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Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Valerie De La Rosa, *Secretary*
Amy Brenna, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

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

FULL BOARD MINUTES

DATE: May 21, 2020
TIME: 6:30 P.M.
PLACE: Via Video Conference

BOARD MEMBERS PRESENT: Susanna Aaron, Akeela Acuzy, William Benesh, Keen Berger, Carter Booth (Chair), Katy Bordonaro, Amy Brenna, Richard Caccappolo, Ritu Chattree, Coral Dawson, Valerie De La Rosa, Doris Diether, Robert Ely, Cormac Flynn, Joseph Gallagher, Susan Gammie, David Gruber, Wayne Kawadler, Susan Kent, Jeanine Kiely, Betty Kubovy-Weiss, Patricia Laraia, Michael Levine, Janet Liff, Daniel Miller, Brian Pape, Donna Raftery, Lois Rakoff, Bo Riccobono, Robin Rothstein, Sandy Russo, Rocio Sanz, Scott Sartiano, Shirley Secunda, Georgia Silvera Seamans, Shirley Smith, Chenault Spence, Cathy Sullivan, Susan Wittenberg, Antony Wong, Adam Zeldin

BOARD MEMBERS ABSENT WITH NOTIFICATION: Anita Brandt

BOARD MEMBERS ABSENT: Tom Connor

BOARD MEMBERS PRESENT/ARRIVED LATE: John Paul DeVerna, Mar Fitzgerald, Edward Ma, Matthew Metzger, Kristin Shea, Frederica Sigel, Eugene Yoo

BOARD MEMBERS PRESENT/LEFT EARLY: None

BOARD STAFF PRESENT: Bob Gormley, District Manager; and Josh Thompson, Assistant District Manager

GUESTS: Senator Brad Hoylman, Jacob Priley, Senator Brad Hoylman's office; Senator Brian Kavanaugh, Claudia Zhu, Assembly Member Yuh-Line Niou's office; Assembly Member Deborah Glick's office, Luke Wolf, NYC Comptroller Scott Stringer's office; Manhattan Borough President Gale Brewer; Patrice Comerford, Council Speaker Corey Johnson's office; Irak Cehonski, Council Member Carlina Rivera's office; Anthony Drummond, Council Member Margaret Chin's office; Sarah Malika, Jacques Brunvil

MEETING SUMMARY

Meeting Date – May 21, 2020
Board Members Present – 48
Board Members Absent with Notification – 1
Board Members Absent - 1
Board Members Present/Arrived Late - 7
Board Members Present/Left Early – 0

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II. PUBLIC SESSION

Non-Agenda Items

Census Bureau

Sarah Malika reported that census tracking is still underway and that constituents should participate if they have not already done so.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Senator Brad Hoylman

Jacob Priley, Senator Brad Hoylman's office

Senator Brian Kavanagh

Assembly Member Deborah Glick

Claudia Zhu, Assembly Member Yuh-Line Niou's office

Luke Wolf, NYC Comptroller Scott Stringer's office

Manhattan Borough President Gale Brewer

Patrice Comerford, Council Speaker Corey Johnson's office

Jacques Brunvil, Manhattan District Attorney Cy Vance's Office

Anthony Drummond, Council Member Margaret Chin's office

Irak Cehonski, Council Member Carlina Rivera's office

IV. ADOPTION OF MINUTES

No minutes were adopted.

V. BUSINESS SESSION

1. **Chair's Report** Carter Booth reported.

2. **District Manager's Report** Bob Gormley reported.

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1. **186 Sullivan Street** - Application is to add a rooftop structure on an existing three-story townhouse.

Whereas:

A. The property is at the north end of the Landmarked Macdougall-Sullivan Gardens on the Sullivan Street side; and

B. The special character of the Gardens, especially with respect to the carefully preserved buildings and the intact doughnut consisting of private gardens and the historically significant communal central garden, requires great care in assessing the appropriateness of any changes that affect the entire complex;

C. The penthouse is 300 square feet, 10'8" high, is not visible from Sullivan Street, is very minimally visible above a one-story building on Macdougall Street, and is clearly visible from within the doughnut; and

D. The chimneys will be raised 3' above the penthouse roof; and

E. The facade is in a suitable light-colored stucco; and

F. The required safety railings are of a usual, simple design; now

Therefore be it resolved that CB2, Man. recommends **approval** of this application provided that, in view of the special character of the Gardens and with particular consideration of the impact of all of the additions, that care is taken to ensure that the effect on the historic character of the complex is minimal.

