

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

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FULL BOARD MINUTES

DATE: January 23, 2025
TIME: 6:30 P.M.
PLACE: The Gould 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, Amy Brenna, Richard Caccappolo, Valerie De La Rosa, Chris Dignes, Arturo Fernandez, Mar Fitzgerald, Susan Gammie, Juliet Kaye, Zachary Kazzaz, Susan Kent, Ryder Kessler, Jeannine Kiely, Patricia Laraia, Benjamin Listman, Matthew Metzger, 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: Ed Ma, Frederica Sigel, Dr. Shirley Smith, Chenault Spence (4)

BOARD MEMBERS PRESENT VIA ZOOM AND NOT COUNTING TOWARD QUORUM: Ritu Chattree, Stella FitzGerald, David Gruber, Bo Riccobono, Susan Wittenberg, (5)

BOARD MEMBERS ABSENT WITH NOTIFICATION: Anita Brandt, Cormac Flynn, Ivy Kwan Arce, Janet Liff, Antony Wong (5)

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: City Council Member Christopher Marte; NYS Assembly Member Deborah Glick; NYS Senator Brad Hoylman-Sigal

ELECTED OFFICIALS’ REPRESENTATIVES: Manhattan Borough President Mark Levine (Andrew Chang); City Council Member Christopher Marte (Conor Allerton); City Council Member Carlina Rivera (Bianny Rodriguez); NYC Council Member Erik Bottcher (Nicole Barth); NYS Senator Brian Kavanagh (Sharif Krabti); NYS Senator Brad Hoylman-Sigal (Caroline Wekselbaun); NYS Assembly Member Grace Lee (Hayden Ryan); NYS Assembly Member Deborah Glick (Roy Ruiz); New York City Comptroller Brad Lander (Evelin Collado); US Congressman Dan Goldman (Sophia Fink, Carlos Rondon); New York County District Attorney Alvin Bragg (Peter Tse)

MEETING SUMMARY

Meeting Date – January 23, 2025
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 – 5
Board Members Absent – 0
Board Members Present/Arrived Late – 0
Board Members Present/Left Early – 0

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PUBLIC SESSION

Job Path NYC

- **Cheryl Vawdry:** Not for profit that helps adults with disabilities find, prepare for and excel at certain skills-appropriate jobs. Raising awareness of the organization and inviting leads and follow-up.

Alfred Fuente:

- It is time to end the "If you see something say something" signage on the subway. Concern that the City is losing sight of broader need for affordable housing and more transportation.

ADOPTION OF AGENDA

The agenda was adopted by acclamation.

ELECTED OFFICIALS’ AND REPRESENTATIVES’ REPORTS

Peter Tse, NY County District Attorney Alvin Bragg’s Office:

- Indicted Hawkins for shoving a subway rider onto the tracks at West 18th Street No. 1 Station on New Year's Eve.
- Working with the Office of the Deputy Mayor for Public Safety on the Multi-Agency Taskforce to address quality of life issues in and around Washington Square Park.
- Q / A
 - Q: R. Sanz: How many times was the indicted person arrested previously?
 - A: Unsure
 - Q: E. Smith: Are there any concrete action items out of the Taskforce yet?
 - A: No, as there have only been two meetings.

Andrew Chang, Manhattan Borough President Mark Levine’s Office:

- CB applications are open. Emails have gone out to people who need to reapply.
- Hosting a property valuation event for single-family homeowners.

- Upcoming Black History Month events.
- Released a report on universal childcare.
- Deadline to apply for discretionary funding for schools and non-profits is February 20th.

Evelin Collado, Comptroller Brad Lander's Office:

- Closed the year with investment returns of 10% for the NYC public pensions. Invested almost \$2 billion in affordable housing while respecting climate goals and workers' rights.
- Published Report "Ending Homelessness in NYC." Office conducted research and compiled recommendations for dealing with homelessness in the City.

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

- Session is underway in Albany.
- Priorities include the housing access vouchers program, establishing a program to provide vouchers to families who are homeless or at imminent risk of homelessness. Projected reductions of child poverty. Additional bills include S251 and S1457.
- Upcoming Lunar New Year celebrations.
- Q / A
 - Q: R. Sanz: Does the Senator have a position on situations where property owners are subsidizing the rent of wealthy renters through Rent Regulation?
 - A: Sharif and Rocio will connect offline.

NYS Senator Brad Hoylman-Sigal, 47th District:

- Passed a bill last session to create a statewide dyslexia taskforce. Published a series of recommendations, which are available online. Seeking to have the DoE adopt those recommendations.
- \$252 billion budget was adopted for FY 2025, which included a one-time refund of \$500 for families making less than \$150,000 per year – as a means to take the sting out of the affordability crisis. Includes some funding for mental health initiatives.
- HELP Act would expand the number of professionals who are able to make Daylighting initiatives for street safety.
- Advancing legislation in Albany to provide state funds for immigrants facing deportation. Seeking to increase funding available to the Office of New Americans to keep families together and fund legal defense.
- Governor signed Stop Fighting Hate Act at the end of last session. Social media platforms will be required to report on their terms of moderation to the NYS Attorney General and share the steps they are taking to end hate speech.
- Governor signed a bill to create a registry for patients with Parkinson's disease. Safe Landings Act would provide protections for young adults who age out of family court but still have outstanding orders for services.
- Q / A

- Q: R. Sanz: Do you foresee means testing for rent-regulated tenants to prevent property-owners from subsidizing wealthy tenants?
- A: State Senator Hoylman-Sigal doesn't generally support means testing but recognizes that there is a need to continue iterating on legislation. Many property owners are small-business owners.
Q: L. Rakoff: How would an undocumented immigrant in Manhattan go through the process of accessing resources?
- A: Stable housing is the first step towards connecting folks with resources.
Q: A. Fernandez: Appreciates support for immigrant community. Interested in type of housing legislation the Senator is considering for this session? Working to improve operations of housing courts. Also concerned about lack of counsel for tenants.
- A: Right to counsel was passed by the city, but it doesn't have teeth.
- Q: Z. Kazzaz: Has there been any reporting from the MTA on revenue collected from congestion pricing?
- A: Has not received any official revenue report. There is a \$33 billion capital deficit for the MTA, which will be tackled this session. Notes that efforts around congestion pricing and funding the MTA will falter if we can't get the subway feeling safe to riders.
Q: K. Bordonaro: With the change of the administration, what can NYS do to protect New Yorkers?
- A: NY can continue to protect the healthcare rights of women and trans people and continue to advocate for climate issues.
- Q: M. Metzger: What is the cause of the issue with the subways?
- A: Many factors. We have closed thousands of psychiatric beds, our social safety net is frayed, there are many people experiencing these issues. A housing-first model should be used. Plans to convert office buildings to stable homes for unhoused folks should be super-charged. We need more personnel on the subway. Fare evasion costs the MTA \$700 million per year.
- Dr. Smith: Expresses thanks to the State Senator.

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

- Upcoming Lunar New Year event on February 8th.
- Stop Hiding Hate Bill signed into law by Governor Hochul on December 23rd. This will require social media companies to submit reports to the state on violations of terms of use.

NYS Assembly Member Deborah Glick, 66th District:

- Senate finance and Assembly Ways and Means Committees' hearings will start Monday January 27th. Hearings are grouped by subject matter. The environmental hearing with energy is on Tuesday, January 28th.
- Packaging Production Bill is a high priority. Bigger Better Bottle Bill is not ready as it will need to be responsive to changes required by the Senate while still preserving the heart of the bill.

- Low impact landscaping in homeowner associations. Working on legislation with Senator Kavanaugh to recycle e-bike batteries.
- Gansevoort Square project is a priority for the Community. We need more housing in the Community, but we specifically need more affordable housing. There is a trend towards luxury housing, which changes the nature of the Community. The presentations by EDC are disingenuous, as they are in fact required to provide at least 25% affordable housing to qualify for the tax credit under 485-x, so the purported goal of 50% affordability is unlikely to be met.
- Q / A
 - Q: E. Siegel: Will the state budget be increasing the funds available for affordable housing?
 - A: The budget hasn't been made available yet, but the Governor has committed \$1 billion through the City of Yes.
 - Q: R. Sanz: At what point can developers build a building, make a profit, and provide affordable housing?
 - A: The determination of development costs is dependent on the cost of the land. On city-owned land, the land itself is free to the developer. When developers receive a tax credit, they don't need to pay taxes on profits for X number of years. The 485-x tax incentive requires 25% affordability at 60% AMI. The proposed Gansevoort project is an attempt by EDC to use rent gained on the upper floors of market rate units to subsidize rent on the lower floors for affordable units. But no one responds to an RFP in the city of New York unless they are sure they will make money.
 - Q: A. Fernandez: Are you planning legislation this session to slow down conversion of residential units to single-family homes and commercial spaces?
 - A: We need to see how City of Yes shakes out. There is legislation in Albany regarding "Frankenstein" apartments. We are likely to continue to see a certain number of conversions of multiple units to single units.
 - Q: F. Sigel: How can the height / scale of the building be addressed? EDC has made it clear that the site plan is fixed.
 - A: Unlikely that an RFP at the currently described height can withstand scrutiny.
 - Q: As a community, we accepted the construction of a large building on Houston of 175 units of housing but lost many more units to Google office space. That was about 45-47 stories, which seems an appropriate cap.
 - A: As the chair of the Environmental Conservation committee, the plan does not make sense. This would be a long-term challenge for insurers and renters. The Whitney is free on Friday nights and on Sunday, but it is important to ensure broader affordability and access to important cultural institutions.
 - Q: R. Chatree: Raises the issue of a growing aging population in her building. These folks are living on their own and do not have accommodation for their next steps. There are 30 people in Ritu's building alone. The co-op building is working to figure out how to provide support for these folks.

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

- C-M Marte is carrying an OTC bill that would require businesses to accept OTC cards that enable seniors and people with disabilities to pay for groceries and medications. There will be a hearing date in the coming months.
- Receiving many calls about Intro 1107 on Air BnBs in NYC. C-M is opposed to the legislation, as this could otherwise serve as permanent housing.
- Discretionary funding application open for non-profits.
- Upcoming Black History Month event. Second annual observation. Community members should RSVP.
- Q / A
 - Q: Was the Manhattan jail contract confirmed today?
 - A: There was a public hearing today on the contract for the Manhattan Borough-Based jail. C-M is very opposed to this project. The budget has expanded from \$8 billion to \$15 billion, increasing the number of beds to 1040. Still fighting to stop this project.

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

- Jacob Day Residence considered for landmark status.
- Birthday party to honor Carol Grieser, the first female councilmember in Manhattan.
- It is budget season. Call for the community to contact their elected officials.

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

- Thanks to elected colleagues for their support as the group has discussed the Gansevoort Square project. 600 feet in height is not appropriate for that location. Making the building shorter would require a denser building. Overall, the community needs more time to assess the proposal and develop alternatives, and C-M Bottcher is advocating for more time.
- Scaffolding reform legislation will be coming to a vote in the coming months. This package includes a bill requiring property owners to file for permits to do work requiring scaffolding, a bill increasing the required lighting for scaffolding.
- There is a new elevator being installed on the downtown Spring Street C / E stop. This is being paid for by developers at 550 Washington.
- Passed legislation addressing news boxes on the sidewalk. The city has not had the rulemaking authority to manage this, but legislation gives DOT the ability to set rules for maintenance of news boxes.
- Introduced legislation to help individuals with disabilities find affordable housing and stay in their homes. Will require the city to reach out to individuals receiving disability benefits to inform them of DRIE benefits.
- Q / A
 - Q: R. Sanz: What happens if the owner has difficulty raising the money needed to pay for repairs to the facade that requires scaffolding?

- A: Property owners can apply for a waiver with the DOB if they are unable to proceed with repairs in a timely fashion. If the circumstances are confirmed, the waiver is approved.
- Q: L. Rakoff: How would someone with a disability receive DRIE? Also working to increase the accessibility of these applications and programs.
- A: Community member can call the District Office for help with application.
- S. Gammie: In light of the inauguration, Susan wants to express her thanks to our local elected officials for their representation.
- Dr. Smith: Many businesses in the community put out signs on the sidewalk that make it difficult to pass, especially for folks in wheelchairs or families with strollers. A-frame signs must be within 3 feet of the building, but they are often not.
- A: We don't want to fine our small businesses if we don't need to, but the office will do walks around the neighborhood to educate on this.
- Q: F. Sigel: Asked for clarification on C-M Bottcher's request for more time re: Gansevoort.
- A: The request is for more time before the RFP is issued.

ADOPTION OF MINUTES

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

BUSINESS SESSION

Chair's Report: Susan Kent

- **Thank you**
 - Thank you to the board for coming out in the cold. Thank you to NYU for hosting us.
- **CB applications**
 - Applications are live. If there are any specific needs for your committee, let Susan know so that she can request specific needs from the MBP's office, which is reviewing the applications.
 - Andy Diaz resigned last week. Michael Levine has resigned from the board.
 - Public members must also submit their reapplications (annual process).
- **Election cycle**
 - Nomination process for officers opens tomorrow and runs through 1 week before the February meeting.
 - Any member can self-nominate for one office.
 - Floor will then be opened for additional nominations and self-nominations at the February meeting.
 - Any office remaining open (i.e. for which there are no nominees) will remain open until one week before the March meeting. Additional self-nominations accepted at March meeting.
 - Nominees may submit a statement for distribution to the board.

District Manager's Report: Mark Diller

- **Thank you**
 - Thank you to NYU and Valentine Goldstein.
 - Addressing questions regarding pPre-registration for meetings at NYU: Security at NYU asks for a list of attendees for security purposes. Pre-registration is an attempt to streamline the security process to ensure that NYU security gets the information they need and the public is able to attend. No person will be turned away if not pre-registered – it is solely a means to streamline the arrival process.
- **AirTable**
 - Team is taking advantage of BetaNYC consulting hours in implementing the tool for the website's archive.
- **Miscellaneous Updates**
 - The Joint Parks and Waterfront / Landmarks meeting will take place at the 75 Morton Street School on February 5th.
 - Predatory ADA lawsuits are returning to the District – small businesses are being targeted for lawsuits that are quickly settled without addressing any of the alleged accessibility issues, potentially multiplying the cost and frequency of such claims.
 - Hearing from business owners in Soho that there has been a spate of predatory ADA lawsuits. BIDs are becoming involved in this issue.
- **Paper copies of materials available.**

STANDING COMMITTEE REPORTS WITH RESOLUTIONS

EXECUTIVE COMMITTEE

Resolution Demanding 100% Affordable Housing for Housing Built at Gansevoort Square

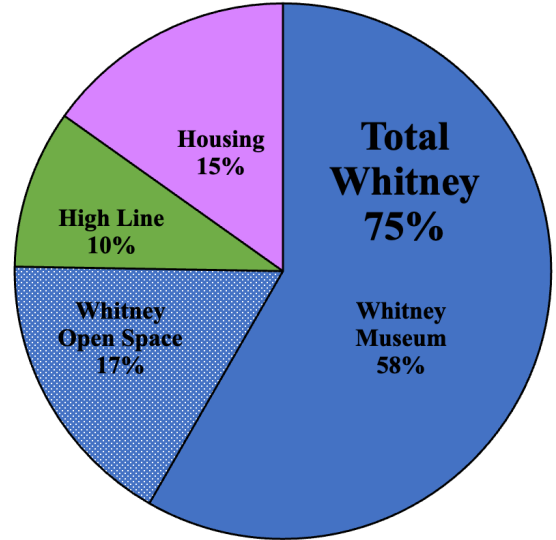
Whereas:

1. On December 11, 2024, the [NYC Economic Development Corporation \(NYCEDC\)](#) [presented to Community Board 2](#) (CB2) its plan for Gansevoort Square, including a site plan allocating 75% of the footprint for use by The Whitney Museum of American Art

(The Whitney) and allocating only 15% of the footprint (10,000 sq. ft.) for housing, which is currently projected to generate approximately 600 units of housing;

2. The projected 600 units of housing would only be about [60% of the housing that CB2 lost](#) as a result of the [City's post-FEIS technical amendment](#) to the 550 Washington rezoning that allowed Google to build its headquarters in lieu of the original owner developing [993 units of housing](#), 298 of which would have been permanently affordable;
3. In [December 2024, CB2 passed a resolution](#) regarding the Gansevoort Meat Market Site Public Process that:
 - a. Rejected the proposal of only 50% affordability on public land;
 - b. Advocated for 100% affordable housing, particularly given the dire need for affordable housing and the scarcity of it in CB2; and,
 - c. Insisted that the proposed site plan be further analyzed to increase the footprint and overall development of affordable housing;
4. On January 17, 2025, elected officials, their representatives and some CB2 members met virtually with the NYC Mayor's office and the NYCEDC, along with representatives from The Whitney, NYC Department of Parks and Recreation, the Friends of the High Line and the Meat Market Cooperative. Andrew Kimball, the President and CEO of NYCEDC, participated but not Deputy Mayor Maria Torres-Springer nor [Mayor Adams, who was otherwise engaged](#);
5. At this meeting, the city shared a [presentation](#) and CB2 learned that the estimated cost to make the housing position of the Gansevoort Square development 100% affordable would require:
 - a. Approximately \$200 million in City capital subsidy;
 - b. Approximately \$125 million allocation of City fixed annual resource of tax-exempt bonds; and
 - c. [Open shop](#) construction; (See slide 9 of Jan. 2025 presentation.)
6. CB2 also learned that the City's "goal" of 50% affordable housing would be an average of 90% AMI, with 25% at an average 60% AMI, as required with the 485x program and 25% at an average 120% AMI. (See slide 10 of Jan 2025 presentation.) The City is providing a false choice when asking for community input on the mix of affordability.
7. Meanwhile, on January 13, 2025, NYC announced a public hearing on January 23, 2025 to approve a [\\$3.7 billion contract for the Manhattan Borough Based Jail](#);

Gansevoort Square Site Footprint by Use



8. While the Low Income Housing Tax Credit (LIHTC) is capped at the federal level and Congressional efforts to increase it failed in 2024, there are many other sources of funding for affordable housing.
 - a. The [\\$5 billion in City for All commitments](#), including \$2 billion to finance affordable housing development, in addition to other state and federal funding sources;
 - b. In the NYC Comptroller’s “[Annual Report on Capital Debt and Obligations, Fiscal Year 2025](#),” as of July 1, 2024, the City has \$41.0 billion of debt-incurring power, with debt service as a percentage of City tax revenues of 10.6% well below the 15.0% ceiling and strong credit rates of Aa2 (Moody’s), AA (S&P and Fitch) and AA+ (Kroll);
 - c. The City’s Fiscal Year 2026 Capital Budget, as presented in the [Mayor’s Preliminary Budget on January 17, 2025](#), includes an allocation of \$24.5 billion for affordable housing. The \$325 million figure needed for this project represents approximately 1.3% of that amount; and,
 - d. Google’s estimated 2025-26 property tax¹ for 550 Washington St. is approximately \$32 million, which could provide additional funding for 100% affordable housing at Gansevoort Square.
9. CB2 also learned that NYCEDC is proposing a 30 foot rear yard between The Whitney expansion and the housing site on the Gansevoort Square site plan, despite City of Yes for Housing Opportunity dropping this requirement to 20 feet, first announced in June 2022 and adopted December 5, 2024. The reduction of the rear yard to 20 feet provides an opportunity to increase the size of the housing footprint on the Gansevoort Square site and demonstrates how out-of-date the City’s plan is.

Therefore be it resolved that CB2 Manhattan insists on several changes to the Gansevoort Square Project before the NYC Economic Development Authority issues its Request for Proposals, including:

1. Developing 100% permanent affordable housing, tapping into \$200 million of City capital subsidy and \$125 million of tax-exempt bonds, based on NYCEDC estimates; a paltry amount compared with the \$3.7 billion the City plans to spend on the nearby Manhattan Jail;
2. Identifying other city, state and federal subsidy sources; and,
3. Investigating other options, such as cantilever construction and/or the creation of mixed-use buildings combining housing with the museum spaces and office uses sought by The Whitney and the Friends of the High Line to maximize affordable housing and reduce

¹ Available at NYC Department of Finance, Block 596, Lot 2, <https://a836-pts-access.nyc.gov/care/search/commonsearch.aspx?mode=perspro>.

height, such as the Museum of Modern Art's [announced expansion in 2007](#) that [opened in 2019](#).

Vote: Passed, with 32 Board Members in favor, 6 against (C. Dignes, R. Kessler, B. Listman, M. Metzger, R. Sanz, E. Siegel).

