there was another letter citing not only the service of alcohol outside during San Gennaro but also work being done without permits until the neighbors called 311, and stating that the premises has been being rented out for private parties while still not open to the public for regular operation; a resident of the immediate area came to oppose the application, those writing letters stating that they had appeared initially in opposition and had attended at other times when no one showed for the meeting and no one wrote letters in support of the application; and

- ix. **Whereas**, the Attorney stating that the Applicants made significant changes to their application since the Attorney last appeared for the Applicants/Principals, the main change being that it would no longer be a sushi restaurant, and that they had removed for the time being the sidewalk seating that was part of the original application (which they were unable to file for in December/2023 because the temporary outdoor dining program was no longer accepting applications and the permanent one had not yet opened for applications) and the rear yard seating for which there is nothing showing that the use of the rear yard for eating and drinking is permitted, the rear yard use was still indicated on the 30-day notice, they stated they would like to have hours closing at 1 AM but they would agree to midnight closing 7 days a week in an effort to work things out; the Attorney also stating that the activities during San Gennaro were due to one of the Principals being in town and operating during that time without a permit to have a bar out on the sidewalk and sell drinks to go and that the proposed manager who appeared with him was not involved; and
- x. **Whereas**, despite all the concerns surrounding the instant application starting with the Principals inability to appear before CB2, Man. yet being able to travel to NYC to operate without proper permits during San Gennaro along with the change in method of operation from a restaurant to a wine bar, the work without permits, the private parties in the premises while it is not yet open to the public among other issues noted above; CB2, Man. offered the Applicants a stipulation agreement that reflected the agreed upon terms at the Committee meeting with the Applicant's Attorney and Manager, who had stated they were empowered to enter into agreements with CB2, Man., those agreed upon stipulations including a midnight closing 7 days a week, along with other stipulations which included no TVs (as specified in the questionnaire) and no use of the rear yard; the Applicants/Principals, who again were not present at the meeting, were unwilling to sign the stipulations agreed to by their Attorney and Manager who stated to CB2 that they were authorized to make those agreements, unless the closing time on Fridays and Saturdays was 1 AM, now changing the application again to include a TV behind the bar to show sports, news, etc. and requesting use of the rear yard for cleaning of their mats, the attorney stating they would be willing to limit the hours of that rear yard use to whatever seemed reasonable, the stipulations being amended to allow for cleaning of the mats between the hours of 9 AM and 7 PM, the Applicants/Principals also not willing

to agree to those hours, the use of the rear yard for anything being impactful particularly in the evening to the surrounding residents and the Applicants/Principals already not having a reliable track record with the community for following rules; the Applicants/Principals not willing to agree to the midnight closing Fridays and Saturdays despite the attorney stating they would at the SLA committee meeting and continuing to insist on the use of a TV; and

- xi. Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **88 active licensed premises** within 750 feet of the proposed premises according to LAMP to be licensed and an additional 6 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 applicants unwilling to abide by agreements made on their behalf; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Talum LLC 183 Grand St 10013** on its application seeking a new Tavern 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 **Talum LLC 183 Grand St 10013**:

1. Will be advertised and operated as a Mediterranean wine bar.
2. The hours of operation will be from 10 AM to 12 AM Sunday through Saturday. No patrons will remain after stated closing time.
3. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
4. Will not have patron occupancy/service to any portion of the rear yard. Rear yard may be used by staff for cleaning of mats between 9 AM and 7 PM but will not be used by staff for breaks. No smoking in rear yard.
5. Will not have any outside bars or any drinks to go during San Gennaro festival or any other time.
6. Will have no more than three (3) private parties per year.
7. Will play recorded background music at conversational levels only inclusive of any private parties or events.
8. Will not have televisions.
9. Will close all doors and windows at 9PM every night, allowing only for patron ingress and egress.
10. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches."

11. 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.
12. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

Vote: Unanimous, 38 Board Members in favor.

3. EWS 90 West Inc 90 W Houston St, Cellar 10012 (OP–Bar/Tavern)

- i. **Whereas**, the Applicant and Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Tavern Liquor License for a neighborhood dive bar located in the cellar floor of an R7-2 with a C1-5 overlay zoned, four (4)-story tenement style, mixed-use building (c. 1900, altered 1988) on West Houston Street between LaGuardia Place and Thompson Street (Block #525/Lot #57) the building falling within NYC LPC’s designated South Village Historic District; and
- ii. **Whereas**, the premises to be licensed is roughly 1,200 sq. ft. located in the cellar of the building and accessed from the sidewalk by going down a number of steps to the entryway; there is one (1) entryway serving as both patron ingress and egress and one additional emergency exit; there are 12 tables and 28 seats with one (1) bar and 12) seats for a total interior seated occupancy of 40 persons; there are two (2) bathrooms; and
- iii. **Whereas**, the Applicant’s proposed hours of operation will be Mondays through Saturdays from 2 PM to 4 AM and Sundays from 2 PM to 4 AM, music will be background music only from iPods/CDs/streaming services; there will be no DJ’s, no promoted events, no live music or scheduled performances, and no cover fees, there will be one (1) television; and
- iv. **Whereas**, the premises was most recently licensed as a restaurant under Robillo Holding LLC dba Bar 9 (Lic ID #0340-23-133249) with hours of 11 AM to 1 AM though it is unclear if it ever opened, prior to that it was a Qifan LLC dba Lumos (Lic ID#0340-17-108721), a restaurant/lounge from approximately 2016 to 2023; and
- v. **Whereas**, the Applicant holds licenses at three other establishments in Manhattan with similar methods of operation as dive bars with inexpensive prices (Big B Restaurant Enterprises Inc dba Strangelove Bar, Lic ID #0340-22-104074; Otfoteoc Ltd dba Clockwork Bar, Lic ID #0340-23-131873; Lyndon Inc dba Lucky Lyndon, Lic ID #0370-24-113614), there have been extensive noise-related 311 complaints at all three of the establishments over the recent years and continuing up to the present, there also being complaints and videos (one from the NYPD 7th precinct) of fights and stabbings outside of Clockwork Bar on Essex Street,

including one showing their security guard hitting someone with a skateboard, the 7th precinct reported 45 311 noise complaints, 40 911 calls and 5 reports of assault in the first 8 months of 2021 in relation to Clockwork Bar, as well as there being prior unspecified SLA violations, the Applicant explaining that the fights occurred after patrons left his premises and did not occur inside and were not under his control, when asked about the 311 complaints was unaware of the issues so either he is not very involved in the day to day operations or was not being transparent, he also did not recall his past SLA disciplinary history when asked, but then remembered when given specific details; and