Vote: Unanimous, with 46 Board members in favor.

2. **17 E. 9th St.**-Application is to restore the stoop and the areaway to original, historic version.

(already heard)

3. **29 E. 11th Street** - **Application is to construct a rear horizontal extension and reinstate the front stoop and surround.**

A. The row house is one of a row of five similar houses, several of which are in or close to their original condition, built at approximately the same time; and

- B. The proposed entry, stoop, and areaway are based on the designs of the neighboring houses that are in the original condition illustrated with photographs; and
- C. The rooftop modifications, apart from a usual chimney extension, are not visible from any public thoroughfare; and
- D. The proposed full height rear extension, necessitates demolition of the non-historic tower and demolition of the entire intact original rear facade; and
- E. The approval of rear facade extensions of row houses in the district invariably calls for preservation of the top one or two floors of the rear wall; and
- F. The top floor has small “attic” type windows and therefore it is necessary to preserve the facade of the top two floors to give a proper proportion; and
- G. The fenestration of the rear facade is similar to extensions that were represented by the applicant as having been approved by the Commission; now

Therefore be it resolved that CB2, Man. recommends:

- A. Approval** of the entry, stoop, and area way and other incidental modifications of the front facade provided that they faithfully copy the intact original facades of the neighboring building; and
- B. Approval** of the rooftop modifications; and
- C. Denial** of the rear extension as so extensive as to necessitate the destruction of the entire intact, original back wall which unacceptably changes the historic character of the building; and
- D. A modified** rear extension in the proposed design that leaves, undisturbed and restored the original top two floors.

Vote: Passed, with 44 Board members in favor, and 2 in opposition (B. Pape, R. Sanz).

QUALITY OF LIFE

New Application for Revocable Consent to operate an unenclosed sidewalk café for:

Blue Bottle Coffee Inc., 2 Astor Place between Broadway and Lafayette St. with 3 tables and 6 chairs (2152-2020-ASWC)

Whereas, this establishment has been in operation for 1.5 years and serves hot and cold coffee beverages and light snacks; and

Whereas, the applicant stated that the café will be available for guests to bring their food and drink purchased at the counter and the café will be monitored and cleared by restaurant staff; and

Whereas, the applicant stated that the sidewalk café will close by 7:00 PM, seven days a week, and will open at 8 AM from Monday -Friday, 9 AM on Saturdays, and 10 AM on Sundays; and

Whereas, the applicant will store all the sidewalk café furniture in the building overnight; and

Whereas, the applicant stated that there would be no amplified sound within the sidewalk café and that the neighboring businesses are in favor of this sidewalk café application; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **Blue Bottle Coffee Inc., 2 Astor Place with 3 tables and 6 chairs (2152-2020-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 46 Board Members in favor.

SCHOOLS AND EDUCATION

1. Resolution #1 In Support of Funding for Middle School After School Programs, A Critical Equity Issue

Whereas:

1. New York City’s free after school programs for middle school students are a model for the entire country, providing every middle school student the opportunity to attend free after school programs comprised of sports, arts cultural activities that include theatre productions and S.T.E.M. programs;
2. Funding free and robust after school programs for middle school students is a critical *equity issue*, particularly for working families and our most vulnerable students who rely on these programs;
3. From 2017 to 2019, Community Board 2 unanimously passed four resolutions in support on funding after school programs at [75 Morton | MS 297](#), so that all students, would have equitable access to high quality after school programs and we are grateful for the subsequent funding of these programs;
4. We congratulate the NYC Department of Youth and Community Development (DYCD) for continuing to engage thousands of middle school children in *School’s Out New York City* (SONYC) programs since schools closed in March 2020 in response to the COVID-19 pandemic;
5. DYCD has announced that it will not reimburse any expenses incurred in July and August of 2020 for its SONYC middle school program providers, which *could require laying off site directors and administrators who have planned and operated these programs for many years*;
6. It is not possible to begin an after school program in early September absent critical planning, hiring and scheduling that must take place in July and August, including:
 - a. The process of hiring part-time instructors requires advertising, interviewing, fingerprinting and securing background checks, securing health checks by physicians, securing clearances from NY State, NYC Department of Education and NYC Department of Health and Mental Hygiene, will be time-consuming and must begin during these summer months for hundreds of new employees;
 - b. Setting schedules for the school year for teachers and instructors; and,
 - c. Executing agreements and setting schedules for subcontractors with specialized teaching skills and expertise;
1. SONYC middle school program providers do not have the financial depth to absorb all of the necessary personnel and ancillary expenses required in July and August in preparation for programs that begin in September, nor do they have the ability to prepare programs without employing staff to conduct planning and hiring;
2. Middle school programs typically employ many part time workers at a low-cost reimbursement rate, and most do not qualify for the Federal Payroll Protection Program because they have more than 500 workers; and,