CANNABIS LICENSING

Renewal of Conditional Adult-Use Cannabis Retail License (CAURD Renewal)

Resolution to Approve License Renewal for Housing Works Cannabis LLC d/b/a Housing Works Cannabis Co. 750 Broadway 10003

1. **WHEREAS**, at the inaugural meeting of the Community Board 2 Cannabis Licensing Committee (CLC), Housing Works Cannabis LLC was the first dispensary approved by a municipality for licensure and operations in New York State²; and
2. **WHEREAS**, Sasha Nugent, VP of Cannabis Retail, presented the renewal application for d/b/a Housing Works Cannabis Co., located at 750 Broadway, NY 10003; and
3. **WHEREAS**, the business has updated its hours of operation to: Monday–Wednesday: 10:00 AM–8:00 PM, Thursday–Saturday: 10:00 AM–9:00 PM, Sunday: 11:00 AM–7:00 PM; and
4. **WHEREAS**, beyond the reduction in hours of operation, there have been no changes to the method of operation presented to CB2 CLC in December 2022; and
5. **WHEREAS**, a related entity, Housing Works Inc., offers a six-week cannabis reentry training program, from which four individuals have been hired to work at the dispensary; and
6. **WHEREAS**, the dispensary was abruptly instructed by the OCM to remove its longtime window art but was not notified when regulations changed to allow such signage; and
7. **WHEREAS**, regulations governing compliant advertising and marketing methods lack clarity, and licensees are not notified of changes to operational regulations in a timely or consistent manner; and
8. **WHEREAS**, the business's official Instagram account, a critical advertising resource, was deactivated and permanently removed due to a coordinated campaign of negative reports on compliant posts—possibly staged by competitors; and
9. **WHEREAS**, the dispensary was instructed by the OCM to cease its successful loyalty program, yet reports that other licensed dispensaries such as [The Travel Agency's "Travel Club"](#)³, [Happy Days "Happy Club"](#)⁴, and Registered Organizations with Dispensing like [Etain's "VIP Loyalty"](#)⁵, currently offer similar programs to customers without penalty; and
10. **WHEREAS**, the dispensary has reported good relations with neighboring residents and businesses, as well as full compliance with the relevant city agencies;

² https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2023/02/01-January_2023-Full-Board-Minutes-1.pdf

³ <https://www.thetravelagency.co/travel-club/>

⁴ <https://happydaysli.com/the-happy-club-loyalty/>

⁵ <https://getfluent.com/blog/news/introducing-the-etain-vip-loyalty-program/>

THEREFORE, BE IT RESOLVED, Community Board 2 (CB2) strongly recommends the approval of the Conditional Adult-Use Retail Dispensary License for Housing Works Cannabis LLC, 750 Broadway, NY 10003. This decision shall be deemed part of the record upon which the Office of Cannabis Management (OCM) makes its recommendation to the Cannabis Control Board (CCB) to grant or deny the renewal of the license, as per §76 Section 4 of NYS Cannabis Law.

BE IT FURTHER RESOLVED, CB2 strongly advises that NYC and NYS provide the following support for CAURD licensees:

1. Provide timely updates on regulatory changes that affect cannabis businesses.
2. Increase avenues to market and promote CAURD businesses to bolster brand identity.
3. Provide support around challenges for cannabis businesses using social media.
4. Offer and expand vocational cannabis programs, such as [Our Academy](#)⁶ and [CREATE](#) to develop a larger skilled workforce.

Note: Passed with 36 Board Members in favor, 1 abstention (R. Sanz), 1 recusal (M. Metzger).

Resolution to Approve License Renewal for Smacked LLC d/b/a Smacked Village 144 Bleecker Street 10012

1. **WHEREAS**, on January 11, 2023, during the inaugural meeting of the Community Board 2 Cannabis Licensing Committee (CLC), Smacked LLC was one of the first two Adult-Use Retail Dispensary licenses approved by a municipality for licensure and operations in New York State⁷; and
2. **WHEREAS**, Roland and Patricia Conner have presented the renewal application for Smacked Village, located at 144 Bleecker Street, NY 10012; and
3. **WHEREAS**, the business has updated its hours of operation to: Monday-Wednesday: 11:00 AM–9:00 PM, Thursday: 11:00 AM–10:00 PM, Friday-Saturday: 11:00 AM–12:00 AM, Sunday: 11:00 AM–7:00 PM; and
4. **WHEREAS**, beyond the reduction in hours of operation, there have been no changes to the method of operation presented to CB2 CLC in December 2022; and
5. **WHEREAS**, the business has experienced ongoing challenges related to the multitude of nearby unlicensed dispensaries and smoke shops, which have staggered opening hours to avoid enforcement authorities; and
6. **WHEREAS**, the licensee reported that at least one nearby unlicensed smoke shop has misled the public by impersonating the licensed business, Smacked Village; and
7. **WHEREAS**, the applicant was instructed by the OCM to remove an A-frame sign outside the store, while several other licensed dispensaries currently utilize this advertising tool without penalty; and
8. **WHEREAS**, regulations governing compliant advertising and marketing methods lack clarity, and licensees are not notified of changes to operational regulations in a timely or consistent manner; and

⁶ <https://www.thisisourdream.com/>

⁷ https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2023/02/01-January_2023-Full-Board-Minutes-1.pdf

9. **WHEREAS**, the business's official Instagram account, a critical advertising resource, was deactivated and permanently removed due to a coordinated campaign of negative reports on compliant posts, possibly staged by competitors; and
10. **WHEREAS**, the business was the first dispensary opened under the NYS Social Equity Fund and DASNY; and
11. **WHEREAS**, The Fund/DASNY delivered an unfinished premises, yet the business was penalized for making critical repairs; and
12. **WHEREAS**, selective and exclusionary practices by vendors have created challenges in securing certain products; and
13. **WHEREAS**, the dispensary has reported good relations with neighboring residents and businesses, as well as full compliance with relevant city agencies;

THEREFORE, BE IT RESOLVED, Community Board 2 (CB2) strongly recommends the approval of the Conditional Adult-Use Retail Dispensary License for Roland Conner/Smacked LLC, 144 Bleecker Street, NY 10012. This decision shall be deemed part of the record upon which the Office of Cannabis Management (OCM) makes its recommendation to the Cannabis Control Board (CCB) to grant or deny the renewal of this license, as per §76 Section 4 of NYS Cannabis Law.

BE IT FURTHER RESOLVED, CB2 strongly advises that NYC and NYS provide the following support for CAURD licensees:

1. Work with enforcement authorities to coordinate with licensees to identify, investigate, and prioritize the shutdown of nearby unlicensed cannabis operations.
2. Provide regular updates on regulatory changes that affect cannabis businesses.
3. Offer support for addressing challenges related to social media use as a marketing tool for cannabis businesses.

Vote: Passed with 36 Board Members in favor, 1 abstention (R. Sanz), 1 recusal (M. Metzger).

LANDMARKS

1. *12 Minetta Lane/122 W. 3rd St. –Application is to repurpose existing four-story garage as a residential building with ground-level retail, construct a recessed two-story rooftop addition, insert interior courtyards for residential use, restore both the building’s W. 3rd St. and Minetta Lane façades, install storefront infill within the existing garage-door openings, and construct new window and entry openings at the Minetta Lane façade.

Whereas:

A. The building was constructed as a stable on 3rd Street with a later addition on Minetta Lane, the complex was subsequently converted to a garage, and the current condition is a distinctive four bay garage entrance configuration on 3rd Street and a much-altered undistinguished facade with vestiges of carriage entrances on Minetta Lane; and

B. A courtyard is to be inserted in the center of the building resulting in two separate buildings with a two-story 20' setback addition on 3rd Street and a 20' set back one-story addition on Minetta Lane; and

C. The very minimally visible courtyard requires removal of a considerable amount of historic material and the design is starkly modern, however without the courtyard it would seem impossible to carry out a conversion of the property to residential use which is preferable to commercial use of the upper floors; and

D. On 3rd Street the existing distinctive nearly symmetrical four garage entrances and one doorway are proposed be reconfigured to five openings -one garage entrance, one residential entrance, and three commercial storefronts- retaining the existing doorway and resulting in a disorderly array of entrances; and

E. The facade is to be restored with the paint removed, the painted sign "Minetta Garage" is to be retained, and residential windows in floors will be six over six Aluminum double hung with anodized finish and are not objectionable in the case of a building retaining its commercial character; and

F. The visible rooftop additions on both buildings are in a modern design with light cladding and picture windows and show no relationship to the garage buildings or any historic reference; and

G. The Minetta Street facade has been considerably altered and the closed carriage entrances are to be uncovered and fitted with unsuitable fully glazed divided glass and the closed windows on the upper floors are to be opened and matching windows installed in a symmetrical array with double hung windows; and

H. The considerable restoration and reconfiguring of the window openings at the Minetta Street facade provides an opportunity to restore the unpainted brick; and

I. The courtyard proposed to be made between the buildings requires demolition of the south wall and a portion of the side walls of the 3rd. Street building and both buildings are to be fitted with large modern windows and the rear of the Minetta Street building is similarly treated, requiring demolition of the back wall; and

J. The two-story 3rd Street building addition is boldly visible from a number of vantage points which is contrary to the established policy that rooftop additions in the district are "not more than minimally visible"; and

K. The applicant's assertions that the trees on 6th Avenue provide adequate masking of the additions and that it is acceptable to have a considerable degree of visibility from 6th Avenue because it is of a different character are without merit when the additions are clearly visible from within the historic district; and

L. A number of members of the public spoke and submitted written opposition to various aspects of the application; now

Therefore be it resolved that CB2, Man. recommends:

- A. Approval of the 3rd Street facade restoration, retaining of the sign, and the residential windows; and
- B. Denial of what is in essence the demolition of the existing 3rd Street ground floor facade with its distinctive large garage entrances and the addition of generic, modern fittings into new smaller bays, and denial of any arrangement that does not preserve the distinctive historic existing garage openings; and
- C. Denial of the highly visible starkly modern two-story addition which may be acceptable for visibility as a one-story addition and in a design with historic references, especially the finish and windows; and
- D. Denial of the Minetta Lane one story addition in that it is highly visible, as would be any rooftop addition to his portion of the building, from Minetta Street, an intimate and unique corner of the district; and
- E. Approval with reservations of the very minimally visible courtyard which could be improved with fenestration more suitable to the historic buildings; and
- F. Denial of the non-historic fenestration of the Minetta Street carriage entrances unless it is in a design that recalls the historic doors with considerably less glazing; and
- G. That the Minetta Street facade be in restored unpainted brick; and
- H. Approval of the Minetta Street upper floor opening and addition of windows matching the historic design.

Vote: Unanimous, with 38 Board members in favor.

2. *788-802 Broadway (Grace Church) — Application is to restore highly deteriorated carved stone tracery and pinnacles at the south elevation with new cast stone.

Whereas:

- A. The work is of a very limited scope to address deterioration and water infiltration concerns and the applicant provided documentation concerning the suitability of cast stone for restoration and replacement of original materials; and
- B. The most extensive parts of the restoration are not visible from any public thoroughfare; now

Therefore be it resolved that CB2, Man. recommends approval of the repair and restoration of architectural elements with cast stone.

Vote: Unanimous, with 38 Board members in favor.

3. *55 Bethune St. – Application is to replace windows at the 11th floor.

Whereas:

The existing windows are deteriorated and replacement windows are minimally different to meet current code and the difference in appearance is minimal and cannot be discerned from the street level; now

Therefore be it resolved that CB2, Man. recommends approval of the replacement of the windows.

Vote: Unanimous, with 38 Board members in favor.

4. *32 Morton St. – Application is to construct a cooling tower on the rooftop.

Whereas:

- A. The existing cooling tower is aged and unusable and must be replaced; and
- B. The proposed tower is placed near the existing water tank designed to be the least intrusive location possible and the elevation from the rooftop is required for proper operation and to conform to egress regulations; and
- C. The tower’s cladding is medium grey and blends well with the water tank and minimizes sound transmission; now

Therefore be it resolved that CB2, Man. recommends approval of the cooling tower and the platform.

Vote: Unanimous, with 38 Board members in favor.

5. *344 Bowery – Application is to install a temporary art installation on the building façade.

(WITHDRAWN)

LAND USE

Resolution on 246 Spring Street

Whereas:

- 1. This is an application for a three-year term to allow a 472-square-foot, open-air café in the Dominick Hotel, which opened in 2010 as the Trump SoHo.
- 2. The café will be located in an existing 8,616-square-foot, through-block public plaza, which is a privately-owned public space (POPS), created as part of a deal that allowed the original developers of the hotel to build with a bonus of 20% larger than otherwise

allowed.

3. A design for the plaza on the site was approved on May 31, 2005, but was not developed; it was then developed pursuant to a second certification of compliance approved on August 31, 2006.
4. CB2 Manhattan has long taken issue with the granting of private uses in public plazas such as this. In April 2011, CB2 Manhattan heard an application for this 760-square-foot, open-air café in the plaza and voted to withhold approval due to its newness and the impossibility of determining “actual public usage pattern.”
5. On April 16, 2012, the site received Chair certification for design changes to the plaza and for an open-air café that lapsed on April 16, 2015.
6. In July 2020, CB2 Manhattan heard an application for a three-year term to allow a 472-square-foot, open-air café in the plaza, and voted to recommend denial on the basis of its opposition to privatization of public space. On April 16, 2021, the applicant received Chair certification for design changes to the plaza and an open-air café that lapsed on April 26, 2024.
7. The current application represents a new three-year term for the same configuration and size as the July 2020 application.
8. Access to the open-air café would be through the restaurant located in the hotel, with seating managed by a host. The fact that patrons must enter the restaurant to be seated detracts from the public, open aspect that this plaza offers the community.
9. The committee received letters from the public in opposition to the application for the open-air café.
10. The plaza is intensively used during the day by area residents and workers. A member of the public testified that since the pandemic, this public plaza has indeed become very active and an important addition to public space in the neighborhood.
11. Because the site for the café is such a sunny area of the plaza, plaza users move the chairs into the area where the café is proposed. If the café is permitted, this natural use of the space will be lost. The plaza also contains outdoor speakers, although outdoor dining regulations do not permit amplified music.

Therefore be it resolved, that CB2 Manhattan:

1. Recommends **denial** of this application because the proposed open-air café does not meet the requirements in Finding #1 that such a private use will promote public use and enjoyment of this publicly accessible open area;
2. Recommends **denial** of this application because the proposed use does not meet the requirements in Finding #2 that such a private use complements desirable uses in the surrounding area.
3. Recommends preservation of this privately-owned public space (POPS) because it was created as part of a deal that allowed the original developers of the hotel to build with a bonus of 20% larger than otherwise allowed.
4. Recommends denial of this application because, after the experience of the COVID 19 pandemic, the community and the Community Board realize the importance of outdoor public space, which would be diminished if this Chair certification is granted.

Vote: Passed with 33 Board members in favor and 5 abstentions (A. Fernandez, M. Metzger, R. Sanz, E. Siegel, E. Smith).

Resolution on 214-218 West Houston Street

214-218 West Houston Street aka 58 Downing Street – Application to the Board of Standards & Appeals pursuant to sections 72-01 and 72-22 of the Zoning Resolution to Amend a Previously Granted Variance to Expand an Existing Residential Health Care Facility.

Whereas:

1. Village Acquisition II, LLC, currently operating as “West Village Rehabilitation and Nursing Center” and formerly known as “Village Care of New York” (“Village Care”), a not-for-profit corporation constructed its Existing Building at 214-218 West Houston to provide Rehabilitation and Nursing Care. This construction required modification of applicable height and setback, rear yard equivalent, and coverage regulations to meet Village Care’s programmatic needs. Now, Village Care is seeking an amendment to the Variance to allow an enlargement of the Existing Building onto adjacent Lot 27 (50-58 Downing Street) to accommodate 20 additional beds as well as much needed additional physical and occupational therapy space, which would not comply with applicable floor area ratio, height and setback, rear yard, and lot coverage regulations.
2. The proposed enlargement is necessary because of changes in the nursing home regulatory regime, enhancements in industry best practices that have occurred in the twenty years since the Variance was granted in 2005, and the extreme demand for nursing home beds in Lower Manhattan that means that, for every patient currently offered care in the Existing Building, three potential patients must be turned away (totaling 3,465 people in need of rehabilitation and nursing home care that cannot be accommodated in the facility each year).

3. The Proposed Building would be a 4.83 FAR (12,272 sf) six-story facility that would include demolition of the existing building on Lot 27 and its replacement with an enlargement of the Existing Building with a total of 6,402 sf of additional floor area. The Proposed Enlargement would have a shallow rear yard with varying depth between 3'-10" and 10'-9". As with the Existing Building, the Proposed Building would have a maximum height of 77'-3" without setback, and the 1,630 square foot landscaped courtyard located on the eastern side of the Existing Building would be maintained. As noted above and detailed below, the Proposed Enlargement would reflect the minimum variances necessary to construct a financially feasible number of additional beds (an increase of 20 beds, for a total of 125 beds).
4. The Community Board is satisfied that the Applicant has met the satisfied required findings.
5. Any new mechanicals for the enlargement will be situated on the roof of the existing structure at 214-218 Houston. Previous neighborhood concerns about the noise from the mechanicals have been solved and the new mechanicals will be screened and baffled in the same manner so as to prevent any disturbance to nearby residences.
6. Downing Street is a small historic street. There was concern that entrance and egress from the enlargement might disturb the community. The applicant assured the community that there will be no entrance or egress on Downing Street.
7. 50-58 Downing Street is currently a vacant single-family home. The Applicant plans to reuse materials from its original façade in the enlargement. There was support for following the original aesthetic and a suggestion to be thoughtful and creative with the façade so as to fit into the street without being monolithic.
1. CB2 Manhattan approved a 2005 variance which allowed the construction of 214-218 Houston Street.
9. The Current Village Care facility is well respected in the community. Many neighbors have needed to use this facility and have spoken highly of its services. Moreover, they are grateful that it is convenient to their friends and families. The committee pointed out that it provides housing for our community during times of medical need.

Therefore be it resolved, that:

1. CB2 Manhattan supports the granting of this variance and welcomes additional and sorely needed rehabilitation and nursing care beds in our district.
2. CB2 Manhattan also encourages the applicant to be attentive to creating a façade which reflects the nature of this street, acknowledges the townhouse being replaced, and acknowledges the context of the surrounding buildings.

Vote: 37 Board Members in favor, 1 opposed (A Fernandez)

OUTDOOR DINING WORKING GROUP

December 23, 2024 meeting

Resolutions to Vote on: Dining Out NYC applications

1. **Raro Inc. dba Rafele, 29 7th Avenue South, 10014 (Sidewalk) – 7th Avenue South between Morton Street and Leroy Street**

- a. Whereas, comments related to the cafe setup's physical footprint and dimensions:
 - This establishment is located on 7th Avenue South between Morton Street and Bedford Street;
 - 7th Avenue South, at this location, is a Neighborhood Corridor Street in the NYC DOT Pedestrian Mobility Plan, which requires an 8-foot clear path on the sidewalk;
 - There is one proposed sidewalk cafe setup on 7th Avenue South:
 - 9'-9" (9 feet, 9 inches) width by 44'-5" (44 feet, 5 inches) length:
 - a. The width of the sidewalk cafe at 9'-9" (9 feet, 9 inches) maintains the clear path on the sidewalk of at least 8 feet minimum for a Neighborhood Corridor, and in this specific case, fifty percent (50%) of the width of the sidewalk, which is 9'-9" (9 feet, 9 inches), per §5-11(a)(1)(A)(2) in the Dining Out NYC rules;
 - The sidewalk width of 7th Avenue South, at this location, is 18'-6" (18 feet, 6 inches), which conforms to the definition of a sidewalk: "The term 'sidewalk' means a portion of a street between curb lines, or lateral lines of a roadway, and the adjacent property lines, but **not including the curb**, intended for the use of pedestrians," per § 5-01 of the Dining Out NYC rules:
 - The updated site plan dated January 21, 2025 has an incorrect sidewalk width labeled on it;
 - The Applicant/Licensee also removed the non-conforming enclosed sidewalk cafe that was constructed after March 16, 2020 and still up until mid-January 2025 – the Applicant/Licensee is now in compliance with the Dining Out NYC rules as required for operating a sidewalk cafe past November 1, 2024;
2. Whereas, comments related to **pedestrian flow** (i.e. visibility, safety, potential crowding):
 1. The Applicant/Licensee agreed to modifications that adjusted the sidewalk cafe width and length to ensure that 50% of the sidewalk width maintained the clear path;
3. Whereas, comments related to potential conflicts with **existing curb use** (i.e. planters,

bike racks, bus stops):

1. The Applicant/Licensee added the missing manhole to the site plan;
4. Whereas, the recommended modifications are as follows:
1. Will add the missing manhole cover, on the 7th Avenue South sidewalk, to the site plan and show the required 18” (18 inches) clearance from the missing manhole to the proposed sidewalk cafe setup;
 2. Will check off the required Furnishings checkbox on page 2 of the site plan form under Section 3 to confirm that the Applicant/Licensee will be using furnishings in the roadway cafe that are lightweight and easily moveable;
 3. Will check off the three required checkboxes under Perimeter Demarcation Section 3 on page 2 of the site plan form under Section 3 to confirm that the Applicant/Licensee will be using furnishings in the roadway cafe that are lightweight and easily moveable, no higher than 2’-6” (2 feet, 6 inches), and such perimeter demarcations shall not be affixed to the sidewalk – all required per § 5-11(a)(2)(i) of the Dining Out NYC rules;
 4. Will adjust the width of the proposed sidewalk cafe setup to be inclusive of the perimeter demarcation in the calculation, which means correcting the width to its accurate measurement of 9’-9” (9 feet, 9 inches);
 5. Will add the missing label of the Primary Building Entrance for residents of 29 7th Avenue South to the site plan;
 6. Will illustrate the missing 5-foot clearance from the Primary Building Entrance for residents at 29 7th Avenue South to the perimeter of the proposed sidewalk cafe site plan, which means drawing a line on the site plan from the Primary Building Entrance to the perimeter of the proposed sidewalk cafe setup;
 7. Will adjust the length of the proposed sidewalk cafe setup to 44’-5” (44 feet, 5 inches) in accordance with the accurate storefront measurement of 45’-5” (45 feet, 5 inches) and complies with the required 5-foot clearance for the Primary Building Entrance for residents of 29 7th Avenue South;
 8. Acknowledges all establishments operating a sidewalk cafe past November 1, 2024 are required to be in compliance with the Dining Out NYC rules;
 9. Acknowledges that this establishment did not operate an enclosed sidewalk cafe prior to March 16, 2020, and that the continued operation of an enclosed sidewalk cafe at this location is in violation of the Dining Out NYC rules;
 10. Agrees to remove the non-compliant enclosed structure on the sidewalk since it is in violation of the Dining Out NYC rules;

11. Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the sidewalk cafe setup, which means reducing to 2-tops;
12. Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
13. Will maintain the service aisle within the sidewalk cafe setup, which means reducing to 2-tops;
14. Will add the required North Arrow to the site plan;
15. Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
16. Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Therefore Be It Resolved, Manhattan CB2 **recommends denial*** of the Dining Out NYC sidewalk cafe for Raro Inc. dba Rafele, 29 7th Avenue South, 10014.