- vi. **Whereas**, the immediate area, near NYU and a block south of Bleecker Street, has a significant number of late night bars and entertainment venues, the location of the instant application on West Houston having many residences on upper floors adjacent to it and abutting a residential-only zoned area, with two ground floor, long-standing late night bars directly next door (Abaw LLC dba The Folley, Lic ID #0370-24-126531, exp 9/30/26 and Dimur Enterprises Inc dba Madame X, Lic ID #0340-22-108935, exp. 11/30/24), concerns being raised about having this sort of late night activity with the track record of consistent complaints at this Applicant's other establishments into the more residential and quieter area of West Houston Street as well as also competing with those existing, long-standing late night bars, while not adding anything significantly different, the Applicant's response to any compelling community interest in the instant application was that there had been a late-night bar there previously, additionally there was no community outreach to adjacent residents or the local block association, BAMRA, that CB2, Man. was aware of; and
- vii. **Whereas**, in response to all the concerns raised about adding another bar, especially a cheap dive bar adjacent to two other late night establishments abutting a residential district and taking into account the problematic history at the Applicant's other licensed premises, the Applicant offered to reduce the hours to a 2 AM closing nightly but no earlier; and
- viii. **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 **89 active licensed premises** within 750 ft. and 11 pending licenses according to LAMP; the Applicant having extensive 311 complaints at his three other licensed premises, past SLA violations and videos of fights and brawls outside of his other licensed premises all raising significant concerns that this level of complaints could be brought into the residential area of West Houston Street should this license be granted, the prior method of operation as a restaurant with earlier hours mitigated many of the late night impacts, the instant application offering nothing unique to find that the granting of this license is in the public interest, to the contrary, the demonstrated potential for a litany of 311 complaints is not in the public interest; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Liquor License for **EWS 90 West Inc 90 W Houston St, Cellar 10012**; and

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

Vote: Unanimous, 38 Board Members in favor.

4. ER Hotpot 8 St Inc dba Grandpa Thai fka Six Hot Pot 51 East 8th St aka 40 East 9th Street 10003 (RW–Restaurant) (*previously unlicensed*)

- i. Whereas**, prior this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 6, 2024 the Applicant provided CB2, Man.’s questionnaire and related documents but **failed to appear** on this application and did not provide information or explanation as to such non-appearance before CB2 Manhattan; and
- ii. Whereas**, from the documents provided to CB2, Man. the application being submitted to the NYS Liquor Authority is for a restaurant wine license to operate a full-service restaurant focusing on serving hot pots in a ground floor storefront of a one-story frontage as part of a 13-story, mixed-use, block-through building (ca. 1959) on 8th Street between University Place and Broadway (Block #560/Lot #752); and
- iii. Whereas**, the approximately 4,400 sq. ft. storefront premises consists of the ground floor and basement (2,900 sq. ft on the ground floor and 1,500 sq. ft in the basement) connected by an interior stairway, the basement being used for storage only with no patrons use; there will be 14 tables with 56 patron seats, one bar with no seats for a total of 56 interior seats; there are two (2) entrances which serve as both patron ingress and egress and two (2) patron bathrooms; and
- iv. Whereas**, the hours of operation will be Sunday through Saturday (7 days a week) from 11 AM to 10 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
- v. Whereas**, the premises to be licensed has previously never been licensed for the service of alcohol and is located in the one-story ground floor extension of a large condominium building containing a row of shops and quick-serve restaurants and cafés; and
- vi. Whereas**, there already are a number of licensed establishments in both Community Board 2 and in the immediate area, there being **26 active licensed premises** within 750 feet of the

proposed premises according to LAMP to be licensed and an additional 3 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 public interest standard, no one appeared or wrote letters either in support or opposition of the application, the hours being quite reasonable and the method of operation being of low-impact to the surrounding residents, the applicant having already filed their liquor license application with that license pending, therefore the Applicant was sent a stipulation agreement; 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 full-service restaurant with a focus on hot pot style of dining with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 11 AM to 10 PM Sundays 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 play quiet ambient recorded background music 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 all times, allowing only for patron ingress and egress.
8. Will not have patron occupancy/service to any portion of the basement of licensed premises.
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
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.
16. Will appear before CB2, Man. for change in method of operation prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine license in the name of **ER Hotpot 8 St Inc dba Grandpa Thai fka Six Hot Pot 51 East 8th St aka 40 East 9th Street 10003** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous, 38 Board Members in favor.

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

5. JEJU Noodle Bar Nolita LLC dba JEJU Noodle Bar Nolita 204 Elizabeth St 10012 (RW–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on November 6, 2024, the Applicant requested **to lay over** this application to December/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 **JEJU Noodle Bar Nolita LLC dba JEJU Noodle Bar Nolita 204 Elizabeth 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, 38 Board Members in favor.

6. Broome Audio LLC dba Silence Please 132 Bowery #2 10013 (RW–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on November 6, 2024, the Applicant requested **to lay over** this application to December/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 **Broome Audio LLC dba Silence Please 132 Bowery #2 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, 38 Board Members in favor.

7. 220 Hospitality Partners LLC dba Nolita Express 218-220 Bowery 10012(OP-Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on November 6, 2024, the Applicant requested to withdraw this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **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, 38 Board Members in favor.

8. Casamata LLC 45 Bleecker St 10012 (OP-Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on November 6, 2024, the Applicant requested to lay over this application to December/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 **Casamata LLC 45**

Bleecker St 10012 until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 38 Board Members in favor.

9. Banana Republic, LLC 90 Crosby St 10012 (OP-Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on November 6, 2024, the Applicant requested **to lay over** this application to December/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 90 Crosby St 10012 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 38 Board Members in favor.

10. 343 Broome Tomorrow LLC 146 Bowery 10013 (OP-Restaurant) (Transfer)

Whereas, the Applicant and the Applicant's Attorney appeared to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License for an unspecified type of restaurant located in the ground floor and cellar floor of a four (4)-story hotel/SRO building (c. 1915, altered 2013) on Bowery between Broome and Grand Streets (Block #470/Lot #50) the building falling within the designated Special Little Italy District; and

Whereas, during this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on November 6, 2024 there were a number of questions raised about the application, the Applicant being the owner of the building which is one of the earliest hotels in the city, the certificate of occupancy not indicating use of the cellar or 1st floor for eating and drinking, there being multiple commercial restaurants and clubs located within the building, there have been many complaints

from residents over the years regarding prior occupants of the premises associated with the instant application, the questionnaire provided offering no details on the type of restaurant or method of operation other than to say it is the same as the previous operator, that method of operation going through many iterations that did not come before CB2, Man., the Applicant requesting **to lay over** this application over to December/2024, 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

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, 38 Board Members in favor.