3. While we understand the necessity of budget cuts at this time of reduced revenues and uncertain assistance from State and Federal sources, ***percentage-based budget cuts over the entire 12 months of the current SONYC contracts would enable providers to plan, execute and sustain programs for the duration of the school year.***

Therefore, be it Resolved that CB2, Maqn. urges the Department of Youth and Community Development to reimburse SONYC expenses for July and August 2020 to ensure that middle school after school providers are able to deliver robust, engaging and safe programs for the start of the 2020-2021 school year, particularly for working families and our most vulnerable students, who rely on free high quality after school programs.

VOTE: Unanimous, with 47 Board Members in favor.

2. 242 parents and educators attended a joint Manhattan, Community Board 1 and 2 meeting on remote learning and submitted 200 questions to our panel of six principals and senior staff to the Department of Educations' Chief Academic Officer.

With this feedback, at its Full Board meeting on May 21, 2020, CB2, Man. unanimously adopted the following **Resolution In Support of Policy and Resources to Implement Remote/Hybrid Learning 3.0 and Opposition to In-School Budget Cuts**. CB2 key recommendations are that the:

1. DOE communicate its policy for remote learning, publicly, as soon as possible;
2. DOE embrace bold strategies to ***reduce the digital divide*** so that ***every student*** has access to a remote learning device and broadband, including laptops for middle and high school students;
3. DOE incorporate a ***Hybrid Plan for Fall 2020*** that permits both remote and in-person learning; and,
4. Our city, state and federal leaders to ***aggressively seek additional funding*** for our public schools and ***limit in-school budget cuts***.

Resolution In Support of Policy and Resources to Implement Remote/Hybrid Learning 3.0 and Opposition to In-School Budget Cuts

Whereas:

1. After three months of remote learning, rolled out in only *one week*, the Department of Education (DOE) has the opportunity to improve, enhance and clarify remote learning as it prepares to return to school for Fall 2020, either fully or using a hybrid model in which schools accommodate both live and remote instruction;
2. ***Remote learning has illuminated and exacerbated the vast inequities in our educational system*** and the need for investment in public education, resulting from the (a) digital divide, (b) variability of remote learning in terms of delivery, content and depth, (c) delivery of academic support and (d) varying levels of home resources to support students;
3. While remote learning at home cannot recreate a traditional in-school environment with full time, focused attention on students from trained educators nor virtually replicate the importance of human connection; more synchronous and small group instruction combined with vibrant after school programming can provide critical connections for students who miss socializing with their friends and their teachers;
4. Based on more than 200 questions submitted prior and during our meeting, parent priorities for Fall 2020 are the:
 - a. Safe return to school for students, teachers and staff;

- b. Addition of more live/synchronous instruction, small group instruction, and pre-recorded classes;
 - c. More uniformity of instruction within schools, within grades and across schools; and,
 - d. Additional academic support;
5. In terms of academic support, parents would like more:
- a. Teacher check-ins and mandatory office hours, versus optional check-ins, particularly for middle and high school students who may feel intimidated asking for help;
 - b. Less reliance on delivery of content through written material and the addition of a mix of visual, auditory, and kinesthetic delivery to reach all types of learners, particularly important for students with dyslexia and ADHD;
 - c. More executive functioning support for students;
 - d. Coaching for parents on how to navigate teaching at home;
6. The DOE's plan for a safe return to school must incorporate a hybrid model for instruction — with both remote and in-person instruction — and funding for:
- e. Bold strategies to reduce the digital divide and move toward universal access to technology and broadband;
 - f. Teacher training and time for school planning;
 - g. Technology training and support for teachers and students;
 - h. Academic intervention to remediate students who have fallen behind, particularly students with disabilities, English language learners and students living in transitional housing;
 - i. Social emotional and trauma support for all students and educators to manage the collective trauma caused by the pandemic;
 - j. Resources to implement social distancing, cleaning and other safety measures;
7. We remain deeply concerned that cuts to in-school budgets today will lead to greater, more urgent funding needs down the road because the current needs resulting from the pandemic will go unaddressed and the adverse impact on both academic and social emotional learning will be compounded over time.