Vote: Unanimous, 38 Board members in favor.

*New information has developed since this vote was taken at the December 23, 2024 Outdoor Dining Working Group Meeting, however, this information was not available at the time of the January 14, 2025 Outdoor Dining Working Group meeting. This will be addressed at the January Full Board Meeting.

2. Tiger Ale LLC dba Blind Tiger, 281 Bleecker Street, 10014 (Sidewalk) – Bleecker Street between 7th Avenue South and Jones Street

- a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:
 - This establishment is located at the corner of Bleecker Street and Jones Street;
 - 7th Avenue South, at this location, is a Neighborhood Corridor Street in the NYC DOT Pedestrian Mobility Plan, which requires an 8-foot clear path on the sidewalk;
 - There are two proposed sidewalk cafe setups that are connected at the corner as one cohesive unit:
 - Bleecker Street:
 - a. 3’-3” (3 feet, 3 inches) width by 18’ (18 feet) length
 - b. Sidewalk Width: 11’-3” (11 feet, 3 inches)
 - c. DOT Pedestrian Mobility Corridor: Community Connector
 - d. Clear Path on Sidewalk Required: 8’ (8 feet)

- Jones Street:
 - a. 2'-9" (2 feet, 9 inches) width by 18' (18 feet) length
 - b. Sidewlk Width: 10'-9" (10 feet, 9 inches)
 - c. DOT Pedestrian Mobility Plan Corridor: Neighborhood Corridor
 - d. Clear Path on Sidewalk Required: 8' (8 feet)
- b. Whereas, comments related to pedestrian flow (i.e. visibility, safety, potential crowding):
 - The Applicant/Licensee signed and agreed to modifications that ensure that the clear path and service aisle will be maintained;
 - The Applicant/Licensee signed and agreed to connect the two sidewalk cafe setups on Bleecker Street and Jones Street in order to maintain an ADA accessible route;
- c. Whereas, the recommended modifications are as follows:

BLEECKER STREET

- Will check off the required Furnishings checkbox on page 2 of the site plan form under Section 3 to confirm that the Applicant/Licensee will be using furnishings in the sidewalk cafe that are lightweight and easily moveable;
- Will adjust the width of the proposed sidewalk cafe setup on Bleecker Street to 3'-3" (3 feet, 3 inches) to adhere to the required 8' (8-foot) clear path on Bleecker Street, which means updating it on the site plan drawing and at the bottom of the site plan form;
- **ADJUST WIDTH OF SIDEWALK:** Will update the sidewalk width of Bleecker Street on the site plan to 11'-3" (11 feet, 3 inches) which is accurate and in compliance with the definition of a sidewalk in § 5-01 of the Dining Out NYC Rules: the term "sidewalk" means a portion of a street between curb lines, or lateral lines of a roadway, and the adjacent property lines, but not including the curb, intended for the use of pedestrians and definition of the clear path in § 5-01: the term "clear path" means an unobstructed path on a sidewalk or sidewalk widening for pedestrian circulation;

JONES STREET

- Will correct the measurement of the sidewalk cafe length on Jones Street at the bottom of the site plan form for this proposed setup;
- Will update the sidewalk width of Jones Street on the site plan to 10'-9" (10 feet, 9 inches) which is accurate and in compliance with the definition of a sidewalk in § 5-01 of the Dining Out NYC Rules: the term "sidewalk" means a portion of a street between curb lines, or lateral lines of a roadway, and the adjacent property lines, but not including the curb, intended for the use of

pedestrians and definition of the clear path in § 5-01: the term “clear path” means an unobstructed path on a sidewalk or sidewalk widening for pedestrian circulation;

- Will adjust the width of the proposed sidewalk cafe setup on Jones Street to 2’-9” (2 feet, 9 inches) to adhere to the required 8’ (8-foot) clear path on Jones Street, which means updating it on the site plan drawing and at the bottom of the site plan form;
- Will adjust the depiction of the demarcated perimeter of the sidewalk cafe setup on Jones Street to allow a service aisle from the establishment’s main entrance on the Bleecker;

BOTH SIDEWALK CAFE SETUPS

- Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the sidewalk cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the sidewalk cafe and roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Whereas, Manhattan CB2 **approval with modifications** for the Dining Out NYC sidewalk cafe for Tiger Ale LLC dba Blind Tiger, 281 Bleecker Street, 10014.

Vote: Unanimous, 38 Board members in favor.

3. Timoni Inc. dba Tre Giovani, 548 LaGuardia Place, 10012 (Sidewalk)

- a. This establishment is located on LaGuardia Place between West 3rd Street and Bleecker Street;
- b. LaGuardia Place, at this location, is a Neighborhood Corridor Street in the NYC DOT Pedestrian Mobility Plan, which requires an 8-foot clear path on the sidewalk;
- c. There is one proposed sidewalk cafe setup on LaGuardia Place

- Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Whereas, Manhattan CB2 **recommends approval with modifications** of the Dining Out NYC sidewalk cafe for Timoni Inc. dba Tre Giovani, 548 LaGuardia Place, 10012.

Vote: Unanimous, 38 Board members in favor.

4. Hudson Corner LLC dba B’artusi and Via Porta, 522 Hudson Street, 10014 (Sidewalk) - Hudson Street between West 10th and Charles Street

- a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:
 - The establishments are located:
 - B’artusi is located at the corner of Hudson Street and West 10th Street
 - Via Porta is located on Hudson Street between West 10th Street and Charles Street;
 - There are two proposed sidewalk cafe setups on Hudson Street, where the width of the sidewalk is 18’-5” (18 feet, 5 inches):
 - North sidewalk cafe setup:
 - a. 4’-1” (4 feet, 1 inch) width by 15’ (15 feet) length
 - South sidewalk cafe setup:
 - a. 2’-9” (2 feet, 9 inches) width by 33’-1” (33 feet, 1 inch) length
 - Hudson Street, at this location, is a Regional Corridor Street in the NYC DOT Pedestrian Mobility Plan, which requires an 10-foot clear path on the sidewalk;
- b. Whereas, comments related to pedestrian flow (i.e. visibility, safety, potential crowding):
 - Removing one row of tables in both sidewalk cafe setups will ensure the sidewalk cafe is ADA compliant with an ADA accessible route, service aisle, and maintains the required 10’ (10-foot) clear path is maintained on Hudson Street;

- c. Whereas, comments related to potential conflicts with existing curb use (i.e. planters, bike racks, bus stops):
- The site plan in the referral package is missing the required clearance of 8' (8 feet) front the tree bed on West 10th Street, which when the clearance is met, will require the removal of one table in the southern sidewalk cafe setup order to maintain the clearance;
 - There are existing planters on the sidewalk, which should be removed since the Applicant/Licensee indicated they are not theirs, however, they encroach upon the sidewalk cafe space;
 - Several mandatory checkboxes on page 2 of the site plan form are not checked of including: furnishings and overhead coverings/umbrellas;
- d. Whereas, the recommended modifications are as follows:
- Will adjust seating in the sidewalk cafe to one (1) row of two-top tables to comply with the required 10' (10-foot) clear path on Hudson Street;
 - Will add the required 8' (8-foot) clearance from the tree bed on West 10th Street, and will remove the southern-most table, if necessary;
 - Will add the required 8' (8-foot) clearance from the "existing planter" on West 10th Street and/or will ask the Applicant/Licensee's landlord if the landlord can remove the existing planter, however, should the planter stay as-is, the Applicant/Licensee remove the southern-most table, if necessary;
 - Will check off the required Furnishings checkbox on page 2 of the site plan form under Section 3 to confirm that the Applicant/Licensee will be using furnishings in the roadway cafe that are lightweight and easily moveable, not affixed to the sidewalk, and confirm that the Applicant/Licensee is placing tables and chairs over the cellar door – this means checking all three sub-checkboxes under Furnishings in Section 3;
 - Will check off the Overhead Coverings/Umbrellas checkbox on page 2 of the site plan form under Section 3 – this means checking all five sub-checkboxes under Overhead Coverings/Umbrellas in Section 3;
 - Will update the sidewalk width of Hudson Street on the site plan to 18'-5" (18 feet, 5 inches), which is accurate and in compliance with the definition of a sidewalk in § 5-01 of the Dining Out NYC Rules: the term "sidewalk" means a portion of a street between curb lines, or lateral lines of a roadway, and the adjacent property lines, but **not including the curb**, intended for the use of pedestrians and definition of the clear path in § 5-01: the term "clear path" means

an unobstructed path on a sidewalk or sidewalk widening for pedestrian circulation;

- Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the sidewalk cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the sidewalk cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Therefore Be It Resolved, Manhattan CB2 **recommends denial** of the Dining Out NYC sidewalk cafe for Hudson Corner LLC dba B’artusi and Via Porta, 522 Hudson Street, 10014.

Vote: Unanimous, 38 Board members in favor.

Valerie, for this next two sections, items in red and items for meeting of Jan 14, do you want these in the minutes? If yes, please fix #3 in the first section, 151 Bleecker - fill in “[cardinal direction]” in b. Please advise and thank you.

Report **Recommendations Submitted to NYC DOT on Dining Out NYC Applications**

The following is a report of recommendations submitted to NYC DOT for sidewalk cafe and roadway cafe applications – in each case, the deadlines for the Board’s review/comment period – for each application below – fell before the January Full Board meeting date.

- 1. The Grey Dog Mulberry Inc. dba The Grey Dog Mulberry, 244 Mulberry Street, 10012 (Roadway)**
 - a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:
 - This establishment is located on Mulberry Street between Spring Street and Prince Street;
 - The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;

b. Whereas, the recommended modifications are as follows:

- Will adjust the storefront length measurement on the site plan to 19' (19 feet);
- Will adjust the length of the proposed roadway cafe setup to 17'-6" (17 feet, 6 inches), which takes into account the required 1'-6" (1 foot, 6 inches) clearance between roadway cafes adjacent to one another;
- Will check the box on page 2 of the site plan form in Section 3 for easily removable, fire-grade, and wind-resistant overhead coverings;
- Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that the 1'-6" manhole clearance is maintained at all times (even when chairs are pulled out);
- Will add the required North Arrow to the site plan;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. 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 the Dining Out NYC sidewalk cafe at The Grey Dog Mulberry Inc. dba The Grey Dog Mulberry, 244 Mulberry Street, 10012.

2. Grey Dog Carmine Inc. dba The Grey Dog, 49 Carmine Street, 10014 (Roadway)

a. Whereas, comments related to the cafe setup's physical footprint and dimensions:

- This establishment is located at the corner of Carmine and Bedford Street, and the proposed roadway cafe setup is on Bedford Street;

- The roadway on Bedford Street, the proposed location for this roadway cafe, is very narrow at 23' (23 feet);
 - Bedford Street is a Neighborhood Corridor street;
 - The proposed width of the roadway cafe is 6'-5" (6 feet, 5 inches);
 - The travel lane in the alternate parking side parking zone is 8'-7" (8 feet, 7 inches) at this location;
 - The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;
 - The warning "Stop Ahead" sign is critical to be viewed for pedestrian safety and there should be no umbrellas or vertical screenings above 46" (46 inches) on this roadway cafe to ensure the sign is not blocked;
- b. Whereas, the suggested modifications related to the above-referenced application are:
- Will add the Stop Ahead sign on Bedford Street to the site plan;
 - Will not have coverings/umbrellas or vertical screening in the roadway cafe that are greater than 46" (46 inches) in height since the proposed roadway setup is within 50' (50 feet) of the Stop Ahead sign in front of the storefront on Bedford Street where the proposed roadway cafe setup is sited, and will indicate on the site plan that the "overhead shading tent with open sides" and "vertical screening" is "no greater than 46" (46 inches) in height;"
 - Will adjust the location and clearance measurement fo the manhole to its accurate location on the site plan and accurate clearance from the proposed roadway cafe setup;
 - Will adjust the storefront length measurement on the site plan to 55'-9" (55 feet, 9 inches);
 - Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;

- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. 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 the Dining Out NYC roadway cafe at Grey Dog Carmine Inc. dba The Grey Dog, 49 Carmine Street, 10014.

3. 151 Bleecker LLC dba The Red Lion, 151 Bleecker Street, 10012 (Roadway)

a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:

- This establishment is located on Bleecker Street between Thompson Street and LaGuardia Place;
- There are two proposed roadway setups: one on Thompson Street and one on Bleecker Street;
- The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;

b. Whereas, the **suggested modifications** related to the above-referenced application are:
Bleecker Street side:

- Will add the missing manhole on Bleecker Street, [cardinal direction] of the proposed roadway cafe setup to site plan and show the required 18” (18 inches) clearance from the missing manhole to the eastern edge of the storefront, which also includes checking the Manhole checkbox on page 2 of the site plan form and add the measurement for the clearance;
- Will add the missing manhole cover on [StreetName], [cardinal direction] of the proposed roadway cafe setup to site plan and show the required 18” (18 inches) clearance from the missing manhole cover to the proposed roadway cafe setup;
- Will adjust the length of the proposed roadway cafe setup to adhere to the manhole clearance of 1’-6” (1 foot, 6 inches) and fire hydrant clearance of 20’-11” (20 feet, 11 inches);

- Will adjust the distance from the curb to the thermoplastic marking to 7'-9" (7 feet, 9 inches) and check the Thermoplastic Marking box on page 2 of the site plan form and add the measurement for the clearance;
- Will adjust the length of the proposed roadway cafe setup on Bleecker Street to 7'-3" (7 feet, 3 inches) to adhere to the thermoplastic marking clearance;

Thompson Street Side:

- Will add the One Way sign on Thompson Street to the site plan;
- Will not have coverings/umbrellas or vertical screening in the roadway cafe that are greater than 46" (46 inches) in height since the proposed roadway setup is within 50' (50 feet) of the One Way sign in front of the storefront on Thompson Street where the proposed roadway cafe setup is sited, and will indicate on the site plan that the "overhead shading tent with open sides" and "vertical screening" is "no greater than 46" (46 inches) in height;"
- Will adjust the location of the crosswalk on the diagram – there is only a 7" (7 inches) difference between the crosswalk and the storefront edge, not 3'-6" (3 feet, 6 inches) as indicated on the original site plan:
- Will adjust the length of the proposed roadway cafe setup on Thompson Street to 8'-4" (8 feet, 4 inches) to adhere to the required 20' (20 foot) clearance from the crosswalk;
- Will add the catch basin to the site plan and label the clearance of 10'-7" (10 feet, 7 inches) to the site plan and check the Catch Basin checkbox on page 2 of the site plan form, which includes adding the measurement of the clearance;
- Will add the manhole on Thompson Street to the site plan and label the clearance on the site plan and check the Manhole checkbox on page 2 of the site plan form, which includes adding the measurement of the clearance;

Both Bleecker Street Side and Thompson Street Side:

- Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;

- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. 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 151 Bleecker LLC dba The Red Lion, 151 Bleecker Street, 10012.

4. Isabel 196 Spring LLC dba Piccola Cucina Osteria, 196 Spring Street, 10012 (Roadway)

- a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:
 - The proposed roadway cafe setup is on Spring Street between Sullivan and Thompson Street;
 - Thompson Street is a Regional Corridor Street in the DOT Pedestrian Mobility Plan;
 - The proposed roadway cafe set up is 8’ (8 feet) width by 9’-1” (9 feet, 1 inch) length;
 - The roadway at this location is 34’-1” (34 feet, 1 inch), leaving a 26’-1” travel lane;

- b. Whereas, comments related to **pedestrian flow** (i.e. visibility, safety, potential crowding):
 - The tree bed on Spring Street, directly parallel to the proposed roadway cafe setup, in the furnishing zone, shows limited egress into the roadway cafe;
 - The Applicant/Licensee stores excess outdoor dining furniture in the furnishing zone directly adjacent to the proposed roadway cafe including operating one table on the sidewalk in the furnishing zone for outdoor dining after the November 1, 2024 deadline for compliance with the Dining Out NYC rules, limiting pedestrian flow in front of the proposed roadway cafe setup;

- c. Whereas, comments related to potential conflicts with **existing curb use** (i.e. planters, bike racks, bus stops):
 - The tree bed is 5’ (5-feet) long and is sited within the 9’-1” (9-foot, 1 inch) length of the proposed roadway cafe setup;
 - The transformer vault and its required clearance to the west of the roadway cafe limits the ability to have an ADA-accessible route within and into the roadway

cafe;

d. Whereas, the recommended modifications are as follows:

- Will correct the width and length at the bottom of the site plan form on page 1;
- Will ensure the presence of ADA accessible route of 36 inches (36”) within **and into** the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that the accessible route at this location takes both the tree bed directly parallel and in front of the proposed roadway cafe setup and the barrier width of the cafe into account while maintaining the required clearance from the transformer vault to the west of the roadway cafe;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Whereas, Manhattan CB2 **recommends submitting the comments (approval with modifications) as stated above** for the Dining Out NYC roadway cafe for Isabel 196 Spring LLC dba Piccola Cucina Osteria, 196 Spring Street, 10012.

5. Carmine Restaurant Corp. dba Il Cortile Restaurant, 123 Mulberry Street, 10013 (Roadway)

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

- The proposed roadway cafe setup is on the west side of Mulberry Street between Canal Street and Hester Street;
- Mulberry Street is a Regional Corridor Street in the DOT Pedestrian Mobility Plan;
- The proposed roadway cafe setup is in two parts: one (1) 20’ (foot) setup on the southern end of the establishment’s frontage, a 6’ (6-foot) space, and a second 20’ (20-foot) setup on the northern end of the establishment’s frontage for a total of 46’ (46 feet) of the establishment’s 51’ (51-foot) frontage;
- The width of both roadway cafe setups is 5’-6” (5 feet, 6 inches);
- Across the street from the proposed roadway cafe setups is a hydrant (no parking for a portion of the street parallel to the roadway cafe) as well as Commercial Vehicles Only and Metered Parking;
- The roadway at this location is very narrow: 23’-4” (23 feet, 4 inches), leaving a

travel lane of 9'-10" where there is parking parallel to the roadway cafe in one spot as well as a travel lane where there is hydrant clearance with no parking, there is a travel lane of 17'-10" (17 feet, 10 inches);

- FDNY is reviewing this application for a waiver to the required 15-foot emergency travel lane in the roadway on Mulberry Street;
- b. Whereas, comments related to **pedestrian flow** (i.e. visibility, safety, potential crowding)
- The Applicant/Licensee is operating a sidewalk cafe on a platform which is prohibited as stated in the rules: § 5-11(a)(2)(ii) "No platforms, flooring, or other ground coverings (e.g. rugs, artificial turfs, etc.) are allowed;"
- c. Whereas, the comments regarding this application are as follows:
- Will add the missing manhole cover on Mulberry Street, parallel to the roadway cafe in the middle of Mulberry Street and add its 5'-7" (5-foot, 7 inches) clearance from the cafe to the site plan;
 - Will fix the typo on the diagram for the length to 46' (46 feet), not 46'-1" (46 feet, 1 inch);
 - Will adjust the distance of the northern manhole (located on the right side of the site plan) in the roadway on Mulberry Street to 12' (12 feet);
 - Will ensure the presence of ADA-accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
 - Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will add the required North Arrow to the site plan;
 - Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
 - Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Whereas, Manhattan CB2 **recommends submitting the comments (approval with modifications) as stated above** for the Dining Out NYC roadway cafe at Carmine Restaurant Corp. dba Il Cortile Restaurant, 123 Mulberry Street, 10013.

6. 164 Mulberry St. Corp. dba Da Nico Restaurant, 164 Mulberry Street, 10013 (Roadway)

- a. Whereas, comments related to the cafe setup's **physical footprint and dimensions**:
- This establishment is located on the east side of Mulberry Street between Grand

Street and Broome Street and directly across the street from H & M Restaurant Inc. dba La Bella Vita at 163 Mulberry Street, an establishment that has a pending roadway cafe application;

- The roadway at this location is very narrow, fluctuating between 24’-6” (24 feet, 6 inches) - 25’ (25 feet) along this block on Mulberry Street;
- The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;
- The proposed roadway cafe setup is directly across another proposed roadway cafe setup – H & M Restaurant Inc. dba La Bella Vita, 163 Mulberry Street, 10013 – with no proposed offset of at least 15’ (15 feet), parallel to the direction of travel, which is referenced in criterion 2.3 of the 7-30 FDNY memo to DOT titled ‘*NYCDOT DOT’s Dining Out NYC program*’ which states the following in full:
 - 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow roadways/streets. An offset of at least 15’ (feet), parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;

b. Whereas, the recommended modifications are as follows:

- Will remove flooring from the application on page 2 of the site plan form;
- Will add the gas valve located in the roadway on Mulberry Street – that is located within the boundaries of the proposed roadway cafe setup at this location – to the site plan and label it as “gas valve”;
- Will adjust the location of the northern manhole (located on the left side of the site plan) to its accurate location on the site plan as it is partially in front of the storefront at this location;
- Will add the location of a ramp (temporary or permanent to the site plan);
- Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;

Whereas, Manhattan CB2 **recommends submitting the comments (denial) as stated above** regarding the Dining Out NYC roadway cafe for 164 Mulberry St. Corp. dba Da Nico Restaurant, 164 Mulberry Street, 10013.