SLA 2 LICENSING

- 1. Selene and Hemera LLC dba REI 142 Sullivan St–South Retail Space 10012 (RW–Restaurant)**
- i.** The Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #2 to present an application for a new Restaurant Wine license to operate an upscale Japanese restaurant serving traditional meals including sushi, sashimi and tempura in a non-conforming ground floor storefront space in an area zoned for residential use only (R7-2) in a 7-story, tenement-style building built in 1910 on Sullivan Street between W. Houston Street and Prince Street (Block #518/Lot #37) located within NYC LPC's designated Sullivan-Thompson Historic District; and
- ii. Whereas,** the ground floor storefront premises is approximately 750 sq. ft.; there are two (2) tables with three (3) seats, two (2) bars/food counters with 13 seats, two counters with six (6) seats two (2) stand-alone seats for a total interior seated occupancy of 24 persons; the premises has one (1) door which will serve 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 also being a basement space that will be used for storage and an office, the sole access to the ancillary basement premises needed by the business for storage and food preparation being a

door leading through the common residential hallway of the building, the Applicant presenting a Letter of No Objection for the building for eating and drinking with no cooking as a permitted use on the 1st floor of the building, there is no sidewalk café or other outdoor seating; and

- iii. **Whereas**, the hours of operation will be from 11 AM to 11 PM Sunday through Saturday (7 days a week); music will be quiet background only consisting of music from iPod/CDs; there will be no televisions; all doors and windows will be closed at all times; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. **Whereas**, the premises to be licensed has previously been licensed from approximately 2021 to 2023 as Txokoa LLC dba Haizea with a Tavern Wine license (SN #1331550), that Applicant having appeared before CB2, Man. for the second time in [September/2020](#) at which time the full board of CB2, Man. voted to recommend approval of the application with stipulations after the Applicant did extensive outreach with local residents and reached a compromise on the method of operation, hours and stipulations regarding the use of the residential hallway; the current Applicant doing outreach to the local residents and agreeing to abide by these same stipulations, with their method of operation as a full-service, traditional, Japanese restaurant and not a tavern being more suitable to this residential block than the prior Applicant's method of operation, the Applicant and his wife own a number of successful restaurants in Japan and will be moving to New York in January/2025; and
- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **85 active licensed premises** within 750 feet of the proposed premises according to LAMP to be licensed and an additional 10 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 done outreach to the community with a neighboring resident speaking in favor of the application, the hours being reasonable and the method of operation being of low-impact to the surrounding residents; 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 incorporated into the "method of operation" of their Restaurant Wine license and the stipulations are as follows:
 - 17. Premises will be advertised and operated as a full-service, upscale Japanese restaurant with the kitchen open and full menu items available until closing every night.
 - 18. The hours of operation will be 11 AM to 11 PM Sunday through Saturday. No patrons will remain after stated closing time. Premises will originally open for dinner service only with lunch service anticipated in the future.
 - 19. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.

20. 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.
21. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
22. Will not have televisions.
23. Will bring all deliveries in through the restaurant, utilizing the common hallway only as a pass through between the interior restaurant and basement. Moving delivered items to basement through hallway will be kept to a minimum.
24. There will be no use of the common hallway (shared with the residential tenants of the building) between 12 AM and 8 AM. All food and prep items for each day's service will only be moved prior to beginning of service and after service had concluded, not throughout the day.
25. Will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
26. Will not have patron occupancy/service to any portion of the basement of licensed premises.
27. All alcohol will be stored within the first floor restaurant.
28. Will close all doors and windows at all times, allowing only for patron ingress and egress.
29. Will not have private events or pop-up events.
30. Will not install or have French doors, operable windows or open facades.
31. Will not make changes to the existing façade except to change signage or awning.
32. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
33. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
34. 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.
35. 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.
36. 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 Restaurant Wine application for **Selene and Hemera LLC dba REI 142 Sullivan St–South Retail Space 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, 38 Board Members in favor.

2. 169 Thompson Street dba The Clam Bar 169 Thompson St 10012 (OP–Restaurant)

- i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 for a new On-Premises Restaurant Liquor license (Lic. ID #NA-0340-24-138911, pending) to operate a small seafood restaurant in a ground floor, non-conforming storefront within a six-story mixed use building (circa 1859) on a residential-zoned block on Thompson Street between Bleecker and West Houston Streets (Block #525/Lot #24), this building falling within NYC LPC’s designated South Village Historic District; and
- ii. Whereas,** the interior storefront is approximately 1,500 sq. ft. with 600 sq. ft. on the ground floor and 900 sq. ft. in the basement, the basement being accessed by an interior stairway which abuts, but is separated from, the residential lobby, there will be no patron use of the basement, the basement being used for storage purposes only; there will be four (4) tables and 12 seats no bars for a total seated occupancy of 12 seats and a legal occupancy of 28, 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
- iii. Whereas,** the ground floor storefront sought to be licensed was previously licensed by the Principal under 169 Thompson LLC dba ZZ’s Clam Bar (Lic. ID # 0340-23-134756) from 2013 to 2023 at which time the license was surrendered, and that operation was moved to Hudson Yards; the instant application being similar in nature albeit with closing hours of midnight instead of 2 AM; and
- iv. Whereas,** the proposed hours of operation are Saturday through Sunday from 6 PM to 12 AM and will operate as a reservation-only full-service seafood restaurant, music will be recorded background music at conversational levels only inclusive of any private parties, there will be not more than 48 private parties per year; 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 has executed and 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 On-Premises Restaurant Liquor license and those stipulations are as follows:
 - 1. Premises will be operated and advertised as full-service, reservation-only seafood restaurant serving a collection of raw and cooked items from the Northeast with the kitchen open and full menu items available until closing every night.
 - 2. Hours of operation will be Sunday to Saturday from 6 PM to 12 AM. No patrons will remain after stated closing time.
 - 3. Will not operate a backyard garden 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, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 5. Will not have televisions.
 6. Will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
 7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 8. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 9. Will have no more than 48 private parties/events per year.
 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, security personnel or 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.
- 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 **85 active licensed premises** within 750 ft. and 10 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 Liquor License in the name of **169 Thompson Street dba The Clam Bar 169 Thompson St 10012** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous, 38 Board Members in favor.

