

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

Community Board No. 2, Manhattan

3 Washington Square Village

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

FULL BOARD MINUTES

DATE: September 22, 2021
TIME: 6:30 P.M.
PLACE: Via Video Conference

BOARD MEMBERS PRESENT: Susanna Aaron, Natasha Avanesians, Akeela Azcuy, William Benesh, Keen Berger, Carter Booth, Katy Bordonaro, Anita Brandt, Amy Brenna, Rich Caccappolo, Ritu Chatree, Valerie De La Rosa, John Paul Deverna, Chris Dignes, Robert Ely, Mar Fitzgerald, Stella Fitzgerald, Cormac Flynn, Susan Gammie, David Gruber, Wayne Kawadler, Susan Kent, Ryder Kessler, Jeannine Kiely, Ivy Kwan-Arce, Patricia Laraia, Michael Levine, Janet Liff, Edward Ma, Matthew Metzger, Daniel Miller, Mostafa Osman, Brian Pape, Donna Raftery, Lois Rakoff, Bo Riccobono, Zachary Roberts, Robin Rothstein, Kristin Shea, Frederica Sigel, Dr. Shirley Smith, Susan Wittenberg, Antony Wong, Cheryl Wu, Eugene Yoo

BOARD MEMBERS ABSENT WITH NOTIFICATION: Shirley Secunda, Chenault Spence, Rocio Sanz, Adam Zeldin

BOARD MEMBERS ABSENT: None

BOARD MEMBERS PRESENT/ARRIVED LATE: None

BOARD MEMBERS PRESENT/LEFT EARLY: Cheryl Wu

BOARD STAFF PRESENT:

GUESTS: Tevin Williams, Senator Brad Hoylman; Stacie Williams, Senator Brian Kavanagh; Andrew Chang, Manhattan Borough President Michael Levine; Theo Perez, Assembly Member Yuh-Line Niou; Lingjun Chen, District Attorney Bragg's Office, Nicole Barth, Council Member Erik Bottcher; Irak Cehonski Council Member Carlina Rivera; Ian Wong, Council Member Christopher Marte

MEETING SUMMARY

Meeting Date – September 22, 2021

Board Members Present – 45

Board Members Absent with Notification – 4

Board Members Absent - None

Board Members Present/Arrived Late - None

Board Members Present/Left Early – 1

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	2
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	4
BUSINESS SESSION	4
AUGUST 2022 EXECUTIVE COMMITTEE REPORTS	4 - 47
STANDING COMMITTEE REPORTS	47
LANDMARKS AND PUBLIC AESTHETICS	47
QUALITY OF LIFE	55
SLA LICENSING	61

II. PUBLIC SESSION

Cheri Leon – Objections to 202-204 Prince St. Landmarks application.

Joseph Reiver – Support of the Elizabeth Street Garden Conservation Land Trust Plan.

Non-Agenda Items

Liz Baylog – Opposing Pickleball at Seravalli Playground.

Debora Bruzzese – Opposing Pickleball at Seravalli Playground.

Steve Miceli – Opposing Pickleball at Seravalli Playground.

Ken Blacklow – Support removal of all pickleball courts from the Seravalli Playground.

Mark Borden - Opposing Pickleball at Seravalli Playground.

Jennifer Gravel – Opposing Pickleball at Seravalli Playground.

Siddhartha Hayes – Hudson River Park’s complete list of summer programs.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Tevin Williams, Senator Brad Hoylman

Stacie Williams, Senator Brad Hoylman

Andrew Chang, Manhattan Borough President Michael Levine

Theo Perez, Assembly Member Yuh-Line Niou

Lingjun Chen, District Attorney Bragg

Nicole Barth, Council Member Erik Bottcher

Irak Cehonski Council Member Carlina Rivera

Ian Wong, Council Member Christopher Marte

IV. ADOPTION OF MINUTES

Adoption of the July 2022 Full Board Minutes and August 2022 Executive Minutes

V. BUSINESS SESSION

1. **Chair's Report** Jeannine Kiely reported.
2. **District Manager's Report** Bob Gormley reported.

AUGUST 2022 EXECUTIVE COMMITTEE REPORTS:

The following resolutions were voted on at the Executive Committee and are now adopted.

1st LANDMARKS MEETING

1. ***133 W. 4th St.** – Application is to add a decorative gate to the front stoop

Whereas:

A. The existing original iron work is intact and the proposed gate's design is patterned after the areaway railing; and

B. The design of the gate does not detract from the historic character of the building; now

Therefore be it resolved that CB2, Man. recommends **approval** of the stoop gate.

Vote: Unanimous, with 44 Board members in favor.

2. ***421-425 W. 13th St.** – Application is to replace a sidewalk landing and step with a new landing, stair and railings.

Whereas:

- A. The proposed stair, landing, and railing are in keeping with the building and similar to other approved designs in the district; and
- B. The ramp approved by Landmarks Commission staff is a considerable improvement over the existing ramp and less intrusive to the historic character of the building; now

Therefore be it resolved that CB2, Man. recommends **approval** of the stair, landing, and railing.

Vote: Unanimous, with 44 Board members in favor.

3. *429 West Broadway – Application is to replace storefront doors and lock system.

Whereas:

- A. The proposal is for a single entrance door painted to match the existing cast iron; and
- B. The double security gates proposed in perforated stainless steel are opaque, out of character for the building and the historic district, and other appropriate designs are readily available that would better serve security the purpose in the historic district; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the entrance door; and
- B. **Denial** of the security gates unless it is of a material and design in harmony with the building and the historic district.

Vote: Unanimous, with 44 Board members in favor.

4. *104 Grand St. – Application is to install mirrors in the windows.

Whereas:

- A. The addition of adjustable angled mirrors the full height of the window is proposed for a large window on the corner; and
- B. Three smaller windows are to have solid mirrors filling the window openings and angled to reflect passersby; and
- C. Two windows and the front door are to have medium size red logos; and

- D. The applicant gave contradictory testimony concerning the positioning of the adjustable mirrors and whether they would be fixed or can pivot to reflect into the showroom or to reflect passersby on the sidewalk; and
- E. The use of the mirrors in this manner is out of keeping with the building and the neighborhood and detracts and distracts from the historic character of the district; and
- F. Red logos are to be attached to the door and two of the mirrors; and
- G. The renderings show marked differences from the existing condition of the street level facade and the applicant represented that there no changes apart from the mirrors and logos; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the logo on the front door; and
- B. **Denial** of the large movable angled mirrors and the mirrors covering three other windows as out of character with the building and the historic district.

Vote: Unanimous, with 44 Board members in favor.

5. *65 Spring St. – Application is to install a new storefront infill, relocate entry doors, and lower first floor to sidewalk level for barrier-free access.

Whereas:

- A. The central residential entrance and the two cast iron columns flanking this entrance are to be relocated to the west opposite the subway entrance; and
- B. There is to be a large central window with the apartment entrance on the left and the shop entrance on the right; and
- C. The proposal to relocate the central cast iron columns/pilasters toward the outside edges of the building destroys the intact, historical design of a central residential doorway flanked by two storefronts; and
- D. The entrance to the upper floors is awkwardly placed behind a subway entrance railing; and
- E. A bracket sign is proposed that the applicant represented as being according to regulations; and
- F. There are LED lights on the cornice that are non-historic and detract from the historic character of the building; and
- G. The currently existing commemorative plaque over the residential entrance is significant to the

community and, while acknowledged by the applicant, has not been relocated in the proposal; and

H. The proposed design was represented by the applicant as serving the commercial purpose of the building over and against the historic preservation of the façade; and

I. There was written and oral testimony from the public, principally tenants in the building, opposed to the application as moving the residential entrance opposite the subway railing where there is less sidewalk room for easy egress especially with respect to the disabled and will result in changes to the interior residential staircase which will displace tenants; and

J. CB2, Man. has significant concerns that this proposal for reconfiguring the storefront facade, which will result in changes to the interior building staircase, may result in displacement of long-time existing rent regulated tenants through loopholes in the 2019 revisions to the rent stabilization laws with no discussion thereof; and

K. CB2, Man. has strong concerns with tenant displacement, and this was a key area of concern for CB2 during the recent rezoning of SoHo and NoHo of which this building is a part and CB2, Man. has a long history of opposing actions which result in displacement of rent regulated tenants.

Therefore be it resolved that CB, Man. recommends:

A. **Denial** of removal and relocation of the historic cast iron pilasters from their present, original location, denial of the cornice lighting, and that the central entrance remain; and,

B. **Denial** over concerns that the dismantling and restructuring of the building, as evidenced in the applicant's proposal, will result in permanent residential rent-protected tenant displacement.

C. That the commemorative plaque remains in place over the central residential doorway.

Vote: Unanimous, with 44 Board members in favor.

6. *565 Broadway – Application is for limited replacement of marble with precast GFRC (glass fiber reinforced concrete) on the North (Prince St.) and East (Broadway) façades in connection with required Local Law 11 work.

A. There is considerable deterioration of areas of marble throughout the facade that must be addressed on account of safety issues; and

B. The materials used for the repairs resembles the existing marble in texture and color and the applicant represented that, while not marble, the difference will not be noticeable from the street once installed; and

C. The applicant represented that the products being used will eliminate the need for mortar joints and

that they will not harm the existing marble; and

D. The applicant was unable to confirm that the proposed materials were compatible with the marble with respect to expansion and chemical reaction, retention of color and texture over time, and offered no tests or record of experience with the material when used in similar repair; and

E. The applicant represented that it had not been possible to find matching marble from a search that was made by one contractor from a limited number of sources; and

F. There is a clear policy in place that repairs of this nature be made with original materials; and

F. There was testimony from a knowledgeable member of the community that repairs of this kind to a marble facade in the neighborhood had changed color and texture with weathering and are now plainly visible as patches with a non-original material; now

Therefore be it resolved that CB2, Man. recommends **denial** of this application unless the original material (marble) be used for the repair of this architecturally important building.

Vote: Unanimous, with 44 Board members in favor.

7. ***565 Broadway** – Application is for limited replacement of marble with precast GFRC (glass fiber reinforced concrete) on the North (Prince St.) and East (Broadway) façades in connection with required Local Law 11 work.

G. There is considerable deterioration of areas of marble throughout the facade that must be addressed on account of safety issues; and

H. The materials used for the repairs resembles the existing marble in texture and color and the applicant represented that, while not marble, the difference will not be noticeable from the street once installed; and

I. The applicant represented that the products being used will eliminate the need for mortar joints and that they will not harm the existing marble; and

J. The applicant was unable to confirm that the proposed materials were compatible with the marble with respect to expansion and chemical reaction, retention of color and texture over time, and offered no tests or record of experience with the material when used in similar repair; and

K. The applicant represented that it had not been possible to find matching marble from a search that was made by one contractor from a limited number of sources; and

L. There is a clear policy in place that repairs of this nature be made with original materials; and

F. There was testimony from a knowledgeable member of the community that repairs of this kind to a marble facade in the neighborhood had changed color and texture with weathering and are now plainly visible as patches with a non-original material; now

Therefore be it resolved that CB2, Man. recommends **denial** of this application unless the original material (marble) be used for the repair of this architecturally important building.

Vote: Unanimous, with 44 Board members in favor.

8. *73 Perry St. – Application is to restore the original façade, arched windows, and previous stoop location to its original configuration, excavate the rear yard from basement to cellar level.

A. The proposed stoop, modeled on the adjacent intact stoop at 71 Perry Street and built as a matching building, is to restore the original design of the stoop and entrance; and

A. New windows to replace the existing divided lite windows with one over one windows that match 71 Perry Street and are atypical for the period; and

C. The rear yard is to be excavated to the cellar level and there is a balcony with stairs into the landscaped garden level; and

D. On the rear facade, the basement windows to be enlarged with multi-pane windows and door and at the cellar level the full width to be bifold glass doors with simulated muntin copied from an approved design on a neighboring building; now

Be it resolved that CB2, Man. recommends:

A. **Approval** of the stoop and entrance; and

B. Denial of the single pane windows on the front facade; and

C. Approval of the rear garden excavation, the balcony, and staircase and approval of the windows at the basement and cellar floors.

Vote: Unanimous, with 44 Board members in favor.

2ND LANDMARKS MEETING

9. *138 Waverly Pl. – Application is to install an areaway fence and replace a lamp.

Whereas:

A. A 4' high gate and a 6' high from grade areaway fence and gate necessary for security will be patterned after the window guards and similar fences that are seen on larger buildings in the block and immediate neighborhood.

B. A historic design bracket with a contemporary glass ball light is proposed to replace the existing historic lantern fixture over the door in order to give better illumination for security; now

Be it resolved that CB2, Man. recommends:

B. Approval of the stairs gate and the areaway gate fence and gate; and

B. Denial of the lighting fixture unless the light is of a more historic design that is in harmony with the bracket and the building or instead a fixture similar to the existing lantern that is brighter.

Vote: Unanimous, with 44 Board members in favor.

At its Executive Committee meeting on August 22, 2022, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. *39 Commerce St. – Application is to add a visible skylight at the roof and three further small skylights and mechanical equipment at the rear of the building.

Whereas:

A. The building is one of a matching pair at the curve of Commerce Street that contribute to the variety of unusual Greenwich Village buildings; and

B. The skylight is patterned after the existing skylight on the matching building and in metal rather than gray roofing material; and

C. The matching houses and the structurally matching skylight require carry through to the color of the skylights.

D. The three small skylights and mechanical equipment toward the rear of the building are not visible from a public thoroughfare; now

Therefore be it resolved that CB2, Man. recommends:

Approval of the new skylight provided that the metal cladding is painted to match the color of the skylight of the matching building.

Vote: Unanimous, with 44 Board members in favor.

11. *396 Avenue of the Americas – proposal for new signage at the Spectrum store.

(laid over)

QUALITY OF LIFE: STREET ACTIVITIES

1. 8/22/22 – Ketchup or Makeup Launch (sponsor: MSCHF Product Studio Inc.): East 14th St. between University Place and Broadway [partial sidewalk closure]

Whereas, Brooklyn-based art collective MSCHF is planning a collaboration with cosmetics brand Fenty, called “Ketchup or Makeup”, in which participants will receive either packets of ketchup or makeup with a 50/50 probability; and

Whereas, in order to launch this collaboration, the applicant wishes to set up a food cart on the southeast corner of 14th Street and University Place, from which the “ketchup or makeup” packets will be handed out alongside hot dogs; and

Whereas, the applicant plans to set up the food cart on the morning of August 22nd with operating hours of 11 AM to 6 PM, and;

Whereas, the applicant has invited 300-400 people to participate in the launch, with timed invitations in order to attempt to reduce crowding at any given time; and

Whereas, the event will still be open to passers-by who were not invited to the event, and both the “ketchup and makeup” packets as well as the hot dogs will be given away for free; and

Whereas, the event will not feature music, speakers or performances of any kind, with the goal being not to provide participants any reason to linger around the food cart; and

Whereas, there will be two private security guards on site for the entire day; and

Whereas, the applicant has agreed to provide trash bags in order to minimize the flow of waste into nearby corner bins; and

Whereas, the applicant agreed to speak to nearby existing food cart vendors about the plan to set up the hot dog cart, and believes that the flow of attendees may benefit nearby vendors wishing to buy drinks and other items; and

Whereas, while committee members noted the crowded nature of the corner of 14th and University, there was general agreement that given the existing crowding, the location could absorb such an event with minimal additional impact on the community; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Ketchup or Makeup Launch (sponsor: MSCHF Product Studio Inc.)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

2. 8/20/22 – 8/24/22 – New Store Pop Up for Welcome Weekend (sponsor: New School University): 5th Ave. between E. 13th St. and E. 14th St. [partial sidewalk closure]

Whereas, the New School is looking to create a pop-up store selling branded clothing, accessories, and other items to parents, students, or anyone else with an interest in purchasing said items; and

Whereas, hours for the pop-up will be from 9:30 AM to 5 PM, from August 20th to August 24th; and

Whereas, the applicant intends to set up small tents, leaving more than 8 feet of clearance from the curb to the edge of the tents; and

Whereas, the event will not feature food or amplified sound; and

Whereas, the applicant ran a similar pop-up in 2021 with no major issuers reported; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **New Store Pop Up for Welcome Weekend (sponsor: New School University)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

3. 8/25/22 – Howard Block Party (Moose Knuckles): Howard St. between Broadway and Lafayette St. [full street closure]

Whereas, the applicant did not appear on behalf of this application and the committee was unable to hear the particulars of this event; and

Whereas, residents from Howard Street and the surrounding area expressed opposition to the event, noting that the closure of the proposed block of Howard Street would cut off access to the block of Crosby Street between Grand and Howard; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Howard Block Party (Moose Knuckles)**.

Vote: Unanimous, with 44 Board Members in favor.