7. Likeminded Hospitality LLC dba Roscioli NYC, 43 MacDougal Street, 10012 (Sidewalk)

- a. Whereas, comments related to the cafe setup's **physical footprint and dimensions:**
- The establishment is located at the corner of MacDougal Street and King Street;
 - There are two proposed sidewalk cafe setups:
 - one sidewalk cafe setup on MacDougal Street between West Houston Street and King Street;
 - one sidewalk cafe setup on King Street between Sixth Avenue and MacDougal Street;
 - The proposed sidewalk cafe setups on MacDougal Street and King Street are sited on top of a platform on the sidewalk and siting sidewalk cafes on top of platforms is prohibited by Dining Out NYC rules;
 - The Dining Out NYC rules clearly state:
 - a. § 5-11(a)(2)(ii) A sidewalk cafe, other than an enclosed sidewalk cafe, shall be **level with the sidewalk**. **No platforms**, flooring, or other ground coverings (e.g., rugs, artificial turfs, etc.) are permitted.
 - i. A platform that surrounds both frontages for this establishment where each proposed sidewalk cafe setup is proposed, which means this application should not have been referred for review, due to the fact that the proposed sidewalk cafe setups are sited on top of platforms;.
 - MacDougal Street at this location is a Neighborhood Corridor Street in the DOT Pedestrian Mobility Plan, requiring an 8-foot clear path;
 - The sidewalk width on MacDougal Street at this location is 7' (7 feet), which is 1' (1-foot) short of the required 8' (8-foot) clear path, which means this application should have never been referred with proposed sidewalk seating on MacDougal Street because there is absolutely no way that a sidewalk cafe can be sited on a sidewalk with a width that on its own does not adhere to the required 8' (8-foot) clear path, let alone a sidewalk cafe with a proposed cafe width of 4' (4 feet), which leaves absolutely no clear path on MacDougal Street;
 - a. Granting a sidewalk cafe at this location is a violation of the Dining Out NYC rules that require an 8' (8-foot) clear path on MacDougal Street;
 - b. There is absolutely no clear path maintained on MacDougal Street

if a revocable consent for a sidewalk cafe is granted at this location;

- c. Additionally, the proposed sidewalk cafe plan in the referral package was incomplete and inaccurate because
 - i. the Applicant/Licensee fails to disclose that their proposed sidewalk seating is on top of platform, which if disclosed, would have prohibited this sidewalk cafe application from being referred, and instead, it is revealed during the Community Board Review Process;
 - ii. the Applicant/Licensee fails to disclose the vent infrastructure on the MacDougal Street sidewalk cafe setup, which, if disclosed, would have prohibited the siting of a sidewalk cafe on MacDougal Street;
 - iii. The proposed sidewalk seating on MacDougal Street is sited on top of vent infrastructure, which is prohibited since they require a 1'-6" (1 foot, 6 inches) clearance on all sides per § 5-11(a)(1)(iv) in the Dining Out NYC rules;
- King Street at this location is a Neighborhood Corridor Street in the DOT Pedestrian Mobility Plan, requiring an 8-foot clear path;
 - The sidewalk width on King Street at this location is 10' (10 feet), which leaves a clear path of 5' (5 feet), falling short of the required 8' (8-foot) clear path;
 - a. Granting a sidewalk cafe at this location is a violation of the Dining Out NYC rules that require an 8' (8-foot) clear path on MacDougal Street;
 - b. There is no 8' (8-foot) clear path on this street if a revocable consent for a sidewalk cafe is granted at this location;
- b. Whereas, comments related to pedestrian flow (i.e. visibility, safety, potential crowding):
 - There is no clear path maintained on MacDougal Street with the proposed sidewalk cafe setup: the sidewalk walk width on MacDougal Street is 7' (7 feet), which means it is physically impossible to maintain an 8' (8-foot) clear path on MacDougal Street at this location;
 - A sidewalk cafe should not have been proposed on MacDougal Street due to the fact that:
 - a. The sidewalk width on MacDougal Street is less than required 8' (8-foot) clear path;
 - b. The sidewalk cafe setup on MacDougal Street is sited on top of a platform which is prohibited by Dining Out NYC rules;

- c. The sidewalk cafe setup on MacDougal Street sites a table on top of vent infrastructure which is prohibited by Dining Out NYC rules;
- There is no clear path maintained on King Street with the proposed sidewalk cafe setup: the sidewalk width on King Street is 10' (10 feet) which does not maintain the required 8' (8-foot) clear path:
 - A sidewalk cafe should not have been proposed on King Street due to the fact that:
 - i. The sidewalk width on King Street does not allow for a sidewalk cafe on King Street because an ADA-compliant sidewalk cafe would have a width of 3' (3-feet) at a minimum, leaving a clear path of 7' (7 feet) falling short of the required 8-foot clear path;
 - ii. The sidewalk cafe setup on King Street is sited on top of a platform rendering all of the above points moot because sidewalk cafes on a platform are prohibited by Dining Out NYC rules;
- c. Whereas, the comments regarding this application are as follows:
 - This application was not complete and accurate when referred due to the following:
 - Failure to disclose on the site plan that the seating is on a platform;
 - Failure to disclose the vent infrastructure on the site plan where the proposed MacDougal sidewalk cafe is sited;
 - Failure to disclose the sidewalk width measurements on the site plan:
 - a. MacDougal Street sidewalk width: 7' (7 feet)
 - b. King Street sidewalk width: 10' (10 feet)
 - Failure to check off the Perimeter boxes in Section 3 on page 2 of the site plan form;
 - Failure to check off the Furnishings boxes in Section 3 on page 2 of the site plan form;
 - This Applicant/Licensee has signed and notarized stipulations on file with Manhattan CB2 and the State Liquor Authority (SLA) that they will not have outdoor seating;

Therefore Be It Resolved, Manhattan CB2 **recommends denial** of the Dining Out NYC sidewalk cafe for Likeminded Hospitality LLC dba Roscioli NYC, 43 MacDougal Street, 10012.

8. H & M Restaurant Inc. dba La Bella Vita, 163 Mulberry Street, 10013 (Roadway)

- a. Whereas, comments related to the cafe setup's physical footprint and dimensions:
- This establishment is located on the west side of Mulberry Street between Grand Street and Broome Street (across the street from Da Nico);
 - The roadway at this location is very narrow, fluctuating between 24'-6" (24 feet, 6 inches) - 25' (25 feet) along this block on Mulberry Street;
 - The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;
 - The proposed roadway cafe setup is directly across another proposed roadway cafe setup – 164 Mulberry St. Corp. dba Da Nico Restaurant at 164 Mulberry Street, 10013 with no proposed offset of at least 15' (15 feet), parallel to the direction of travel, which is referenced in criterion 2.3 of the 7-30 FDNY memo to DOT titled '*NYCDOT DOT's Dining Out NYC program*' which states the following in full:
 - 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow roadways/streets. An offset of at least 15' (feet), parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;
- b. Whereas, the recommended modifications are as follows:
- Will add the manhole clearance of 2'-9" (2 feet, 9 inches) to the site plan;
 - Will adjust the location of the manhole to its accurate location on the site plan relative to the proposed roadway cafe setup;
 - Will add the location of a ramp (temporary or permanent) to the site plan;
 - Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
 - Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will add the required North Arrow to the site plan;
 - Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
 - Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.
 - Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
 - Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Whereas, Manhattan CB2 **recommends submitting the comments (approval with**

modifications) as stated above for the Dining Out NYC roadway cafe at H & M Restaurant Inc. dba La Bella Vita, 163 Mulberry Street, 10013.

9. Restaurant Ventures of NY, Inc. dba Altesi Downtown Restaurant, 200 Spring Street, 10012 (Sidewalk) - Spring Street between Sullivan Street and Thompson Street

- a. Whereas, comments related to the cafe setup's **physical footprint and dimensions**:
- This establishment is located at the corner of Spring Street and Sullivan Street;
 - Sullivan Street is a Neighborhood Corridor Street in the NYC DOT Pedestrian Mobility Plan, which requires an 8-foot clear path on the sidewalk;
 - There are two proposed sidewalk cafe setups on Sullivan Street between Spring Street and Broome Street:
 - Northeastern sidewalk cafe setup closer to Spring Street:
 - a. 3'-6" (3 feet, 6 inches) width by 10'-10" (10 feet, 10 inches) length;
 - b. The Applicant/Licensee signed modifications agreeing to the sidewalk cafe width of 3'-6" in order to meet the required 8' (8-foot) clear path on Sullivan Street;
 - c. The Applicant/Licensee signed modifications agreeing to add the required diagonal line from the pedestrian ramp (at the corner of Spring Street and Sullivan Street) to the perimeter of the northeastern sidewalk cafe setup to where the 8-foot clearance falls in relation to the proposed sidewalk cafe setup, however, the Applicant/Licensee did not actually add the 8-foot clearance diagonal line from the top of the pedestrian ramp on Sullivan Street to the perimeter of the northeastern sidewalk cafe setup;
 - d. It is clear that maintaining the required 8' (8-foot) clear path from the top of the pedestrian ramp will impact the length of the northeastern sidewalk cafe setup;
 - e. The Applicant/Licensee should add the required diagonal line from the top of the pedestrian ramp on Sullivan Street closest to the northeastern sidewalk cafe setup and adjust the length of that setup in order to comply with the required 8' (8-foot) clear path;
 - Southeastern sidewalk cafe setup closer to Broome Street:

- a. 3’-6” (3 feet, 6 inches) width by 11’-5” (11 feet, 5 inches) length;
 - b. The Applicant/Licensee signed modifications agreeing to the sidewalk cafe width of 3’-6” in order to meet the required 8’ (8-foot) clear path on Sullivan Street;
- The sidewalk width of Sullivan Street is 11’-6” (11 feet, 6 inches), which conforms to the definition of a sidewalk: “The term ‘sidewalk’ means a portion of a street between curb lines, or lateral lines of a roadway, and the adjacent property lines, but **not including the curb**, intended for the use of pedestrians,” per § 5-01 of the Dining Out NYC rules:
 - The Applicant/Licensee did not correct this on the updated site plan dated January 21, 2025;
- b. Whereas, comments related to **pedestrian flow** (i.e. visibility, safety, potential crowding):
 - The Applicant/Licensee failed to demonstrate that the 8’ (8-foot) clear path can be maintained from the pedestrian ramp closest to the northeastern sidewalk cafe on Sullivan Street;
 - The Applicant/Licensee signed modifications agreeing to add the diagonal line from the top of the pedestrian ramp (as required in the Dining Out NYC rules) to the perimeter of the northeastern sidewalk cafe and adjust the length of the northeastern sidewalk cafe setup as needed to maintain the 8’ (8-foot) clear path;
 - As of November 1, 2024, all operators are required to be in compliance with the Dining Out NYC rules;
 - The Applicant/Licensee is currently operating a sidewalk cafe that is not in compliance with the required 8’ (8-foot) clear path on Sullivan Street or the required 10’ (10-foot) clear path on Spring Street, which is a Global Corridor street in the NYC DOT Pedestrian Mobility Plan;
- c. Whereas, the recommended modifications are as follows:
 - Will add the required 8’ (8-foot) diagonal clearance from the pedestrian ramp to the site plan;
 - Will adjust the width of the proposed sidewalk cafe setup to 3’-6” (3 feet, 6 inches) to account for the required 8’ (8-foot) clear path on Sullivan Street;
 - Will check off the required Furnishings checkbox on page 2 of the site plan form under Section 3 to confirm that the Applicant/Licensee will be using furnishings in the roadway cafe that are lightweight and easily moveable;
 - Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the sidewalk cafe setup, which means reducing to 2-tops;

- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the sidewalk cafe setup, which means reducing to 2-tops;
- Will add the required North Arrow to the site plan;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Therefore Be It Resolved, Manhattan CB2 **recommends denial** of the Dining Out NYC sidewalk cafe for Restaurant Ventures of NY, Inc. dba Altesi Downtown Restaurant, 200 Spring Street, 10012.

10. LPB4 LLC dba La Pecora Bianca, 265 Lafayette Street, 10012 (Roadway)

- a. Whereas, the comments related to physical footprint and dimensions are as follows:
- The establishment is located at the corner of Prince Street and Lafayette Street;
 - The proposed roadway cafe setup is on MacDougal Street between West Houston Street and Prince Street;
 - MacDougal Street is a Neighborhood Corridor Street in the NYC DOT Pedestrian Mobility Plan;
 - The proposed roadway cafe setup is 6'-5" (6 feet, 5 inches) width by 20" (20 feet) length;
 - The roadway at this location is narrow: 26' (26 feet);
 - The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;
 - The proposed roadway cafe setup is directly across a Citibike station with no proposed offset of at least 15' (15 feet), parallel to the direction of travel, which is referenced in criterion 2.3 of the 7-30 FDNY memo to DOT titled '*NYCDOT DOT's Dining Out NYC program*' which states the following in full:
 - 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow roadways/streets. An offset of at least 15' (15 feet), parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;
 - While the FDNY memo is referring specifically to two outdoor dining structures across from one another, the consideration of how a Citibike station operates directly across a proposed roadway cafe on an already narrow street such as MacDougal Street, should be considered;
 - A proposed roadway cafe width of 6'-5" (6 foot, 5 inches) at this location leaves an emergency travel lane of 11'-6" (11 feet, 6 inches) on MacDougal Street

between West Houston Street and Prince Street;

- b. Whereas comments related to potential conflicts with existing curb use are as follows:
- There is a CitiBike station directly across from the proposed roadway cafe at this location on MacDougal Street, which presents a safety hazard due to the docking of bikes;
 - Siting a roadway cafe on MacDougal Street presents conflicting uses between Citibike and outdoor dining;
- c. Whereas, the **suggested modifications** related to the above-referenced application are:
- Will label the fire hydrant on the site plan as “fire hydrant”;
 - Will adjust the length of the proposed roadway cafe setup to 32’-5” (32 feet, 5 inches), which takes into account the required clearance for the hydrant;
 - Will ensure that the Applicant/Licensee has a removable ADA ramp for patrons who require such accommodation to move from the sidewalk on [StreetName]t in front of the establishment to the roadway cafe setup;
 - Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
 - Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will add the required North Arrow to the site plan;
 - Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
 - Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Therefore Be It Resolved, Manhattan CB2 **recommends submitting the comments as stated above (denial)** regarding the Dining Out NYC roadway cafe for LPB4 LLC dba La Pecora Bianca, 265 Lafayette Street, 10012.

11. Astor Place Donuts LLC dba The Donut Pub, 740 Broadway Street, New York, NY 10003 - (Roadway)

- a. Whereas, the comments related to physical footprint and dimensions are as follows:
- The establishment is located on Broadway between Astor Place and Waverly Place;
 - The proposed site plan indicates there is one area on the sidewalk where a sidewalk cafe is set up:
 - Broadway: 6’ (6 feet) length by 4’ (4 feet) width

- b. Whereas, comments related to pedestrian flow are as follows:
- Broadway is classified as Global Corridor street by the NYC DOT Pedestrian Mobility Plan, and according to the Dining Out NYC rules, establishments located on Global Corridor streets are required to maintain a 12-foot clear path;
- c. Whereas comments related to potential conflicts with existing curb use are as follows:
- There is a mailbox on the sidewalk, which runs parallel to the proposed sidewalk cafe setup;
 - While a mailbox clearance to a sidewalk cafe is only 8' (8 feet), however, since the mailbox is sited parallel to the proposed sidewalk cafe setup, the required 12-foot clear path must be maintained;
 - When measured, the distance between the mailbox and the perimeter of the proposed sidewalk cafe setup only yields a clear path of 9'-7" (9 feet, 7 inches) falling short of the required 12-foot clear path for a Global Corridor street – See Exhibit A attached;
 - There is a parking meter on the sidewalk which runs parallel to the proposed sidewalk cafe setup;
 - While a parking meter clearance to a sidewalk cafe is only 8' (8 feet), however, since the parking meter is sited parallel to the proposed sidewalk cafe setup, the required 12-foot clear path must be maintained;
 - When measured, the distance between the parking meter and the perimeter of the proposed sidewalk cafe setup only yields a clear path of 9'-8" (9 feet, 8 inches) falling short of the required 12-foot clear path for a Global Corridor street – see Exhibit B attached;
 - There is also a newsstand diagonal to the proposed roadway cafe setup which further impedes the clear path, in general, on this street;

Therefore Be It Resolved, Manhattan CB2 **recommends denial** of the Dining Out NYC sidewalk cafe for Astor Place Donuts LLC dba The Donut Pub, 740 Broadway, 10003.

12. Hudson Corner LLC dba B'artusi and Via Porta, 522 Hudson Street, 10014 (Roadway)

- a. Whereas, comments related to the cafe setup's physical footprint and dimensions:
- The proposed roadway cafe setup is on Hudson Street between West 10th Street and Charles Street;
 - Hudson Street is a Regional Corridor Street in the DOT Pedestrian Mobility Plan;
 - The proposed roadway cafe set up is 8' (8 feet) width by 27'-10" (27 feet, 10

- inches) length;
 - The roadway at this location is 50' (50-feet) long and the 15-foot emergency travel is met;
- b. Whereas, comments related to pedestrian flow (i.e. visibility, safety, potential crowding):
- There are furnishings illustrated on the site plan, however, the Applicant/Licensee did not check the Furnishings checkbox in Section 3 on page 2 of the site plan form, which also includes checking off the sub-checkbox which indicates that the furnishings will be lightweight and moveable;
 - There is no flooring proposed in the proposed roadway cafe setup, but there is no indication on the site plan that the Applicant/Licensee intends to have a ramp (temporary or otherwise) available for patrons to use to access the roadway cafe setup with wheelchair per ADA;
- c. Whereas, comments related to potential conflicts with existing curb use (i.e. planters, bike racks, bus stops):
- There is a manhole and a catch basin (drain infrastructure) in the roadway within the boundaries of the proposed roadway cafe setup;
 - There is no flooring proposed in the proposed roadway cafe setup;
 - There is a tree bed in the furnishing zone, directly parallel to the roadway cafe setup that takes up nearly 50% of the frontage of the cafe;
- d. Whereas, the recommended modifications are as follows:
- Will check off the required Furnishings checkbox on page 2 of the site plan form under Section 3 to confirm that the Applicant/Licensee will be using furnishings in the roadway cafe that are lightweight and easily moveable;
 - Will ensure that the Applicant/Licensee has a removable ADA ramp for patrons who require such accommodation to move from the sidewalk on Hudson Street in front of the establishment to the roadway cafe setup;
 - Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
 - Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
 - Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.
 - Will add the required North Arrow to the site plan;

- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Therefore Be It Resolved, Manhattan CB2 **recommends submitting the comments (denial) as stated above** regarding the Dining Out NYC roadway cafe for Hudson Corner LLC dba B’artusi and Via Porta, 522 Hudson Street, 10014.

13. 228 W 10th Street LLC dba L’Artusi, 228 West 10th Street, 10014 (Roadway)

- a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:
 - The proposed roadway cafe setup is on West 10th Street between Hudson Street and Bleecker Street;
 - West 10th Street is a Neighborhood Corridor Street in the DOT Pedestrian Mobility Plan;
 - The proposed roadway cafe set up is 6’ (6 feet) width by 21’-5” (21 feet, 5 inches) length;
 - The roadway at this location is 26’ (26 feet), leaving an 11’ (11-foot) emergency travel lane which falls short of the required 15’ (15-foot) emergency travel lane;
 - The application referral package did not indicate that DOT submitted a request to FDNY for a travel lane waiver;
 - West 10th Street, a narrow residential street, between Hudson Street and Bleecker Street, where this establishment is located has many concurrent important neighborhood uses where safety is a factor including:
 - the MTA M8 bus route,
 - an official NYC DOT Shared bike lane,
 - the primary entrance for the NYPD 6th Precinct station and NYPD Bomb Squad
 - and service vehicle entrance located just west of the establishment on the north side of the street.
 - In addition, FDNY ambulances regularly respond to emergency calls at the precinct and park quickly in front of the precinct which results in an even further reduced roadway travel lane;
 - Given the safety concerns outlined above, the establishment should not seek to extend their roadway cafe beyond their frontage:
 - The NYC DOT Dining Out NYC website, under the Roadway: Siting Requirements, defines restaurant frontage as the linear space [a] store occupies along the sidewalk,”

- The definition as presented on the Dining Out NYC does not include any exceptions to the definition above;
 - Applicants are not required to submit interior site plans to indicate how their space is configured behind the ground floor facade;
- b. Whereas, comments related to potential conflicts with existing curb use (i.e. planters, bike racks, bus stops):
- During the temporary open restaurants program, the Applicant/Licensee placed their trash containers in the roadway next to the sides of the roadway cafe setup, however, the proposed roadway cafe setup in this application, which extends the length of the setup beyond the frontage, fails to indicate how the establishment will handle their trash containers, which currently sit in the furnishing zone on the sidewalk directly in front of the residential entrance to the building;
 - The Applicant/Licensee intends to extend the proposed roadway cafe to the front of the residential entrance, however, this means if approved, the trash containers are going to be sited in front of the roadway cafe setup – see Exhibit A;
- c. Whereas, the recommended modifications are as follows:
- Will adjust the length of the proposed roadway cafe setup so that it does not block the adjacent residential entrance and complies with the Dining Out NYC website which states that “restaurant frontage is the linear space your store occupies along the sidewalk:”
 - Will ensure that the Applicant/Licensee has a removable ADA ramp for patrons who require such accommodation to move from the sidewalk on West 10th Street in front of the establishment to the roadway cafe setup;
 - Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
 - Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
 - Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Therefore Be It Resolved, Manhattan CB2 **recommends submitting the comments (denial) as stated above** for the Dining Out NYC roadway cafe for 228 W 10th Street LLC dba L’Artusi, 228 West 10th Street, 10014.