- 3. Petrossian Boutique, Inc. dba Petrossian Caviar NYC 419 W 13th St 10014 (OP–Bottle Club)**
- i. Whereas,** the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee #2 to present an application to the Liquor Authority for a Bottle Club License to provide complimentary drinks to retail customers while operating a boutique offering caviar, the store being located within a six-story M1-5 zoned, commercial building built in 1900 (Block #646/Lot #56), the building falling within NYC LPC’s designated Gansevoort Market Historic District; and
 - ii. Whereas,** the retail store is approximately 2,011 sq. ft. on the ground floor connected to a basement by an interior staircase which will only be used by patrons for bathroom access, the method of operation will remain as a retail store for the purpose of selling caviar, the service of alcoholic beverages being complimentary to its customers during store hours of operation from 11 AM to 7 PM Monday through Saturday and 12 PM to 6 PM on Sundays, there may be up to 24 private parties per year at which time the store may stay open until 10 PM, there are two (2) tables and 12 seats, there will be no TVs and music will be background only at all times with no DJs or live music inclusive of any private events, the storefront infill being fixed with no operable doors or windows; and
 - iii. Whereas,** the business has been in operation at the premises for approximately the past year, prior to that the storefront has been vacant since approximately 2015, and had previously operated in different iterations as a restaurant, lounge and club; the Applicant’s family owns the building and there is a valid Temporary Certificate of Occupancy (TCO) for use as a retail store at the location, the previous TCO had not been for the proper use; and
 - iv. Whereas,** the Applicant executing a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated into their method of operation on their Bottle Club License, with those stipulations as follows:
 - 1. Will operate as a boutique offering caviar and gourmet food items.
 - 2. The hours of operation will be from 12 PM to 6 PM Sunday and 11 AM to 7 PM Monday through Saturday. There may be up to 24 private parties/events per year where the store may remain open until 10 PM.
 - 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, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 - 6. Will not have televisions.
 - 7. Patron use of cellar will be for bathroom access only. There will be no service of alcohol in the cellar.

8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 9. Will not install or have French doors, operable windows or open facades.
 10. Will not make changes to the existing façade except to change signage or awning.
 11. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 12. There will be no “bottle service”.
 13. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades.
 14. 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 **43 active licensed premises** within 750 ft. and 2 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 CB2, Man. recommends **denial** for a Bottle Club license to **Petrossian Boutique, Inc. dba Petrossian Caviar NYC 419 W 13th St 10014** **unless** the statements of the applicant as presented to CB2, Man. 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 in order to create public interest for the issuance of this liquor license.

Vote: Unanimous in favor (7–0)

4. **Pyramid Effect LLC dba Fellini 176 7th Avenue South 10014** (RW-Restaurant) (Alteration: move customer bar)
- i. **Whereas**, the Applicant’s Attorney appeared alone before Community Board 2, Manhattan’s SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for an Alteration to the existing Restaurant Wine license to continue to operate an Italian pizzeria restaurant which in its original application to the NYSLA combined multiple ground floor storefronts located within a two-story mixed-use building (circa 1922) on 7th Avenue South and Waverly Place between Perry and West 11th Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and
 - ii. **Whereas**, the premises is approximately 1,200 sq. ft. with no basement with 13 tables and 38 seats and one (1) bar with six (6) seats for a total seated occupancy of 44 persons, the exterior has been renovated to install French doors running along the entire 7th Avenue South front façade, opening up the entire storefront interior to the public sidewalk in front, additionally a

large service window was installed in the southernmost corner of the licensed premises at the intersection of Waverly Place and 7th Avenue South; and

- iii. **Whereas**, the hours of operation are from 8 AM to 12 AM Sunday through Thursday and 8 AM to 1 AM Friday and Saturday; music will be quiet recorded background only, the French Doors will be closed by 10 PM Sunday to Thursday and 11 PM Friday and Saturday, there are no TVs; and
- iv. **Whereas**, there was significant objection and opposition to the original license application that this application seeks to change when the original application was initially presented to CB2, Man. in [October/2022](#) due to the character and fitness of the Applicant who has an extensive negative history within CB2, Man. including failure to operate previous outdoor areas lawfully as evidenced by having his previously licensed premises (Super Noriega LLC, dba Baby Brasa, OP #1299007, 173 Seventh Avenue South) padlocked by the NYC Department of Consumer Affairs on 9/6/2019 and 9/13/2019 and for reasons outlined in CB2's [November/2019 resolution](#) to the NYC Department of Consumer Affairs which included operating an unpermitted sidewalk café; and
- v. **Whereas**, CB2, Man. recommending denial of the original application by the Applicant at this location in October/2022 and requested the NYSLA to calendar the item to appear before the Full Board of the NYSLA for final determination; the item was never calendared to appear before the Members of the Authority and the Restaurant Wine license was issued despite CB2's denial recommendation; that application was for the service of alcohol on the interior of the premises only; and
- vi. **Whereas**, the alteration application presented to CB2, Man. in November/2024 is to move the customer bar from the northern side of the licensed premises to the front of the premises and remove one table and four seats, there is no alteration application to extend the service of alcohol to the sidewalk or roadway, the initial application and granting of the Restaurant Wine license was for service on the interior of the premises only, the Applicant not previously filing a notice to extend the licensed premises onto municipal property; several 30-day notices were submitted to CB2 and included a 30-day notice filed on August 13, 2024 for a class change from Restaurant Wine to Restaurant On-Premises Liquor and a 2nd 30 day notice on August 22, 2024 for an alteration to move the customer bar from the "back of the premises to the front of the premises," the Applicant laying over both applications from CB2, Man.'s September SLA Committee meeting to the October meeting and then withdrawing both applications on September 26, 2024 and re-filing a 3rd 30-day notice on October 12, 2024 for the alteration application only to move the customer bar; The customer bar had been observed in late August by members of the community to have already been moved without the Applicant appearing before CB2, Man., or notice or filing an application with the NYSLA prior to the alteration illustrating once again that the Applicant is unable to follow the rules; and