4. 8/27/22 – Promotional Event (sponsor: OutCold): Astor Place Plaza (North [Pedestrian Plaza])

Whereas, the sponsor seeks to hold a promotional event in the Astor Place Plaza for Lumify, a brand of eye drops created by Bausch and Lomb; and

Whereas, the promotional event will include the placement on the plaza of a shipping container-like structure of approximately 20 feet in length with a small fold-out stage, as well as a small tent that will be placed beside the structure; and

Whereas, the promotional event will feature giveaways of single-use eye drop samples as well as other branded merchandise; and

Whereas, in addition to the merchandise giveaway, the sponsor is planning several other activities including makeup tutorials led by influencers and Q&A sessions; and

Whereas, amplified sound will be limited to a small speaker within the structure during the day; and

Whereas, the structure will have security guards present during the day and overnight; and

Whereas, the applicant intends to have trash cans inside and outside the structure in order to manage waste; and

Whereas, the event will run from 11 AM – 5 PM on Saturday 8/27 and Sunday 8/28, and the applicant mentioned that they had amended the SAPO application for a 2-day instead of a single-day event; and

Whereas, committee members felt that while the event is promotional, the footprint will be minimal and that the product might appeal to local community members; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Promotional Event (sponsor: OutCold)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

5. 9/03/22 – The First of New York Chinese Food and Cultural Festival (sponsor: Chinese Radio Network): Washington Place between Washington Square East and Broadway [full street closure]

Whereas, the applicant did not appear on behalf of this application and the committee was unable to hear the particulars of this event; and

Whereas, residents from Washington Place and the surrounding area expressed opposition to the event, noting that the block was subject to numerous NYU-related events, and that planned construction in the area was causing further disruption to the block; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **The First of New York Chinese Food and Cultural Festival (sponsor: Chinese Radio Network)**.

Vote: Unanimous, with 44 Board Members in favor.

6. 9/10/22 – MUVA (sponsor: YEMA Calif): Mercer St. between Grand St. and Canal St. [full

sidewalk closure]

Whereas, the applicant did not appear on behalf of this application and the committee was unable to hear the particulars of this event; and

Whereas, residents from the surrounding area expressed opposition to the event and felt that the event would be disruptive; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of MUVA (sponsor: YEMA Calif).

Vote: Unanimous, with 44 Board Members in favor.

7. 9/13/22 – Ferrero Rocher Bar Runway (sponsor: Abel McCallister Abel): Gansevoort Pedestrian Plaza [pedestrian plaza]

Whereas, the applicant did not appear on behalf of this application and the committee was unable to hear the particulars of this event; and

Whereas, while no members of the public spoke in opposition to the event, board members noted that it seemed to be the type of commercial plaza event which had previously been questioned by the board; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of Ferrero Rocher Bar Runway (sponsor: Abel McCallister Abel).

Vote: Unanimous, with 44 Board Members in favor.

8. 9/14/22 - Nguyen Inc. – NYFW Fashion Show (sponsor: Starkman and Associate): Centre Market Place between Broome St. and Grand St. [sidewalk and curb lane closure]

Whereas, the applicant wishes to hold a fashion show during New York Fashion Week featuring the work a Chinatown-based, Asian-American fashion designer; and

Whereas, the show will run for 15 minutes, from 3 PM to 3:15 PM, on Centre Street between Broome and Grand Streets; and

Whereas, the applicant has been working with NYPD, who has told them that the entire street should be closed off for safety reasons, despite the applicant initially applying for a sidewalk and curb lane closure only; and

Whereas, the event will feature amplified sound during the 15 minute show but will not be louder than allowed decibel levels; and

Whereas, the show will be an invitation event but will be open for viewing by members of the community and passers-by; and

Whereas, no scenic elements will be added to the street other than speakers and barricades, which will allow for a quick set-up and tear-down; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Nguyen Inc. – NYFW Fashion Show (sponsor: Starkman and Associate)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

9. 10/01/22 - Let Us Worship: Fifth Ave. between West 8th St. and Washington Square North [full street closure]

Whereas, the applicant did not appear on behalf of this application and the committee was unable to hear the particulars of this event; and

Whereas, residents and community members expressed significant opposition to the event, noting that the proposed event would seek to draw thousands of people into a predominantly residential area and would cause significant disruption as well as being a drain on resources for the NYPD and other agencies; and

Whereas, any event of this scale would require significant, in-depth planning and coordination with multiple agencies and community groups over the course of many months, none of which the committee believed had taken place; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Let Us Worship**.

Vote: Unanimous, with 44 Board Members in favor.

FYI/Renewals:

- 1. 9/10/22 – Washington Square Arch Fair (sponsor: 6th Police Precinct Explorers): Washington Square North between University Place and Fifth Ave. [full street closure]**
- 2. 10/19/22 – Treats in the Streets (sponsor: Meatpacking BID): Gansevoort Pedestrian Plaza [pedestrian plaza]**

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

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of these renewal applications **provided that** the applications conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

SLA LICENSING

1. Take Me to the River 22, LLC, d/b/a Next Door, 22 Greenwich Ave. 10011 (New TW– Bar/Tavern) (*previously unlicensed*)

i. Whereas, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate a raw bar focused restaurant and wine bar on the ground floor of a C1- 6-zoned, three (3)-story mixed-use building (c. 1839, altered 2011) on Greenwich Avenue between West 10th and Charles Streets (Block #606/Lot #6) the building falling within NYC LPC's designated Greenwich Village Historic District; and

ii. Whereas, the ground floor premises is approximately 1,300 sq. ft. consisting of 650 sq. ft. on the ground floor connected by both an interior and exterior stairway to 650 sq. ft. in the basement, there will be no patron use of the basement, the basement being for storage and office use only; there will be one (1) food counter with 13 seats for an interior seated occupancy of 13 persons, there are no additional tables or stand-up bars; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom; and

iii. Whereas, the hours of operation will be from 11 AM to 11 PM Sundays through Wednesdays and 11 AM to 12 AM Thursdays through Saturdays; there are no operable doors or windows; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

iv. Whereas, there will be sidewalk seating operating under the temporary Open Streets program with no more than six (6) tables and 12 patron seats located adjacent to the business frontage and leaving at least 8' of clear space, all outdoor seating closes at 11 PM nightly; and

v. Whereas, the Applicant is the principal of the restaurant directly next door (Naive Melody 24, LLC d/b/a Marian's, SN# 1337574) which opened in 2021, concerns were raised that the instant application would be run in conjunction with the existing establishment and not as an independent entity, the Applicant stating that the only relationship he foresaw was that patrons may grab a drink and enjoy the raw bar before heading next door for a full dinner, there being no co-mingling of checks or receipts between the two establishments, the instant application having its own separate basement for the storage of food and alcohol for the instant application thereby keeping the service of food and drinks separate, the corporate structure being separate and distinct with different investors; the premises being located on an two-way Avenue in a commercial zone as opposed to a narrow residential street thereby minimizing the impact of any patrons that might go from one restaurant to the other; and

vi. Whereas, the premises is a previously unlicensed location, the immediate past tenant was a gourmet South African grocer and prior to that a clothing store, this application being for the service of Beer and Wine only and thus not subject to the 500-foot rule; the Applicant did outreach to the

local block association (West 10th Street and Greenwich Avenue Neighbors) and signed stipulations with them; and

vii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Tavern Wine License, with those stipulations as follows:

1. Premises will be advertised and operated as a raw bar focused restaurant and wine bar operating with less than a full-service kitchen but will serve food during all hours of operation and at all times operate in the spirit of a raw bar restaurant.
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 have televisions.
4. The hours of operation will be 11 AM to 11 PM Sundays through Wednesdays and 11 AM to 12 AM Thursdays through Saturdays. No patrons will remain after stated closing time.
5. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than six (6) tables and twelve (12) patron seats and no shed- like enclosure. No roadbed seating.
6. Sidewalk café will close no later than 11 PM. All tables and chairs will be removed at this hour.
7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Any planters placed in front of the premises will be removed upon closing each night.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
11. Will not install or have French doors, operable windows or open facades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will 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.
15. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
16. Will operate independently from their “sister” restaurant Marian’s (SN# 1337574) located next door at 24 Greenwich Avenue. Will ensure that tabs are not shared between the two restaurants and that liquor is purchased and stored separately.
17. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
18. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
19. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

20. Will abide by all stipulations agreed to and signed between Take Me To The River LLC and West 10th Street and Greenwich Avenue Neighbors.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Tavern Wine License in the name of **Take Me to the River 22, LLC, d/b/a Next Door, 22 Greenwich Ave. 10011**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Tavern Wine License.

Vote: Unanimous, with 44 Board members in favor.

2. La Residence, LLC d/b/a Pending, 598 Broadway aka 132 Crosby St., 12th Fl. 10012 (New OP–Catering Facility) (*previously unlicensed*)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a On-Premises Catering License to operate a catering establishment and tasting kitchen in the 12th floor of a M1-5/R9X-zoned, 12-story, mixed-use building (c. 1898, altered 1988) on Broadway between East Houston and Prince Streets (Block #511/Lot #15), the building falling within the designated SoHo Cast Iron Historic District; and

ii. Whereas, the 12th floor location is approximately 2,300 sq. ft. accessed by both a passenger elevator shared with other commercial and residential tenants of the building as well as a freight elevator, there will be four (4) tables and 37 seats and one (1) food counter with 13 seats and one bar cart with no seats for a total interior seated occupancy of 50 seats; there are two (2) entries and two (2) exits and three (3) bathrooms; and

iii. Whereas, the Applicant’s agreed to hours of operation will be from 9 AM to 12 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, promoted events, scheduled performances or cover fees, there will be security Thursdays through Saturdays and other times as need; and

iv. Whereas, the premises was previously used as a Joint Live Work Quarters for Artists (JLWQA) loft, the Applicant having a pending Certificate of Occupancy changing the use to eating and drinking establishment with a maximum occupancy of 55, a catering license requiring that businesses must be able to accommodate at least 50 patrons to qualify for the license, concerns being raised that the Applicant is minimally meeting that requirement, the Applicant explaining the premises will mainly serve as a tasting kitchen for their catering business with the primary use of the license being for off-site events with not more than two (2) events a month planned for the licensed premises; and

v. Whereas, the Applicant did extensive outreach with the residents in the building in order to hear and address their concerns, the situation being unique in that the licensed premises is on the

top floor of a mixed-use building with a residential unit directly below, the Applicant's business (and guests) sharing an elevator with the residential tenants of the building; and

vi. Whereas, this application being subject to the 500 foot rule, requiring the Applicant to establish public interest for the license to be issued at its inception, there being 46 active licensed premises within 750 feet of the subject premises, in addition to 3 pending licenses, the Applicant agreeing to, and executing, a stipulations agreement with CB2, Man. for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the license, limiting its method of operation on the On-Premises License for this purpose, as follows:

1. Premises will be advertised and operated as a catering establishment and taste kitchen.
2. The hours of operation will be 9 AM to 12 AM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
3. Will only operate a catering establishment and tasting kitchen.
4. Will play quiet recorded background music only, inclusive of any events. No music will be audible in any adjacent residence at any time including apartment on floor below.
5. Will not have televisions.
6. The premises will be able to accommodate 50 guests and will hold not more than two (2) events per month. At other times the premises will be used for tastings and as the corporate headquarters/office.
7. Food preparation for large scale off-site catering events will be done at an off-site commercial kitchen.
8. Daily trash is discarded via the freight elevator at a time mutually agreed upon with residents of the building with additional pickups to be scheduled immediately following an event but not later than 1:00 AM.
9. A professional doorman, staff member or licensed security personnel will be present on the ground floor of the building entrance at 132 Crosby Street to greet all guests. Guests will always be escorted in the elevator to and from the 12th floor as this elevator is shared with residents of the building.
10. Clients will be required to provide guest lists prior to their events for use by the professional doorman to limit uninvited guests and the general public from entering into the building.
11. A licensed security person will be hired for any event that has 15 people or more.
12. The downstairs door will be kept locked any time a doorman /security is not present.
13. Deliveries will take place between 9 AM and 2 PM approximately 2x/week. All deliveries will utilize the freight elevator.
14. An acoustical engineer will be hired to minimize noise issues, including noise from foot traffic impacting the residential apartment directly below, and tenants will be included in the discussion about soundproofing.
15. Cleaning crews will arrive during normal business hours and cleaning will be done the day after an event during to avoid any late-night disturbance to residents.
16. Pest elimination will be done on a proactive schedule.
17. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
18. Will provide Certificate of Occupancy permitting eating and drinking for the premises proposed to be licensed prior to opening.
19. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to

herein.

20. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, or velvet ropes or barricades.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Catering license in the name of **La Residence, LLC d/b/a Pending, 598 Broadway aka 132 Crosby St., 12th Fl. 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 On-Premises Catering License.

Vote: Unanimous, with 44 Board members in favor.

3. DBNB, LLC d/b/a TBD, 58A Greenwich Ave. 10011 (New OP–Restaurant)
(previously unlicensed)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate a restaurant focused on comfort food on the ground floor of a C1-6-zoned, four (4)-story, mixed-use building (c. 1861) on Greenwich Avenue between West 11th and West 10th Streets (Block #606 / Lot #144), the building falling within the designated Greenwich Village Historic District; and

ii. Whereas, the ground floor premises is approximately 1,000 sq. ft., there will be five (5) tables and 18 seats and one (1) stand up bar with 11 seats for a total interior seating occupancy of 29 seats; there is one (1) entry used for patron egress and ingress and there is one (1) bathroom, the store front infill being fixed without operable doors or windows; and

iii. Whereas, the proposed hours of operation will be from 5 PM to 2 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs; there is existing soundproofing from the previous tenant; there is no outdoor dining as part of this application, there being a sidewalk hatch and fire hydrant in front of the premises; and

iv. Whereas, the previous tenant at this location for almost 40 years (1983 – April/2021) was The Original Sandwich of NY operating without any type of liquor license throughout that time with closing hours not later than 9:00 PM; and

v. Whereas, the Applicant has been the owner of the adjacent restaurant located in the same building, Fiddlesticks (SN# 1134074), since 2002 as well as another tavern in CB2, Man. (Carabean, LLC d/b/a Downtown Galway Hooker SN# 1224977) since 2009, there being numerous 311 complaints regarding among other things loud music at both establishments over the years, the Applicant stating they were approached by the landlord to rent this space, the instant application will target an older crowd with high price points for specialty cocktails, the higher prices purportedly dissuading patrons from getting drunk, along with a mature environment and a full kitchen, the application including a menu that appeared roughly thrown together and lacking a cohesive theme,

the Applicant additionally stating the premises would serve the local neighborhood and that IDs would be checked to show patrons live in the Village, the Applicant is willing to consider earlier closing times of 12AM Sundays through Wednesdays; and

vi. Whereas, there were no detailed diagrams or description of the kitchen/cooking equipment supplied with the application nor any photographs of the interior premises, the premises never having had a full kitchen in the past, questions being raised as to how the venting would be handled, the Applicant stating that the venting would need to go through the operating staircase of the Applicant's adjacent leased and licensed business establishment in order to properly vent to the roof, the viability of the instant application being dependent upon using the space in the adjacent licensed business and the applicant stating that they would not allow a competitor to use that adjacent space, this raising questions as to both the legality of sharing a venting system, the limitations of that venting system being dependent on a separate lease for another business and whether the businesses would truly be operating as separate and distinct establishments, there being no basement associated with the instant application for food storage or prep or alcohol storage, the supplied diagram indicating all liquor storage for the instant application being solely behind the bar; and

vii. Whereas, additional concerns were raised as to a pattern by the Applicant at their other two licensed premises in CB2, Man., of disregard for the local community due to the numerous noise complaints regarding music emanating from open doors and windows as well as not abiding by the siting guidelines of the temporary Open Restaurants programs, there being tables and chairs on the curbside of the sidewalk at both locations which impede pedestrian flow on the sidewalk and give the feeling one is walking through the restaurant itself as they pass; and

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 in this area and at this location, the immediate adjacent area being already saturated with multiple liquor licenses and late night drinking establishments, with there being 51 active licensed premises within 750 feet of the subject premises, in addition to 10 pending licenses, the Applicant unwilling to consider instead a restaurant wine license at the location, the previous business at this location closing at 9pm, there being an ongoing pattern of noise complaints at the Applicants other licensed premises, the business model being dependent on a full liquor license to be successful, there being significant objections raised in this application that cannot be resolved in a reasonable manner;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Restaurant license in the name of **DBNB, LLC d/b/a TBD, 58A Greenwich Ave. 10011**; and

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

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

THEREFORE, BE IT FURTHER RESOLVED, that if despite CB2, Man.'s objections to this Application including the issues raised regarding the shared kitchen venting, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the license granted for **DBNB, LLC d/b/a TBD, 58A Greenwich Ave. 10011** be a Restaurant Wine license with closing hours of 12:00 AM nightly and background music only.