14. Timoni Inc. dba Tre Giovani, 548 LaGuardia Place, 10012 (Roadway)

- a. Whereas, comments related to the cafe setup's physical footprint and dimensions:
- The proposed roadway cafe setup is on LaGuardia Place between West 3rd Street and Bleecker Street:
 - Thompson Street is a Neighborhood Corridor Street in the DOT Pedestrian Mobility Plan;
 - The proposed roadway cafe set up is 7'-6" (7 feet, 6 inches) width by 9'-8" (9 feet, 8 inches) length; (modifications requested 8'-8" (8 feet, 8 inches)
 - The roadway at this location is 36' (36 feet), leaving a 20'-6" travel lane;
- b. Whereas, comments related to potential conflicts with existing curb use (i.e. planters, bike racks, bus stops):
- The manhole in the roadway on LaGuardia Place, located north of the proposed roadway cafe setup, requires a 1'-6" (1 foot, 6 inch) clearance, which can only be met if the proposed roadway cafe length is 8'-8" (8 feet, 8 inches);
 - The Applicant/Licensee signed and notarized modifications with MCB2 agreeing to a roadway cafe length of 8'-8" (8 feet, 8 inches) to come into compliance with required manhole clearance, however, the updated site plan dated January 14, 2025 that accompanied the modifications only reduced the roadway cafe length to 9'-8" (9 feet, 8 inches), which is one foot less than agreed-upon length of 8'-8" (8 feet, 8 inches) that the Applicant/Licensee agreed to in the signed and notarized modifications;
 - *We ask NYC DOT to ensure this roadway cafe length is corrected in the site plan.*
- c. Whereas, the recommended modifications are as follows:
- Will verify and adjust the storefront length to make consistent with the storefront length on the Applicant/Licensee's sidewalk cafe site plan];
 - Will adjust the length of the proposed roadway cafe setup to 8'-8" (8 feet, 8 inches), which takes into account the required 1'-6" (1-foot, 6 inches) clearance for the manhole;
 - Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;

- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Whereas, Manhattan CB2 **recommends submitting the comments (denial) as stated above** regarding the Dining Out NYC roadway cafe for Timoni Inc. dba Tre Giovani, 548 LaGuardia Place, 10012.

15. Puar LLC dba Entwine, 765 Washington Street, 10014 (Roadway)

- a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:
 - The proposed roadway cafe setup is on MacDougal Street between West Houston Street and Prince Street;
- b. Whereas, the suggested modifications related to the above-referenced application are:
 - Will ensure that the Applicant/Licensee has a removable ADA ramp for patrons who require such accommodation to move from the sidewalk on Washington Street in front of the establishment to the roadway cafe setup;
 - Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
 - Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will add the required North Arrow to the site plan;
 - Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
 - Will appear before CB2, Man. 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 Puar LLC dba Entwine, 765 Washington Street, 10014.

16. Jay’s Nickels and Dimes Inc. dba Westville Hudson, 333 Hudson Street, 10013 (Roadway) – Hudson Street between Vandam Street and Charlton Street – the proposed roadway setup is on Charlton Street

- a. Whereas, comments related to the cafe setup's physical footprint and dimensions:
 - The proposed roadway cafe setup is on Hudson Street between Vandam Street and Charlton Street in Hudson Square;
 - There is one proposed roadway setup on Charlton Street: 40' (40 feet) length by 8' (8 feet) width;
 - Charlton Street is a Regional Corridor street in the DOT Pedestrian Mobility Plan;
 - The roadway at this location is 32'-5" (32 feet, 5 inches) with a travel lane of 16'-5" (16 feet, 5 inches);
- b. Whereas, the **suggested modifications** related to the above-referenced application are:
 - Will re-label the "subway grate" as "at-grade ventilator grate;"
 - Will adjust the location of the grate, while ensuring that the 40' (40-foot) proposed roadway cafe setup does not extend beyond the grate;
 - Will adjust the western manhole cover on Charlton Street, so that it is diagonal from the western edge of the roadway cafe instead of parallel to it;
 - Will add the clearance of 4'-6" (4 feet, 6 inches) for the western manhole to the site plan and to page 2 of the site plan form under R-18 Manholes;
 - Will verify the location of the eastern manhole and adjust if necessary;
 - Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
 - Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
 - Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Therefore Be It Resolved, Manhattan CB2 **recommends submitting the comments as stated above** regarding the Dining Out NYC roadway cafe for Jay's Nickels and Dimes Inc. dba Westville Hudson, 333 Hudson Street, 10013.

17. Tiger Ale LLC dba Blind Tiger, 281 Bleecker Street, 10014 (Roadway)

- a. Whereas, comments related to the cafe setup's physical footprint and dimensions:
 - This establishment is located at the corner of Bleecker Street and Jones Street;
- b. Whereas, the suggested modifications related to the above-referenced application are:
 - Will check off the required Furnishings checkbox on page 2 of the site plan form under Section 3 to confirm that the Applicant/Licensee will be using furnishings in the roadway cafe that are lightweight and easily moveable;

- Will ensure that the Applicant/Licensee has a removable ADA ramp for patrons who require such accommodation to move from the sidewalk on Jones Street in front of the establishment to the roadway cafe setup;
- Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. 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 Tiger Ale LLC dba Blind Tiger, 281 Bleecker Street, 10014.

Vote: Unanimous, 38 Board members in favor.

18. Debutea Inc. dba Debutea, 217 Thompson Street, 217 Thompson Street, 10012 (Roadway)

a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:

- The proposed roadway cafe setup is on Thompson Street between Bleecker Street and West 3rd Street in Greenwich Village;
- Thompson Street is a Neighborhood Corridor street in the DOT Pedestrian Mobility Plan;
- There is one proposed roadway setup on Thompson Street: 12’-6” (12 feet, 6 inches) length by 6’-6” (6 feet, 6 inches);
- The roadway at this location is 26’ (26 feet);
- FDNY is reviewing this application for a waiver to the required 15-foot emergency travel lane in the roadway on Thompson Street;

b. Whereas, the comments regarding this application are as follows:

- Will adjust the diagram on the site plan so that the proposed roadway cafe setup is not fully enclosed;
- Will adjust the length of the proposed roadway cafe setup to 12’-6” (12 feet, 6 inches) on the site plan diagram and at the bottom of the site plan form;
- Will check off the Vertical Screenings checkbox on page 2 of the site plan form in Section 3, which includes checking all four of the sub-checkboxes under the main Vertical Screenings checkbox;

- Will correctly label the manhole on the site plan which means replacing the labeled “Utility covering (electricity) with “Manhole” on the site plan;
- Will check off the R-18 Manholes checkbox on page 2 of the site plan form in Section 2 and add the measurement of the clearance 1.5’ (1.5 feet) to page 2 next to the checkbox;
- Will ensure the presence of ADA accessible route of 36 inches (36”) within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Whereas, Manhattan CB2 **recommends submitting the comments (approval with modifications) as stated above** for the Dining Out NYC roadway cafe for Debutea Inc. dba Debutea at 217 Thompson Street, 10012.

19. Tartinery W3 LLC dba Tartinery,, 78 West 3rd Street, 10012 (Roadway)

a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:

- The proposed roadway cafe setup is on Thompson Street between Bleecker Street and West 3rd Street;
- Thompson Street is a Neighborhood Corridor Street in the NYC DOT Pedestrian Mobility Plan;
- There are two proposed roadway cafe setups with a 6’(6-foot) gap between them:
 - Left side of storefront (southwest) – Tartinery Outdoor Seating 2 on site plan:
 - a. Length: 20’ (20 feet)
 - b. Width: 6’-6” (6 feet, 6 inches)
 - Gap between the two roadway cafe setups:
 - a. Length: 6’-8” (6 feet, 8 inches)
 - b. Width: 6’-6” (6 feet, 6 inches)
 - Right side of storefront (northwest) – Tartinery Outdoor Seating 1 on site plan:
 - a. Length: 20’ (20 feet)
 - b. Width: 6’-6” (6 feet, 6 inches)

- The roadway at this location is narrow: 26' (26 feet);
 - The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;
 - The proposed roadway cafe setup is directly across another proposed roadway cafe setup – Half Pint on Thompson LLC dba The Half Pint/Ernie's Bar at 234 Thompson Street with no proposed offset of at least 15' (15 feet), parallel to the direction of travel, which is referenced in criterion 2.3 of the 7-30 FDNY memo to DOT titled '*NYCDOT DOT's Dining Out NYC program*' which states the following in full:
 - 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow roadways/streets. An offset of at least 15' (15 feet), parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;
 - A proposed roadway cafe width of 6'-6" (6 foot, 6 inches) at this location leaves an emergency travel lane of only 11'-6" (11 feet, 6 inches) on Thompson Street between Bleecker Street and West 3rd Street;
 - For this block of Thompson Street, the following roadway cafe setups are proposed on Thompson Street between Bleecker Street and West 3rd Street;
 - **234 Thompson Street:** dba The Half Pint/Ernie's Bar (20240802010060) – Roadway Cafe application;
 - a. Directly across Tartinery (this application);
 - **222 Thompson Street:** Old Havana Inc. dba Cuba (20240802010116) – Roadway Cafe application;
 - **217 Thompson Street:** Debutea Inc. dba Debutea (20240725010006) – Roadway Cafe application;
 - a. Reviewed by CB2 and under review by FDNY for an emergency travel lane waiver;
 - **202 Thompson Street:** 151 Bleecker LLC dba The Red Lion (20240719010017) – Roadway Cafe application;
 - a. Reviewed by CB2 and under review by FDNY for an emergency travel lane waiver;
- b. Whereas, the **suggested modifications** related to the above-referenced application are:
- Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;

- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Therefore Be It Resolved, Manhattan CB2 **recommends submitting the comments (denial) as stated above** regarding the Dining Out NYC roadway cafe for Tartinery W3 LLC dba Tartinery, 78 West 3rd Street, 10012.

20. La Mela Ristorante Italiano Inc. dba La Mela, 167 Mulberry Street, 10013 (Roadway)

a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:

- The proposed roadway cafe setup is on Mulberry Street between Broome Street and Grand Street;
- Mulberry Street is a Regional Corridor Street in the NYC DOT Pedestrian Mobility Plan;
- There are two proposed roadway cafe setups with a 6’ (6-foot) gap between them:
 - Left side of storefront:
 - a. Length: 13’-9” (13 feet, 9 inches)
 - b. Width: 6’-6” (6 feet, 6 inches)
 - Gap between the two roadway cafe setups:
 - a. Length: 6’ (6 feet)
 - b. Width: 6’-6” (6 feet, 6 inches)
 - Right side of storefront:
 - a. Length: 14’-7” (14 feet, 7 inches)
 - b. Width: 6’-6” (6 feet, 6 inches)
 - NOTE: The agency’s lack of enforcing the required north arrow – as stated on the site plan form under the list of Drawing Requirements – on the Dining Out NYC site plans is a disservice to everyone involved in reviewing site plans – there is no uniform point of cardinal direction reference which further complicates communicating about specific parts of the site plan, particularly, when an application has more than one proposed roadway cafe setup.
- The roadway at this location is 23’-5” (23 feet, 5 inches);
- The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;

- A proposed roadway cafe width of 6'-6" (6 foot, 6 inches) at this location leaves an emergency travel lane of only 8'-11" (8 feet, 11 inches) on Mulberry Street between Broome Street and Grand Street;
- For this block of Mulberry Street, the following roadway cafe setups are proposed on Mulberry Street between Brooke Street and Grand Street:
 - **173 Mulberry Street:** Lunella Ristorante Inc. dba Lunella (20240802010177) Roadway Cafe application;
 - a. Directly across Benito One at 174 Mulberry Street;
 - i. 7-30 FDNY memo to DOT titled '*NYCDOT DOT's Dining Out NYC program*' states the following in full:
 - 1. 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow roadways/streets. An offset of at least 15' (15 feet), parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;
 - **174 Mulberry Street:** Saint Jude Enterprises dba Benito One (20240730010093) - Roadway Cafe application
 - a. Directly across Lunella at 173 Mulberry Street;
 - i. 7-30 FDNY memo to DOT titled '*NYCDOT DOT's Dining Out NYC program*' states the following in full:
 - 1. 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow roadways/streets. An offset of at least 15' (15 feet), parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;
 - **176 ½ Mulberry Street:** Mulberry Street Bar LLC dba Mulberry Street Bar (2024080201006) Roadway Cafe application;
 - a. Directly across Grott Azzura at 177 Mulberry Street;
 - i. 7-30 FDNY memo to DOT titled '*NYCDOT DOT's Dining Out NYC program*' states the following in full:
 - 1. 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow

roadways/streets. An offset of at least 15' (15 feet), parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;

- **177 Mulberry Street:** Grotto Azzurra Inn Inc. dba Grotto Azzurra (20240415010001) - Roadway Cafe application

- a. Directly across Mulberry Street Bar at 176 ½ Mulberry Street;

- i. 7-30 FDNY memo to DOT titled '*NYCDOT DOT's Dining Out NYC program*' states the following in full:

- 1. 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow roadways/streets. An offset of at least 15' (15 feet), parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;

- b. Whereas, the suggested modifications related to the above-referenced application are:

- Will adjust the storefront length measurement on the site plan to 42'-6" (42 feet, 6 inches) on the site plan;
- Will add the missing manhole on Mulberry Street, on the north end of the storefront, to the site plan and show the required 18" (18 inches) clearance from the missing manhole to the proposed roadway cafe setup on the site plan;
- Will check off the R-18 Manholes checkbox on page 2 of the site plan form in Section 2 and add the measurement of the clearance 1.5' (1.5 feet) to page 2 next to the checkbox;
- Will adjust the length of the northern roadway cafe setup to 14'-7" (14 feet, 7 inches), which takes into account the required 1'-6" (1 foot, 6 inches) clearance for the manhole at the northern end of the storefront;
- Will adjust the overall length of the roadway cafe at the bottom of the site plan form so it equals 13'-9" (13 feet, 9 inches) and 14'-7" (14 feet, 7 inches);
- Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;

- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. 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 La Mela Ristorante inc. dba La Mela, 167 Mulberry Street, 10013.

21. 38 MacDougal LLC dba Shuka, 38 MacDougal Street, 10012 (Roadway)

- a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:
 - The proposed roadway cafe setup is on MacDougal Street between West Houston Street and Prince Street;
 - MacDougal Street is a Neighborhood Corridor Street in the NYC DOT Pedestrian Mobility Plan;
 - The proposed roadway cafe setup is 6’-5” (6 feet, 5 inches) width by 20” (20 feet) length;
 - The roadway at this location is narrow: 26’ (26 feet);
 - The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;
 - The proposed roadway cafe setup is directly across a Citibike station with no proposed offset of at least 15’ (15 feet), parallel to the direction of travel, which is referenced in criterion 2.3 of the 7-30 FDNY memo to DOT titled ‘*NYCDOT DOT’s Dining Out NYC program*’ which states the following in full:
 - 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow roadways/streets. An offset of at least 15' (15 feet}, parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;
 - While the FDNY memo is referring specifically to two outdoor dining structures across from one another, the consideration of how a Citibike station operates directly across a proposed roadway cafe on an already narrow street such as MacDougal Street, should be considered;
 - A proposed roadway cafe width of 6’-5” (6 foot, 5 inches) at this location leaves an emergency travel lane of 11’-6” (11 feet, 6 inches) on MacDougal Street between West Houston Street and Prince Street;

- b. Whereas comments related to potential conflicts with existing curb use are as follows:
- There is a CitiBike station directly across from the proposed roadway cafe at this location on MacDougal Street, which presents a safety hazard due to the docking of bikes;
 - Siting a roadway cafe on MacDougal Street presents conflicting uses between Citibike and outdoor dining;
- c. Whereas, the recommended modifications are as follows:
- Will add the storefront length of 37' (37 feet) to the site plan;
 - Will adjust the location of manholes – the manhole in the middle of the roadway on MacDougal Street aligns with the other manhole close to the tree bed;
 - Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
 - Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
 - Will add the required North Arrow to the site plan;
 - Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
 - Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Therefore Be It Resolved, Manhattan CB2 **recommends submitting the comments (denial) as stated above** for the Dining Out NYC roadway cafe for 38 MacDougal LLC dba Shuka, 38 MacDougal Street, 10012.

22. Tatane Corp dba Fiat Cafe, 203 Mott Street, New York, NY 10012, (Roadway)

- a. Whereas, comments related to the cafe setup's physical footprint and dimensions:
- The proposed roadway cafe setup is on Mott Street between Spring Street and Kenmare Street;
 - Mott Street is a Regional Corridor Street in the NYC DOT Pedestrian Mobility Plan;
 - The proposed roadway cafe setup is 6'-5" (6 feet, 5 inches) width by 19'-6" (19 feet, 6 inch) length;

- The roadway at this location is very narrow: 23'-1" (23 feet, 1 inch);
- The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;
- The proposed roadway cafe setup is directly across another proposed roadway cafe setup – Tava Cafe LLC dba Balzem with no proposed offset of at least 15' (15 feet), parallel to the direction of travel, which is referenced in criterion 2.3 of the 7-30 FDNY memo to DOT titled *'NYCDOT DOT's Dining Out NYC program'* which states the following in full:
 - 2.3. FDNY units have had trouble accessing areas where two outdoor dining structures are constructed across from one another on narrow roadways/streets. An offset of at least 15' (15 feet), parallel to the direction of travel, shall be maintained for outdoor dining structures constructed across from one another on narrow streets;
- A proposed roadway cafe width of 6'-5" (6 foot, 5 inches) at this location leaves an emergency travel lane of only 8'-7" (8 feet, 7 inches) on Mott Street between Spring Street and Kenmare Street;
- For this block of Mott Street, the following roadway cafe setups are proposed, where presumably, the other two roadway cafe setups Balzem and (Epistrophy Cafe, will also seek a FDNY waiver for the 15-foot travel lane on Mott Street between Spring Street and Kenmare Street:
 - **203 Mott Street:** Tatane Corp dba Fiat Cafe (20240703010005)
 - a. This application
 - **202 Mott Street:** Tava Cafe LLC dba Balzem (20241024010001)
 - a. Directly across the street from Tatane Corp dba Fiat Cafe
 - **200 Mott Street:** Caffe Vetro Inc. dba Epistrophy Cafe (20240730010077)
 - a. Next to Balzem

b. Whereas, the recommended modifications are as follows:

- Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will add the required North Arrow to the site plan;

- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. prior to submitting any changes to any modifications agreed to herein.

Whereas, Manhattan CB2 **recommends submitting the comments (approval with modifications) as stated above** for the Dining Out NYC roadway cafe for Tatane Corp dba Fiat Cafe, 203 Mott Street, 10012.

23. Root Nolita LLC dba Shoo Shoo Nolita 371 Broome Street, 10013, (Roadway)

a. Whereas, comments related to the cafe setup’s physical footprint and dimensions:

- The proposed roadway cafe setup is on Mott Street between Broome Street and Grand Street;
- Mott Street is a Regional Corridor Street in the NYC DOT Pedestrian Mobility Plan;
- There are two proposed roadway cafe setups with a 6’(6-foot) gap between them:
 - Left side of storefront (South):
 - a. Length: 18’-7” (18 feet, 7 inches)
 - b. Width: 6’-6” (6 feet, 6 inches)
 - Gap between the two roadway cafe setups:
 - a. Length: 6’ (6 feet)
 - b. Width: 6’-6” (6 feet, 6 inches)
 - Right side of storefront (North):
 - a. Length: 19” (19 feet)
 - b. Width: 6’-6” (6 feet, 6 inches)
- The roadway at this location is narrow: 24’-8” (24 feet, 8 inches);
- The application is under FDNY review regarding a waiver for the required 15-foot emergency travel lane;
- A proposed roadway cafe width of 6’-6” (6 foot, 6 inches) at this location leaves an emergency travel lane of only 10’-2” (10 feet, 2 inches) on Mott Street between Broome Street and Grand Street;

b. Whereas, comments related to potential conflicts with existing curb use (i.e. planters, bike racks, bus stops):

- The hydrant, north of the storefront, with a 15’ (15-foot) required clearance and a 6’ (6-foot) gap in between the north roadway setup and the

south roadway setup, the south cafe, is reduced to 18'-7" (18 feet, 7 inches) in order to comply with all of the required clearances;

c. Whereas, the recommended modifications are as follows:

- Will adjust the length of the proposed southern roadway cafe setup to 18'-7" (18 feet, 7 inches), which takes into account the required 15' (15-foot) clearance from the fire hydrant at the north end;
- Will adjust the clearance from the cafe to the accurate measurement of 5'-6" (5 feet, 6 inches) on the site plan;
- Will check off the R-18 Manholes checkbox on page 2 of the site plan form and add the accurate measurement of 5'-6" (5 feet, 6 inches) to the form;
- Will ensure the presence of ADA accessible route of 36 inches (36") within and into the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will ensure that 5% of dining surfaces (but no less than 1) will be ADA accessible;
- Will maintain the service aisle within the roadway cafe setup once interior cafe dimensions are determined, even if it means removing tables;
- Will submit an updated site plan with the modifications above to CB2, Man. and upload the updated site plan to the Dining Out NYC application portal;
- Will appear before CB2, Man. 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** for the Dining Out NYC roadway cafe for Root Nolita LLC dba Shoo Shoo Nolita, 371 Broome Street, 10013.

January 14, 2025 meeting

**Applications to Send Back to the Outdoor Working Group
for the January 29, 2025 Meeting Business Session**

1. San Paolo Hospitality LLC dba Ambra, 569 Hudson Street, 10014 (Roadway)

Vote: Unanimous, 38 Board members in favor.

2. Zouk LTD dba Palma, 28 Cornelia Street, 10014 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

3. Zouk LTD dba Palma, 28 Cornelia Street, 10014 (Sidewalk)

Vote: Unanimous, 38 Board members in favor.