Therefore, be it Resolved that CB2, Man.:

- 1. Urges the NYC Department of Education to solicit and incorporate feedback, beyond its online survey, from administrators, teachers, community boards, community education councils, after school providers, parents and students on the safe reopening of schools and delivery of education;
- 2. Urges the DOE to release its policy for remote learning, as soon as possible;
- 3. Insists that the DOE implement bold strategies to *reduce the digital divide* including:
 - a. Ensuring that every student has a remote learning device, including providing laptops with keyboards for middle and high school students;
 - b. Providing access to high speed broadband, particularly in low income communities and for students living in transitional housing;
 - c. Requiring that plans to reduce the digital divide drive purchasing decisions and not the other way around; and,
 - d. Partnering with private sector companies, internet providers and foundations;
- 4. Recommends that the DOE develop a plan for returning to school in Fall 2020, either fully or via a hybrid model, and provide:
 - a. Clear parameters for more live or synchronous instruction and prerecorded classes, more small group instruction, and increased feedback between students and teachers;
 - b. Teacher training, technology and time for schools to implement these policies and to increase uniformity of instruction within schools, within grades and across schools;

- c. Guidelines for delivery of content beyond written material, executive functioning support, and academic intervention and remediation, including best practices for teaching literacy remotely;
 - d. In-school resources to address the significant social emotional and trauma needs of students and educators during this pandemic, including at least one social worker for every 100 students; and,
 - e. Resources to implement social distancing, cleaning and other safety measures;
5. Implores our elected officials to aggressively seek additional funding for our public schools and to limit in-school budget cuts, urging our:
- a. Mayor and the Chancellor to (i) not cut Fair Student Funding, (ii) critically evaluate all contracts for necessity and value and apportion greater cuts to contracts; and (iii) review the central DOE budget to identify spending that can be reduced or eliminated;
 - b. Governor and State legislature to (i) protect education funding from future cuts, (ii) fully fund Foundation Aid, (iii) fund revenue bills and (iv) provide additional funding for schools that serve students who are living in transitional housing or classified as high poverty, students with disabilities and English language learners; and,
 - c. Congressional delegates and US Senators to provide additional stimulus funding to be disbursed directly to the school districts, including support for [H.R. 6563](#), the Emergency Educational Connections Act of 2020.

VOTE: Unanimous, with 47 Board Members in favor.

¹The DOE's policy for the delivery of remote learning and parameters for a safe return to school should take into account guidelines by the U.S. Center for Disease Control and Prevention's [Guidance for Childcare, Schools & Youth Sports Childcare](#), (May 19, 2020); the American Federation of Teachers' [Plan to Safely Reopen America's Schools and Communities](#), (April 28, 2020); and, New York State's [Guide to Reopening New York and Building Back](#) (May 5, 2020.)

²See coverage of the NYC DOE's decision to purchase 300,000 iPads this spring in the [New York Post](#) and [The City](#).

³Borough President Gale Brewer continues to [recommend one in-school social worker for every 100 students](#) and a lower ratio of social workers to students for more vulnerable student populations; and, in April, 2019, CB 2 unanimously passed a [Resolution To Implement a Mental Health Curriculum Across NYC Schools and Provide Each NYC School a Full-Time Social Worker](#), pages 23-24.

⁴A May 12, 2020, [Gotham Gazette](#) op-ed outlines several cuts that would not impact in-school budgets, recommended by [34 NY Council Members](#), [Comptroller Scott Stringer](#) and [Class Size Matters](#).

⁵In January 2020, CB 2 unanimously passed a [Resolution in Support of Fully Funding Foundation Aid](#), page 17.

SLA LICENSING

1. HHLP Union Square Associates LLC, HHLP Union Square Lessee LLC, Hersha Hospitality Management LP, and Union Square 4th F&B MGMT LLC d/b/a Hyatt Union Square/ Bowery Road/Library of Distilled Spirits, 76 E. 13th Street 10003 (Hotel Liquor—Corporate Change)

i. Whereas the Applicants appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a corporate change of ownership to existing Hotel Liquor Licenses (SN 1264972 & SN 1294064) to reflect a change in ownership in co-licensee Hersha Hospitality Management LP; the Applicants will all continue to operate a boutique hotel which features a full-service restaurant and a cocktail bar/lounge in a C6-1 zoned 11-story, mixed-use building constructed in 1910 on the southwest corner of E. 13th St. between Fourth Ave. and Broadway (Block #564/Lot #45); and