Vote: Unanimous, with 44 Board members in favor.

4. An Entity to be Formed by Nick Granato d/b/a TBD, 21 University Pl. aka 30 East 9th Street aka 27-49 8th Street 10003 (OP-Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Restaurant Liquor License to operate a family-friendly, casual Italian restaurant on the ground floor of a C1-7 with an R7-2 overlay-zoned, six (6)-story, mixed-use building (c. 1955) on University Place between 8th and 9th Streets (Block #560 / Lot #7501; and

ii. Whereas, the storefront premises is roughly 3,562 sq. ft., there will be 36 tables with 122 seats, one (1) bar with seven (7) seats for a total seated occupancy of 129, there will be one (1) TV, there is one (1) entrance and three (3) exits and two (2) bathrooms; and

iii. Whereas, the hours of operation will be 11 AM to 11 PM Sundays through Thursdays and 11 AM to 12 AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CD's (i.e. no active manipulation of music – only passive prearranged music); all doors and windows will be closed at all times; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; and

iv. Whereas, since approximately 2011 the premises had been operated as Capital One Bank, prior to that it was a restaurant called BBQ; and

v. Whereas, there will be both sidewalk and roadbed seating operating under the temporary Open Restaurants program on University Place, there is a sidewalk café with eight (8) tables and 20 seats located mostly within the property line and adjacent to the business frontage leaving at least 8' of clear space and roadbed seating not exceeding the business frontage of licensed premises with 11 tables and 24 seats, all outdoor seating closes at 10 PM nightly; in addition, there is a pre-existing enclosed sidewalk café that the Applicant was told is within the property line and therefore does not appear on NYC Sidewalk Café Mapper as it is not operating under the revocable consent of NYC; and

vi. Whereas, this application being subject to the 500-foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being 28 active licensed premises within 750 feet of the subject premises, in addition to four (4) pending licenses, the Applicant providing a petition showing support from some residents of this and surrounding buildings but had not yet obtained a letter from the condo board of the building or adjacent buildings due to it being August with many people out of town, the Applicant agreeing to supply additional letters obtaining their support with the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee receiving the letters of support and abiding by those agreed upon stipulations; and

vii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new On-Premises Restaurant License, with those stipulations as follows:

1. Premises will be advertised and operated as a family friend, casual Italian restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 11 AM to 11 PM Sundays through Thursdays and 11 AM to 12 AM Wednesdays through Saturdays. 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 certified sidewalk café and roadbed seating operating under the temporary Open Restaurants program on University Place. Sidewalk café is located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than eight (8) tables and twenty (20) patron seats and roadbed seating not exceeding the business frontage of licensed premises with eleven (11) tables and twenty-four (24) patron seats.
4. Sidewalk café and roadbed seating will close no later than 10 PM. All tables and chairs will be removed from sidewalk and all tables and chairs in roadbed will be secured with no patrons remaining outside at this hour. No exterior music, speakers or TVs.
5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
6. Will have no more than one (1) television no larger than 55".
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
13. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances or velvet ropes or barricades.

15. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises Restaurant License in the name **An Entity to be Formed by Nick Granato d/b/a TBD, 21 University Pl. 10003** **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 On-Premises Restaurant license.

Vote: Unanimous, with 44 Board members in favor.

5. 337B West Broadway LLC d/b/a Mezcal and Amaro, 337B West Broadway 10013
(TW– Coffee & Cocktail Lounge)

i. Whereas, the Applicant and the Applicant’s Attorney originally appeared before CB2, Manhattan’s SLA Committee #1 via video conference in December/2021 to present an application to the NYS Liquor Authority for an On-Premises license for a coffee shop and cocktail lounge located on the ground floor of a M1-5A zoned, two (2)-story commercial building (c. 1910) on West Broadway between Grand and Broome Streets (Block #475 / Lot #1) located in the SoHo-Cast Iron Historic District; and

ii. Whereas, at its December/2021 full board meeting CB2, Man. unanimously recommended approval of the On-Premises license; and

iii. Whereas, the premises not having been licensed in the past two years and therefore ineligible for a temporary On-Premises permit for the service of alcohol, in July/2022 the Applicant notified CB2, Man. that it would like to amend its application to a Tavern Wine license, the Tavern Wine license not having the same restrictions for a temporary permit; there being no other changes to the application aside from the change in licensing class, the Applicant agreeing to and signing the same stipulations as December/2021 prior to CB2, Manhattan’s August/2022 SLA Committee #1 meeting, therefore the Committee waiving the requirement of an additional appearance by the Applicant; and

iv. Whereas, the premises is roughly 1,070 sq. ft.; there will be 11 tables with 26 seats and one (1) bar with 10 seats for a total patron occupancy of 36 seats; there is one (1) entryway which serves as patron ingress and egress and two (2) patron bathrooms; there will be no sidewalk café or roadbed seating; and

v. Whereas, the hours of operation will be from 7AM to 2AM Sundays through Saturdays (7 days a week); all doors and windows will be closed by 10PM nightly; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

vi. Whereas, the instant Application also includes both sidewalk and roadbed seating as part of

the temporary Open Restaurants program, there being a roadbed structure already in front of the premises; there will be two (2) tables and four (4) seats adjacent to the building and seven (7) tables and 14 seats in the roadbed located directly in front of and not exceeding the licensed premises; all outdoor seating will end at 11PM and all patrons will be cleared from the area by this time; and

vii. Whereas, there premises has operable doors across the entirety of the front of the premises and concerns were raised about the impact the open doors will have on nearby residents, including those directly across the street, that noise being compounded by the additional outdoor seating; the Applicant agreeing to close the doors by 10PM nightly; and

viii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new Tavern Wine license, with those stipulations as follows:

1. Premises will be advertised and operated as a coffee shop and cocktail lounge
2. The hours of operation will be 7AM to 2AM Sundays through Saturdays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will operate with less than a full-service kitchen but will serve food during all hours of operation.
4. Will not operate as a Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or other outdoor area for commercial purposes except for sidewalk café and roadbed seating operating under the temporary Open Restaurants program on West Broadway. Sidewalk café is located immediately adjacent to the storefront with no more than two (2) tables and four (4) patron seats and roadbed seating not exceeding the business frontage of licensed premises with seven (7) tables and fourteen (14) patron seats.
6. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No speakers will be positioned on the interior facing the sidewalk and none placed directly adjacent to the operable front façade. No music will be audible in any adjacent residences anytime.
7. Will not have televisions.
8. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door

staff.

15. Any sidewalk or roadbed seating operating under the temporary Open Restaurants program ends by 11PM (all patrons will be cleared by this hour and area closed); no exterior music, speakers or TVs.
16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

ix. **Whereas**, due to the change in license class to a tavern wine license, any future changes to the license will require the applicant to reappear before CB2; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Tavern Wine license in the name of **337B West Broadway LLC d/b/a Mezcal and Amaro, 337B West Broadway 10013** **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 Tavern Wine license.

Vote: Unanimous, with 44 Board members in favor.

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

6. **A Peaceful Corner, Inc., 393 Canal St. 10013** (OP–Bar/Tavern, Change in Method of Operation) (Karaoke) (To Include Live Music–Acoustic Quartets on Sundays 5–7pm)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested to **withdraw** their application for an On-Premises Bar/Tavern Liquor License 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **A Peaceful Corner, Inc., 393 Canal 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, with 44 Board members in favor.

7. **Astor Place Kiosk Corp. d/b/a Astor Plate, 26 Astor Pl. 10013** (TW–Bar/Tavern)

(DOT Open Restaurant Program–Sidewalk) (Temporary Retail Permit)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested to **withdraw** their application for a Tavern Wine License 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Astor Place Kiosk Corp. d/b/a Astor Plate, 26 Astor Pl. 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, with 44 Board members in favor.

8. Cui Ping Huang, Eggcellent New York, Inc. d/b/a Ja Moy, 208 Thompson St. 10012
(RW– Restaurant) (Freestanding Covered Structure)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a Restaurant Wine License to September/2022 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Cui Ping Huang, Eggcellent New York, Inc. d/b/a Ja Moy, 208 Thompson 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, with 44 Board members in favor.

9. Two Mex Bros., Inc. d/b/a El Gallo Taqueria, 369 Broome St. 10013 (RW–
Restaurant) (Vestibule Part of Building Property) (Temporary Retail Permit) (*previously
unlicensed*) (**failed to appear**)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant **failed to appear** and provided no further information regarding this application despite repeated inquiries;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Two Mex Bros., Inc. d/b/a El Gallo Taqueria, 369 Broome St. 10013** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

10. Westside Museum, LLC d/b/a To Be Determined, 427 Broadway 10013 (OP–Amended to Restaurant from Bar/Tavern)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Westside Museum, LLC d/b/a To Be Determined, 427 Broadway 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 SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

11. Double J Operations, LLC d/b/a Kung Fu Rasta, 406 Broome St. 10013 (OP–Restaurant) (DJ) (Patron Dancing) (Employee Dancing) (Security Personnel) (DOT Open Restaurant Program– Sidewalk) (Temp. Retail Permit)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Double J Operations, LLC d/b/a Kung Fu Rasta, 406 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, with 44 Board members in favor.

12. Hiro Nishida d/b/a Sushidelic, 177 Lafayette St. 10013 (OP–Restaurant) (DOT Open Restaurant Program–Sidewalk) (*previously unlicensed*)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Hiro Nishida d/b/a Sushidelic, 177 Lafayette 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, with 44 Board members in favor.

13. 357 W. Broadway, LLC, 357 W. Broadway, Ground, 2nd & 3rd Flrs. 10013 (OP– Restaurant) (Patio or Deck) (DOT Open Restaurant Program–Sidewalk)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **357**

W. Broadway, LLC, 357 W. Broadway, Ground, 2nd & 3rd Flrs. 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, with 44 Board members in favor.

- 14. EVOL Management, LLC d/b/a Evol, 393 Canal St., 2nd Fl. 10013 (OP–Restaurant) (DJ) (Karaoke) (Live Music) (Restaurant with Karaoke Serving Liquor, Wine, Cider & Beer) (Temporary Retail Permit) (failed to appear)**

Whereas, following this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 9, 2022, the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to September/2022 and will submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **EVOL Management, LLC d/b/a Evol, 393 Canal St., 2nd Fl. 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, with 44 Board members in favor.

- 15. DM 31 Hospitality, LLC d/b/a Bombay Bistro, 31 Cornelia St. 10014 (OP- Change in Ownership)**

i. Whereas, the Applicant and his Attorney appeared before CB2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a change in corporate ownership holding an on premise liquor license to continue to operate a full service restaurant specializing in Indian food in a ground floor storefront located within a four-story, Federal style residential townhouse building (circa 1900) on Cornelia Street between West 3rd and Bleecker Streets, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, one of the existing owners is buying all the shares of the corporation that holds the liquor license from another existing owner, the method of operation as an Indian Restaurant remaining the same; and

iii. Whereas, the interior storefront is approximately 1,800 sq. ft (1,450 sq. ft. ground floor and 350 sq. ft. basement with the basement being for storage purposes only), there is a full-service kitchen, 18 tables with 38 patron seats, 1 bar with 8 additional seats for a total indoor seated patron occupancy of 46 persons, there is one (1) entry and one (1) exit and one (1) patron bathroom; the store front infill being fixed without operable doors or windows that open out to the sidewalk, the Applicant presenting a Letter of No Objection from the NYC Building permitting eating and drinking for the licensed premise; and,

iv. Whereas, the hours of operation for the interior will continue to be Sunday to Saturday from 11 AM to 12 AM, music in the interior will be background only, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no operable windows or French doors; there will be no exterior area for the service of alcohol on the sidewalk or roadbed, the sidewalk at this location being too narrow, the Applicant having already removed its temporary sidewalk seating used during the Pandemic when no service was permitted on the interior; and,

v. Whereas, the local Block Association submitted opposition to the sidewalk seating now that Pandemic has waned and indoor dining returned at 100%, but the Applicant's decision to remove those tables, seats, benches and umbrellas from the sidewalk have made that issue moot; and,

vi. Whereas, the Applicant executed and had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation for the On-Premise License, with those stipulations as follows:

1. The premises will be advertised and operated as a full-service restaurant, specifically a restaurant specializing in Indian fare with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday to Saturday from 11 AM to 12 AM.
3. Will not operate a backyard garden or any outdoor area for commercial purposes, including sidewalk and roadbed seating operating under the temporary Open Restaurants program.
4. Will close all doors & windows by 10:00 PM.
5. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
6. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
7. Will have 1 TVs.
8. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
10. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of the application for a corporate change to an existing on premise liquor license to **DM 31 Hospitality, LLC d/b/a Bombay Bistro, 31 Cornelia St. 10014** unless the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the Method of Operation on the SLA On Premise License.

Vote: Unanimous, with 44 Board members in favor.

16. Waverly Restaurant-Diner Ltd., 385 6th Ave. (Transfer RW-Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a new restaurant wine license to operate an existing family style diner restaurant in a ground floor storefront located within a four-story residential townhouse (circa 1910) at the corner of Sixth Avenue and Waverly Place, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed has previously operated for years as the Waverly Restaurant, a diner serving the community, with a long-time manager of the business seeking to purchase the assets from its current owner, the method of operation as a diner remaining the same; and

iii. Whereas, the interior corner storefront is approximately 1,700 sq. ft. (850 sq. ft. ground floor and 850 sq. ft. basement with the basement being for storage purposes only), there is a full-service kitchen, 22 tables with 68 patron seats for a total indoor seated patron occupancy of 68 persons, there is one (1) entry and two (2) exits and two (2) patron bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

iv. Whereas, the hours of operation for the service of alcohol will be Sunday to Saturday from 6 AM to 12 AM, music in the interior will be background only, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no operable windows or French doors; and,

v. Whereas, objections were raised as to a structure made out of wood and plastic attached to the front façade, the structure blocking the iconic storefront façade of the restaurant on Sixth Avenue, the shanty having been built during the now waning pandemic, with the interior capacity of the restaurant being at 100%, the Applicant not willing to remove the temporary structure; and,

vi. Whereas, the Applicant also executed/had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation for the Restaurant Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a family style diner restaurant with kitchen open and full menu items available until closing every night.

2. The interior hours of operation will be for the service of alcohol will be Sunday to Saturday from 6 AM to 12 AM
3. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk seating on Sixth avenue and roadbed seating on Waverly Place operating under the temporary Open Restaurants program. Sidewalk seating will be located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 8 tables and 16 patron seats. Roadbed seating not exceeding the business frontage of licensed premises consists of 10 tables and 20 patron seats.
4. Will comply with all applicable terms and conditions of temporary open restaurant program as to structures on the sidewalk.
5. Will not install or have French doors, operable windows or open façades.
6. Will keep closed all doors & windows at all times.
7. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.
8. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
9. Will have 1 TV.
10. The premises will not have DJs, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
12. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine liquor license to **Waverly Restaurant-Diner Ltd., 385 6th Ave. unless** the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the Method of Operation on the SLA Restaurant Wine License.

Vote: Unanimous, with 44 Board members in favor.

18. Shake Shack New York, LLC d/b/a Shake Shack, 820 Washington St. (New RW – Fast Casual Restaurant)

i. Whereas, the Applicant appeared before CB2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a new Restaurant Wine License; the Applicant will operate a fast-casual restaurant as part of its chain of restaurants serving American cuisine in an M1-5-zoned, four-story mixed-use building constructed in 2011 on Washington St. between Gansevoort and Little West 12th Sts. (Block #644/Lot #10); and

ii. Whereas, the Applicant will operate in a previously-licensed premises totaling approximately 3,175 sq. ft., comprised of an interior ground floor space of approximately 1,600 sq. ft. and an outdoor patio of approximately 1,575 sq. ft.; the proposed occupancy will be approximately 112

persons, with 8 interior tables with 46 seats and 9 patio tables with 36 seats for a total of 82 patron seats; there will be 1 stand-up bar with no (0) seats and 1 service counter at which patrons can pick up their orders; the premises has 1 entrance, 4 exits, and 2 bathrooms; and

iii. Whereas, the Applicant's agreed-to hours of operation will be 11:00 AM to 11:00 PM seven days a week; music will be quiet recorded background only; there will be no DJs, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; the Applicant has presented a plan to address vehicular traffic and provide crowd control on the sidewalk; and

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the "Method of Operation" of the Restaurant Wine License, with those stipulations as follows:

1. The premises will be advertised and will operate as a fast-casual restaurant.
2. The hours of operation will be from 11:00 AM to 11:00 PM seven days a week. The premises will open no later than the stated opening time and no patrons will remain after the stated closing time.
3. The Applicant will operate a fast-casual restaurant with menu items available until closing every night.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. There will be no televisions.
6. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. It will not operate a backyard garden or any outdoor area for commercial purposes except for patio seating within the property line, which shall consist of no more than 9 tables with 36 patron seats. There will be no sidewalk cafe and/or roadbed seating operated under the temporary Open Restaurants program.
9. The sidewalk café and roadbed seating will close by 11:00 PM every night, with all chairs and tables removed at this hour. There will be no exterior music, speakers, or TVs.
10. The Applicant will not make changes to the existing façade, except to change the signage or awning.
11. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. It 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. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. It will not change any of the business' principals prior to submission of the original application to the SLA.
16. 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.