4. Aperitivo di Palma dba Aperitivo di Palma, 30 Cornelia Street, 10014 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

5. The Crystal Room LP dba Blue Ribbon, 97 Sullivan Street, 10012 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

6. The Crystal Room LP dba Blue Ribbon, 97 Sullivan Street, 10012 (Sidewalk)

Vote: Unanimous, 38 Board members in favor.

7. Flexible Fish Corp. dba Blue Ribbon Sushi, 119 Sullivan Street, 10012 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

8. 50 Greenwich Ave Sushi Inc. dba Umami Sushi, 50 Greenwich Ave, 10011 (Roadway)

Vote: Unanimous, 38 Board members in favor.

9. Dante Grove St LLC dba Dante, 79-81 MacDougal Street, 10012 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

10. Perry & Hudson LLC dba Dante West Village, 551 Hudson Street, 10014 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

11. Pistachio LLC dba Figo, 178 Mulberry Street, 10012 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

12. Maman Washington Square LLC dba Maman, 23 East 10th Street, 10003 (Roadway)

Vote: Unanimous, 38 Board members in favor.

13. Olio Restaurants LLC dba Olio e Piu, 3 Greenwich Avenue, 10014 (Roadway)

Vote: Unanimous, 38 Board members in favor.

14. Ksswine LLC dba Parcelle, 72 MacDougal Street, 10012 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

15. 340 Bleecker LLC dba Saint Theos, 340 Bleecker Street, 10014 (Roadway)

Vote: Unanimous, 38 Board members in favor.

16. Realtek LLC dba Sant Ambroeus, 259 West 4th Street, 10014 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

17. W LLC dba The Wooly, 390 Broome Street, 10013 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

18. I Maletesta Trattoria Inc. dba Trattoria I Maletesta, 649 Washington Street, 10014 (Roadway)

Vote: Unanimous, 38 Board members in favor.

19. The Village Square Pizza II Inc. dba Village Square Pizza II, 118 Christopher Street, 10014 (Roadway)

Vote: Unanimous, 38 Board members in favor.

20. *Sullivan Street Partners I LLC dba Bar Moga, 128 West Houston Street, 10012 (Roadway)

Vote: Unanimous, 38 Board members in favor.

21. *Sada One LLC dba Empellon, 230 West 4th Street, 10014 (Roadway)

Vote: Unanimous, 38 Board members in favor.

22. *BLF Big Apple LLC dba American Bar, 33 Greenwich Avenue, 10014 (Roadway)

Vote: Unanimous, 38 Board members in favor.

23. *Latte75 LLC dba Gelateria Gentile, 75 University Place, 10013 (Roadway)

Vote: Unanimous, 38 Board members in favor.

24. *Caffe Silverstri Inc. dba Caffe Napoli, 191 Hester Street, 10013 (Roadway) - DOT has submitted this application to FDNY for review regarding travel lane waiver

Vote: Unanimous, 38 Board members in favor.

25. *Caffe Silvestri Inc. dba Caffe Napoli, 191 Hester Street, 10013 (Sidewalk)

Vote: Unanimous, 38 Board members in favor.

26. *Windy Gates SoHo Inc. dba Balthazar Restaurant, 80 Spring Street, 10012 (Roadway)

Vote: Unanimous, 38 Board members in favor.

27. *Humphrey's Bakery Inc. dba Balthazar Bakery, 80 Spring Street, 10012 (Roadway)

Vote: Unanimous, 38 Board members in favor.

SLA 1 LICENSING

LPB4 LLC dba La Pecora Bianca 265 Lafayette St aka 54 Prince St 10012 (OP–Restaurant)
(Alteration: Dining Out NYC-Sidewalk, Roadway)

- i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 to present an application to the NYS Liquor Authority for an Alteration to the existing On-Premises Restaurant Liquor License (Lic. ID # 0340-22-114199, exp. 8/31/2026) for the new Dining Out NYC program to add sidewalk and roadway seating to their casual all-day Italian café and restaurant located at the southeast corner of Lafayette and Prince Streets, the building falling within the designated Special Little Italy District; and
- ii. **Whereas**, the applicant previously had outdoor seating under the previous NYC DCA Sidewalk Café Program; and,
- iv. **Whereas**, the instant application is to add outdoor seating under the Dining Out NYC program consisting of sidewalk seating of not more than 7 tables and 14 seats on Lafayette Street, 17 tables and 34 seats on Prince Street and roadway seating of not more than 18 tables and 54 seats on Prince Street, and
- v. **Whereas**, the Applicant has executed and has had notarized a supplementary Stipulations Agreement with Community Board 2 to address the new Dining Out NYC program that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the existing method of operation of the On-Premises Restaurant Liquor License in addition to the existing stipulations , with those supplementary stipulations as follows:
 1. Will continue to operate a casual Italian café and restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be from 9 AM to 1 AM Sundays and 8 AM to 1 AM Mondays through Saturdays. All patrons will be cleared, and no patrons will remain after stated closing time.
 3. Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café operating under the Dining Out NYC program consisting of not more

than 7 tables and 14 seats on Lafayette Street, 17 tables and 34 seats on Prince Street and roadway seating of not more than 18 tables and 54 seats on Prince Street.

4. Hours of operation for both the sidewalk and roadway café seating will be from 10 AM to 10 PM Sundays, 8 AM to 10 PM Mondays through Thursdays and 8 AM to 11 PM Fridays and Saturdays. No patrons will remain after stated closing time and all tables and chairs will be secured.
5. All service will be from within the sidewalk café and roadway café boundaries to seated patrons only and will follow all rules and regulations of the Dining Out NYC program.
6. There will be no commercial uses of the sidewalk area aside from accessing the demarcated area of the Dining Out NYC authorized sidewalk and/or roadway café from which all service to patrons must occur.
7. There will be no exterior music, speakers or TVs or speakers from the interior premises positioned to face out of any operable doors and/or windows towards the exterior premises.
8. There is no backyard garden or other outdoor area being used for commercial purposes aside from what is stipulated here.
9. All other stipulations agreed to and executed on 6/12/2019 with Community Board 2, Man. remain in effect.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for the alteration to the existing On-Premises Restaurant Liquor License for **LPB4 LLC dba La Pecora Bianca 265 Lafayette St aka 54 Prince St 10012**, to add seating under the Dining Out NYC Program **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and supplementary stipulations agreed to by the Applicant above are added to the existing NYSLA Liquor License.

Vote: Unanimous, 38 Board Members in favor.

2. Chez Fanfan Corp dba Chez Fanfan 510 Broome St 10013 (OP–Restaurant)

- i. **Whereas**, the Applicants and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate a traditional French brasserie restaurant located in the ground floor of a seven (7)-story, mixed-use building (c. 1900) on Broome Street between Thompson Street and West Broadway (Block #488/Lot #37), the building falling within the designated Special SoHo-NoHo Mixed Use District; and
- ii. **Whereas**, the ground floor premises is approximately 3,554 sq. ft. with 1,739 sq. ft. on the ground floor connected via an interior stairway to a 1,815 sq. ft. cellar, the cellar being used for storage only with no patron use; there will be 16 tables with 54 seats, one (1) bar with four (4) seats and for a total patron occupancy of 58 seats; there is one (1) entry which will serve as patron ingress and egress and two (2) bathrooms; the ground floor storefront is located above ground and accessed via a short stairway with a loading dock adjacent to the storefront premises; and

- iii. **Whereas**, the hours of operation will be from 8:30 AM to 11 PM Saturdays and Sundays and 11 AM to 10 PM Mondays through Fridays; music will be recorded quiet background consisting of music from iPod/CDs/streaming services as well as acoustic live jazz music (no brass, percussion, microphones or amplification) inclusive of any private parties; there will be no dancing, DJs, promoted events, no scheduled performances or cover fees, no velvet ropes, and no movable barriers; and
- iv. **Whereas** the location had previously operated with an On-Premises Restaurant Liquor License from approximately 2007 through July, 2024 as Aurora Soho Inc (Lic. ID #0340-23-133267, Legacy SN 1180926); and
- v. **Whereas**, there is no outdoor seating included with this application, the prior licensee at the having used the loading dock for outdoor seating but the current Dining Out NYC program having no provision for outdoor seating on loading docks, Section 5-11 of the Dining Out NYC rules stating that “a sidewalk café, other than an enclosed sidewalk café, shall be level with the sidewalk. No platforms, flooring...are permitted”, the Applicant agreeing that should the rules be modified in the future so as to permit such seating on the loading dock that any future outdoor seating would close by 10 PM daily; and
- vi. **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, traditional French brasserie with the kitchen open and full menu items available until closing every night.
 - 2. Hours of operation will 8:30 AM to 11 PM Saturdays and Sundays and 11 AM to 10 PM Mondays through Fridays. 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. There is no outdoor seating associated with this application.
 - 5. There may be not more than 2 tables and 6 seats on the loading dock located on the public sidewalk outside of the property line should the use of the loading dock become permitted by the Dining Out NYC rules in the future. All seating will end by 10 PM.
 - 6. Will play recorded background music at conversational levels as well as acoustic live jazz music (no brass, percussion, microphones or amplification) at background levels. This is inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 - 7. Will not have televisions.
 - 8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 - 9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 - 10. Will not make changes to the existing façade except to change signage or awning.
 - 11. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates

12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products
 14. Will not have dancing, DJ’s, promoted events, any event where a cover fee is charged or any scheduled performances, velvet ropes or barricades, security personnel or doormen.
 15. 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.
 16. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 17. Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- vii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the On-Premises Liquor License at this location, there being **51 active licensed premises** within 750 ft. and 5 pending licenses according to LAMP; the Applicant’s closing hours of 11 PM or earlier 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 not extending the hours; 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 **Chez Fanfan Corp dba Chez Fanfan 510 Broome St 10013** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous, 38 Board Members in favor.

3. Boots and Beer LLC 105 Wooster St 10012 (OP–Bottle Club) (previously unlicensed)

- i. **Whereas**, the Operations Manager and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee #1 via to present an application to the NYS Liquor Authority for a new Bottle Club License to operate a concessionaire within Tecovas brand western wear apparel store in ground floor of a six (6)-story, mixed-use building (c. 1892, renovated 2004) on Wooster Street between Spring and Prince Streets (Block #501/Lot #7501), the building falling within the NYC LPC’s SoHo-Cast Iron District and the designated Special SoHo NoHo Mixed Use District; and
- ii. **Whereas**, the ground floor premises is approximately 7,091 sq. ft with 3,923 sq. ft. on the ground floor connected to the 3,168 sq. ft basement by an interior stairway with no patron use of the basement; there will be one (1) bar with six (6) seats and approximately 14 other seats (couches for trying on boots and having a complimentary beverage) for a total seated

occupancy of 20 persons; there is (1) door which will serve as patron ingress and egress and one (1) patron bathroom; there is no sidewalk, roadbed or other outdoor seating; and

- iii. **Whereas**, the method of operation will be as a Western Wear apparel store from the Tecovas brand, (founded in 2015 in Austin, TX with currently 42 retail stores across the country, this being the first NY store) who has contracted with the Applicant, Boots & Beer LLC, to operate the concession area within the retail store for the purpose of providing a complimentary cocktail (limit of one cocktail per customer) from a licensed bartender to its customers during store hours of operation, those store hours being from 12 PM to 6 PM Sundays and 1 AM to 7 PM Mondays through Saturdays, there will be no TVs, music will be recorded background music only, there will be no private parties or private events; and
- iv. **Whereas**, the premises has previously been either vacant or operated as various retail stores without the service of alcohol in the past; and
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Bottle Club License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a concessionaire within Tecovas brand western wear apparel store.
 - 2. Service of alcohol will be limited to the 1st and 2nd floors.
 - 3. The hours of operation will be from 12 PM to 6 PM Sundays and 1 AM to 7 PM Mondays through Saturdays. No patrons will remain after stated closing time.
 - 4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 - 5. Service of alcohol will be limited to one drink per patron.
 - 6. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
 - 7. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 - 8. Will not have televisions.
 - 9. Will not have patron occupancy/service to any portion of the basement or third floor of licensed premises.
 - 10. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 - 11. Will not install or have French doors, operable windows or open facades
 - 12. Will not make changes to the existing façade except to change signage or awning.
 - 13. Will comply with NYC Department of Buildings Regulations including receipt of a temporary Certificate of Occupancy prior to opening and will keep current at all times required Permits and Certificates.
 - 14. There will be no “bottle service”.
 - 15. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades.

16. Will appear before CB2, Man. prior to submitting 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 and public convenience would be served by the granting of a liquor license at this location where there already are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being **35 active licensed premises** within 750 feet of the subject premises according to LAMP, in addition to 6 pending licenses, the hours and method of operation being reasonable, the applicant executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Bottle Club License in the name of **Boots and Beer LLC 105 Wooster St 10012** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous, 38 Board Members in favor.

4. Mishka NY LLC dba Mishka SoHo, 517-519 Broome St 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 new Restaurant Wine license to operate a full service restaurant described as a “friendly neighborhood restaurant that will serve authentic Eastern European cuisine” on the ground floor of a M1-5B-zoned, five (5)-story commercial building (c. 1890) on Broome Street between Sullivan and Thompson Streets (Block #476 / Lot #25) located in the Sullivan-Thompson Historic District; and
- ii. **Whereas**, the storefront premises to be licensed is approximately 800 sq. ft. with 10 tables and 28 seats and 1 standup bar with 12 seats, for a total occupancy of 40 patron seats in the premises, there will be one set of double doors at the entrance of the restaurant on Broome Street and two bathrooms; there is an existing Certificate of Occupancy for the premises which permits eating and drinking, Use Group 6 on the ground floor storefront level; and
- iii. **Whereas**, the hours of operation will be from 8 AM to 9 PM Sundays and 8:00 AM to 10 PM Mondays and Wednesdays, 8:00 AM to 11:00 PM Thursdays through Saturdays and closed on Tuesdays; music will be quiet background music only consisting of music from iPod/CD’s/streaming services, there may be DJs at private parties with not more than 12 private parties/year; there will be no: dancing, live music, promoted events, scheduled performances or cover fees, velvet ropes, movable barriers or security personnel; and

- iv. **Whereas**, the Applicant originally appeared before CB2, Manhattan in [May/2020](#) for an On-Premises Liquor License with a similar method of operation at which time CB2, Manhattan recommended approval of the application with signed stipulations – one of the stipulations being there will be no use of any outdoor space for commercial purposes as part of the public interest; the Applicant returned in [August/2023](#) for a Restaurant Wine application at the same location, the Applicant’s Attorney at the time stating that the On-Premises Liquor License application had been withdrawn from the NYSLA and that the Applicant had been operating the restaurant with a similar method of operation to the application presented in May/2020 since approximately mid-2020, albeit ostensibly without the service of alcohol, despite observations to the contrary, the August/2023 Restaurant Wine application including the use of the adjacent empty open-air parking lot (517 Broome Street, Block #47/Lot #26) for seating of 24 patrons, the parking lot being a separate zoning lot with a separate deed and no certificate of occupancy showing the use of eating and drinking was permitted; and
- v. **Whereas**, at the time of the Applicant’s August/2023 appearance before CB2, Manhattan, the Applicant had already been using the adjacent lot for seating, with a commercial outdoor kitchen with charcoal/wood burning grill located in the lot for outdoor cooking without providing documentation that proper permits had been acquired for an outdoor commercial kitchen or grilling in the adjacent lot, there being no direct access to the lot from the 519 Broome Street premises, patrons/servers needing to exit the restaurant premises to access the adjacent lot via a separate entry on Thompson Street; at its September/2023 full board meeting CB2, Manhattan unanimously voted to recommend denial of the Restaurant Wine application due to concerns that the Applicant would not relinquish the use of the unpermitted adjacent lot; the Applicant moved forward with the application at the NYSLA, receiving a temporary permit in early November/2024 for the service of beer and wine at 519 Broome Street; and
- vi. **Whereas**, the premises to be licensed was previously licensed under Anyway SoHo LTD dba Anyway Café (SN#1306122) from 2018 to 2020 with conditions on that license imposed by the NYSLA specifically including that the Eastern separate side lot, 517 Broome Street, was never to be used for outside dining, only for parking cars and that there be no sidewalk café; and
- vii. **Whereas**, at this month’s SLA Licensing Committee meeting the Applicant’s Attorney explained that the previously applied for Restaurant Wine application had been withdrawn from the NYSLA days earlier, the instant application being the same as what was presented to CB2, Manhattan in August/2023 but without the use of the adjacent lot at this time, there still being no Certificate of Occupancy or Letter of No Objection showing that the use for eating and drinking is permitted in the open-air parking lot at 517 Broome Street, the Applicant hoping to get permission to use it in the future; and
- viii. **Whereas**, concerns were raised about the Applicant’s ability to abide by rules and guidelines based on her past demonstrated behavior, the Applicant explaining the outdoor lot was used in 2023 to seat patrons during Covid, yet NYC lifted the Covid pandemic mask and vaccine mandates in early 2022, the Applicant was cooking and seating patrons in the lot in the summer of 2023 without proper permits while having a permit from DOT to use the sidewalk

for outdoor seating (without the service of alcohol) providing the Applicant with a DOT permitted area for outdoor seating during the Covid emergency, making the use of the adjacent lot to provide outdoor seating unnecessary, the Applicant and Applicant's Attorney stating the lot at 517 Broome Street was not included in this application yet the address listed on the 30-day notice received by CB2, Manhattan and the liquor license application already submitted to the NYSLA as 517-519 Broome Street; the Applicant was also asked about this year's New Year's Eve event (December/2024) which was posted on their website, with live performances, DJs, dancing and hours until 2 AM, despite the application that had been presented to CB2 in August/2023 and May/2020 (for which the Applicant signed stipulations) and in the instant application had closing hours not later than 11 PM, no dancing and no performances, the Applicant not having filed for a New Year's Eve permit to operate past their regular hours, the Applicant stating it was just for New Year's Eve and that it was irrelevant because the event was apparently cancelled at the last minute due to equipment being stolen; the Applicant also advertising the premises not only for "private events" but as a "venue rental" on their website "appealing to filmmakers for movies and creative projects,"... musicians and performers for a "cozy setting and good acoustics for small concerts and live shows".... Providing "lighting and sound equipment" for event space rental, despite the method of operation of the instant application, as well as all of the past applications submitted by the Applicant for this location, as being for a restaurant that is occasionally booked for a private party and not as an event space; and

- ix. **Whereas**, following the SLA Licensing Committee meeting, the Applicant was presented with a stipulation agreement which included all the elements presented to CB2 in the instant application as described by the Applicant including no use of the adjacent lot for any eating and drinking, limiting the private parties to 12x/year and an additional stipulation of no DJs during private events in an effort to ensure the premises operates as a restaurant which is how it was presented to CB2, and not as an event space with live shows and/or performances; and
- x. **Whereas**, the Applicant asking to lay the application over and return in February/2025 with her business partner for reconsideration before signing any stipulation agreement with CB2, Manhattan; 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 **Mishka NY LLC dba Mishka SoHo, 517-519 Broome St 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 38 Board Members in favor.

5. 218 Retail Partners LLC 218 Bowery 10012 (OP-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 an On-Premises Restaurant Liquor License to operate a classic American bistro in the ground floor of a four (4)-story transient single room occupancy hotel building (c. 1927) on Bowery between Prince and Spring Streets (Block #492/Lot #25), the building falling within NYC's designated Special Little Italy District; and
- ii. **Whereas**, the premises is approximately 7,000 sq. ft., with 3,500 sq. ft on the ground floor and 3,500 sq. ft. in the cellar, the cellar connected by both an interior stairway and an external sidewalk hatch with patron access to the cellar for bathroom purposes only; there are 25 tables and 75 seats and one (1) bar with 16 seats for a total interior seated occupancy of 91 persons; the premises has one door which will serve as patron ingress and egress and three (3) bathrooms; there is an expired temporary Certificate of Occupancy dated 04/11/2019 and no Public Assembly permit; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; there is no outdoor seating as part of this application; and
- iii. **Whereas**, the upper floors of the building are currently operated as the Nolita Express Hostel and previously more recently as the Bowery House and originally when opened in 1924 as The Prince Hotel, all of those iterations including the current operation incorporating the long standing single room occupancy features of this building which include rooms without windows but ceilings open to the whole floor with metal mesh wire ceilings and communal bathrooms on each floor similar to the many previously operated SRO's for which the Bowery is well known, and as recently as the early 2000's the upper floor rooms in the building were used as part of operations by an organization providing homeless services, the SRO Hotel having recently continued to also have rent regulated occupants in some of the rooms, the current status was unclear if there continued to be rent regulated tenants, the SRO hotel operated as the Nolita Express Hostel previously having been sought to also be licensed by this same applicant principal but withdrawn in October 2024, which notice for also included the rooftop which has previous violations for unpermitted patron occupancy by the NYC Department of Buildings and which rooftop continued to be used as recently as this past fall for patron occupancy including movie nights; the premises also being located across the street from The Bowery Mission one of the oldest rescue missions in the country and one of the oldest nonprofits in NYC having moved to this location in 1909 and which continues to provide hot meals and Chapel services 3 times daily, the Mission being a continuous fixture through the history of this area over the last century; and,
- iv. **Whereas**, the hours of operation will be from 8 AM to 2 AM Sundays through Saturdays (7 days a week); music will be at background levels consisting of music from iPod/CDs/streaming services and acoustic live jazz music (no percussion, horns, microphones or amplification); there will be no dancing, no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- v. **Whereas**, the premises to be licensed has previously operated with an On-Premises Restaurant Liquor License from 2019–2021 as Mister French NYC LLC dba Mister French

(Lic. ID # 0340-19-109244) with closing hours of 12 AM and 1 AM and from 2015–2017 as Icon Two LLC dba Rebelle with closing hours of 2 AM; and

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

1. Will operate a full-service restaurant, specifically an American bistro with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be from 8 AM to 2 AM Sundays through Saturdays (7 days a week). All patrons will be cleared, and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
5. Will play recorded background music at conversational levels only and there may be acoustic live jazz music (no percussion, horns, microphones or amplification) inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
6. Will not have televisions.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Patron occupancy of the cellar is for bathroom access only, there is no service of alcohol to any portion of the basement of the 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 receive a Certificate of Occupancy for the licensed premises prior to opening and maintain a valid Public Assembly permit at all times.
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. No sale of drinks to go.
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. There will be security Thursday to Sunday and as needed.
16. 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.
17. 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.
18. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
19. Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

- vii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a liquor license at this location where there already are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being **75 active licensed premises** within 750 feet of the subject premises according to LAMP, in addition to 6 pending licenses, the hours and method of operation being reasonable, the applicant executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Restaurant Liquor License in the name of **218 Retail Partners LLC 218 Bowery 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.