- vii. Whereas,** in regards to the instant alteration application, the Applicant’s attorney stated that he believed that the licensed premises did not include the southernmost corner of the Applicant’s premises, there being no separate liquor license for that southernmost corner of the licensed premises, that southernmost corner being represented as storage when the application was initially presented to CB2, Man. and in documents submitted to the NYSLA, that southernmost corner being transformed after the original application and without notice to CB2 or the SLA from a storage area to a coffee bar with a large operable service window offering coffee, food items and wine to customers without a license for an additional bar, with a separate and distinct menu posted on the exterior next to the service window advertising “happy hour Monday–Friday, 4pm to 6pm, wines \$6” with bottles of wine stored and displayed on shelving within that distinct area as recently as 11/5/2024 despite the Applicant’s submission to the NYSLA for the initial and alteration application stating that all alcohol is stored behind the primary bar (the bar having been moved without NYSLA approval), the Applicant once again not able to abide by the rules despite being an operator that has a long history with both NYC and NYSLA guidelines; and
- viii. Whereas,** there have been complaints from local residents since the opening of the premises of congestion on the sidewalk of 7th Avenue South/Waverly Place due to the unauthorized seating (the Applicant was never issued an Open Restaurants permit under the temporary program) that goes in front of the restaurant premises on 7th Avenue South heading down south to the undisclosed coffee bar window at the corner of 7th Avenue South and Waverly Place and then sidewalk seating continuing to wrap the frontage going north on Waverly Place; there being nowhere for coffee patrons to form a line against the building frontage due to all the sidewalk seating and instead being pushed to extend further out onto the pedestrian sidewalk area and blocking the clear path; it was also observed on many occasions that the Applicant was serving wine to patrons seated in the sidewalk area despite the disclosed and licensed premises being the interior premises only; and
- ix. Whereas,** the Applicant has another Fellini coffee shop in CB2, Man. (Fellini Soho Corp Lic. ID #NA-0267-23-145725 120 Thompson St) for which they were recently denied their Tavern Wine application based on the character and fitness of the Applicant because of his continued inability to follow the rules, the Applicant exhibiting the same disregard for following the rules at the establishment of the instant application as the Thompson Street location having unauthorized seating on the sidewalk and then in the roadbed, extending the service of alcohol to the unlicensed outdoor area, adding an operable window to serve out onto the sidewalk while putting no guidelines in place to keep lines close to the building to allow for proper clear path on the sidewalk; the Thompson Street application being heard at the full board of the NYSLA on October 9, 2024 where all these issues were raised by CB2, Man., the item being adjourned to October 30, 2024 in order for the Applicant to remove the non-compliant roadbed seating, the Applicant being clearly told at the October 9, 2024 hearing by both the members of the Authority and his Attorney that the use of the roadbed would stop immediately and that the temporary wine and beer license was for the interior of the premises only, yet the

Applicant was observed continuing to use the roadbed seating with the service of alcohol through the week of October 21, 2024 in disregard of direction from the Authority, telling the Liquor Authority that the roadbed was removed on October 27 as well as seating on 7th Avenue but there was never roadbed seating on 7th Avenue and the sidewalk seating continued; the Applicant continuing with the same transgressions at the establishment of the instant application; and

- x. **Whereas**, this Applicant has continued the pattern of illustrating that they are incapable of following any rules, regulations or guidelines of either the NYSLA or NYC DOT and continues to operate to ingratiate themselves until they forced into compliance instead of illustrating any ability to learn from past mistakes and abide by rules and regulations; the Applicant continuing to use the unauthorized sidewalk seating at the location of the instant Application until the day following his Attorney's presentation at this month's CB2, Man. SLA Committee meeting for the alteration application when all these same issues were raised to his Attorney and are many of the same issues this Attorney heard about the other location at the Liquor Authority; and
- xi. **Whereas**, following CB2, Man.'s SLA committee meeting the Applicant's Attorney filed an amended 30-day notice on November 14, 2024, to remove the southernmost corner where the coffee area and large service window are located from the licensed premises, following that notice it was still observed that the bottles of wine were still visibly on display on shelving in that area; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for the Alteration Application for **Pyramid Effect LLC dba Fellini 176 7th Avenue South 10014**; 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 and be given considerable consideration as CB2, Manhattan initially recommended disapproval of this Restaurant Wine license and asked that it be called up to the Full Board of the NYSLA but instead the licensed was granted without the recommendation of CB2, Man. being part of the record upon which the Liquor Authority based its decision.

Vote: Unanimous, 38 Board Members in favor.

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

- 5. **GVI West Village LLC dba Vin Sur Vingt Wine Bar 192 7th Ave South 10014** (Class Change) (OP-Bar/Tavern) (Dining Out NYC-sidewalk)

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

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

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **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, 38 Board Members in favor.

6. Realmuto 117 7th Avenue South LLC dba Realmuto 117 7th Ave South 10014 (OP– Restaurant) (Class Change) (Dining Out NYC: Sidewalk)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on November 7, 2024, the Applicant requested **to lay over** this application to December/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 **Realmuto 117 7th Avenue South LLC dba Realmuto 117 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, 38 Board Members in favor.

STREET ACTIVITIES

1. *11.16.24 – Another A Story Activation (Sponsor: IDEKO Productions LLC), Astor Place Plaza (So.) [full]

Whereas, the applicant, representing clothing store Aritzia, is seeking to hold a one-day pop-up activation on the Astor Place Plaza in conjunction with the opening of a new Aritzia store on November 22nd; and

Whereas, load-in is expected to begin at 8 AM, with the activation running from 10 AM to 4 PM, and load-out complete by 5 PM; and

Whereas, the activation will consist of a “life-size” branded Aritzia bag sculpture, which people can take pictures /selfies of, as well as a small stand handing out postcards which highlight the upcoming store opening; and

Whereas, there will be no food, drink or amplified sound; and

Whereas, the applicant will have 2 brand ambassadors and 2 security guards on site during the activation; and

Whereas, the applicant has coordinated with the Village Alliance BID on site plan and run-of-show; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Another A Story Activation (Sponsor: IDEKO Productions LLC)**, **provided that** the application conforms with all applicable laws, rules, regulations, and clearance requirements.

Vote: Unanimous, 38 Board Members in favor.

2. *11.21.24 – Thanksgiving – Giving to Homeless (Sponsor: Damian Gaudino), Howard St. bet. Broadway & Mercer St. [curb lane only-So.]

Whereas, the applicant, an individual living on Howard Street, is seeking to hold a full street closure on Howard between Broadway and Mercer in order to hold an event centered around cooking and sharing a free Thanksgiving meal with local homeless / unhoused individuals; and

Whereas, the applicant envisions cooking around 100 meals in his apartment in order to serve for free to homeless individuals as well as to other passers-by and community members who wanted to participate in the event; and

Whereas, while the application filed with SAPO was for a curb lane closure, the applicant stated they are instead seeking a full street closure in order to site a number of elements on the street, including stands to hand out food/beverages, picnic tables, a DJ booth, trash bins, and street games; and

Whereas, the applicant also stated that they wished to serve alcoholic beverages at the event, but when informed by the SAR committee of the various requirements in order to serve alcohol, such

as an enclosed area, licensed bartenders, etc., they applicant stated they would be willing to hold the event without this element; and

Whereas, set-up for the activation would begin at 9 AM, with food served from 12 PM to 4 PM, and load-out completed by 9 PM; and

Whereas, the applicant intends to partner with a 3rd party carting company for waste management; and

Whereas, while CB2 Manhattan is supportive of the initiative and objective of this kind of event, and would like to see events such as the one proposed to be successful, it was felt that in this case significantly more preparation and lead time is necessary for an event of this scale to be held safely and successfully; and

Whereas, further regarding lead time and preparation, the applicant was unaware of the required SAPO deadline of 45 days for a large street activity which closes the whole block (which had already passed by the time of the SAR meeting), having applied for only a partial curb lane closure; and

Whereas, the applicant was also unaware of the significantly higher cost of \$25,000 associated with a Large street activity under SAPO Rules, and while a Block Party or Single Block Festival could have also been options for this type of events, the deadlines for these events are even longer (60 and 90 days respectively); and

Whereas, while the applicant indicated willingness to modify the event to a curb lane-only food giveaway style activation without seating, etc., it was unclear whether there was time to modify plans and secure all the necessary permits in time; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Thanksgiving – Giving to Homeless (Sponsor: Damian Gaudino)**.