17. It will appear before CB2, Manhattan for an alteration to its license prior to submitting plans for permanent sidewalk or roadbed dining.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License in the name of **Shake Shack New York LLC d/b/a Shake Shack, 820 Washington Street 10014**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA Restaurant Wine License.

Vote: Unanimous, with 44 Board members in favor.

19. Bleecker Enterprises LLC, d/b/a Little Charli, 271 Bleecker Street 10014
(RW— Restaurant)

- i. **Whereas**, the Applicant appeared before CB2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license to operate a “small restaurant serving pizza (pies only) and varied Italian specialties” within an R7-2/C1-5 zoned 1836 three-story mixed-use building (block 590, lot 8) on Bleecker Street, between Jones and Cornelia Streets in the NYC Landmarks Commission designated Greenwich Village Historic District; and,
- ii. **Whereas**, the location to be licensed is approx. 1,300 sq. ft., with an 850 sq. ft. storefront and a 450 sq. ft. basement; and, there will be 10 tables and 26 chairs, all on the ground floor level; and, 1 table and four chairs of immediately adjacent sidewalk seating under the temporary Open Restaurants program; and, there will be no patron use of the basement level; and, applicant has a LNO from NYC Department of Buildings for this use; and,
- iii. **Whereas**, the applicant stipulated that interior hours of operation from 12 PM to 12 AM, Sunday to Wednesday, and 12 PM to 1 AM Thursday, Friday, and Saturday; and, doors and windows will be closed by 10 PM; and, entertainment would be background music only not audible outside the premises; and, that there would be no television; and,
- iv. **Whereas**, the sidewalk café will close at by 10 PM Sunday to Saturday, 7 days a week; and, all exterior tables and chairs will be withdrawn by this hour; and, there will be no exterior music, speakers, or televisions; and,
- v. **Whereas**, the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:
 1. Premise will advertised and operated as restaurant specializing in pizza and Italian dishes.
 2. Premise hours of operations will be 12 PM to 12 AM, Sunday to Wednesday, and 12 PM to 1 AM Thursday, Friday, and Saturday. Premises will open no later than stated opening time and **NO** patrons will remain after stated closing times.

3. Premise will operated as a full-service restaurant, specifically a restaurant serving pizza and other traditional Italian dishes, with the kitchen open and full menu items available until closing every night.
4. Premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premise to be operated in that manner.
5. Premises will not have televisions.
6. Premises will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk seating operating under the temporary Open Restaurants program. Sidewalk seating will be located immediately adjacent to the storefront, leaving a minimum clearance of 8' (eight feet) to the curbside for pedestrian passage with no more than 1 table and 4 patron seats. No roadbed seating.
7. Sidewalk café will close no later than 10 PM every evening. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
8. Premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. Premises will close all doors and windows at 10 PM every evening.
10. Operators will take reasonable steps to prevent lines from forming on the sidewalk, using a notification system to alert customers when seating is available on the interior.
11. There will be no patron use of the basement.
12. Premises will comply with all NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
13. Premises 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 sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Premises 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. Applicant or successors will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine license for **Bleecker Enterprises LLC, d/b/a Little Charli, 271 Bleecker Street 10014** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the "Method of Operation" on its Restaurant Wine License.

Vote: Unanimous, with 44 Board members in favor.

- 20. De Molinari Seventh Avenue, Inc. d/b/a Saint George, 74 7th Ave. So. 10014 (New RW – Restaurant)**

i. **Whereas**, the Applicant appeared before CB2, Manhattan's SLA Licensing committee to present an application for a new Restaurant Wine license to operate a "food establishment that will focus on freshly made food and breads with coffee and beverages" within a C2-6 zoned 1910 three-story mixed-use building (block 587, lot 56) on Seventh Avenue South, between Barrow and Commerce Street in the NYC Landmarks Commission designated Greenwich Village Historic District; and,

ii. **Whereas**, the location to be licensed is 2,822 sq. ft., with 1,040 sq. ft. on the ground floor, 891 sq. ft. on the second floor, and an additional 891 sq. ft. in the basement; and, there will be 16 tables with a total of 70 seats and one (1) bar/food pick-up counter with no seats; and applicant has a valid C of O from NYC Department of Buildings for this use; and,

iii. **Whereas**, the applicant stipulated that hours of operation from 7:30 AM to 11 PM, Sunday to Saturday, seven days a week; and, that all doors and windows facing Seventh Avenue South and will be closed by 10 PM every evening; and, that all doors and windows facing Barrow Street will remain closed at all times; and, entertainment would be background music only not audible outside the premises; and, that there would be no televisions; and,

iv. **Whereas**, the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will be advertised and operated as a restaurant.
2. Premise hours of operations will be 7:30 AM to 11 PM, Sunday-Saturday (7 days a week). Premises will open no later than stated opening time and NO patrons will remain after stated closing times.
3. Premise will operate as a full-service restaurant with the kitchen open and full menu items available until closing every night.
4. Premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premise to be operated in that manner.
5. Premises will not have televisions.
6. Premises will not operate a backyard garden or any outdoor area for commercial purposes, including any sidewalk café and/or roadbed seating under the Open Restaurants program.
7. Premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. A reservation system will be in use at all times; all patrons will wait in designated areas inside the licensed premise.
9. Premises will close all doors and windows facing Seventh Avenue South at 10 PM every night. All doors and windows facing Barrow Street will be closed at all times.
10. Premises' sidewalk hatch on Barrow Street will remain closed at all times except when deliveries are taking place.
11. Premises will not make changes to the existing façade except to change signage or awning.
12. Premises will comply with all NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
13. Premises 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 sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Applicant or successors will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Premises 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 appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant Wine license for **DeMolinari Seventh Avenue Inc. d/b/a Saint George, 74 Seventh Avenue South 10014** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on its Restaurant Wine License.

Vote: Unanimous, with 44 Board members in favor.

21. Lil Santino, Inc. d/b/a Daddie’s Pizza, 446-448-450 Hudson St. 10014 (New Restaurant Wine– previously Unlicensed location)

i. Whereas, the Applicant appeared before CB2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new Restaurant Wine license to operate an Italian family- style pizzeria restaurant by combining two commercial storefronts located within a six-story residential apartment building (circa 1925) on Hudson Street between Morton and Barrow Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, neither storefront has ever been licensed for the service of alcohol, the first storefront (450 Hudson Street) having previously operated for over a decade as a pizzeria, the pizzeria having closed due to the Covid Pandemic; the second storefront being the King Deli (448 Hudson Street) which served the local community for the last 30 years, the owners of the Deli remaining open throughout the Pandemic but losing revenue and not being able to make their monthly rent on a timely basis; and,

iii. Whereas, the Applicant recently renovated and opened his business, as of July/2022 within the storefront at 450 Hudson while 448 Hudson remains vacant and not connected to 450 Hudson, the Deli having been evicted and forced out of the space as of June/2022 due to an inability to pay its arrears of rent; and,

iv. Whereas, the interior storefront at 450 Hudson is roughly 400 sq. ft. interior, there is a large pizza oven and kitchen area, with 4 tables with 10 patron seats for a total interior seating capacity of 10 persons, 1 entrance/exit, 1 bathroom located in the rear requiring patrons to walk through the kitchen to access it, the store front infill being fixed without operable doors or windows, with no certificate of occupancy and/or letter of no objection being presented with the application permitting eating and

drinking in either storefront sought to be licensed; and

v. **Whereas**, the vacant interior storefront at 448 Hudson is roughly 400 sq. ft. in size, has a separate entrance/exit to the sidewalk, but is not connected on the interior storefront at 450 Hudson, with a diagram presented showing that there will be 5 tables and 20 patron seats, and 1 bar with 4 additional seats for a total interior seating capacity for 24 persons; and,

vi. **Whereas**, the Applicant was not able to explain the additur to this application relating to the address 446 Hudson Street, this address not relating to either of the two storefronts identified in this application; and,

vii. **Whereas**, after opening, the Applicant has been operating with exterior seating on the public sidewalk beyond the frontage of the operating storefront and on both sides of the sidewalk, and within a large structure in the roadbed, the structure also being in excess of and beyond the frontage of the operating storefront, with 18 tables and 36 patron seats on sidewalk and 10 tables with 22 patron seats within the roadbed structure, for a total exterior seating for 58 persons, the Applicant further operating with a large service bar/busing station located on the public sidewalk where waitstaff are stationed to service its patrons on the sidewalk and roadbed; and,

viii. **Whereas**, the proposed hours of operation for the service of alcohol are Sunday to Wednesday from 11:00 AM to 12:00 AM, Thursdays from 11:00 AM to 2:00 AM and Fridays and Saturdays from 11:00 AM to 4:00 AM, music in the interior will be background only; and,

ix. **Whereas**, there was opposition to this application, both in writing and in person, those in opposition speaking to the Applicant's refusal to meet with them, discuss any compromise on its hours of operation, the over-saturation of liquor licensing in the immediate area, the Applicant's bullying tactics in forcing the proprietors of the King Deli out, and the proposed hours of operation until 4:00 AM being unreasonable and inconsistent with a family-friendly pizzeria restaurant, the Applicant having provided a lease term sheet with the Landlord providing the Applicant with a "Covid Abatement" while also seeking to terminate the existing lease with the Deli, the clear intent of the Applicant and Landlord combined to remove the long-standing Deli business so that both Applicant and Landlord would enjoy a financial benefit operating out of the contiguous storefronts, these bullying tactics also being evidenced from the Applicants self-certifying request for roadbed seating for his business as of January 14, 2022, despite there being no business operating out of the storefront at 450 Hudson for roughly six months, the Applicant immediately building the structure in front of the Deli in January/2022, well beyond and more than double the dimensions of the storefront at 450 Hudson, despite there being no immediate plan for the business to open or operate, the roadbed structure remaining vacant and unused for those six months, the roadbed structure, when erected, also being non-compliant with the NYC DOT rules or guidelines—resulting in five separate cease and desist orders issued from the NYC DOT to the Applicant on January 25th, January 28th, March 17th, March 30th and May 11th of 2022—with this Applicant never being subject to the Covid Pandemic; and

x. **Whereas**, the opposition also presented photographs showing that the Applicant's current out door dinging setup is non-compliant on the public sidewalk by operating with double the tables and chairs that is currently stated and identified in its instant application, including tables and seats running along the curb (identified by the NYC DOT as the "amenity zone"), tables and seats that go beyond and

in excess of its business frontage at 450 Hudson, the photos showing the public sidewalk being congested with tables and chairs, not providing the requisite 8' clear path for pedestrian traffic, the service bar/station placed in the middle of the sidewalk surrounding by the restaurant's staff further exacerbating the congestion on the sidewalk; and,

xi. Whereas, when questioned about the non-compliance, the Applicant did not deny the non-compliance with the NYC DOT's Open Restaurant's Siting Requirements (<https://www1.nyc.gov/html/dot/html/pedestrians/openrestaurants.shtml>), repeatedly stating that he would immediately resolve and remedy all of the non-compliant issues arising from roadbed structure and over-congested public sidewalk; and,

xii. Whereas, despite the Applicant's assurances in resolving the non-compliance, no changes to either the roadbed or to sidewalk seating has occurred for the purpose of bringing his business into compliance with the current temporary rules of the Open Restaurants program;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine License application for **Lil Santino, Inc. d/b/a Daddie's Pizza, 448-450 Hudson St. 10014**; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the NYSLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and

THEREFORE, BE IT FURTHER RESOLVED, that if despite CB2, Man.'s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2, Man. recommends in the alternative that the following stipulations be imposed on any future Restaurant Wine license for **Lil Santino, Inc. d/b/a Daddie's Pizza, 446-448-450 Hudson St. 10014**:

1. The premises will be advertised and operated as a pizzeria restaurant with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday to Saturday from 11:00 AM to 12:00 AM.
3. Will not install or have French doors, operable windows or open façades.
4. Will comply with all applicable terms and conditions to the temporary open restaurant program as to sidewalk and roadway seating of customers.
5. Sidewalk seating will not exceed the business frontage and will be located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 6 tables and 12 patron seats. Roadbed seating will not exceed the business frontage of the licensed premises consisting of no more than 6 tables and 12 patron seats. No exterior music, speakers or TVs.
6. Sidewalk and roadbed seating will end by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays. All tables and chairs will be removed from the sidewalk at this hour.
7. There will be no service/wait stations on the public sidewalk.
8. Will keep closed all doors & windows at all times.
9. Will play quiet ambient recorded background music on the interior only. No music will be audible in any adjacent residences anytime.

10. There will be no TVs and the premises will not operate as a lounge, tavern or sports bar, or allow any portion of the premises to be operated in such a manner.
11. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
13. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits and Certificates.

Vote: Unanimous, with 44 Board members in favor.

22. 239 West 4th Street Restaurant, LLC d/b/a Pending, 239 W. 4th St. 10014 (New OP - Restaurant)

- i. **Whereas**, the Applicant and the Applicant's attorney appeared before CB2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a new Restaurant On-Premises Liquor License; the Applicant will operate a full-service restaurant specializing in Italian cuisine in a C2-6 with a R6 overlay-zoned, four-story mixed-use building constructed in 1839 on W. 4th St. between W. 10th and Charles Sts. (Block #611/Lot #4), and located in the Greenwich Village Historic District; and
- ii. **Whereas**, the Applicant will operate a full-service restaurant in a previously-licensed premises totaling approximately 1,600 sq. ft., comprised of an interior ground floor space of approximately 1,000 sq. ft. and a cellar of approximately 600 sq. ft.; the proposed occupancy will be less than 74 persons and there will be a total of 54 patron seats, comprised of 8 tables with 39 seats and 1 stand-up bar with 15 seats; the premises will have no outdoor seating and has 1 entrance, 2 exits and 3 bathrooms; and
- iii. **Whereas**, the Applicant's agreed-to hours of operation will be 9:00 AM to 2:00 AM seven days a week; music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; there is no sidewalk café, roadbed dining or use of the back yard included with this application; and
- iv. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being 63 active licensed premises within 500 feet of the subject premises, in addition to 8 pending licenses, the Applicant having met with multiple times with residents of the immediate area where the licensed premises will be located, obtaining their support with 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
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the "Method of Operation" of the Restaurant On Premises License, with those stipulations as follows:

1. The premises will be advertised and will operate as a full-service restaurant specializing in Italian cuisine.
2. The hours of operation will be from 9:00 AM to 2:00 AM seven days a week. The premises will open no later than the stated opening time and no patrons will remain after the stated closing time.
3. The Applicant will operate a full-service restaurant with a full-service kitchen, with the kitchen open and the full menu available until closing every night.
4. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. The Applicant will not operate a backyard garden or any other outdoor area for commercial purposes, including any sidewalk and/or roadbed seating operated under the temporary Open Restaurants program.
6. For the purpose of establishing the public interest standard/500 foot rule, the Applicant will not operate in the rear yard or seek to extend restaurant operations to the rear yard in the future.
7. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. It will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
9. The Applicant will work with its immediate neighbor to resolve existing noise intrusions from mechanical systems installed by the prior operator on the rear side of the building facing the rear yard.
10. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. It 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. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
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. It will appear before CB2, Manhattan for an alteration to its license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant On Premises Liquor License in the name of 239 W. 4th Street Restaurant LLC d/b/a TBD, 239 West 4th Street 10014, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the SLA Restaurant On Premises License.

Vote: Unanimous, with 44 Board members in favor.