6. 220 Retail Partners LLC 220 Bowery 10012 (OP–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 an On-Premises Restaurant Liquor License to operate a restaurant serving American comfort food and traditional favorites at reasonable prices in the ground floor of a four (4)-story transient hotel building (c. 1927) on Bowery between Prince and Spring Streets (Block #492/Lot #25), the building falling within NYC’s designated Special Little Italy District; and
- ii. **Whereas**, the premises is approximately 3,000 sq. ft., with 1,500 sq. ft on the ground floor and 1,500 sq. ft. in the cellar, the cellar connected by an interior stairway and used for storage only with no patron access to the cellar; there are 13 tables and 26 seats and one (1) bar with 9 seats for a total interior seated occupancy of 35 patrons; the premises has one door which will serve as patron ingress and egress and one (1) bathroom; there is an expired temporary Certificate of Occupancy dated 12/08/2019 for an eating and drinking establishment on the 1st floor; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; there is no outdoor seating as part of this application; and
- iii. **Whereas**, the upper floors of the building are currently operated as the Nolita Express Hostel and previously more recently as the Bowery House and originally when opened in 1924 as The Prince Hotel, all of those iterations including the current operation incorporating the long standing single room occupancy features of this building which include rooms without windows but ceilings open to the whole floor with metal mesh wire ceilings and communal bathrooms on each floor similar to the many previously operated SRO’s for which the Bowery is well known, and as recently as the early 2000’s the upper floor rooms in the building were used as part of operations by an organization providing homeless services, the SRO Hotel

having recently continued to also have rent regulated occupants in some of the rooms, the current status was unclear if there continued to be rent regulated tenants, the SRO hotel operated as the Nolita Express Hostel previously having been sought to also be licensed by this same applicant principal but withdrawn in October 2024, which notice for also included the rooftop which has previous violations for unpermitted patron occupancy by the NYC Department of Buildings and which rooftop continued to be used as recently as this past fall for patron occupancy including movie nights; the premises also being located across the street from The Bowery Mission one of the oldest rescue missions in the country and one of the oldest nonprofits in NYC having moved to this location in 1909 and which continues to provide hot meals and Chapel services 3 times daily, the Mission being a continuous fixture through the history of this area over the last century; and,

- iv. **Whereas**, the hours of operation will be from 8 AM to 12 AM Sundays through Thursdays and 8 AM to 2 AM Fridays and Saturdays; music will be background levels consisting of music from iPod/CDs/ streaming services and acoustic live jazz music (no percussion, horns, microphones or amplification) and/or comedy shows up to 1x/week and is inclusive of any private parties or events; there will be no dancing, no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no security personnel or doorman; and

- v. **Whereas**, the storefront premises was previously operated from 2013–2017 as Pearl & Ash (Lic. ID # 0240-15-110864) a full-service restaurant with a restaurant wine license only, and prior to that the storefront premises operated as a restaurant supply store; and

- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Restaurant Liquor License, with those stipulations as follows:
 - 1. Will operate a full-service restaurant, specifically a restaurant serving American comfort food with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be from 8 AM to 12 AM Sundays through Thursdays and 8 AM to 2 AM Fridays and Saturday. 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, there may be acoustic live jazz music (no percussion, horns, microphones or amplification) and/or comedy shows up to 1x/week. Stipulations regarding music are inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 - 6. Will not have televisions.
 - 7. Will close all doors and windows at all times, allowing only for patron ingress and egress.

8. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 9. Will not install or have French doors, operable windows or open facades.
 10. Will not make changes to the existing façade except to change signage or awning.
 11. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer. No sale of drinks to go.
 13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
 14. No sale of drinks to go.
 15. Will not have any of the following: dancing, DJs, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel or doorman.
 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, Manhattan prior to submitting changes to any stipulation agreed to herein.
 18. Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- vii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a full on-premises liquor license at this location where one previously did not exist and where there already are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being **75 active licensed premises** within 750 feet of the subject premises according to LAMP, in addition to 6 pending licenses, the hours of operation being reasonable and being reduced Sundays through Thursdays to closing at 12 AM as a part of the public interest for the On-Premises Liquor License, the applicant executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a new On-Premises Restaurant Liquor License in the name of **220 Retail Partners LLC 220 Bowery 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.

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

7. Blake Rosso TBD Entity 341 Broome St 10013 (OP–Hotel)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on January 7, 2025, 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 **Blake Rosso TBD Entity 341 Broome St 10013 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 38 Board Members in favor.

8. Gap Inc dba Banana Republic 552 Broadway 10012 (OP–Bottle Club) (previously unlicensed)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on January 7, 2025, the Applicant requested **to lay over** this application to February/2025 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 **Gap Inc dba Banana Republic 552 Broadway 10012 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 38 Board Members in favor.

9. Casamata LLC 45 Blecker St 10012 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #1 Licensing Committee Meeting on January 7, 2025, 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 **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.

10. Boni Restaurant LLC dba Boni & Mott 238 Mott St Store 4 & 5 10012 (OP–Restaurant)
(previously unlicensed prior to their recent restaurant wine license)

- i. **Whereas**, during this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 7, 2025, the Applicant requested to lay over this application to February/2025 or another future date 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
- ii. **Whereas**, the Applicant appeared before CB2, Manhattan for their Restaurant Wine application in [September/2023](#), they signed and executed a stipulation agreement with CB2, Manhattan and the full board of CB2, Manhattan voted to recommend approval of the Restaurant Wine license; and
- iii. **Whereas**, the Applicant received their temporary license in Spring /Summer 2024 and their Restaurant Wine License in November/2024; and
- iv. **Whereas**, CB2, Manhattan received a letter, just prior to and unrelated to CB2's SLA Licensing Committee meeting, from the managing agent of the Prince Street Condominium located across the street from the licensed premises stating that residents in the building have repeatedly made noise complaints related to the establishment through both 311 and 911, those complaints stating that the premises had been operating as a lounge and not as a restaurant with noise emanating from the restaurant both during the daytime and evening hours having negative quality of life impacts on residents that are working from during the day and those that are trying to sleep at night; and
- v. **Whereas**, CB2, Manhattan also had concerns that the Applicant was returning so soon after receiving their Restaurant Wine license to upgrade their license to a full liquor license, contrary to some applications CB2 hears, the applicants did not state that they were applying for a Restaurant Wine license in order to get their temporary license sooner than would happen with an On-Premises license due to back log at the NYSLA as other applicants have stated, but presented the application initially as being the license they sought to accommodate their method of operation; given the issues raised by the neighboring Condo building CB2 felt it was important that outreach be done by the Applicants to those living in the immediate around the licensed premises, and that they operate with their Restaurant Wine license for some time in order to establish a track record within the community; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **Boni Restaurant LLC dba Boni & Mott 238 Mott St Store 4 & 5 10012** **until** the Applicant has returned to present 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.

11. Dun Huang Corp dba DH Noodles 15 W 8th St, store 2 10011 (Restaurant Wine)

Whereas, following this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 7, 2025, the Applicant requested **to lay over** this application to February/2025 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 **Dun Huang Corp dba DH Noodles 15 W 8th St, store 2 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 38 Board Members in favor.

NEW BUSINESS

12. 181 Mott Cafe LLC 181 Mott St 10012 (TW–Bar/Tavern) (previously unlicensed)

- i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #1 in [September/2024](#) to present an application to the NYS Liquor Authority for a Tavern Wine License to operate a dry goods store with a café located in a ground floor retail store within a five (5)-story commercial building (ca.1910) on Mott Street between Broome and Kenmare Streets (Block #480/Lot #35), this building falling within the designated Special Little Italy District; and
- ii. Whereas**, following the September/2024 CB2, Manhattan's SLA #1 Licensing Committee Meeting the Applicant requested to withdraw this application from further consideration while they explore whether or not the rear yard can be included in the application, 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

iii. Whereas, the Applicant's Attorney reached out to CB2, Manhattan after this month's SLA Committee meetings stating that the Applicant is removing the use of the rear yard from the proposed licensed premises and would abide by all stipulations agreed to in September/2024; and

iv. 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 Tavern Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a dry goods store with a café with less than a full service kitchen but will serve food during all hours of operation.
2. The hours of operation will be from 9 AM to 10 PM Sundays through Saturdays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
5. There will be no use of the rear yard by patrons or employees at any time.
6. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
7. Will have not more than 20 private parties /events per year.
8. Will not have televisions.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will ensure doorway to the common hallway and to basement is an alarmed door to prevent patron and employee access aside from in case of emergency.
11. Will not install or have French doors, operable windows or open facades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to opening for such purpose
15. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
16. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or barricades or doormen/security personnel.
17. 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.
18. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.

19. 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 **105 active licensed premises** within 750 feet of the proposed premises according to LAMP to be licensed and an additional 8 pending licenses within this same area, this application being for the service of beer and wine only and thus not subject to the 500 Foot Rule; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for new Tavern Wine License for **181 Mott Cafe LLC 181 Mott St 10012**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the NYSLA Liquor License.

Vote: Unanimous, 38 Board Members in favor.

SLA 2 LICENSING

1. **French Roast Inc dba La Contenta Oeste 78 W 11th St 10011** (OP–Restaurant, Lic. ID #0340-23-130196, exp. 3/31/2025) (Corporate Change)

- i. **Whereas**, the Applicant and the Applicant’s Representative appeared before Community Board 2, Manhattan’s SLA #2 Committee to present an application for Corporate Change to the existing On-Premises Restaurant Liquor license to operate family restaurant with a Mexican menu in a six (6)-story, mixed use building with walk-up apartments (c. 1915) on the southeast corner of West 11th Street and 6th Avenue (Block #574/Lot #7), the building falling within NYC LPC’s designated Greenwich Village Historic District; and;

- ii. **Whereas**, the ground floor storefront premises is roughly 1,500 sq. ft.; there are 19 tables and 52 seats, one (1) bar with seven (7) seats and six (6) tables for a total seated patron occupancy of 59 persons; there is one entrance serving as patron ingress and egress and two (2) bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; the corporate entity has operated under different DBAs at the location since approximately 1993; and

- iii. **Whereas**, there will be no change in method of operation, the hours of operation will be Sundays through Wednesdays from 7 AM to 1 AM and Thursdays through Saturdays from 7 AM to 4 AM, music is quiet background music only, there are no televisions, no dancing, DJs, live music, promoted events, any event where a cover fee is charged, no performances, no security; and

- iv. **Whereas**, the Corporate Change is to remove the two existing minority principals with the remaining principal holding 100% interest in the Corporation; and
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the Restaurant Wine License, with those stipulations as follows:
1. The Applicant will operate a full-service, Mexican restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be Sundays through Wednesdays from 7 AM to 2 AM and Thursdays through Saturdays from 7 AM to 4 AM.
 3. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 4. There is no backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating included with this application.
 5. Any future outdoor seating on the sidewalk or roadway will end at 10 PM Mondays through Thursdays and 11 PM Fridays and Saturdays. No exterior music, speakers or TVs.
 6. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 7. Will not have televisions.
 8. Will 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 facade except to change signage or awning.
 11. Will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
 12. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
 13. It 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 comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 15. 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.
 16. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 17. Will appear before CB2, Man. for change in method of operation/alteration 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 Corporate Change to the existing On-Premises Restaurant Liquor License for **French Roast Inc dba La Contenta Oeste 78 W 11th St 10011** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous, 38 Board members in favor.

2. Tapestry Management LLC dba Semma 60 Greenwich Ave 10011 (OP–Restaurant, Lic. ID # 0340-22-115088, exp. 3/31/2026) (Corporate Change)

- i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA #2 Committee to present an application for Corporate Change to the existing On-Premises Restaurant Liquor license to operate an Indian restaurant in a three (3)-story, mixed use building (c. 1839, altered c. 2015) located on Greenwich Avenue between West 11th Street/7th Avenue South and West 10th Street (Block #606/Lot #25), the building falling within NYC LPC’s designated Greenwich Village Historic District; and
- ii. Whereas,** the ground floor storefront premises is roughly 2,894 sq. ft. (1,360 sq. ft on the ground floor and 1,534 sq. ft in the basement with no patron use of the basement); there are 18 tables and 56 seats, one (1) bar with ten (10) seats for a total seated patron occupancy of 66 persons; there is one entrance serving as patron ingress and egress and one (1) bathroom, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and
- iii. Whereas,** there will be no change in method of operation, the hours of operation will be Sundays through Saturdays from 5 PM to 12 AM, music is quiet background music only, there are no televisions, no dancing, DJs, live music, promoted events, any event where a cover fee is charged, no performances, no security; and
- iv. Whereas,** the Corporate Change is to add investors under a new investor group, the current principal and majority stakeholder remains the majority stakeholder of the new investor group; and
- v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the Restaurant Wine License, with those stipulations as follows:
 1. The Applicant will operate a full-service neighborhood restaurant serving authentic regional south Indian cuisine with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be Sundays through Saturdays from 5 PM to 12 AM.
 3. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 4. There is no backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating associated with this application.
 5. Any future outdoor seating operating under Dining Out NYC program will close no later than 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays. All service will be from within the sidewalk/roadway café boundaries to seated patrons only and will

follow all rules and regulations of the Dining Out NYC program. No exterior music, speakers or TVs..

6. Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Will close all doors and windows at 9 PM every night, allowing only for patron ingress and egress.
9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing facade except to change signage or awning.
12. Will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
13. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
14. It 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.
15. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
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.
18. Will appear before CB2, Man. for change in method of operation/alteration 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 Corporate Change to the existing On-Premises Restaurant Liquor License for **Tapestry Management LLC dba Semma 60 Greenwich Ave 10011** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Unanimous, 38 Board Members in favor.

3. **AW Hospitality LLC, dba Drai’s Supper Club, 244 West 14th Street 10014** (OP–Restaurant)
(Change in Method of Operation)
 - i. **Whereas**, in [March/2021](#) the Applicant appeared before Community Board 2, Manhattan’s SLA Committees #1 & #2 to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a full service, high-end steakhouse restaurant in the ground floor and basement of a C6-2A-zoned, 2-story commercial building (c. 1920) on West 14th Street between 7th and 8th Avenues (Bock #618/Lot #10); and

- ii. **Whereas**, at its March/2021 full board meeting, CB2, Manhattan unanimously recommended approval of their application conditioned upon the statements presented by the Applicant being accurate and complete and that the conditions and stipulations agreed to by the Applicant remained incorporated into the "Method of Operation of the SLA On-Premises License; and
- iii. **Whereas**, the Applicant was unable to move forward at the NYSLA at that time and on July 17/2023, CB2 Manhattan received renotification of their intention to move forward with the application, there being no change in principals or method of operation; the application affirming this by re-signing stipulations and confirming the principals; CB2, Man. again recommending approval of their liquor license application in [September/2023](#); and
- iv. **Whereas**, over the course of the 3½ years it has taken this application to move forward, the Applicant has made some changes to the application, most notably the branding of the licensed premises and agreed to return to CB2 Manhattan's SLA Licensing Committee to review the application and make some changes to the method of operation, the original principals remaining the same, there being a change in branding from a steakhouse to a high-end French restaurant using the DBA as Drai's Supper Club, the Drai's brand known in Las Vegas for their luxury nightlife establishments (Drai's Beachclub, Nightclub, Comedy Club and After Hours Club); and
- v. **Whereas**, concerns were raised by both CB2, Manhattan and local residents that the premises would no longer operate as a restaurant but rather as a nightclub based on the reputation of the other Drai's establishments and that the location of the instant application operated as a variety of high profile clubs over the years including Nell's from 1996 to 2004 followed by The Darby and most recently Up and Down which closed in 2020; and
- vi. **Whereas**, the Applicant did outreach to the local residents that had experienced negative quality of life issues in regards to crowds on the sidewalk and loud music being heard in their apartments from the premises, due in part to a rear door being kept open and agreed to add additional stipulations to their method of operation to assure the residents that while they were operating as a high-end restaurant and not as a club, they would put safeguards in place to help alleviate the residents' concerns; and
- vii. **Whereas**, the change in method of operation the Applicant is seeking is to add acoustic live music to the ground floor restaurant, primarily consisting of a piano (no brass, percussion, microphones) and to add security/doormen; and
- viii. **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. Premise will be advertised and operated as a full-service French restaurant with a caviar lounge in the cellar with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be from 12:00 PM to 12:00 AM Sundays through Tuesdays and 12:00 PM to 2:00 AM Wednesdays through Saturdays. No patrons will remain after stated closing time.
3. Will not operate as a Club, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not have televisions.
5. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating now or in the future.
6. Will play recorded background music at conversational levels only and may have live acoustic music, primarily piano (no brass instruments, percussion, microphones or amplification) at background levels on the ground floor. The cellar will have recorded background music only with the exception of private parties in the basement which may have DJs or acoustic live music (no brass instruments, percussion, microphones or amplification). Will install and calibrate sound limiter to ensure that no music will be audible in any adjacent residences at any time.
7. Will have not more than 24 private parties per year.
8. Will do a sound test involving the residents to ensure soundproofing is sufficient so as to prevent music and bass from being heard in residential homes, particularly when there may be DJs.
9. Will not have televisions.
10. Will close all doors and windows at all times, allowing only for patron ingress and egress.
11. 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.
12. Will ensure emergency egress from cellar to the common hallway is an alarmed door to prevent patron and employee access aside from in case of emergency.
13. There will be no use of rear yard by patrons or staff. Door to rear yard will be closed and alarmed at all times.
14. Will not install or have French doors, operable windows or open façades.
15. Will not make changes to the existing façade except to change signage or awning.
16. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
17. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
18. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
19. Will not have: dancing, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
20. 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.
21. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

- ix. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a liquor license at this location where there already are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being **51 active licensed premises** listed on LAMP within 750 feet of the subject premises, in addition to 7 pending licenses, the Applicant having operated for approximately two years at this location without incident, the Applicant having done outreach to area residents and included stipulations to mitigate any previous issues residents had with prior operations including working with residents in conducting sound tests, that the rear door would be closed at all times, that there would be no lines on the exterior, the agreed upon stipulations being reasonable and the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Restaurant Liquor License in the name of **AW Hospitality LLC, dba Drai's Supper Club, 244 West 14th Street 10014** **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the "Method of Operation" of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license..

Vote: Unanimous, 38 Board Members in favor.