ii. Whereas aside from the aforementioned change in ownership in one co-licensee, all of the Applicants' names will remain on the license and there will be no change in the operation of the hotel whose total licensed interior space is approximately 78,174.07 sq. ft.; the restaurant will continue to serve breakfast, brunch, lunch, and dinner and together with the cocktail bar/lounge (which serves breakfast, lunch, and an evening bar menu) will have 84 tables with 218 seats and two (2) stand up bars with 22

seats for a total of 240 interior seats; there is a sidewalk cafe of approximately 450 sq. ft. with 20 tables and 40 seats; there is an existing Certificate of Occupancy for the premises which has five (5) entrances, five (5) exits, and five (5) bathrooms; and

iii. Whereas, the hours of operation will continue to be 6:30 AM to 2:00 AM seven (7) days a week, with all doors and windows shut by 10:00 PM nightly; music will be quiet background only; there will be no DJs, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

iv. Whereas the Applicants have executed and have had notarized a Memorandum of Understanding with CB2, Man, which incorporates all of the agreements, stipulations, and representations that were made to CB2, Man. by 132 4th Avenue Restaurant, LLC in March 2012 and at any other time in conjunction with 132 4th Avenue Restaurant, LLC's application to license the premises and which were which set forth in a CB2, Man. resolution of March 2012; the Applicants now seeks to incorporate into the "Method of Operation" of each Hotel Liquor License (and any other subsequent alteration applications to the original March 2012 application) the stipulations set forth in the aforementioned March 2012 resolution, which are as follows:

1. The hours of operation are from 6:30 AM to 2:00 AM, seven (7) days a week.
2. All doors and windows will be shut by 10:00 PM nightly.
3. Music will be background only, and there will be no promoted events, DJs or third-party promoters.
4. Applicants agree to and follow the Memorandum of Understanding with the building directly attached to them with the 77 E. 12th Street owners that was signed by their landlords, and is incorporated by reference herein (*see* MOU dated as of February 3, 2012, between Hersha Hospitality Trust, 132 4th Avenue Restaurant LLC and 77 E. 12 Owners, Inc.).

It is noted that the portion of the above-referenced MOU that covers use of the rooftop in the building in which the premises is located is not included in this application, that CB2, Man. has made no representations to support or deny the rooftop use in the past or at this time and that any use of the rooftop as part of any licensed premise must come before CB2, Man. to submit an application to alter its existing license and incorporate that area for consideration of a recommendation from CB2, Manhattan either in support or in opposition; that 77 E. 12 Owners have presented no opposition to this application;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a corporate change to the existing Hotel Liquor Licenses (SN 1264972 & SN 1294064) in the name of **HHLP Union Square Associates LLC, HHLP Union Square Lessee LLC, Hersha Hospitality Management LP, and Union Square 4th F&B MGMT LLC, d/b/a Hyatt Union Square/ Bowery Road/Library of Distilled Spirits, 76 E. 13th Street 10003 unless** the statements presented by the Applicants are accurate and complete and that the above-stated conditions and stipulations agreed to by the Applicants are incorporated into the "Method of Operation" on both SLA Hotel Liquor Licenses.

Vote: Unanimous, with 47 Board members in favor.

2. Dahan Hospitality Inc., DBA Caffè Aronne, 122 Greenwich Avenue, Store 2, New York, NY 10012 (RW/Beer and Wine)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee for the purpose of seeking a new RW/Beer and Wine license to operate a minimalist coffee shop specializing in

Italian coffees in a previously unlicensed, mixed residential/commercial building in a C1-6 mixed-use building located in a Local Retail District located between W12th and W13th Street in Greenwich Village, Manhattan; and

ii. Whereas, the Café will operate with less than a full-service kitchen serving sandwiches and pastries on a street level location of approximately 350 sq. ft.; the premises has one (1) entrance/exit and one (1) bathroom with two (2) counters and seven (7) seats; and

iii. Whereas, the Applicant's hours of operation are from 7:00 AM to 9:00 PM seven (7) days a week; there is no sidewalk café included with this application nor will there be an application for one in the future, music will be quiet background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees and no television; 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 operated as a minimalist Coffee Shop specializing in Italian coffees.
2. The hours of operation will be from 7:00 AM to 9:00 PM seven (7) days a week.
3. There will be food available for purchase at all hours of operation.
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. The Applicant will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The Applicant will not have a sidewalk café now or in the future.
8. The Applicant will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
9. The Applicant will not install French doors operable windows or open façades.
10. The Applicant will not make any changes to the existing façade except to change the signage or awning.
11. It will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates
12. It will not have unlimited drink or unlimited food and drink specials; it will not have "boozy brunches" or serve pitchers of beer.
13. There will be no pitchers of beer.
14. It will not have any of the following: dancing, DJs, live music promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel/doormen.
15. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agree to herein.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License to **Dahan Hospitality Inc., d/b/a/ Caffè Aronne, 112 Greenwich Ave, Store 2, New York, NY 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 the SLA Restaurant License.