23. **641 Hudson Hospitality, LLC d/b/a Mes Arnis, 641 Hudson St. 10014** (New OP-Lounge with DJs)
- i. **Whereas**, the Applicants and their Attorney appeared before CB2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new On Premise liquor license to operate a “neighborhood friendly, go-to hang out for residents of the West Village” within a ground floor storefront located within a five-story, Federal style townhouse building (circa 1910) on Hudson Street between Gansevoort and Horatio Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,
 - ii. **Whereas**, the storefront proposed to be licensed was previously operated since 2016 as a high end, reservation only full-service restaurant operated by Chef Gunter Seeger with closing hours of 11 PM every night, and before 2016, was a clothing store (Tracy Reese), representing a storefront location that had never previously been licensed for the service of alcohol; and,
 - iii. **Whereas**, the interior storefront is approximately 3,650 sq. ft. (2,150 sq. ft. ground floor and 1,500 sq. ft. basement with the basement being for mechanical systems and storage purposes only), there is a full-service kitchen, there are 16 tables with 54 patron seats, one stand-up bar with 10 additional seats for a total indoor seated patron occupancy of 64 persons, there is one (1) entry and two (2) exits and two (2) patron bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and
 - iv. **Whereas**, the proposed hours of operation will be Sunday to Saturday from 11:00 PM to 4:00 AM, music in the interior will be DJs at entertainment levels, dancing and plans to install operable French doors that will open up the entire venue to the public sidewalk in front, the Applicants indicating that there will be security enlisted on an as needed basis; and,
 - v. **Whereas**, there was significant opposition to this Application from those living in the neighborhood, and the local Jane Street Block Association, those in opposition stating that no outreach was performed by the Applicant to discuss their plans for this license, the hours of operation until 4:00 AM and method of operation with live entertainment music and dancing represented a nightclub atmosphere, or a business that would ultimately morph or transform into the equivalent, the immediate area being mixed use, greatly residential and located one block away from the Meatpacking District, the surrounding area being greatly saturated with late night drinking establishments similar to the one proposed; there also being concerns raised about the Applicant (Maurice Eldeiry), who has operated a bar and hookah & VIP lounge (Mystique Gardens Hookah Lounge, serial #1270558) in Farmingdale, NY, a location which has been the subject of disciplinary actions and fines from the NYSLA following objections raised by the Village of Farmingdale, which charged that the Applicant had misled the Community and Town Board as it related to its stated method of operation, and the erection of an exterior gazebo while also operating its business without a liquor license despite the consumption of alcohol taking place at the premises; and,
 - vi. **Whereas**, the Applicant’s disciplinary history with the NYSLA, with fines levied and paid, were recorded on 11/29//2019 (case #135554), 10/11/2019 (case#133678), 7/5/2019 (case#130975),

3/29/2019 (case#130663), with a fifth violation being recorded on 12/23/2016 (case #114020); and,

- vii. **Whereas**, when the Applicant was asked if he would put his application off to perform outreach by meeting with those living in the neighborhood, or if there was any compromise with regard to the Applicant's proposed hours of operation until 4:00 AM, or proposed method of operation as a club, the Applicants, and their counsel, replied in each case that they were not willing to do so; and,
- viii. **Whereas**, this application being subject to the 500-foot rule, requiring the Applicants to demonstrate that the public interest would be served by the addition of another liquor license at this location, the immediate area already being saturated with late-night drinking establishments and liquor licenses, there being 63 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 4 additional pending licenses, the proposal to expand the late night hours of operations at this location being inconsistent with the prior businesses and history of the storefront location, establishing new and unreasonable impacts with the large surrounding residential component of the neighborhood, the Applicant's prior licensed operations and actions drawing criticism and charges of not being honest and trustworthy, the Applicant's past transgressions not supporting this application, those past transgression still being very recent, there being no support advanced for this application from the Community;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new on premise liquor license application for **641 Hudson Hospitality, LLC d/b/a Mes Arnis, 641 Hudson St. 10014**; and

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

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

Vote: Unanimous, with 44 Board members in favor.

24. Ossea, LLC d/b/a To Be Determined, 39 Clarkson St. 10014 (New OP — Restaurant) (Previously Unlicensed location)

- i. **Whereas**, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a new on-premise liquor license to operate a full-service restaurant serving sea fare in a newly renovated six-story commercial building (formerly the Koppers Chocolate Factory circa 1920) on Clarkson between Hudson and Greenwich Streets in Greenwich Village; and,

- ii. **Whereas**, the premises to be licensed will consist of the bottom three floors of the building, including cellar (4,624 sq. ft.), first floor (4,803 sq. ft.) and second floor (4,803 sq. ft.), roughly 14,230 sq. ft. in total, the cellar not being for patron use or service, the cellar consisting of mechanical systems, storage, food prep, kitchen and office, the ground floor consisting of the main restaurant with 33 tables and 92 patron seats, which includes chefs counter together with 14' bar with 10 additional seats for a total patron capacity of 102 seats, the second floor consisting of 21 tables and 68 seats, one stand-up bar with 14 additional seats for a total patron capacity of 82 seats, there will be no operable windows, doors or facades that open out to the street, to any side or rear yards, rooftop or sidewalk; and
- iii. **Whereas**, the Applicant also plans to have sidewalk café seating within the building's frontage and adjacent with the temporary open restaurants program with 5 tables and 35 patron seats; and,
- iv. **Whereas**, the proposed hours of operation on the first floor are 10:00 AM to 12:00 AM Monday to Sunday, and the proposed hours of operation for the second floor will be from 8:00 AM to 12:00 AM Monday through Wednesday, 8:00 AM to 2:00 AM Thursday and Friday, 10:00 AM to 2:00 AM on Saturday, and from 10:00 AM to 12:00 AM Sunday, music on the interior will be quiet background music except for live acoustical music, on occasion, only on the second floor, that will be kept at a low volume level, so guests do not have to raise their voice when speaking to each other; and,
- v. **Whereas**, the Applicant also executed/had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation for the On-Premise Liquor License, with those stipulations as follows:
 1. The premises will be advertised and operated as a full-service restaurant specifically a modern brasserie serving seafood dishes with sustainable ingredients with its kitchen open and full menu items available until closing every night.
 2. The interior hours of operation will be Sundays through Saturdays 10:00 AM to 12:00 AM on the ground floor and Sundays from 10:00 AM to 12:00 AM, Monday to Wednesday from 8:00 AM to 12 AM, Thursdays and Fridays from 8:00 AM to 2:00 AM and Saturdays from 8:00 AM to 2 AM on the 2nd floor.
 3. Will not operate a backyard garden or any outdoor area for commercial purposes except for sidewalk seating operating under the temporary Open Restaurants program. Sidewalk seating will be located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 5 tables and 35 patron seats. No Roadbed seating.
 4. Sidewalk café will close and end no later than 11:00 PM. All tables and chairs will be removed at this hour. No exterior music, speakers, or TVs.
 5. Will not install or have French doors, operable windows or open façades.
 6. Will keep closed all doors & windows at all times.
 7. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 8. Will play quiet ambient recorded background music. On occasion there will be live acoustical music on the second floor that will be kept at a low volume level, so guests do

not have to raise their voice when speaking to each other. No drums and no horns. No music will be audible in any adjacent residences anytime.

9. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
10. Will have no more than two (2) television located on the second floor, with no sound.
11. The premises will not have DJ's, dancing, promoted events, any event where a cover fee is charged or any scheduled performances.
12. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
15. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

vi. **Whereas**, this application being subject to the 500 foot rule, requiring the applicant to establish the public interest standard for the issues of a new liquor license at this location, the Applicants here consisting of a well-known Michelin-starred chef and general manager with extensive experience in the hospitality industry, there being no licensed premise for eating and drinking on this particular block, with a commercial overlay located across the street, the Applicant having reached out to his immediate residential neighbors on both sides with no objections being raised, the noise generated from the restaurant being maintained mostly to its interior, there being no open facades or rooftop spaces to the proposed establishment, the sidewalk café closing at a reasonable hour, the Applicants agreeing to maintain the flow of cabs, private cars and other livery vehicle from parking or idling at or near the entrance so as to not block traffic with this section of Clarkson Street being a main throughfare for vehicle traffic coming from the West Side Highway; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the application for a new On Premise liquor license to **Ossea, LLC d/b/a To Be Determined, 39 Clarkson St. 10014** unless the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the Method of Operation on the SLA On Premise Liquor License.

Vote: Unanimous, with 44 Board members in favor.

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

25. **Carmine Street Beers, Inc. d/b/a Carmine Street Beers, 52A Carmine St. 10014**
(TW- Bar/Tavern) (laid over)

Whereas, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 4, 2022, the Applicant requested reconsideration in its application and asked to lay over this application

to September/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Carmine Street Beers, Inc. d/b/a Carmine Street Beers, 52A Carmine St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

26. 68 Perry St. Corp. d/b/a Corner Bistro, 331 W. 4th St. 10014 (OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 4, 2022, the Applicant requested **to lay over** this application over to September/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **68 Perry St. Corp. d/b/a Corner Bistro, 331 W. 4th St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

27. Rajmar Holdings, Inc. d/b/a Hudson Bar & Books, 636 Hudson St. 10014 (OP-Bar/Tavern) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 4, 2022, the Applicant agreed **to lay over** this application over to September/2022, 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Rajmar Holdings, Inc. d/b/a Hudson Bar & Books, 636 Hudson St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

- 28. 181 Waverly Italian, LLC d/b/a TBD, 181 Waverly Pl. 150 W. 10 St. 10014 (New OP- Restaurant) (withdrawn)**

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 4, 2022, the Applicant **withdrew** this application from consideration and did not appear;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **181 Waverly Italian, LLC d/b/a TBD, 181 Waverly Pl. 150 W. 10 St. 10014 until** CB2, Man. has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

- 29. Serafina 117 7th Ave. So., LLC, Serafina 117 7th Avenue South 10014 (New OP-Restaurant) (withdrawn)**

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 4, 2022, the Applicant **withdrew** this application from consideration and did not appear;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Serafina 117 7th Ave. So., LLC, Serafina 117 7th Avenue South 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

STANDING SEPTEMBER 2022 COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

- 1. *429 West Broadway** – Application is to replace storefront doors and lock system.

(withdrawn)

2. ***396 Avenue of Americas** - Application is to install interior and exterior illuminated signage, and vinyl sheets on 3 windows on the W. 8th St. facade.

Whereas:

- A. The building, located on a prominent corner in the central village, has undergone a number of changes and had a lighted sign prior to designation; and
- B. After designation, two signs of approximately the same size proposed were installed as evidenced by ghost areas on the facades; and
- C. In a prior approved design, never realized, lighted signs were approved on the two facades and a lighted sign was approved over the corner entrance; and
- D. The proposed signs are 20'6" X 6'4" with 23" high individual interior- lit white letters spanning 19' and a 5'2" x 2'2" backlit sign at top of the corner bay above the entrance; and
- E. The size, white color, and illumination of the facade signs is out of scale with the building and far larger and more prominent than any in the district and gives the impression of a bright, double billboard rather than simply identifying and promoting the business within; and
- F. Light-colored vinyl sheeting is proposed to be installed on the exterior of three prominent windows on the 8th street side to obstruct the view of interior fittings that were recently installed by the applicant which now present an unfinished dry wall view to the street; and
- G. The applicant installed the interior fittings in the showroom with complete disregard for ramifications affecting the exterior appearance of the building and there results a self-created hardship that is proposed to be solved with an aesthetically unacceptable and impractical solution; and
- H. The vinyl sheeting has no relationship to the building and provides an inviting palette for graffiti, which is increasingly problematic in the district, and the applicant presented no evidence concerning the sheeting's durability or its ability to be cleaned effectively; and
- I. The overlarge illuminated signs and the light sheeting covering the windows detract from the building and disturb the view of the prominent corner in the village that, though it does not contain the most distinguished architecture in the district, has a collection of commercial establishments that respect the scale and character of the area; and
- J. There was testimony from the public (neighbors) opposing the application; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Denial** of the two wall signs and recommends in their place letters at half the size of those on temporary signs currently in place and shown in the presentation materials, in the blue signature color of

the business as suggested by the applicant's representative, and that they be fitted with lighting of a sufficiently low level to make them clearly seen and not draw undue attention; and

B. **Denial** of the sign in the window over the doorway unless it has the same the same blue color with same modest illumination as the wall signs; and

C. **Denial** of the vinyl sheeting applied to the windows, and that the applicant return for a public hearing with a design that provides a view through the windows to preserve the architectural integrity of the building.

Vote: Unanimous, with 44 Board members in favor.

3. *392-394 West. Broadway– Application is to paint the first story of the façade and to repair and restore and illuminate the glass brick risers;

Whereas:

A. The building has unusually delicate design and detail with a historic unity of color values of white that are intended to simulate stone in cast iron and is typical to the district and is in unusually pristine condition apart from detailing at the ground floor; and

B. The existing color of the ground floor is of a white of deeper value with gold detailing typical to the design; and

C. The proposal is to paint the ground floor a dark gray (Benjamin Moore Kendall Charcoal) and to renew the gold trim; and

D. The glass block riser lights are to be restored and the illumination renewed; and

E. The applicant represented throughout the presentation that the present condition was as depicted in the left picture marked “existing condition” on the sixth page of the application and that the purpose of the hearing was to request approval to paint the ground floor of the facade the dark color as depicted in the right “proposed” picture on the same page; and

F. Following the presentation, photo-substantiated testimony was presented by a member of the Committee based on his recent visit to the building revealing that the actual existing present condition of the building is in fact that which was represented in the picture marked as “proposed”; and

G. The applicant responded with implausible reasons for the fact that the proposed work had already been carried out, including that the business was obliged to carry out the proposed work before it could open for business, and gave no explanation of having spent considerable time in the deliberately deceptive presentation; and

H. It is expected that presentation of materials and testimony in a public hearing or in any description of an application by the applicant or the applicant's representative in the public hearing before the Landmarks Committee of the Community Board be accurate and truthful in every way in order for the public to have an accurate understanding of the application in order to be able to comment and for the

Committee and the Board to be able to make an accurate assessment in composing recommendations to the Commission; and

I. There was testimony from the public opposing the application; now

Therefore be it resolved that CB2, Man. recommends:

A. **Denial** of the approval of the actual existing dark color of the ground floor facade, which is not historically appropriate for the building, diminishes its characteristic unity, destroys the harmony inherent in the design, does harm to the historic character of the neighborhood and was carried out without approval of the Commission and inaccurately presented by the applicant as a “proposed condition” when it is the “existing condition”; and

B. That the ground floor facade be returned to a color of a slightly darker value of the existing white of the upper floors; and

C. That the Commission take whatever punitive measures it is authorized to make concerning the deceptive nature of the presentation in the public hearing and the carrying out of the extensive work without approval; and

D. Approval of the restoration of the details in the facade to their original state and the restoration and subdued lighting of the glass block stair risers.

Vote: Unanimous, with 44 Board members in favor.

4. ***275 Canal Street** - Application is to install illuminated signage on the facade and a blade sign.

Whereas:

A. The sign is a combination of three elements – a black band with white lettering, ‘KFC’ in separate red letters above and the company logo to the left; and

B. The total size of the three components is 8’8” wide and 42” high; and

C. The design of the sign and its scale together with illumination is what is presumed to be the standard for the company however has in no way been modified to fit harmoniously into the intact historic design of the building nor to show sensitivity with the historic district; and

D. The installation of elements of the double cornice-like frame obstructs historic elements and detracts from the historic character of the building; and

E. A bracket sign is 2’high X 18” was represented as conforming to regulations for blade signs in the district; and

F. The applicant represented that it is intended to remove the temporary interior signs when exterior signs are installed, though they conform to landmarks regulations in being 18” or more from the window; and

G. There was testimony from the public opposing the application; now

Therefore be it resolved that CB2, Man. recommends:

A. Denial of the facade sign, and that the applicant return for a public hearing before the Community Board with a design that respects the character of the historic district and the landmark district; and

B. Denial of the unusually large blade sign unless Commission staff verify that the sign and its positioning conform to the regulations for blade signs in the district.

Vote: Unanimous, with 44 Board members in favor.

5. *43 Barrow Street – Application is to restore the front façade, excavate the cellar and add a penthouse on the roof and extend the chimneys.

Whereas:

A. The block is among the best preserved in the Village with small scale early row houses without any significant alterations and is a block, unusual for the village, without commercial establishments; and

B. The facade and iron work are to be restored and the windows changed from the existing one over one to six over six which is typical for the period; and

C. The rear window on the ground floor is to be a large multi-pane window with a door to the garden and the upper floors are to have six over six windows; and

D. The rooftop structure 21’ wide 12’ deep and 10’5” high, clad in zinc panels, has very considerable and highly intrusive visibility from 7th Avenue South and within the block of small-scale buildings and the extended chimneys are objectionably visible from a number of vantage points; and

E. The angle of the street with respect to the avenue and the low buildings on the avenue make it impossible to build this or any other structure on the roof that could possibly meet the standard for rooftop additions to a row house in the Village as “not more than minimally visible from any public thoroughfare”; and

F. The roof safety railing is rather heavy and is sure to be visible; and

G. A complete excavation of the entire cellar - wall to wall, front to back - with underpinning of the end walls, especially the side party walls of the adjacent houses, is of great concern and considerable, detailed accounts from neighbors who had undertaken excavation work detailed the dangers and in one case abandoning the excavation; and

H. There was further testimony from the public against disturbing the historic unity and harmony of the block with the proposed or any rooftop additions and considerable opposition with alarm, shared by the Board, concerning a proposal for a fire pit on the roof and though not visible are of enormous concern in a frame building surrounded by other frame buildings; and

I. The very limited site with almost no yards would disturb all adjacent properties during construction, even if proven to be feasible with detailed engineering documents; now

Therefore be it resolved the CB2, Man. recommends:

A. **Approval** with commendation of the restoration of the facade and installation of proper windows of the period; and

B. **Denial** of the rooftop extension and chimney extensions or any other structure on the roof where any construction would be unacceptably highly visible from the pristine street of small row houses and the nearby avenue; and

C. **Denial** of the wall-to-wall excavation of the cellar for reasons of concern for the integrity of the building and neighboring buildings; and

D. **Denial** of the rooftop fire pit owing to grave concerns over the evident danger of any open flame in an enclave of wooden buildings and suggest communication with the proper authorities about this aspect of the application.