4. **Hotel Gansevoort Group LLC & WSA-NY Manager LLC dba Gansevoort Hotel 18 Ninth Ave 10014** (OP-Hotel) (Alteration: to add cellar space and ground floor stairway) (Lic. ID #0343-23-116004 Legacy ID #146037, exp. 2/28/2026)
 - i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA #2 Licensing Committee to present an alteration application to add cellar space and a ground floor stairway which is currently licensed under 18 9th Avenue Membership Club Corp dba Seven24 Collective (Lic. ID # 0349-24-100160, Legacy ID #6008067, exp. 12/31/2025) to the Gansevoort Hotel's Liquor License; the 13-story building (c. 2003) located on 9th Avenue between 13th and Gansevoort Streets includes a luxury hotel, a separately licensed private membership club and a separately licensed café (WSA Café LLC, WSA-NY Manager dba C+C Coffee + Cocktails, Lic. ID #0340-23-130812, exp. 5/31/2025); and
 - ii. **Whereas**, there is also an ancillary Change in Method of Operation (to extend rooftop hours) and Alteration Application to the 18 9th Avenue Membership Club Corp Liquor License to remove the cellar space and ground floor stairway being added to the Gansevoort Hotel's license in the instant application from the 18 9th Avenue Membership Club Corp liquor license; and
 - iii. **Whereas**, the ground floor stairway being added to the Gansevoort Hotel's liquor license is located in the Hotel lobby, accessed via the 9th Avenue side of the Hotel and will serve as the

only means of patron ingress and egress to the newly added cellar space (aside from any emergency egress); and

- iv. **Whereas**, the cellar space being added is located on the 9th Avenue side of the cellar and consists of two bowling lanes, a karaoke area and a private room, there was no sq. ft. supplied with the application for the cellar space being added to the Hotel license, the cellar also containing areas for the private members club which is open only to members of the private members club, those areas consisting of a fitness area, conference room, elevators and the kitchen which services the private membership club; and
- v. **Whereas**, the hours of operation in the cellar will be 7 AM to 4 AM Sundays through Saturdays (7 days a week), there will be approximately 25 tables and 81 seats with one (1) bar with six (6) seats for a total seated patron occupancy of 87 patrons, no legal occupancy for the area being added was supplied; music will consist of recorded music, DJs, live music and karaoke at entertainment levels; there may be patron dancing but there will not be employee or staff dancing, there may be up to three (3) TVs, there will be no promoted events but there may be scheduled performances and cover fees; and
- vi. **Whereas**, the Hotel has had a significant, negative history with the surrounding Community in the past, the Applicant having operated the existing Hotel Gansevoort, including rooftop Plunge bar (currently part of 18 9th Avenue Membership Club Crop), ground floor restaurant with exterior bar (currently split between the Hotel Liquor License dba Le Coin and the Membership Club) and Provocateur nightclub (now separately licensed as Maizon New York LLC & Gansevoort LLC (Lic. ID #0340-23-136130, exp. 8/31/2025), generating numerous complaints and problems over the years caused by amplified music, the use of exterior speakers, mechanical rooftop and excessively large crowds, those complaints and problems having been reviewed in the past by this Community Board resulting in certain remedial measures in 2012 followed by repeated requests from the Community Board in 2014 and again in 2016 for the Applicant to appear and to help resolve the noise disturbances to those living around the Hotel, with the Applicant refusing to appear for this purpose; and
- vii. **Whereas**, while since 2018 the Applicant has been responsive to complaints and concerns generated by the Hotel's operations, the Applicant still seeks to operate exterior areas of the rooftop until 4AM under the Hotel's liquor license, CB2's understanding being that the exterior hours for the rooftop facing Hudson Street (Eastern Terrace) and 13th Street (Northern Terrace), which had caused many of the issues to residents living across the street, were 11 AM to 12 AM/midnight, those hours also being the hours presented to CB2 by the Applicant when an application was submitted in September/2018 for an alteration to the Hotel's liquor license to add ground floor space, that application having nothing to do with the rooftop and therefor the rooftop hours provided were not then part of a negotiation with the community but were a description of the method of operation currently in place at that time, that application ultimately being withdrawn; the Applicant stating in regards to the instant application that he has not had complaints from residents in recent years and therefore should have 4 AM hours on the exterior rooftop, the Hotel's current method of operation for the rooftop Eastern Terrace being run as a high-end Japanese Omakase restaurant with seated

service and closing by midnight and the Rooftop Loft with exterior seating on the Northern Terrace closing by midnight – the hours listed on the website for the interior of the premises are no later than 1:30 AM; the Applicant seemingly operating with the hours presented in September/2018 which is mitigating the previous complaints from residents and why he is not receiving complaints; and

- viii. Whereas,** while not directly part of the instant application, the Applicant expressed his intent to file for sidewalk seating under the DOT Dining Out NYC program (having been operating through the temporary program in a non-compliant manner by taking up the entirety of the sidewalk on 9th Avenue adjacent to the Hotel, leaving only the public, cobblestoned Gansevoort Plaza running along 9th Avenue for pedestrian passage) and requested closing hours of 11 PM Sundays to Thursdays and 12 AM Fridays and Saturdays with all service taking place to seated patrons from within whatever sidewalk café area would be approved under the Dining Out NYC program, stating in exchange that he would remove the request for the Change in Method of Operation to extend rooftop hours from the 18 9th Avenue Membership Club Corp application, the SLA Licensing Committee finding that a reasonable compromise as the negative impact to area residents would come from the later rooftop hours as opposed to the proposed sidewalk hours; and
- ix. Whereas,** as the diagrams submitted and method of operation was not presented for each separate area of the Hotel Liquor License, and as these areas continue to flow from one entity to another, as in this case where the cellar is moving from the private members club to the Hotel without clearly defined sq. ft., seating, music levels, etc., with there being another application this month to transfer the Hotel License to a new entity, the Applicant’s Attorney agreed that it would be beneficial to all for any proposed stipulations to be done in detail with the various areas and different method of operations outlined, these stipulations were presented to the Applicant and there continue to be requests for changes to be made in regards to stipulations that have previously been agreed to between the Applicant and CB2, Manhattan, the Applicant not including a Change in Method of Operation for the Hotel Liquor License in addition to the Alteration application and therefore not discussing any of these changes at CB2’s Licensing Committee which is the appropriate avenue to work things out with the community; and
- x. Whereas,** as the three applications on the January/2025 agenda for the Gansevoort Hotel building at 18 9th Avenue are all intertwined and can not be isolated from each other, the Alteration to add the cellar space to the Hotel License entails knowing the details of the other licensed areas of the Hotel in order to properly weigh the impacts, there being a concurrent application to transfer the altered Hotel Liquor License from Hotel Gansevoort Group LLC & SWA-NY Manager LLC to Gansevoort LLC & WSA-NY Manager LLC, that application being considered as a new Hotel Liquor License, the Applicant not requesting to return to CB2’s SLA Licensing Committee to clarify and work out the details and also not agreeing to signing a stipulation agreement; and

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends **denial** of the Alteration application for **Hotel Gansevoort Group LLC & WSA-NY Manager LLC dba Gansevoort Hotel 18 Ninth Ave 10014**; and

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 SLA.

Vote: Unanimous, 38 Board Members in favor.

- 5. 18 9th Avenue Membership Club Corp dba Seven24 Collective 18 Ninth Ave 10014 (OP–Club) (Alteration: remove cellar space) (Change in Method of Operation: extend rooftop hrs)**
 - i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA #2 Licensing Committee to present an alteration application to remove part of the cellar space and a ground floor stairway which is currently licensed as part of the private Membership Club, 18 9th Avenue Membership Club Corp dba Seven24 Collective (Lic. ID # 0349-24-100160, Legacy ID #6008067, exp. 12/31/2025) and a change in method of operation to extend the hours of the glass enclosed rooftop area that is part of the Membership Club to 4 AM; the private membership club being located in parts of the cellar, ground floor, mezzanine and rooftop of a 13-story building (c. 2003) located on 9th Avenue between 13th and Gansevoort Streets which operates primarily as a separately licensed luxury hotel, and includes a separately licensed café (WSA Café LLC, WSA-NY Manager dba C+C Coffee + Cocktails, Lic. ID #0340-23-130812, exp. 5/31/2025); and
 - ii. Whereas**, there is also an ancillary Alteration Application for the Hotel Gansevoort Group LLC & WSA-NY Manager LLC dba Gansevoort Hotel 18 Ninth Ave 10014 Liquor License (Lic. ID #0343-23-116004 Legacy ID #146037, exp. 2/28/2026) to add the cellar space and ground floor stairway being removed as part of the instant application for 18 9th Avenue Membership Club Corp liquor license to the Hotel Gansevoort Liquor License; and
 - iii. Whereas**, the ground floor stairway being removed from the Membership Club liquor license provided the only 9th Avenue access to the cellar area of Membership Club, the cellar space being removed contained two bowling lanes, a karaoke area and a private room; with the removal of the stairway and partial cellar space, access to the Membership Club in the cellar is via a ground floor stairway located inside the ground floor area of the Membership Club, the ground floor entry to the Membership Club being on 13th Street, there is also a dedicated elevator for the Membership Club which strictly goes between the cellar and the Membership Club area of the rooftop, there is no other access to the Membership Club rooftop space other than the cellar level elevator, it is questionable how ADA access is achieved from the ground floor to the cellar; and
 - iv. Whereas**, the Change in Method of Operation is to extend the hours of the glass enclosed rooftop area, which includes operable walls and a retractable roof, from 2 AM to 4 AM, the

current method of operation imposed by the NYSLA for the Membership Club on the rooftop is:

1. Hours of operation from 7 AM to 2 AM Sundays through Saturdays.
 2. The Nano glass walls separating both the exterior pool area and Western Terrace from the glass enclosed “Lounge” area must be closed by 12 AM daily.
 3. All exterior music on the rooftop is quiet background only at all times so as not to cause a disturbance to neighboring residents.
 4. All exterior speakers on the rooftop are turned off by 12 AM daily; and
- v. **Whereas**, the Hotel has had a significant, negative history with the surrounding Community in the past, the Applicant having operated the existing Hotel Gansevoort, including rooftop Plunge bar (currently part of 18 9th Avenue Membership Club Corp), ground floor restaurant with exterior bar (currently split between the Hotel Liquor License dba Le Coin and the Membership Club) and Provocateur nightclub (now separately licensed as Maizon New York LLC & Gansevoort LLC (Lic. ID #0340-23-136130, exp. 8/31/2025), generating numerous complaints and problems over the years caused by amplified music, the use of exterior speakers, mechanical rooftop and excessively large crowds, those complaints and problems having been reviewed in the past by this Community Board resulting in certain remedial measures in [2012](#) followed by repeated requests from the Community Board in [2014](#) and again in [2016](#) for the Applicant to appear and to help resolve the noise disturbances to those living around the Hotel, with the Applicant refusing to appear for this purpose; and
- vi. **Whereas**, members of the community wrote letters and came to speak against an extension of hours for the Membership Club rooftop due to the past problems with noise coming from the rooftop, those problems having been mostly mitigated by both the reduction in hours of operation and hours for rooftop music from when the Hotel first licensed the rooftop, no one came to speak in support of the application; and
- vii. **Whereas**, during the course of reviewing the Applicant’s Alteration Application to the Hotel Gansevoort Group LLC & WSA-NY Manager LLC dba Gansevoort Hotel 18 Ninth Ave 10014 Liquor License at this month’s SLA #2 Committee Meeting, the Applicant expressed his intent to file for sidewalk seating under the DOT Dining Out NYC program (having been operating through the temporary program in a non-compliant manner by taking up the entirety of the sidewalk on 9th Avenue adjacent to the Hotel, leaving only the public, cobblestoned Gansevoort Plaza running along 9th Avenue for pedestrian passage) and requested closing hours of 11 PM Sundays to Thursdays and 12 AM Fridays and Saturdays with all service taking place to seated patrons from within whatever sidewalk café area would be approved under the Dining Out NYC program, stating in exchange that he would remove the request for the Change in Method of Operation to extend rooftop hours from the 18 9th Avenue Membership Club Corp application, the SLA Licensing Committee finding that a reasonable compromise as the negative impact to area residents would come from the later rooftop hours as opposed to the proposed sidewalk hours; and
- viii. **Whereas**, as of the writing of this resolution, the Applicant has not submitted a withdrawal of the Change in Method of Operation, the instant application to remove the cellar space from

the Membership Club is dependent on the licensed cellar space being added to the Gansevoort Hotel license which CB2, Manhattan does not have an agreement on, the Applicant having been sent stipulations outlining the current method of operation for the Membership Club incorporating the removal of the cellar space and has not returned those stipulations, is presumably suggesting changes to the stipulations and has not requested to lay the application over until next month to afford CB2, Manhattan and the community the opportunity to come to an agreement on stipulations; and

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends denial of the Alteration and Change in Method of Operation applications for **18 9th Avenue Membership Club Corp dba Seven24 Collective 18 Ninth Ave 10014**; and

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.

6. Gansevoort LLC & WSA-NY Manager LLC dba Gansevoort Hotel, Le Coin, Saishin, Rooftop Loft 18 Ninth Ave 10014 (OP–Hotel) (Transfer)

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA #2 Licensing Committee for a new On-Premises Hotel Liquor License via an asset purchase from Hotel Gansevoort Group LLC & WSA-NY Manager LLC dba Gansevoort Hotel 18 Ninth Ave 10014 Liquor License (Lic. ID #0343-23-116004 Legacy ID #146037, exp. 2/28/2026) to operate a hotel throughout a 13-story building (c. 2003) located on 9th Avenue between 13th and Gansevoort Streets which currently operates primarily as a licensed luxury hotel, and includes also within its footprint a Private Membership Club (18 9th Avenue Membership Club Corp dba Seven24 Collective (Lic. ID # 0349-24-100160, Legacy ID #6008067, exp. 12/31/2025) and includes a separately licensed café (WSA Café LLC, WSA-NY Manager dba C+C Coffee + Cocktails, Lic. ID #0340-23-130812, exp. 5/31/2025); and
- ii. Whereas**, the application presented did not clearly define the separate and distinct restaurants, lounges and other seating areas of the hotel, the trade names listed as part of the instant application being Gansevoort Hotel, Le Coin, Saishin, Rooftop Loft yet none of the diagrams provided listed those areas demarcated, there was no number of seats ascribed to each area, no square footage, the hours presented were the maximum hours which a small area, not the majority, of the Hotel currently operates under and no specific hours listed for each area, nor was there a description of method of operation, TVs, music levels, DJs, any performances for each of the separate and distinct areas; and
- iii. Whereas**, there is also an ancillary Alteration Application for the Hotel Gansevoort Group LLC & WSA-NY Manager LLC dba Gansevoort Hotel 18 Ninth Ave 10014 Liquor License (Lic. ID #0343-23-116004 Legacy ID #146037, exp. 2/28/2026) to add the cellar space and

ground floor stairway being removed as part of the instant application for 18 9th Avenue Membership Club Corp Liquor License (Lic. ID # 0349-24-100160, Legacy ID #6008067, exp. 12/31/2025) to the Hotel Gansevoort Liquor License; and

- iv. **Whereas**, as the ancillary Alteration Application for the Hotel Gansevoort Group LLC & WSA-NY Manager LLC dba Gansevoort Hotel also did not include specifics of the separate and distinct areas of the hotel including hours or method of operation, the Applicant not having signed the stipulation agreement for the alteration application, the Applicant also not requesting to lay the application over for either the alteration to the Hotel or the instant transfer application in an effort to come to an agreement with the community; and
- v. **Whereas**, there is no agreement in place on the Hotel Gansevoort Group LLC & WSA-NY Manager LLC dba Gansevoort Hotel Liquor License that is the asset purchase of the instant application nor any details provided for the new On-Premises Hotel Liquor License, and no request made by the Applicant to lay the application over and return to CB2, Manhattan to review the specifics of the new On-Premises Hotel Liquor License; and

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends **denial** of the new On-Premises Hotel Liquor License application for **Gansevoort LLC & WSA-NY Manager LLC dba Gansevoort Hotel, Le Coin, Saishin, Rooftop Loft 18 Ninth Ave 10014**; and

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

THEREFORE, BE IT FURTHER RESOLVED that if this application is considered by the NYSLA, despite CB2, Manhattan's recommendation to deny this application, CB2 requests that the NYSLA conduct a 500-foot hearing.

Vote: Unanimous, 38 Board Members in favor.

7. 432 Sixth Avenue Restaurant LLC 432 Sixth Ave 10011 (OP-Restaurant)

- i. **Whereas**, the Applicants and Applicant's Attorney appeared before Community Board 2, Manhattan's SLA #2 Licensing Committee for a new On-Premises Liquor License to operate a full-service restaurant serving Eastern European and Eastern Mediterranean food and craft cocktails in the ground floor and mezzanine of a three (3)-story commercial building (c. 1968) on 6th Avenue between West 10th and West 9th Streets (Block #537/Lot #5), this building falling within NYC LPC's designated Greenwich Village Historic District; and
- ii. **Whereas**, the storefront proposed to be licensed has previously been licensed with a full liquor license (Village Eats 10011 LLC dba Umami Burger, Lic ID #0340-17-108535, exp. 6/30/2019) since at least 2012; the interior storefront is approximately 4,580 sq. ft with 1,700 sq. ft on the ground floor, 1,034 sq. ft on the mezzanine and 1,846 sq. ft in the basement, the basement, the floors being connected by an interior stairway with no patron use of the

basement, the basement being used for storage only; there will be 16 tables and 41 seats and 1 bar with 13 seats on the ground floor, and 18 tables with 48 seats on the mezzanine for a total seated patron occupancy of 102 patrons, there is one (1) entry used for patron ingress and egress, two (2) emergency exits and three (3) bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

- iii. **Whereas**, the Applicant indicated that the landlord was considering leasing the 3rd floor apartment of this 3-story building to the primary Principals of the Applicant, they did state that the 3rd floor would not be connected to the restaurant or used for patrons or any other activities connected to the proposed licensed premises; and,
- iv. **Whereas**, the Applicant's hours of operation will be Sundays from 11 AM to 12 AM, Mondays 9 AM to 12 AM, Tuesdays through Fridays from 9 AM to 1 AM and Saturdays from 11 AM to 1 AM (last call is at 11:30 PM Sundays and Mondays and 12 AM Tuesdays through Saturdays), music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions and no outdoor seating; 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. The premises will be advertised and operated as a full-service Eastern European restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be Sundays from 11 AM to 12 AM, Mondays 9 AM to 12 AM, Tuesdays through Fridays from 9 AM to 1 AM and Saturdays from 11 AM to 1 AM (last call is at 11:30 PM Sundays and Mondays and 12 AM Tuesdays through Saturdays). No patrons will remain after stated closing time.
 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
 5. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
 6. Will not have televisions.
 7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 8. Will ensure doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in case of emergency.
 9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 10. Will not install or have French doors, operable windows or open facades.
 11. Will not make changes to the existing façade except to change signage or awning.

12. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 14. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
 15. Will be open to the public at all times.
 16. 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.
 17. 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.
 18. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 19. Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- 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 **59 active licensed premises** within 750 ft. and 6 pending licenses according to LAMP; the hours and agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new on premise liquor license to **432 Sixth Avenue Restaurant LLC 432 Sixth Ave 10011** **unless** the statements the Applicant has presented are accurate and complete and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous, 38 Board Members in favor.

8. **Mino Wine Bar LLC dba Mino Brasserie 225 W 12th St 10011** (Class Change) (OP–Restaurant) (Dining Out NYC-sidewalk)
 - i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA #2 Licensing Committee to present an application to the NYS Liquor Authority for a class change of their Restaurant Wine License (Lic ID # 0240-22-101282, exp. 9/30/2026) to an On-Premises Restaurant Liquor License to operate a neighborhood Parisian bistro within a ground floor storefront located within a six (6)-story mixed-use building (c. 1926, altered 1988) on West 12th Street at the northeast corner of West 12th Street and Greenwich Avenue (Block

#617/Lot #21), this building falling within NYC LPC's designated Greenwich Village Historic District; and

- ii. **Whereas**, the ground floor storefront location has been operated as a Wine Bar and Brasserie by the Applicant since it opened in 2022 with a restaurant wine license, the storefront location having never previously operated with an on premises liquor license subject to 500 foot rule requiring the Applicant to satisfy the public interest standard; and
- iii. **Whereas**, the ground floor storefront is roughly 3,000 sq. ft. (1,800 sq. ft. ground floor and 1,200 sq. ft. basement, the basement accessed via a sidewalk hatch with no patron access to the basement), the ground floor space having 27 tables with 52 patron seats, 1 stand-up bar with 12 seats for a total interior patron seated occupancy of 64 seats, with a single patron entrance on the corner of West 12th Street and Greenwich Avenue, two (2) bathrooms, in addition to casement windows running along the front facade which open out to the sidewalk; and
- iv. **Whereas**, the hours of operation proposed are Sundays through Wednesdays from 12 PM to 12 AM and Thursdays through Saturdays from 12 PM to 1 AM, interior music being at background levels only, with no dancing, TVs, DJs, no promoted events, no scheduled performances or cover fees, no security; and
- v. **Whereas**, there will be a sidewalk café operating under the Dining Out NYC program consisting of not more than 1 table and 2 seats on Greenwich Avenue and 7 tables and 14 seats on West 12th Street, the seating being similar to what the prior licensee had at the location under the pre-pandemic sidewalk café program (Mirtos Restaurant Inc dba Village Den Restaurant Lic ID # 0240-17-109013), all service will be to seated patrons only and will occur from within the sidewalk café, the sidewalk café will close no later than 10:30 PM Sundays through Saturdays, there will be no exterior music, speakers or TVs; and
- vi. **Whereas**, the Applicant previously appeared before CB2, Manhattan in December/2023 for an upgrade to their Restaurant Wine license, at which time CB2 recommended denial of the application for the reasons outlined in the [December/2023](#) resolution, many of those reasons having to do with problematic outdoor seating at the Applicants two other locations, (194-196 Spring Street and 302-304 West 4th Street) the Applicant having since closed the Spring Street location; there being no known complaints regarding the Applicant's method of operation at this location since opening and no one appeared or submitted testimony in opposition to the instant application; and
- vii. **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 advertised and operate as a full-service, authentic French style restaurant with the kitchen open and full Sundays through Wednesdays from 12 PM to 12 AM and Thursdays through Saturdays from 12 PM to 1 AM. All patrons will be cleared and no patrons will remain after stated closing time.
2. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
3. Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café operating under the Dining Out NYC program consisting of not more than 7 tables and 14 seats on West 12th Street and 1 table and 2 seats on Greenwich Avenue. All service will be from within the sidewalk café boundaries to seated patrons only and will follow all rules and regulations of the Dining Out NYC program. No exterior music, speakers or TVs.
4. Sidewalk café will close no later than 10:30 PM. All tables and chairs will be secured at this hour.
5. No roadbed seating.
6. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations and 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, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
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, Manhattan prior to submitting any changes to any stipulation agreed to herein.

viii. Whereas, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a liquor license at this location where there already are a significant number of licensed establishments in Community Board 2 and in the immediate area, there being **63 active licensed premises** listed on LAMP within 750 feet of the subject premises, in addition to 7 pending licenses, the Applicant having operated for approximately two years at this location without incident, the hours of operation being reasonable and the Applicant executing a

stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new on-premises restaurant liquor license for **GVI West Village LLC dba Vin Sur Vingt 192 7th Ave South 10014**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this 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:

9. 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 January 9, 2025, 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 **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.

10. Charlie Boy 263 LLC 263 Bleeker St 10014 (Restaurant Wine)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on January 9, 2025, the Applicant requested **to lay over** this application to February/2025 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 **Charlie Boy 263 LLC 263 Bleeker St 10014** **until** the Applicant has presented their application in front of CB2’s SLA

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

Vote: Unanimous, 38 Board Members in favor.

11. Cynthia LLC 32 Jones St 10014 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA #2 Licensing Committee Meeting on January 9, 2025, the Applicant requested **to lay over** this application to February/2025 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 **Cynthia LLC 32 Jones St 10014 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 38 Board Members in favor.

**STANDING COMMITTEE REPORTS WITHOUT RESOLUTIONS
(none this month)**

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