Vote: Unanimous, with 47 Board members in favor.

3. Josan & Josan, Inc. d/b/a Taco Mahal, 73 7th Ave. South 10014 (RW-- Corporate Change)

i. Whereas, the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a corporate change to an existing restaurant wine license for a "family owned restaurant with fusion tacos"; they have been licensed since 2016; and,

ii. Whereas, this application is for a Corporate Change to a restaurant wine license at a location in a commercial 2-story building constructed in 1910 located on 7th Ave South between Bleecker St. and Barrow St. for an approximately 200 sq. ft premise with one (1) stand up bar and two (2) food counters, one with 7 stools and the other with 4 stools for a total of 11 interior seats; there is a sidewalk café with no more than 10 tables and 30 seats; there are 2 exits and 2 entrances; there is one bathroom; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be from 7:00 AM to 12:00 AM seven (7) 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), all doors and windows will be closed at 10:00 PM except for patron ingress and egress, there will be no DJs, no live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; 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 restaurant wine license stating that:

1. Premise will be advertised and operated as a family owned restaurant focused on fusion Tacos.
2. The hours of operation will be Sunday from 7:00AM to 12:00AM 7 days a week. 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. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, or promoted events.
9. The premises will close all door and windows at 10PM every night and anytime there is amplified music.
10. There will be no unlimited drink or all you can eat and drink specials.
11. There will be no sale of beer by the pitcher.
12. Sidewalk café will conform to approved plans at all times.
13. All alcohol service in sidewalk café will be by waiter service only.
14. Sidewalk Café will be closed at 11:00 PM seven (7) days a week. No Patrons will remain in the sidewalk café after 11:00 PM and all chairs and tables will be stored accordingly.
15. Will make all efforts to join the adopt a trashcan program run by the New York City Department of Sanitation for the trash can at Barrow St. and 7th Ave South.
16. Will actively manage the sidewalk café at all times and keep the area clear of trash.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Josan & Josan, Inc. d/b/a Taco Mahal, 73 7th Ave. South 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 47 Board members in favor.

4. Mishka Soho, Inc. d/b/a Mishka Soho 519 Broome Street 10013 (OP—Restaurant)

i. Whereas the Applicant and the Applicant’s Representative appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On Premise license to operate a full service Restaurant Wine described as a “family friendly neighborhood restaurant that will serve authentic Russian Cuisine” in ground floor storefront within a 5-story building constructed in 1890 on Broome St. between Thompson and Sullivan Streets located in the Soho District; and

ii. Whereas the storefront premises is approximately 1,200 sq. ft. with 14 tables and 36 seats, 1 standup bar with 6 seats, for a total of 42 patron seats in the premises, there will be no outdoor service of alcohol, exterior seating or sidewalk café, there will be one set of double doors at the entrance of the restaurant on Broome Street and two bathrooms; there is an existing Certificate of Occupancy for the premises which permits eating and drinking, use group 6 on the ground floor storefront level; and

iii. Whereas the Applicant’s agreed-to hours of operation are 9:00 AM to 12:00 AM Sunday through Thursday and from 9:00 AM to 1:00 AM on Fridays and Saturdays; there will be live, unamplified acoustical jazz music albeit limited to hours between 5:00 pm – 8:00 pm Monday through Friday and/or 12:00 pm – 4:00 pm Saturdays/Sundays, at all other times music will be quiet background only, all doors and/or operable windows will remain closed at all times; there will be no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, no velvet ropes, no security and no televisions; 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 On Premise License, with those stipulations as follows:

1. The premises will be advertised and operated as a family friendly neighborhood restaurant that will serve authentic Russian Cuisine.
2. The hours of operation will be from 9:00 AM to 12:00 AM Sunday through Thursday and from 9:00 AM to 1:00 AM on Fridays and Saturdays.
3. The Premises will not operate as a Lounge, Tavern, or Sports Bar or allow any portion of the premises to be operated in that manner.
4. There will be no televisions.
5. The Applicant will not operate a backyard garden or any outdoor area for commercial purposes, including a licensed sidewalk cafe).
6. Live unamplified acoustic jazz ensemble permitted without drums or horns between 5:00 pm – 8:00 pm Monday through Friday and/or 12:00 pm – 4:00 pm Saturdays/Sundays; at all other times music will be quiet, ambient recorded background music only; no music will be audible in any adjacent residences at any time.