Vote: Unanimous, with 44 Board members in favor.

6. 95 Bedford Street - Application is to restore the front façade, alter existing window and openings at the side and rear, and construct a new rooftop addition

Whereas:

A. This historic Queen Anne style 4 story stable is situated beside the garden of a corner property on a remarkably unchanged block, and has an unusual degree of visibility on a secondary façade; and

B. The application seeks to continue what was described as an evolution of adaptive reuse starting in 1904; and

C. The changes to the front façade are restorative, with new in-kind energy efficient windows, a pedestrian entrance to be replicated in kind, carriage doors restored, and restoration of historic signage to resemble the 1956 designation photo; and

D. The proposed alterations to the visible secondary façade (north elevation) include a partial raised parapet, new windows to match historic type, a relocated opening on the ground floor, a relocated arch on the second floor extending to the third, and a greatly increased opening for an expanded light well on the

fourth floor which will create more visibility of the rooftop addition than the mock-up can possibly reveal, as it is partially obscured by existing material that is proposed to be removed; and

E. The changes to the rear façade include new windows to match historic type, and the removal of historic fabric to accommodate a continuous row of out of scale new “studio “windows on the fourth floor that resemble a curtain wall more than the atelier windows of the district and introduces a modern element into the especially well-preserved historic Grove Court; and

F. The proposed rooftop addition is not in harmony with either the district or its own building, but is largely not visible from a public thoroughfare, with the exception that parts of the addition will be visible from Bedford Street as well as Hudson Street; and

G. There was a lack of clarity from the applicant regarding the potential need for a variance for the northern lot line windows, and the Committee is opining with the presumption of legality, but has concerns about the appropriate sequencing here and is relying on the Commission to verify legality; and

H. A member of the public who resides in an adjacent building testified that the rooftop addition will obstruct her lot line windows and render her apartment uninhabitable, which, while not a Landmarks issue, is nonetheless disturbing in the context of a proposal that seeks to expand the applicant’s light and air, principally by increasing openings in its own north lot line façade; now

Therefore be it resolved that CB2, Man. recommends:

A. **Approval** of all proposed work on the front façade including new windows, new and restored doors, signage restoration, and repair and restoration of the base; and

B. **Approval** of north façade window replacement and relocation of openings on ground and second floors provided that they are either of right or proper permission is secured from the appropriate authorities; and

C. **Approval** of expanded fourth floor opening and planter on north façade provided that the rooftop addition is modified so that large expanses of curtain wall and ceiling glass are not visible from Bedford Street; and

D. **Approval** of proposed changes to ground, second, and third floor windows on the rear façade; and Denial of new fourth floor studio window on the rear façade since it is visible from Hudson Street and is not harmonious with the building, resembling a glass curtain wall more than the characteristic atelier windows of the district.

Vote: Unanimous, with 44 Board members in favor.

7. **263 West 11th Street** - Application is to excavate part of the rear yard to construct a pool

Whereas:

- A. The applicant, whose rear yard lies within a remarkably intact classic Greenwich Village donut, seeks to excavate a considerable portion of their rear yard in order to construct a 10' X 26' swimming pool; and
- B. The construction of an outdoor swimming pool in the context of the rear yards of Greenwich Village is essentially an experimental process as this type of construction, while common in the suburbs, is far beyond the norms of backyard amenities in the Greenwich Village Historic District, so it is not demonstrable that the excavation and construction process for a pool will be without negative impact to neighboring historic properties; and
- C. An owner of a neighboring property testified that they had terminated an approved excavation on their own property when they discovered that the ground was sandier and less stable than expected, perhaps due to a former stream bed; and
- D. The traditional concept of the donut implies a peaceful green oasis to be enjoyed by all the residents on it; and
- E. Many neighboring members of the public testified in objection to the proposal, and expressed concerns including the potential for damage to their own historic properties from the excavation and construction process, and inherent risks of the introduction of thousands of gallons of water into the donut. Though not a Landmarks issue, they also expressed many significant quality of life concerns; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Denial** of the excavation due to potential risk to neighboring historic properties in the course a construction process that is uncharted within a similar context. The recommendation to deny this application is also based on aesthetic concerns having to do with the historic significance of the backyard donut in Greenwich Village and the continued importance of green space within the district.

Vote: Passed, with 43 Board members in favor, and 1 abstention (J. Liff).

- 8. 202-204 6th Ave.** - Application is to install a retractable rollacover in the rear yard, wall between the two buildings, exterior signage, and lights.

Whereas:

- A. The proposed glass roof with 2 retractable sections serves to create an interior space that is inherently unlike the garden examples that were presented as comparable precedents within the district; and
- B. The proposed wall on Prince Street, sandwiched between white brick buildings, is designed to have, on CMU brick, a decorative finish of “rammed earth”, a material that has no precedent on the exteriors of the district; and
- C. The top of the wall is designed to be asymmetrical and is unsympathetic to the district in general and to its streetscape in particular; and

- D. Aside from its visual incongruity, “rammed earth” has not been tested for graffiti- proofing; and
- E. Insufficient information was provided for the Proposed Tenant Signage for the new “infill wall” along Prince Street; the applicant included no details or diagrams for the size or materials of that signage, and contradictory images for that wall signage, one showing simply “PLANTA” while others showed “PLANTA COCINA” were presented, when asked about the size, the applicant could only offer estimated sizes of the overall signage and the individual lettering; and
- F. Insufficient information was provided regarding the blade sign, and contradictory information was presented regarding the words proposed to be on the front wall; and
- G. The enclosure of the space created by the glass roof creates a potentially dangerous fire egress situation for tenants in a neighboring building, whose fire escapes appear to lead right into the restaurant; and
- H. Many neighborhood residents spoke out in vigorous objection, all sharing similar concerns regarding the proposal’s disregard for the visual vocabulary of the historic district, with one person aptly comparing the look of the wall to “a shopping mall in Scottsdale”. Other public concerns, though not Landmarks issues, included noise and the aforementioned fire escape issue; now

Therefore be it resolved that CB2, Man. recommends:

- A. Denial of the rollcover, which serves to create an unambiguously interior space that is fundamentally unlike the garden comparisons shown as precedent and;
- B. Denial of the design of the street wall which is noncontextually within the historic district; and
- C. Denial of the blade sign due to insufficient information; and
- D. Denial of the sign on the “infill wall” along Prince due to insufficient information.

Vote: Unanimous, with 44 Board members in favor.

QUALITY OF LIFE

1. 9/15/22 – 9/16/22 – Mierle Laderman Ukeles Gallery Show (Sponsor: NYU Gallatin School): Washington Place between Broadway and Mercer St. [curb lane only]

Whereas, Mierle Laderman, the artist-in-residence at New York’s Department of Sanitation (DSNY), currently has a gallery show ongoing at NYU’s Gallatin School; and

Whereas, in conjunction with this gallery show, NYU wishes to sponsor a temporary installation by the artist in front of the Gallatin School, consisting of a DSNY sanitation truck covered in mirrors and parked in the curb lane outside the school; and

Whereas, the truck will be parked outside for two days, from 12 PM-8 PM on 9/15 and from 8 AM-4 PM on 9/16, and will not be parked overnight, and;

Whereas, there will be no programming, amplified sound or food associated with the installation; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Mierle Laderman Ukeles Gallery Show (Sponsor: NYU Gallatin School)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

2. 9/17/22 – Judson Memorial Church Homecoming Weekend: Thompson St. between Washington Square South and West 3rd [curb lane only]

Whereas, Judson Memorial Church plans to hold their annual “mutual aid weekend” on the weekend of 9/16-8/18, including a proposed street event on Saturday, 9/17; and

Whereas, the event will feature a mixture of games, socialization and information tables regarding causes sponsored by the Church; and

Whereas, while the application specifies a curb lane only closure, the applicant has been coordinating with SAPO and NYPD, which has agreed on a full street closure; and

Whereas, the proposed block for the event is not a street that sees heavy traffic, and attendance for the event is expected to be low with minimal disturbance for residents; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Judson Memorial Church Homecoming Weekend**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

3. 9/19/22 – Branded Ice Cream Truck – NYU (sponsor: IDEKO): Washington Square South between LaGuardia Pl. and Washington Square East [curb lane closure only]

Whereas, the applicant did not appear on behalf of this application and the committee was unable to hear the particulars of this event; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Branded Ice Cream Truck – NYU (sponsor: IDEKO)**.

Vote: Unanimous, with 44 Board Members in favor.

**4. 9/24/22 – City Harvest / Torch Crown Oktoberfest: Vandam St. between 6th and Varick St.
[full street closure]**

Whereas, Torch and Crown Brewery, in conjunction with non-profit City Harvest, seeks to host an Oktoberfest-themed street event on the street in front of the Brewery’s physical location on Vandam Street; and

Whereas, the application seen by the committee had a stated date of Saturday, September 24th, the applicant stated that the date had been amended in the SAPO / CECM system to Saturday, October 1st; and

Whereas, the proposed event is a single-day event, with setup beginning at 10 AM, and the event running from 12:00 Noon until 8:00 PM; and

Whereas, the applicant intends to sell only pre-sold tickets, with estimated attendance between 1,000 and 1,500 attendees, and tickets split into two time slots in order to minimize crowding and noise at any given time, as well as to discourage attendees from staying for the entire day; and

Whereas, the event will feature food and beer served in a table-service setting, with all food and drink intended to be locally and sustainably sourced; and

Whereas, the event will feature games and live music performances for local artists, in what is intended to be a “family-friendly” atmosphere; and

Whereas, the applicant has engaged All Purpose Protection, a hospitality-focused security group, to provide private security for the event; and

Whereas, the applicant stated that there is a fully-sanitary trash storage facility within the Brewery building, which will be used to store waste during the event in order to minimize trash on the street; and

Whereas, the applicant intends to deploy removable steel barriers around the event with staff checking tickets and IDs at each entrance, with wristbands distributed to attendees aged 21+; and

Whereas, all servers / waitstaff for the event will be professional servers who have undergone TIPS training; and

Whereas, this is the first large street event sponsored by Torch and Crown (which opened in 2020), the applicant has prior experience running large events inside the brewery itself, which can seat up to 600 people; and

Whereas, while the applicant had not yet conducted extensive outreach to residents and business on the block, they confirmed their intention to do so ahead of the event, and stated that they had since opening in 2020 already established relationships with block associations and local businesses such as Soho Playhouse; and

Whereas, the event will feature the first time that Torch and Crown has partnered with NYC-based non-profit City Harvest, the applicant hopes to generate significant proceeds for City Harvest and to further build this relationship in the future; and

Whereas, a resident of 2 Charlton Street, a 16-story co-op which has windows facing out onto the proposed event location, spoke at the QoL committee meeting and expressed opposition to the event, stating that the applicant had previously caused disruption on the block and would cause disruption with this event; and

Whereas, committee members felt that the applicant should have conducted more outreach on the block ahead of the meeting, but were supportive of the fact that the event would be sponsored by a local business with proceeds going to a local charity, as well as the fact that the event would run during the daytime and end at 8 PM; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **City Harvest / Torch Crown Oktoberfest**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

5. 9/29/22 – Opening of the Northern Dispensary (Sponsor: David Ludwigson): Waverly Place between Gay St. and Grove St. [full street closure]

Whereas, local non-profit God’s Love We Deliver plans to open a new facility at the Northern Dispensary, a historic building which has previously been vacant for more than three decades; and

Whereas, the applicant plans to host a small opening ceremony on September 29th from 9:00 AM to 12:00 noon for the non-profit’s board, staff, and supporters, which will consist of remarks, a ribbon-cutting ceremony, tours and light refreshments; and

Whereas, following the opening ceremony, the applicant plans to host an “open house” from 3:00 PM to 7:00 PM, with the intention to keep the street closed all day from 9:00 AM to 7:00 PM; and

Whereas, the applicant plans to employ a wristband system to manage queuing and to have security on site to manage capacity in the building; and

Whereas, while there will be food served and music playing inside the building, there will be neither music nor food service outside on the street; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Opening of the Northern Dispensary (Sponsor: David Ludwigson)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

6. 9/29/22 – 10/01/22 – Center for Art Research and Alliances-CARA-Grand Opening at 225 W. 13th St. (sponsor: New York Consolidated-Center for Art, Research and Alliances): West 13th St. between Greenwich Ave. and 7th Ave. [partial sidewalk closure]

Whereas, the Center for Art Research and Alliances, a 501(c)(3) arts-focused non-profit which has been in development for five years, is planning the grand opening of its location at 225 W. 13th Street; and

Whereas, the location will feature a bookstore and exhibition space, with plans in the future to host exhibitions, publish books, and host readings and talks, centered on the idea of expanding conversation and recognition in the art world around a more diverse set of artists; and

Whereas, the applicant intends to hold a preview and opening celebration on September 29th from 6:00 PM – 9:00 PM inside the bookstore, ahead of the planned public opening on October 1st; and

Whereas, while the opening preview exhibition is planned to take place inside, the applicant is seeking a partial sidewalk and curb lane closure to place a few high-top tables in front of the building in order to give attendees the chance to step outside from the event; and

Whereas, the applicant does not intend to play amplified sound or to serve food or drinks outside, and will not allow alcoholic beverages to be brought outside the building; and

Whereas, the applicant intends to close around 60 feet of sidewalk / curb lane, including in front of next door neighbor Integral Yoga which has agreed to allow tables to be set up in front of their building; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Center for Art Research and Alliances-CARA-Grand Opening at 225 W. 13th St. (sponsor: New York Consolidated-Center for Art, Research and Alliances)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

7. 10/01/22 – Breast Cancer Awareness / Find Your Right Size (Sponsor: Sweeter): West Broadway between Prince St. and West Houston St. [curb lane only]

Whereas, the applicant seeks to sponsor an event for bra brand Walcoal with a focus on breast cancer awareness; and

Whereas, the event will feature a branded and decorated flatbed, grass-walled truck parked in the curb lane; and

Whereas, attendees to the event will have the opportunity to line up and go inside the truck, where they will have the opportunity to receive branded giveaways and potentially speak with a fitting consultant; and

Whereas, the applicant stated that the truck along with an associated production vehicle are expected to take up approximately 50 feet of the curb lane; and

Whereas, the applicant plans to hire security for the event and to use bike racks to protect attendees waiting on line in the curb lane; and

Whereas, the applicant does not intend to play amplified sound or to serve food other than giveaways of branded cookies; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **Breast Cancer Awareness / Find Your Right Size (Sponsor: Sweeter)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

8. 10/07/22 – 10/10/22 – GU New Store Opening (Sponsor: Uniqlo USA): Broadway between Prince St. and East Houston St. [sidewalk and curb lane closure]

Whereas, GU, a clothing brand owned by Uniqlo, is seeking to open its first ever pop-up in the United States; and

Whereas, applicant indicated that they only intend to close 50 feet of the sidewalk and curb lane from 10 AM – 9 PM on opening day (October 7th), despite the application being for three days; and

Whereas, the applicant plans to use their own barriers for protection of attendees waiting on line; and

Whereas, the applicant intends to hire 3 security guards to be on site alongside the applicant’s own staff members; and

Whereas, the applicant plans to utilize an online reservation system as recommended by the QoL committee’s store opening / pop-up guidelines; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of **GU New Store Opening (Sponsor: Uniqlo USA)**, **provided that** the application conforms with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

FYI/Renewals:

- 1. 9/17/22 – Astor Alive (Sponsor: Village Alliance): Astor Place (South) [Pedestrian Plaza]**
- 2. 9/18/22 – 9/27/22 – I Stand for Choice (sponsor: Meatpacking District Management Association): Gansevoort Pedestrian Plaza [pedestrian plaza]**

3. **10/01/22 – 10/31/22 – To Sit Awhile Art Installation (Sponsor: NYC Department of Transportation Arterventions): Astor Place Plaza (South) [pedestrian plaza]**
4. **10/05/22 – Subway (Sponsor: Sweeter): Washington Street between West 12th St. and Gansevoort St. [curb lane closure only]**
5. **10/30/22 – CMA Halloween Block Party (Sponsor: Children’s Museum of the Arts): 6th between Spring St and Broome St. [full street closure] (Note: Please Note this is Little 6th Ave. and Not the Ave. of the Americas. This is a single lane adjacent to Spring St. Park)**

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

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of these renewal applications **provided that** the applications conform with all applicable laws, rules, and regulations—including any and all COVID related orders and/or restrictions—and clearance requirements.