Therefore Be It Further Resolved that CB2 Manhattan applauds the initiative of the applicant and would value the opportunity to work with the applicant to help them prepare for a similar event in the future that can meet SAPO requirements for application deadlines, permitting and event preparation.

Vote: Unanimous, 38 Board Members in favor.

3. *11.29-12.1.24 – Coffee Truck at The JBL Store – 19 E. Houston St. (Sponsor: Triggerhouse), E. Houston St. bet. Broadway & Crosby St. [partial SW closure-So.]

Whereas, the applicant is seeking to hold a curb lane coffee truck activation in front of the JBL Store at 19 E. Houston Street between Broadway and Crosby Streets; and

Whereas, the event is expected to consist of a coffee truck parked in the curb lane, giving out free coffee from 11 AM – 7 PM on Friday, November 29th, Saturday, November 30th, and Sunday, December 1st; and

Whereas, trash receptacles will be included in the activation to allow for disposal of coffee cups; and

Whereas, in terms of amplified sound, the activation will only consist of a JBL speaker being played at a low volume; and

Whereas, three brand ambassadors as well as security guards will be present during the activation to assist in line management as well as sanitation; and

Whereas, the applicant held similar events in past years which did not generate any significant disruption; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Coffee Truck at The JBL Store – 19 E. Houston St. (Sponsor: Triggerhouse)**, **provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Unanimous, 38 Board Members in favor.

4. *12.3-12.4.24 – Kenmare Sidewalk Permit (Sponsor: IDEKO Productions LLC), Kenmare St. bet. Bowery & Elizabeth St. [partial SW closure-So.]

Whereas, the applicant, representing a new earbud collaboration between Sony and Olivia Rodrigo, and in partnership with the MTA, is holding a special private event targeted at influencers, and is seeking a partial sidewalk closure in order to accommodate lines for entrance into the event; and

Whereas, the event will take place over the course of two days (December 3rd and 4th) at 10 Kenmare street, inside an abandoned underground subway station; and

Whereas, the first day of the event (December 3rd) will consist of a VIP Night with Olivia Rodrigo in attendance from 7-9 PM, and the second day of the event (December 4th) will consist of two one-hour sections in the afternoon without Olivia Rodrigo in attendance; and

Whereas, the activation on the sidewalk on each of these days will consist of an a-frame sign, rope and stanchions for line management, and security/staff stationed on the sidewalk; and

Whereas, the curb lane will also be used for production parking, subject to signed parking restrictions; and

Whereas, there will be no amplified sound, food/beverages or any other activation elements on the sidewalk and/or street; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of Kenmare Sidewalk Permit (Sponsor: IDEKO Productions LLC), provided that** the application conforms with all applicable laws, rules, regulations, and clearance requirements.

Vote: Unanimous, 38 Board Members in favor.

5. *12.6-12.7.24 – Thayers Airstream Trailer – Gansevoort Plaza (Sponsor: Foodtruck Promotions) Gansevoort St./13th St./ Gansevoort Pedestrian Plaza [full] (addition to agenda)

Whereas, the applicant, representing skincare brand Thayers, is seeking to hold a two-day pop-up airstream activation on the Gansevoort Plaza on December 6th and December 7th; and

Whereas, the activation will consist of an airstream trailer sited on the Gansevoort Plaza, giving out skincare product samples and cups of tea to attendees; and

Whereas, attendees will be asked to spin a wheel (for free) in order to “win” free samples, and will also have the opportunity to take photos with a “life size” skincare prop; and

Whereas, the activation will not feature amplified sound; and

Whereas, load-in will begin at 6 AM each day, with the activation live from 11 AM to 5 PM, and load-out complete by 7 PM; and

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

Whereas, the applicant has coordinated with the Meatpacking BID ahead of this event; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval of Thayers Airstream Trailer – Gansevoort Plaza (Sponsor: Foodtruck Promotions), provided that** the applications conform with all applicable laws, rules, regulations, and clearance requirements.

Vote: Passed, 36 Board Members in favor, 2 recusals (E. Olson, D. Raftery).

6. *12.13-12.15.24 – Gisou Pop Up (Sponsor: SENSE), Astor Place Plaza (So.) [full]

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 **Gisou Pop Up (Sponsor: SENSE)**.

Vote: Unanimous, 38 Board Members in favor.

FYI / Renewals

- 7. 12.7.24 – Japan Fes Christmas Edition (Sponsor: Aforward Inc.), Broadway bet. Bleecker & E. Houston Sts. [full SW closure]**
- 8. 12.14-12.21.24 – Bleecker Street Holiday Block Party (Sponsor: West Village BID) Bleecker St. bet. W. 11th St. & 7th Ave. So. [full street closure] (addition to renewal)**

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, 38 Board Members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution requesting extension of the protected bicycle lane on Varick St. from Houston St. to Canal St.

Whereas there is a protected bike lane in the corridor comprised of 7th Ave., 7th Ave. S. and Varick St. going from 59th St. to Houston St. that users report works very well in providing comfort and safety for cyclists heading south; and

Whereas because this bike lane ends at Houston St., cyclists indicate that they have to proceed further south on Varick St. in highly dangerous conditions:

- When the curbside bike lane on the east side of Varick St. ends, cyclists face four lanes of fast-moving traffic that they must merge with, but the motor vehicles' speed and resistance make that difficult to do.
- Double and often triple parking forces cyclists into the more dangerous middle lanes with more aggressive traffic. It blocks cyclists' forward movement, compelling them to swerve around these double and triple parked vehicles to try to enter a moving lane and follow a straight path south which is commonly obstructed by unyielding drivers and obscured by the double and triple parkers.