7. All doors and windows will be kept closed at all times.
8. It will not make any changes to the existing façade except to change the signage or awning.
9. It will comply with the NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
10. It will not have unlimited drink or unlimited food and drink specials; it will not have “boozy brunches” or serve pitchers of beer.
11. There will be no bottle service or the sale of alcohol in bottle form, except for the sale of bottles of beer, cider, and wine products purchased from the grocery area for consumption outside of the store.
12. It will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel/doorman.
13. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

v. **Whereas**, this application being subject to the 500 ft. rule and the public interest standard, this location having been licensed previously, the stipulations agreed upon, assuming such compliance by the Applicant in the future, there being no exterior areas for the service of alcohol and the late night hours of operation for the being reasonable and sufficiently consistent with a full service restaurant at this location;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the application for a new Restaurant Wine License to **Mishka Soho, Inc. d/b/a Mishka Soho 519 Broome Street 10013** 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 the SLA Restaurant License.

Vote: Unanimous, with 47 Board members in favor.

5. VSM Gourmet, LLC d/b/a/ Gourmet Garage, 585 Hudson Street 10014 (RW – Restaurant)

i. **Whereas** the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a gourmet supermarket that will sell a variety of food from a food court area for both on-premises consumption and take out in a C1-6 zoned 7-story, mixed-use building constructed in 1968 on Hudson St. between Bethune and Bank Sts. (Block #624/Lot #1) and is located in the Greenwich Village Historic District; and

ii. **Whereas** the Applicant will operate food stations and provide space for on-premises dining on a street level of approximately 6,200 sq. ft. with a seating area with four (4) tables and 16 seats and three (3) standup counters with 21 seats, for a total of 37 seats in the premises; which level will be connected by an interior staircase and elevator to the supermarket on the basement level of approximately 8,000 sq. ft.; there is an existing Certificate of Occupancy for the premises which has two (2) entrances, two (2) exits, and two (2) bathrooms; and

iii. **Whereas** the Applicant’s agreed-to hours of operation are 7:00 AM to 11:00 PM seven (7) days a week; music will be quiet background only; there will be no DJs, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

iv. Whereas while the presence in the community of a new supermarket is seen as a welcome addition, the Applicant's initial application for an OP License was strongly opposed to by Community Board 2, Manhattan's SLA Committee due to the potential impact of an additional OP License in a locale in which there are several similarly licensed restaurants, all of which are experiencing severe economic hardship as a consequence of the COVID-19 pandemic; and

v. Whereas in response to the aforementioned concern for the survival of local businesses, the Applicant expressed its willingness to cooperate, amended its application to and is now seeking a Restaurant Wine License, which category of license the Committee feels is more appropriate for an establishment of the type the Applicant proposes; and

vi. 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 operated as a Gourmet Supermarket with prepared foods available to eat on the premises or available to go.
2. The hours of operation will be from 7:00 AM to 11:00 PM seven (7) days a week.
3. There will be prepared food for purchase at all hours of operation.
4. The Premises will not operate as a Lounge, Tavern, or Sports Bar or allow any portion of the premises to be operated in that manner.
5. There will be no televisions.
6. The Applicant will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk cafe).
7. A sidewalk café is not included in this Application.
8. The Applicant will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
9. All doors and windows will be kept closed at all times.
10. The Applicant will not install French doors, operable windows, or open façades.
11. It will not make any changes to the existing façade except to change the signage or awning.
12. It will comply with the NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
13. It will not have unlimited drink or unlimited food and drink specials; it will not have "boozy brunches" or serve pitchers of beer.
14. There will be no bottle service or the sale of alcohol in bottle form, except for the sale of bottles of beer, cider, and wine products purchased from the grocery area for consumption outside of the store.
15. It will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel/doorman.
16. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Alcoholic drinks will be ordered and paid for at the bar counter for customers to bring to their seats or via tablets in the designated seating area.
18. When ordering from tablets, customers will scan their IDs at the time of order; there will be a limit of one (1) drink per ID and related credit card per order.

19. Alcoholic beverages will be consumed only within the designated seating area (which is annexed as page 2 of the applicant’s stipulations with architectural blueprint of licensed premises with designated area surrounded in blue).

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License to **VSM Gourmet, LLC d/b/a/ Gourmet Garage, 585 Hudson 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 the SLA Restaurant License.