Vote: Unanimous, with 44 Board Members in favor.

SLA LICENSING

1. AV Sullivan, LLC d/b/a All’Antico Vinaio, 225 Sullivan St. 10012 (New TW–Bar/Tavern)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate an artisanal sandwich shop with roots in Florence, Italy on the ground floor of a R7-2-zoned, five (5)-story mixed-use tenement style building (c. 1887) on Sullivan Street between West 3rd and Bleecker Streets (Block #539/Lot #9) the building falling within NYC LPC’s designated South Village Historic District; and

ii. Whereas, the ground floor premises is approximately 950 sq. ft. consisting of 500 sq. ft. on the ground floor and 450 sq. ft. in the basement, the two floors connected by an exterior stairway, there will be no patron use of the basement, the basement being for storage and office use only; there will be one (1) food counter with approximately six (6) seats for an interior seated occupancy of six (6) persons, there are no additional tables or stand-up bars; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom; there will be no sidewalk café or roadbed seating operating under the temporary Open Restaurants program; and

iii. Whereas, the hours of operation will be from 11:30 AM to 11:00 PM Sundays through Saturdays (7 days a week); there are operable casement windows but all doors and windows will be closed at all times; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

iv. Whereas, the licensed premises had been operated from approximately 2001 to 2020 as a café and wine bar known as Caffe Valdino, Inc. d/b/a V Bar (SN# 1029155) with closing hours of 11:00 PM, there

having been multiple disciplinary actions brought against that licensee as well as complaints from residents regarding noise from the open windows and difficulty navigating the sidewalk in front of the premises due to the sidewalk hatch to the basement often being left open, the current applicant taking steps to ameliorate those issues; and

v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Tavern Wine License, with those stipulations as follows:

1. Premises will be advertised and operated as an artisanal sandwich shop with roots in Florence, Italy operating with less than a full-service kitchen, but will operate with the full food menu available during all hours of operation.
2. The hours of operation will be 11:30 AM to 11:00 PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
6. Will not have televisions.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will place cones and/or plastic barrier in front of sidewalk hatch when it is open and will keep it closed when not in immediate use.
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 keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
14. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Tavern Wine License in the name of **AV Sullivan, LLC d/b/a All’Antico Vinaio, 225 Sullivan St. 10012**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Tavern Wine License.

Vote: Passed, with 43 Board members in favor, and 1 abstention (J. Liff).

**2. Ondo Omakase, Inc. d/b/a Ondo Omakase, 301 Elizabeth St. 10012 (New RW–Restaurant)
(previously unlicensed)**

- i. Whereas,** the Applicant appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a Japanese omakase and sushi restaurant on the ground floor of a C6-2, C6-3-zoned, 12-story mixed-use building (c. 1991) on Elizabeth Street between Bleecker and West Houston Streets (Block #521/Lot #45), the building falling within the SoHo-Cast Iron Historic District; and
- ii. Whereas,** the ground floor premises is approximately 1,200 sq. ft.; there will be one (1) food counter with approximately 14 seats for an interior seated occupancy of 14 persons, there are no additional tables or stand-up bars; the premises has two (2) doors which will serve as patron ingress and egress, one additional door for emergency exit only and two (2) bathrooms; the store front infill being fixed without operable doors or windows that open out to the sidewalk, the Applicant not presenting a certificate of occupancy or letter of no objection permitting eating and drinking at the location; and
- iii. Whereas,** the hours of operation will be from 5:30 PM to 10:00 PM Sundays through Saturdays (7 days a week); there will be no sidewalk café or roadbed seating operating under the temporary Open Restaurants program; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. Whereas,** the premises is a combination of two previously unlicensed locations, the immediate past tenants being a small grocery store and a cleaners, there being concerns that this relatively short, quiet, primarily residential block has seen a turnover of most of its ground floor retail in the past two to three years from dry retail to eating and drinking establishments and the impacts that creates on quality of life issues for local residents in both lack of local services and increase in noise; this application being for the service of beer and wine only and thus not subject to the 500-foot rule, the instant application having already opened, the small number of seats, limited hours of operation and early closing hours while creating an impact on quality of life for local residents, the impact is less than what might otherwise be felt under a different method of operation; and
- v. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Restaurant Wine License, with those stipulations as follows:
1. Premises will be advertised and operated as a Japanese omakase and sushi restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be 5:30 PM to 10:00 PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 4. Will not operate a backyard garden or other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
 5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.

6. Will not have televisions.
7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. 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 the service of beer and/or wine.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, or velvet ropes or barricades
14. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License in the name of **Ondo Omakase, Inc. d/b/a Ondo Omakase, 301 Elizabeth St. 10012, unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Restaurant Wine License.

Vote: Passed, with 43 Board members in favor, and 1 abstention (J. Liff).

3. Saito LLC, d/b/a Saito, 70 Kenmare Street – Store #5 and #6 10012 (RW–Municipal Extension)

i. Whereas, the Applicant and Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committees #1 via video conference to present an application to the NYS Liquor Authority to add a Municipal Extension (Sidewalk seating) to its pending Restaurant Wine License (SN# 1341650), the Applicant having appeared before CB2, Man. in January/2021 for its Restaurant Wine license and receiving a unanimous positive recommendation at CB2, Manhattan’s January/2021 full board meeting; the Applicant will operate a full-service Japanese restaurant in the ground floor of a C6-1 zoned, six (6)-story mixed-use building constructed in 1900 on Kenmare Street between Mott and Mulberry Streets (Block #480/Lot#4), the building falling within the Special Little Italy District; and

ii. Whereas, the storefront is approximately 870 sq. ft., comprised of a ground floor of approximately 470 sq. ft. connected by an interior staircase to a cellar of approximately 400 sq. ft. which will be used for storage purposes only, no patron use; the space will have three (3) tables with eight (8) seats and one (1) bar with ten (10) seats for a total seated occupancy of 18 persons; the premises has (1) door which will serve as patron ingress and egress and one (1) bathroom; and

iii. Whereas, the Applicant’s agreed hours of operation are 5:00 PM to 12:00 AM seven days a week; music will be quiet background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music), there are no televisions, there will be no

dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and

iii. Whereas, the instant application is to add sidewalk seating located adjacent to the premises to be licensed consisting of no more than eight (8) tables and 19 seats and leaving a minimum 8' pedestrian clear path on the curbside; and

v. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the “Method of Operation” of the Restaurant Wine License, with those stipulations as follows:

1. Premises will be advertised and operated as a full-service Japanese restaurant with Pacific-Atlantic seafood delicacies with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 5:00 PM to 12:00 AM seven days a week. No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not have any televisions.
5. It will not operate a backyard garden or any outdoor area for commercial purposes.
6. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 8 tables and 19 patron seats. No roadbed seating.
7. Sidewalk café will close no later than 10:00 PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
8. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. Will close all doors and windows at all times.
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 not seek to upgrade to a full on-premise license in the future
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. 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.
16. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License in the name of **Saito LLC, d/b/a Saito, 70 Kenmare Street – Store #5 and #6**

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 Restaurant Wine License.

Vote: Unanimous, with 44 Board members in favor.

4. Dr. Smood New York, LLC d/b/a Dr. Smood, 470 Broome St. aka 55-½ Greene St. 10013 (New TW–Tavern) (*previously unlicensed*)

i. Whereas, the Applicant and the Manager appeared before CB2, Manhattan’s SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate an all-day café focusing on organic and seasonal ingredients on the ground floor of a M1-5A-zoned, 5-story mixed-use building (c. 1867, altered 2003, 2006) on Broome Street between Greene and Wooster Streets (Block #486/Lot #7502), the building falling within NYC LPC’s designated SoHo-Cast Iron Historic District; and

ii. Whereas, the ground floor premises is approximately 1,080 sq. ft.; there are 10 tables and 30 seats for a total interior seated patron occupancy of 30 persons, there are no additional tables or stand-up bars; the premises has one (1) door which will serve as patron ingress and egress, and one (1) bathroom; the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

iii. Whereas, the hours of operation will be from 8:00 AM to 9:00 PM Sundays through Saturdays (7 days a week); there will be a sidewalk café operating under the temporary Open Restaurants program with four (4) tables and eight (8) seats; music will be quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

iv. Whereas, the Applicant, who has been open and operating the café at this location for approximately five (5) years without a liquor license, stated that based on the positive feedback from their customers and in what they experienced through the Covid-19 pandemic they are planning to elevate the dining experience slightly by making the interior environment be a bit more bistro-like and felt that the addition of organic wine and beer would complement the new dining experience; and

v. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new Tavern Wine License, with those stipulations as follows:

1. Premises will be advertised and operated as a healthy food café focusing on organic and seasonal ingredients with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 8:00 PM to 9:00 PM Sundays through Saturdays (7 days a week). No patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for

- pedestrian passage with no more than four (4) tables and eight (8) patron seats. No roadbed seating.
5. Sidewalk café will close no later than 9:00 PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
 6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
 7. Will not have televisions.
 8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 10. Will not install or have French doors, operable windows or open facades.
 11. Will not make changes to the existing façade except to change signage or awning.
 12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
 13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, or velvet ropes or barricades.
 15. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
 16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the application for a new Tavern Wine License in the name of **Dr. Smood New York, LLC d/b/a Dr. Smood, 470 Broome St. aka 55-½ Greene St. 10013**, 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 Tavern Wine License.

Vote: Unanimous in favor., with 44 Board members in favor.

5. 1 W3, LLC d/b/a TBD, 1 W. 3rd St. 10012 (OP–Restaurant) (renotification)

- i. **Whereas**, the instant application was originally heard in December/2021 and the positive recommendation of CB2, Manhattan’s SLA Licensing Committee was unanimously approved by CB2, Manhattan’s full board at its December/2021 meeting; and
- ii. **Whereas**, prior to CB2, Manhattan’s SLA Licensing Committee Meeting on September 14, 2022, the Applicant’s Attorney notified CB2, Man. that the NYSLA requested a renotification to Community Board 2 using the updated 30-day Advance Notice Form (rev12302021), there being no changes to the application itself, the Applicant having signed stipulations with CB2, Manhattan therefore attendance at the meeting was waived;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the application for a new On-Premises Restaurant License in the name of **1 W3, LLC d/b/a TBD, 1 W. 3rd 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 On-Premises Restaurant License.

Vote: Unanimous, with 44 Board members in favor.

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

6. Cui Ping Huang, Eggcellent New York, Inc. d/b/a Ja Moy, 208 Thompson St. 10012 (RW–Restaurant) (Freestanding Covered Structure) (failed to appear)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 14, 2022, the Applicant **failed to appear** and provided no further information regarding this application despite repeated inquiries;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Cui Ping Huang, Eggcellent New York, Inc. d/b/a Ja Moy, 208 Thompson St. 10012** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

7. 66 Greene LLC, fka An Entity to be Formed by Alexander Grant d/b/a TBD, 66 Greene St. 10012, Grnd. Fl. & Bsmt. (TW–Clothing Store with Café)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 13, 2022, the Applicant requested **to lay over** this application for a Tavern Wine License to October/2022 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **66 Greene LLC, fka An Entity to be Formed by Alexander Grant d/b/a TBD, 66 Greene 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, with 44 Board members in favor.

8. One Tree Hill, LLC d/b/a Westerly, 39 E. 13th St., 6th Fl. 10003 (RW–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 13, 2022, the Applicant requested **to lay over** this application for a Restaurant Wine License to October/2022 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **One Tree Hill, LLC d/b/a Westerly, 39 E. 13th St., 6th Fl. 10003, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

9. Pappas OG, LLC d/b/a Pappas Taverna, 103-105 MacDougal St. 10012 (RW–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 13, 2022, the Applicant requested **to lay over** this application for a Restaurant Wine License to October/2022 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Pappas OG, LLC d/b/a Pappas Taverna, 103-105 MacDougal 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, with 44 Board members in favor.

10. 357 W. Broadway, LLC, 357 W. Broadway 10013 Grnd., 2nd & 3rd Flrs. (RW–Restaurant)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 13, 2022, the Applicants failed to appear, instead sending an Operations Manager, who thereafter requested **to lay over** this application to October/2022, at which point the operations manager will appear along with a principal, affirming that the Applicant would not file its application to the NYSLA until they are ready to proceed before this Community Board and present their application;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **357 W. Broadway, LLC, 357 W. Broadway 10013 Grnd., 2nd & 3rd Flrs, 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, with 44 Board members in favor.

11. Westside Museum, LLC d/b/a To Be Determined, 427 Broadway 10013 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 13, 2022, the Applicant requested to withdraw their application for an On-Premises Restaurant License 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA deny any type of proposed on-premises license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Westside Museum, LLC d/b/a To Be Determined, 427 Broadway 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, with 44 Board members in favor.

12. Double J Operations, LLC d/b/a Kung Fu Rasta, 406 Broome St. 10013 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 13, 2022, the Applicant requested to lay over this application for a On-Premises Restaurant License to October/2022 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Double J Operations, LLC d/b/a Kung Fu Rasta, 406 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, with 44 Board members in favor.

13. Hiro Nishida d/b/a Sushidelic, 177 Lafayette St. 10013 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 13, 2022,, the Applicant requested to withdraw their application for an On-Premises Restaurant License 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA deny any type of proposed on-premises license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Hiro Nishida d/b/a Sushidelic, 177 Lafayette 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, with 44 Board members in favor.

14. EVOL Management, LLC d/b/a Evol, 393 Canal St., 2nd Fl. 10013 (OP–Restaurant)

Whereas, immediately following this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 13, 2022, the Applicant requested to withdraw their application for an On-Premises Restaurant License 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA deny any type of proposed on-premises license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **EVOL Management, LLC d/b/a Evol, 393 Canal St., 2nd Fl. 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, with 44 Board members in favor.

15. Saint Jane, LLC d/b/a Saint Jane, 210 Bowery 10012 (OP–Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 13, 2022, the Applicant requested to withdraw their application for an On-Premises Restaurant License 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYSLA deny any type of proposed on-premises license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Saint Jane, LLC d/b/a Saint Jane, 210 Bowery 10012, until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

16. Arthur & Sons NY Italian, LLC d/b/a Pending, 38-40 8th Ave. 10014 (Alteration to add adjacent storefront—Restaurant)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for an alteration application to an existing on premise liquor license to add the adjacent storefront and continue to operate a full service Italian restaurant within two ground floor store fronts located in the same four story townhouse building (circa 1842) on Eighth Avenue at the corner and intersection with West 4th and Jane Streets in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront to be added is located immediately adjacent on the corner of Eighth Avenue at its intersection with West 4th and Jane Streets, was operated from 2018 as a gallery for art, prior

to that as Li-Lac Chocolates (from 2005 to approximately 2018) and has never previously been operated for eating and drinking or licensed for the service of alcohol, the storefront to be added being roughly 400 sq. ft. premise with the purpose to expand the interior footprint of the restaurant, the method of operation as a restaurant not changing; and,

iii. Whereas, the combined restaurant will have 21 tables and 60 table seats, 1 bar with 6 seats; there is 1 patron entrance located on Eighth Avenue, the storefront extending in the rear to West 4th Street, where there is another single doorway that leads from the back of the restaurant and will service a sidewalk café with no more than 7 tables and 14 seats, with all exterior tables being located immediately adjacent to and placed against the rear façade of the townhouse building, the service of alcohol to the exterior sidewalk not extending beyond the two residential entrances on either side of the townhouse on West 4th St.; there will be no roadbed seating or structure built in the roadway, the front and rear façades to the townhouse storefronts being fixed and without French doors or operable windows; and,

iv. Whereas, the hours of operation for the interior will remain the same and will be Sunday to Thursday from 11 AM to 11 PM and Fridays and Saturdays from 11 AM to 12 AM, music will be quiet background only, the sidewalk café will close by 10 PM every night with no exterior music, there will be no roadbed service, and there will be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

v. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the on premise license stating that:

1. The licensed premises will be advertised and operated as a full-service, classic Italian neighborhood restaurant with full menu items available until closing every night.
2. The hours of operation will be Sunday to Thursday from 11 AM to 11 PM and Fridays and Saturdays from 11 AM to 12 AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. Will not operate a backyard garden or other outdoor area for commercial purposes except for sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to storefront on West 4th Street only, and with no more than 7 tables and 14 patron seats. No roadbed seating.
6. Sidewalk café will close by 10 PM every night. All tables and chairs will be removed at closing. No exterior music/speakers/TVs.
7. Will not install or have French doors, operable windows or open facades.
8. Will close all windows and doors by 10 PM every night.
9. No patron occupancy/service to any portion of the subbasement/cellar to licensed premises.
10. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
11. The premises will not have dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades and security personnel/doorman.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.