- Drivers of passing vehicles often behave aggressively, adhering perilously close to the bicycles as they pass them; and

Whereas at times cyclists are totally unable to safely merge with the swift, unyielding traffic south of Houston St. and are forced onto the sidewalk, endangering pedestrians as well as their own safe passage; and

Whereas while there are protected bike lanes going north from Canal St. (a new northbound route was just set up on 6th Ave. from Lispenard St. to 8th St./Greenwich Ave. then connecting to W. 14th St. in CB2 and further uptown), there is no protected bike lane going south of Houston St. to Canal St., although bicycle use in that area has vastly increased along with pedestrian activity; and

Whereas preference has been expressed for locating a south of Houston St. bike lane extension at the eastern curb of Varick St. with a buffer and floating parking, similar to the bike lane directly north of Houston on Varick; and

Whereas 7th Ave. S. is 80 ft. wide, but its continuation on Varick St. is 100 ft. wide (i.e., 20 ft. wider), giving leeway for street reapportioning to accommodate a bike lane; and

Whereas currently two traffic lanes are set aside on Varick St.'s west side for vehicles headed to the Holland Tunnel, but some of these vehicles are through traffic (not for the Tunnel), and a restructuring of the street below Houston with a protected bike lane would offer an opportunity to better organize this traffic, separating the vehicles on Varick's two west lanes that go through from those going into the Tunnel and facilitating forward movement. The bike lane being located on the east side of Varick wouldn't interfere with Holland Tunnel traffic (located on the street's west side); and

Whereas there have been numerous requests for several years to extend the protected bike lane on Varick St. to Canal St., in fact, in May 2019 (over five years ago), Community Board 2 Manhattan (CB2) submitted a resolution to the NYC Dept. of Transportation (DOT) requesting that the bike lane on Varick St. be extended beyond Houston St. to Canal St., without success. Since that time, there's been a heavy increase in bicycle use in that area which has grown exponentially as a popular destination for recreational activities as well as a lively business center; and

Whereas the Hudson Square BID, whose jurisdiction includes the Varick St. from Houston to Canal St. area, has expressed the need for loading on some of the commercial heavy blocks and support for opportunities to enhance the street design with amenities that could further beautify and traffic calm Varick St.;

Therefore be it resolved that CB2 requests that the protected bike lane on Varick St. be extended beyond Houston St. to Canal St.; and

Be it further resolved that CB2 encourages DOT to study the loading along the Varick St. corridor of concern, consult with the Hudson Square BID about loading needs and ensure that adequate space is created to meet curb demands; and

Be it further resolved that CB2 urges DOT to install amenities, such as planters, that help traffic calm and beautify Varick St.; and

Be it finally resolved that CB2 recommends that DOT thoroughly investigate installation of more southbound bike lanes to meet the ever-growing need to accommodate and safeguard the increasing number of bicyclists using CB2's streets.

Vote: Unanimous, with 38 Board members in favor.

2. Resolution requesting a stop sign on Christopher St. at Waverly Pl. and signage change at Christopher St. and 7th Ave. S.

Whereas Christopher St. from Greenwich Ave. to 7th Ave. S. is a busy and challenging westbound corridor, filled with pedestrians (numbers steadily growing with visitors to the Stonewall National Monument and Visitors Center) and continuous automotive traffic, also serving as the route of the westbound M8 bus, with a crossroads at Waverly Pl. where Christopher St. continues on the right, and Grove St. begins at the left, and a complicated 6-way intersection at Christopher and 7th Ave. S., plus a curbside bike lane on Christopher's northern side; and

Whereas two areas of this corridor are of particular concern, the first at the crossing on the east side of Christopher St at Waverly Pl., the second at the intersection of Christopher St. and 7th Ave. S., and where at both these areas simple improvements in signage and markings would increase needed safety for pedestrians and motorists alike; and

Whereas a zebra crosswalk recently was installed on the east side of Christopher St. at Waverly Pl. Pedestrians cross Christopher St. there, assuming that the oncoming motor vehicles on Christopher will stop for them, but the motorists do not stop, and constituents have reported several near misses and great concern that someone will be struck by a car there; and

Whereas pedestrian crossing signs have been placed on the northeast and southeast sides of Christopher St. at Waverly Pl., but drivers don't pay attention to them, which is a common occurrence. The ineffectiveness of these signs has been observed at many other locations in Community Board 2 Manhattan (CB2), for example, on Washington St. at Bank St., where after 10 years of the community asking for STOP signs there, they were finally installed at that location just a few months ago, and the pedestrian crossing signs were removed; and

Whereas there is signage on the northwest side of Christopher St. and Waverly Pl. that directs traffic to 7th Ave. S. with an arrow pointing to Grove St. and directs traffic continuing on Christopher St. west with an arrow pointing straight ahead, and there is other signage at the fork

of Grove St. and Christopher St. (at the eastern tip of Christopher Park) by Waverly Pl. that has directions and arrows that point to Grove St. to head for 7th Ave. S. and to Christopher St. to head straight west to 9A, but many motorists drive through without noticing or heeding the signage in their hurry to reach 7th Ave. S. where turning south (left), which many are intending to do, is not permitted. These illegal left turns can lead to hazardous vehicular conflicts; and

Whereas STOP signs at the eastern side of Christopher St. and Waverly Pl. would both protect pedestrians crossing the street in the crosswalk at that location and by prompting drivers to stop, would give the drivers some time to observe and assimilate the signs that point to Grove St. or Christopher St. and make an informed decision about whether to go straight ahead on Christopher or south on 7th Ave. S. by way of Grove; and

Whereas there is signage for no left turn on the right (north) side of Christopher St. approaching 7th Ave. S. that can easily be missed by drivers concentrating on the left (south) side of the street where they'd want to make that prohibited turn onto 7th Ave. S., and also a sign that juts out on a branch with a traffic signal from the light post on 7th Ave. S. at Christopher St. that indicates no left turn onto 7th Ave. S., but that is out in the middle of the street at an elevated height that's difficult for drivers to see, yet there is no sign indicating no left turn on the south side of Christopher St. approaching 7th Ave. S. where drivers would be focusing for a left turn; and

Whereas there is no signage or street bed markings indicating that W. 4th St. going west can be accessed from Christopher St. and 7th Ave. S.