Vote: Unanimous, with 47 Board members in favor.

LAID OVER, WITHDRAWN, OR DID NOT APPEAR BEFORE THEIR REQUESTED HEARING:

6. **TWJ Family Foods, LLC d/b/a JoJos Philosophy, 169 Bleecker St. 10012** (Change in Method of Operation – Bar) (layover to June).

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 5, 2020 the Applicant requested **to layover** this application this application from further consideration, affirming that he 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 **TWJ Family Foods, LLC d/b/a JoJos Philosophy, 169 Bleecker St. 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 47 Board members in favor.

7. **GVI West Village, LLC d/b/a Vin Sur Vingt, 192 Seventh Ave. So. 10011** (New Wine Bar/Tavern) (Laid over until June)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 5, 2020 the Applicant requested **to layover** on 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 **GVI West Village, LLC d/b/a Vin Sur Vingt, 192 Seventh Ave. So. 10011** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 47 Board members in favor.

8. TXOKAO LLC, d/b/a Haizea, 142 Sullivan St. 10012 (failed to appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on May 5, 2020 the Applicant **failed to appear** on this application this application from further consideration, affirming that he 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 **TXOKAO LLC, d/b/a Haizea, 142 Sullivan 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 SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 47 Board members in favor.

9. Stratis Morfogen, d/b/a Brooklyn Dumpling Shop LLC, 257 Blecker St. 10014 (RW – Shop) (Laid over until June)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on May 5, 2020 the Applicant requested **to layover** this application this application from further consideration, affirming that he 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 **Stratis Morfogen, d/b/a Brooklyn Dumpling Shop LLC, 257 Blecker St. 10014 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 47 Board members in favor.

10. Hyundai Motor America, Inc. 40 10th Ave. (RW – Bar/Tavern) (laid over to June/2020 meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on May 5, 2020 the Applicant requested **to layover** this application this application from further consideration, affirming that he 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 **Hyundai Motor America, Inc. 40 10th Ave. until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 47 Board members in favor.

11. Selina Operations LES, LLC d/b/a Selina, 138 Bowery 10013 (OP – New Hotel/previously unlicensed) (Laid over until June)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 5, 2020 the Applicant requested **to layover** this application this application from further consideration, affirming that he 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 **TWJ Selina Operations LES, LLC d/b/a Selina, 138 Bowery 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 47 Board members in favor.

12. Faigo Hot Pot LLC, d/b/a TBD, 114 Mulberry St. 10013 (OP – Restaurant) (laid over)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 5, 2020 the Applicant requested **to layover** this application this application from further consideration, affirming that he 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, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Faigo Hot Pot LLC, d/b/a TBD, 114 Mulberry 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 SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 47 Board members in favor.

13. 113 Mulberry Restaurant LLC, d/b/a Manero’s Pizza, 113 Mulberry St. 10013 (OP – Restaurant) (withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 5, 2020 the Applicant requested to **withdraw** this application this application from further consideration, affirming that he 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 **113 Mulberry Restaurant LLC, d/b/a Manero’s Pizza, 113 Mulberry 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 SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 47 Board members in favor.

19. Mollusca LLC d/b/a TBD, 1 Little West 12th St., New York, NY 10014 (OP – Restaurant) (laid over until June)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on May 5, 2020 the Applicant requested **to layover** this application this application from further consideration, affirming that he 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 **Mollusca LLC d/b/a TBD, 1 Little West 12th St., New York, NY 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 47 Board members in favor.

TRAFFIC AND TRANSPORTATION

Resolution requesting the addition of temporary protective barriers to the bike lane on West Houston St. btw. Washington and West Sts. to provide safer access to the Hudson River Park greenway, until more permanent safety improvements can be added.

Whereas bicycling down the last block on Houston St. between Washington & West Sts. is very precarious, because the bike lane is wedged between right turn and left turn lanes, and cyclists are often caught between trucks; and

Whereas it would be much safer for bicyclists to have a barricade protecting the bike lane to avoid these dangerous conflicts;

Whereas the safety of cyclists headed on this stretch to the Hudson River Park Greenway, who often are forced to dismount their bikes and walk at this juncture, needs to be ensured;

Therefore be it resolved that CB2, Man. urges the NYC Dept. of Transportation to install temporary protective barriers on the bike lane on West Houston St. between Washington and West Sts. until more permanent safety improvements can be added.

Vote: Unanimous, with 47 Board Members in favor

Respectfully submitted,
Valerie De La Rosa, Secretary
Community Board #2, Manhattan