13. Will not make changes to the existing façade except to change signage or awning.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
18. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration application for an existing On Premise License for **Arthur & Sons NY Italian, LLC d/b/a Pending, 38-40 8th Ave. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On Premise License.

Vote: Unanimous, with 44 Board members in favor.

17. Velveteen Rabbit, LLC d/b/a Bird Dog, 525 Hudson St. 10014 (New RW — Restaurant)

i. Whereas, the Applicants and the Applicants’ Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for a new Restaurant Wine liquor license to operate a full-service restaurant within a ground floor store front located in a five-story tenement style residential building (circa 1888) on Hudson Street between West 10th and Charles Streets in Greenwich Village, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, this storefront location was previously operated as a restaurant known as Flip Sigi (2nd City West Village Ser. #1294537), the interior storefront being roughly 450 sq. ft. premise with 6 tables and 14 table seats, 1 bar with 4 seats; there is 1 patron entrance located on Hudson Street, storefront’s infill design being fixed and without French doors or operable windows, there will be a small sidewalk café with 2 tables and 4 seats, with all the tables being located immediately adjacent to and placed against the storefront’s front façade; there will be no roadbed seating or structure built in the roadway on Hudson Street; and,

iii. Whereas, the agreed-upon hours of operation for the interior will be Sundays from 10 AM to 10 PM, Mondays to Thursdays from 4 PM to 11 PM, Fridays from 4 PM to 12 AM and Saturdays from 10 AM to 12 AM, music in the interior will be quiet background only, the sidewalk café will close by 10 PM every night, there will be no roadbed service, and there will be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant originally appeared before CB2, Man. in October/2021 for an On-Premises license, the full board of CB2, Manhattan voting unanimously in favor of the Applicant, the method of operation being the same, the Applicant changing the license class in order to add alcohol service sooner; and

iv. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the on premise license stating that:

1. The licensed premises will be advertised and operated as a full-service restaurant with a focus on southern cuisine with an emphasis on homemade pasta with full menu items available until closing every night.
2. The hours of operation will be Sundays from 10 AM to 10 PM, Mondays to Thursdays from 4 PM to 11 PM, Fridays from 4 PM to 12 AM and Saturdays from 10 AM to 12 AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. Will not operate a backyard garden or other outdoor area for commercial purposes except for sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to storefront, leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 2 tables and 4 patron seats. No roadbed seating.
6. Sidewalk café will close by 10 PM every night. All tables and chairs will be removed at closing. No exterior music/speakers/TVs.
7. Will not install or have French doors, operable windows or open facades.
8. Will close all windows and doors by 10 PM every night.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
10. The premises will not have dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades and security personnel/doorman.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. Will not make changes to the existing façade except to change signage or awning.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to SLA.
17. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an application for a Restaurant Wine Liquor License for **Velveteen Rabbit, LLC d/b/a Bird Dog, 525 Hudson St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 44 Board members in favor.

18. Rajmar Holdings, Inc. d/b/a Hudson Bar & Books, 636 Hudson St. 10014 (OP-Tavern)
(Alteration to add adjacent storefront to licensed premise)

i. Whereas, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for an alteration of an existing on-premise liquor license for the purpose of expanding and adding an adjacent storefront located in a the same building to licensed premise; and,

ii. Whereas, the Licensee and Applicant operates a cigar bar in the southern storefront of 636 Hudson Street, and plans to expand the bar to the contiguous storefront to its north, previously operated for years as a retail clothing boutique for women known as Annelore that closed by 7:00 PM, by building an interior doorway between the two storefronts, the two storefronts being located in a five-story tenement style apartment building (circa 1900) on Hudson Street between Horatio and Janes Streets, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

iii. Whereas, no plans were provided for the existing cigar bar, which according to the Application is 700 sq. ft. (500 sq. ft. ground floor and 200 sq. ft. basement), has 1 stand up bar with 12 seats, 10 tables with 22 patron seats for a total seating capacity of 30, with the second northern storefront to be added being roughly 650 sq. ft. (400 sq. ft. first floor and 250 sq. ft. basement), where there will be 15 additional tables and 30 additional patron seats for a total interior seating capacity of the combined storefronts of 60 interior patron seats; and,

iv. Whereas, the hours of operation for the previously unlicensed northern storefront will be from 5:00 PM to 12:00 AM Sunday through Thursday and from 5:00 PM to 1:00 AM Fridays and Saturdays, albeit smoke free, in contradiction to the existing bar's legacy business, with the interior doorway between the two storefronts being designed to maintain a smoke free environment within the northern storefront, and

v. Whereas, the hours of operation for the existing southern storefront will be from 5:00 PM to 2:00 AM Sunday through Thursday and from 5:00 PM to 3:00 AM Fridays and Saturdays, the door connecting the two storefronts will be closed at the time that the northern storefront closes each night, there will be 2 patron bathrooms – 1 in each storefront, two TVs in the southern storefront, all facades remaining fixed in both storefronts, and without the installation of operable windows or French doors, music on the interior being at background levels only, with no DJs, no promoted events, no scheduled performances or cover fees, there is a sidewalk café with 4 tables and 8 seats located in front of the pre-existing southern storefront with no speakers or music in the sidewalk café; and

vi. Whereas, there was opposition to this application as it related to a non-conforming, temporary shed built in the roadway separated from the roadway curb by a bike lane, as well as late night noise coming from the exterior seating in front of the bar over the years and during the pandemic, as well as additional concerns regarding smoke exhaust coming from the ventilation systems of the existing cigar bar in the rear of the building; and,

vii. Whereas, in response to said complaints, the licensee agreed not to have any outdoor seating in front of the previously unlicensed northern storefront, to remove the roadway shed by October 8, 2022, and to close its sidewalk seating every night by 10:00 PM; and,

viii. Whereas, the Applicant also agreed to inspect the exhaust systems to make sure that the ventilation systems were operating in the manner in which they were designed; and,

ix. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the on premise license stating that:

1. The southern storefront will continue to be advertised and operated as a cigar bar and the northern storefront will be operated ancillary to the cigar bar but where smoking will be prohibited.
2. The hours of operation for the southern storefront will be 5:00 PM to 2:00 AM Sunday through Thursday and from 5:00 PM to 3:00 AM Fridays and Saturdays All patrons will be cleared and no patrons will remain after stated closing times.
3. The hours of operation for the northern storefront will be 5:00 PM to 12:00 AM Sunday through Thursday and from 5:00 PM to 1:00 AM Fridays and Saturdays All patrons will be cleared and no patrons will remain after stated closing times and door connecting two storefronts will be closed.
4. Smoking will be prohibited in the northern storefront and Applicant will comply with NYC Smoke Free Air Act, specifically at Chapter 10-07 (d) pertaining to tobacco bars and keep current at all times required Permits and Certificates.
5. The premises will have two televisions but will not operate as a sports bar or allow any portion of the premises to be operated in such a manner.
6. Will not operate a backyard garden or other outdoor area for commercial purposes except for sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to southern storefront, leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 2 tables and 4 patron seats. No roadbed seating.
7. Sidewalk café will close by 10 PM every night. All tables and chairs will be removed at closing. No exterior music/speakers/TVs.
8. Will not install or have French doors, operable windows or open facades.
9. Will close all windows and doors at all times.
10. Will inspect and seal all venting ductwork relating to exhaust discharge from business to exterior.
11. No patron occupancy/service to any portion of basement to licensed premises.
12. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
13. The premises will not have dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades and security personnel/doorman.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. Will not make changes to the existing façade except to change signage or awning.
16. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
17. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
18. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an alteration application for an On Premise Liquor License for **Rajmar Holdings, Inc. d/b/a Hudson Bar & Books, 636 Hudson St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On Premise Liquor License.

Vote: Unanimous, with 44 Board members in favor.

19. Carmine Street Beers, Inc. d/b/a Carmine Street Beers, 52A Carmine St. 10014 (TW-Bar/Tavern—to expand to rear yard)

- i. Whereas**, the Applicant appeared before CB2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for an alteration of its existing Tavern Wine license to extend its license to a rear yard behind its storefront; and,
- ii. Whereas**, the rear yard has never been licensed for the service of alcohol, has never been operated for eating and drinking purposes and the rear yard is surrounded by residential apartments; and,
- iii. Whereas**, the licensed premise operates as a Beer Bar and Retail Store specializing in providing specialty beers from around the world within a small storefront (approximately 850 sq. ft. with ancillary 350 sq. ft. basement—basement for storage only) within a 5-story residential tenement style building on Carmine Street between Bedford and Bleecker Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,
- iv. Whereas**, the storefront and building is zoned for residential use/occupancy, the storefront being a non-conforming, pre-existing business use, which prior to the advent of the license in 2016 operated for years as a printing business, the historic designation report for the rear portion of the storefront indicating that the rear portion of the building was designated for residential apartments with no commercial connection to the rear yard, the letter of no objection from the NYC Dept. of Building permitting interior use/occupancy only; and,
- v. Whereas**, other businesses similarly situated on this same block as the instant storefront have in the past sought to extend their licensed business in the rear yard, with the NYC Department of Building rejecting and not permitting such extensions, there being no alternative means of egress from the rear yard other than through the storefront doorway raising issues of safety, the Applicant here not even demonstrating a path or architectural/engineering plan allowing for such use/occupancy in the rear yard, instead stating that he will get it at some point in the future; and,
- vi. Whereas**, this application was opposed by the local block association, the block association citing the concern over noise in the rear yard with residential apartments and bedroom windows being located adjacent to and surrounding the rear yard, as well as the concern that the non-conforming use/occupancy of the storefront being in a residential zone does not permit such use/occupancy to expand as it is being requested; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the alteration application for **Carmine Street Beers, Inc. d/b/a Carmine Street Beers, 52A Carmine St. 10014 10014**; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the NYSLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and

Vote: Unanimous, with 44 Board members in favor.

20. Coffeegge NYC, Inc. d/b/a Café Ubani, 37A Bedford St. 10014 (New Restaurant Win)
(previously unlicensed location)

i. Whereas, the Applicant appeared before CB2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new Restaurant Wine license to operate a bakery and café in a ground floor storefront located within a six-story tenement style residential apartment building (circa 1900) on Bedford Street between Downing and Carmine Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront has never been licensed for the service of alcohol, having previously operated as Luv Tea for two years, and prior to that as an Antique Store; and,

iii. Whereas, the storefront is roughly 1,500 sq. ft. (750 sq. ft. ground floor and 750 sq. ft. basement), where there are 12 tables with 24 patron seats, 1 entrance/exit, 1 bathroom located in the rear, the store front infill being fixed without operable doors or windows, with no certificate of occupancy and/or letter of no objection permitting eating and drinking being presented with the application; and,

iv. Whereas, the Applicant has been operating with a roofed structure, erected recently in July/2022 after the pandemic was wanning and indoor seating had been permitted at 100% for over a year, the structure being located partially on the sidewalk and in the roadbed, the structure covering a portion of a tree bed where a small tree was recently planted, the sidewalk being very narrow, no more than 8 feet in width, the structure crowding the sidewalk and small tree, allowing entry into the structure over the tree bed, where there are 6 tables and 12 patron seats; and,

v. Whereas, the proposed hours of operation for the service of alcohol are 8:00 AM to 11:00 PM Sunday through Saturday, music will be quiet background only; and,

vi. Whereas, members of the community living in the immediate area on Bedford Street, as well as the Bedford-Downing Street Block Association appeared in opposition to this application, concerned about the proliferation of licensed establishments on this residentially zoned street over the last 10-15 years, with nearly every storefront with pre-existing, non-conforming commercial use and occupancy having transformed from some form of dry retail/service to late night liquor license, greatly impacting quality of life and noise on the street by shared residential, especially with the roadbed structures that now line the narrow roadway on both sides of the street, including a large structure built during the pandemic directly across the street from the instant application under consideration, crowding passage for vehicles, handicapping/disadvantaging emergency response to the area, making it dangerous for bicyclists and pedestrians and creating conditions for vermin to populate; and,

vii. Whereas, no one appeared in favor of the application from the Community but the Applicant did

present a petition with signatures but did not speak to the future use of the exterior sidewalk/roadway structure built in front of the premises; and,

viii. Whereas, with legitimate questions having been raised about the structure in question, regarding safety and the narrowness of the roadway in question, with the use of structures and the temporary program allowing them during an pandemic which is coming to an end, the structure not complying with the current temporary program being located on the sidewalk, infringing and encroaching newly planted tree, tree bed and narrow sidewalk; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine License application for **Coffeege NYC, Inc. d/b/a Café Ubani, 37A Bedford St. 10014**; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the NYSLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and

THEREFORE, BE IT FURTHER RESOLVED, that if despite CB2, Man.'s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the following stipulations be imposed on any future Restaurant Wine license for **Coffeege NYC, Inc. d/b/a Café Ubani, 37A Bedford St**:

1. The premises will be advertised and operated as a bakery and coffee shop with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday to Saturday from 8:00 AM to 11:00 PM.
3. Will not install or have French doors, operable windows or open façades.
4. Will comply with all applicable terms and conditions to the temporary open restaurant program as to sidewalk and roadway seating of customers.
5. There will be no sidewalk or roadbed structures. No exterior music, speakers or TVs.
6. Will keep closed all doors & windows at all times.
7. Will play quiet ambient recorded background music on the interior only. No music will be audible in any adjacent residences any time.
8. There will be no TVs and the premises will not operate as a lounge, tavern or sports bar, or allow any portion of the premises to be operated in such a manner.
9. The premises will not have DJs, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits and Certificates.

Vote: Unanimous, with 44 Board members in favor.

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

21. San Paolo Hospitality, LLC fka Entity to be Formed by Andrea Ienna d/b/a TBD, 569 Hudson St. 10014 (Renotification of Previously Heard Application from October 21, 2021; New OP-Restaurant)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 8, 2022, the Applicant appeared and requested reconsideration of his previous application for a new on-premise liquor license, further requesting to lay over his application to October/2022 to represent his application for this purpose;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on-premises liquor license for **San Paolo Hospitality, LLC fka Entity to be Formed by Andrea Ienna d/b/a TBD, 569 Hudson St. 10014** and refers the NYSLA to Community Board 2 Man.'s previous resolution from October/2021 for its existing and continuing position on this Application.

Vote: Unanimous, with 44 Board members in favor.

22. Babi Restaurant, Inc. d/b/a Brasserie Viet Nam, 282 Bleecker St. 10014 (RW-Restaurant) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 8, 2022 the Applicant requested to lay over this application to October/2022, 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Babi Restaurant, Inc. d/b/a Brasserie Viet Nam, 282 Bleecker St. 10014** until CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

23. 68 Perry St. Corp. d/b/a Corner Bistro, 331 W. 4th St. 10014 (OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 8, 2022, the Applicant requested to lay over this application over to October/2022, 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **68 Perry St. Corp. d/b/a Corner Bistro, 331 W. 4th St. 10014** until CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

24. Pop Up Grocer, Inc. d/b/a Pop Up Grocer, 205 Bleecker St. 10012 (TW-Gourmet Grocery & Café) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 8, 2022 the Applicant did not appear and the Applicant's Representative requested to lay over this application over to September/2022, 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Pop Up Grocer, Inc. d/b/a Pop Up Grocer, 205 Bleecker St. 10012** until CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

25. Anat Dishful, Inc. d/b/a Pending, 41 Greenwich Ave. 10014 (RW-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 8, 2022, the Applicant requested to lay over this application over to September/2022, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Anat Dishful, Inc. d/b/a Pending, 41 Greenwich Ave. 10014** until CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous, 44 Board members in favor.

26. MT 181 Waverly, LLC d/b/a TBD, 150 W. 10th St. 10014 (New OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 8, 2022, the Applicant requested to lay over this application over to September/2022, 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **MT 181 Waverly, LLC d/b/a TBD, 150 W. 10th St. 10014** until CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

27. Maman Meat Packing, LLC d/b/a Maman, 800-802 Washington St. aka 95 Horatio St. 10014
(New OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 8, 2022, the Applicant requested **to lay over** this application over to September/2022, 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;

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Maman Meat Packing, LLC d/b/a Maman, 800-802 Washington St. aka 95 Horatio St. 10014** **until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the the concerns of the Community be fully heard.

Vote: Unanimous, with 44 Board members in favor.

Respectfully submitted,

Eugene Yoo, Secretary
Community Board #2, Manhattan