Therefore be it resolved that CB2 urges the NYC Dept. of Transportation (DOT) to install STOP signs on Christopher St. in advance of the crosswalk on the eastern side of Christopher at Waverly Pl.; and

Be it further resolved that CB2 asks that a sign displaying No Left Turn be installed at the southeast corner of Christopher St. at 7th Ave. S.; and

Be it further resolved that CB2 strongly favors painting arrows in the Christopher St. roadbed from the west side of Waverly Pl. to 7th Ave. S. that point straight ahead (west) on Christopher St.; and

Be it further resolved that CB2 recommends that DOT paint STOP on the roadbed approaching the crosswalk on the eastern side of Christopher St. at Waverly Pl.; and

Be it finally resolved that CB2 requests that directions to W. 4th St. going west from 7th Ave. S. and Christopher St. be displayed on Christopher approaching the 7th Ave. S./Christopher St. intersection either by signage on the right-hand (north) side of Christopher indicating To W. 4th St. with accompanying arrows in that direction or by painted arrows in the Christopher St. roadbed approaching 7th Ave. S. pointing straight ahead to Christopher in the left-hand (south) lane and forked for straight ahead with a branch a few degrees right for W. 4th St. in the right-hand lane, or both.

Vote: Unanimous, with 38 Board members in favor.

STANDING COMMITTEE REPORTS WITHOUT RESOLUTIONS

PARKS AND WATERFRONT

Mr. Will Morrison, Washington Square Park Administrator and the Executive Director of the Washington Square Park Conservancy, spoke to us about the NYC Department of Parks & Recreation's recently launched "Vital Parks for All" initiative. (see <https://www.nycgovparks.org/about/vital-parks/how-it-works>). He explained that the program's goal is to strengthen the city's park system by improving park access, quality, and community engagement.

Key Points Presented, Demonstrated and Discussed:

- **Vital Parks Explorer:** This online tool that Mr. Morrison demonstrated allows users to explore park data at the neighborhood level and, in many cases, the community district level, highlighting areas with high and low access to various park amenities like playgrounds, dog runs, and green spaces.
- **MyPark Vital Signs:** This tool provides detailed information about individual parks, including recent capital investments, tree maps, events, volunteer opportunities, and park conditions. It shows calculated park condition scores.
- **Data-Driven Advocacy:** The initiative – and these two tools, which were created by volunteers - empower communities to use the data to advocate for improvements in their local parks. By understanding their community's park assets and deficits, residents can work with local officials to address specific needs.

Potential impact on Policy:

The Vital Parks for All initiative enables the potential to significantly impact park policy by:

- **Data-Driven Decision Making:** Providing policymakers with data-driven insights to inform decisions about park investments and improvements.
- **Community Empowerment:** Empowering communities to advocate for their own parks and hold decision-makers accountable – again by being able to cite actual data.
- **Equity and Inclusion:** Identifying disparities in park access and quality across different neighborhoods and working to address them.

Additional Insights and Usage Ideas:

- **Data-Driven Advocacy:** Communities can use the data provided to support advocacy efforts. For example, if your community lacks accessible playgrounds, this data can be presented to demonstrate the need for new or improved facilities.
- **Community Engagement:** The initiative encourages community engagement through volunteer opportunities, events information and public input on park planning and design.
- **Collaborate with Local Officials:** It offers chance to work with local elected officials and community leaders to advocate for increased funding and resources for park improvements.
- **Environmental Sustainability:** The initiative promotes environmentally sustainable practices in park management, such as tree planting and water conservation.
- **Health and Wellness:** By promoting access provided to green spaces and recreational facilities, the initiative contributes to the physical and mental health of New Yorkers.
- **Identify Strengths:** The tool can be used to pinpoint a community's strengths, such as high park access, abundant green spaces, or well-maintained facilities. It is hoped that each community will promote these assets, increase their usage, and leverage them for community pride and ongoing maintenance and development.
- **Recognize Deficits:** The tool helps identify areas where a community may be lacking, such as insufficient playground equipment, limited green space, or poor park maintenance. This information can be used to advocate for improvements.
- **Compare to Other Communities:** Vital Parks provides a way to benchmark a community's park resources against those of other neighborhoods or districts. This can help identify disparities and inform advocacy efforts.
- **Engage with Community Members:** Organize community meetings, surveys, and other outreach activities to gather input and build support for park improvements.
- **Partner with Local Organizations:** Collaborate with local non-profit organizations, community groups, and businesses to support park initiatives.
- **Advocating for More Green Space:** If a community lacks green spaces, the tool (map) can be used to identify areas where new parks or greenways could be developed.
- **Improving Park Accessibility:** The tools can identify parks with accessibility issues and support calls to advocate for improvements, such as wheelchair ramps and accessible playground equipment.
- **Increasing Park Programming:** Parks that lack programming can be highlighted and community members can advocate for the development of new programs, such as fitness classes, children's activities, or community events.

- **Improving Park Maintenance:** The tool will identify parks that require maintenance and enables advocacy for increased funding for maintenance and repairs.

Overall, the Vital Parks for All initiative appeared to our committee to be a valuable tool for communities to understand and improve their local parks. Our committee was encouraged by its potential, providing accessible and actionable data that can inspire residents to advocate for a more vibrant and equitable park system. By utilizing the Vital Parks for All initiative, communities will be able to empower themselves to push for the parks they deserve.

Questions that were asked and requests suggested:

- The Vital Parks for All Explorer tool does not yet show the specific play equipment featured in each playground. Mr. Morrison agreed that that would be valuable and pledged to submit the request to the team.
- Can the data behind the presented scores be accessed? Answer: Yes, there are links to the GitHub instance in which underlying “NYC Open Data” can be viewed and downloaded for further analysis.
- Hudson River Park is excluded from the tool because it is not operated by NYC DPR. This skews the data because, for example, its dog runs do not appear as a neighborhood amenity. Mr. Morrison agreed that including HRP is important.
- Jefferson Market Garden is not included because it is a “garden” rather than a “park,” although it falls under the auspices of DPR. Mr. Morrison agreed that this should be corrected.
- The Vital Parks tool allows users to connect to private park friends groups and conservancies. It was suggested that DPR encourage these private groups to adhere to best practices in terms of transparency of operations.

We thanked Mr. Morrison for the presentation and the demonstration of the tools.

At the end of the meeting an unrelated question was posed to Mr. Morrison by an attendee: “I’ve been an artist in Washington Square Park for nearly a decade. Up until a month ago, I have showed my work in the same space, four days a week, without any problem or incident. On September 27th eight PEP officers with six police officers came in and evicted every artist ... and that’s been the case every day since then (that every artist has been (evicted) for the last nearly 40 days). Officially, it’s been called no change in enforcement...but there has been a chilling effect on free expression - especially in the fountain circle. We artists are very upset about this (development).”

Mr. Morrison’s response was “I don’t oversee (PEP officers) directly - they are not in my chain of command - but I’m happy to ask if I can have a representative from Parks Enforcement attend the next CB2 Parks & Waterfront committee meeting. The committee expressed an interest in having PEP and/or DPR clarify the park’s policies about private operators in the park and on PEP enforcement

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