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Bob Gormley, *District Manager*



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COMMUNITY BOARD No. 2, MANHATTAN

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FULL BOARD MINUTES

DATE: September 23, 2010

TIME: 6:00 P.M.

PLACE: SEIU 32BJ, 101 Avenue of Americas, Pre-Conference Room, 22nd floor

BOARD MEMBERS PRESENT: Keen Berger, Carter Booth, Lisa Cannistraci, Denise Collins, Terri Cude, Maria Passanante Derr, Doris Diether, Elizabeth Gilmore, Alison Greenberg, David Gruber, Jo Hamilton, Chair, Community Board #2, Manhattan (CB#2, Man.), Anne Hearn, Brad Hoylman, Susan Kent, Arthur Kriemelman, Evan Lederman, Raymond Lee, Jason Mansfield, Jane McCarthy, Alexander Meadows, Florent Morellet, David Reck, Robert Riccobono, Erin Roeder, Robin Rothstein, Rocio Sanz, Maury Schott, Arthur Z. Schwartz, Shirley Secunda, James Solomon Chenault Spence, Richard Stewart, Sean Sweeney, Carol Yankay, Antony Wong, Elaine Young

BOARD MEMBERS EXCUSED: Steve Ashkinazy, Tobi Bergman, Anita Brandt, Sigrid Burton, Heather Ann Campbell, Ian Dutton, Sheelah Feinberg, Sasha Greene, Mary Johnson, Edward Ma, Judy Paul

BOARD MEMBERS ABSENT: Lois Rakoff, Wendy Schlazer

BOARD STAFF PRESENT: Bob Gormley, District Manager, and Florence Arenas, Community Coordinator

GUESTS: Katie Smith, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Senator Daniel Squadron, Lolita Jackson, Mayor's Community Affairs Unit, Sandy Myers, Man. Borough President Scott Stringer's office; Assembly Member Deborah Glick, Matt Borden, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Noah Isaacs, Council Speaker Christine Quinn's office; Lorna Nobile-Chin, Jasmin Torres, Matt Viggiano, Council Member Rosie Mendez's office, Karen Zabarsky, Vivian Weisner, Gary Weisner, Jesse Erlbaum, Douglas Le, Merle Holley, Judith Callet, Connie Masullo, Robert Pillsbury, Dustin Francis, Jonathan Rose, Steve Okhravi, Gary Stern, Ellen Peterson-Lewis, Stefanie Messina, Jonathan Slaff, Jim Martin, Jennifer Craft, Frank Collierius, John G. Kim, Paul Salmon, Cheryl Stewart, Brad Berson, Carol Venticinque, Evette Stark Katz, Timothy Luncferd, George Overkamp, Judy Wessler, Robin Felsher, Lori Kleinman, Toni Zosherafatain, Anastasios Hairatidis, Susy Korb, Kate Lindquist, Frank Palillo, Peter Berger, Julie Menin, Kathleen Arffman, Marcello Assante

MEETING SUMMARY

Meeting Date –September 23, 2010

Board Members Present – 36

Board Members Excused–10

Board Members Absent - 3

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II. PUBLIC SESSION

Non-Agenda Items

Timothy Luncford spoke.

Lower Manhattan Development Corp Community and Cultural Enhancement Program

Julie Menin made an announcement regarding LMDC's Lower Manhattan Community & Cultural Enhancement Program, which is providing grants to not-for-profit and government organizations engaged in cultural or community programs or projects that benefit the residents, workers, and communities of Lower Manhattan south of Houston Street. See the website for details.

Fashion Night Out

Jim Martin, from ACE, spoke regarding complaints due to Chanel's Fashion Night Out event.

Friends of the Highline

Kate Lindquist spoke regarding upcoming events at the Highline.

Intro. 0332 2010

Douglas Le spoke in favor of the proposed legislation to ban smoking in parks and beaches.

Electra News

Judy Wessler spoke regarding the relocation of her store.

Saalmagundi Club

Robert Pillsbury and Kathleen Arffman spoke regarding their October auction event.

Friends of LaGuardia Place

Anne Hearn invited everyone to the groundbreaking ceremony for Adrienne's garden.

Bleecker St.

Gary Stern spoke regarding the proliferation and mallng of Bleecker St.

SLA Licensing Items

Brown Stew, LLC, d/b/a Miss Lily's, 132 W. Houston St.

Paul Salmon, the applicant, and Frank Palillo, representing the applicant, spoke in favor of the proposed beer and wine license. Susy Korb spoke in favor of the proposed beer and wine license.

GMT New York, LLC, 142 Bleecker St.

Judith Callet, of BAMRA, and Connie Masullo, spoke in favor of the proposed liquor license application.

75 Clarkson ST. FSB, d/b/a TBD, 75-77 Clarkson St.

Jonathan Rose, Peter Berger, and Ellen Peterson-Lewis, spoke against the proposed liquor license.

New Restart, Inc., d/b/a Mambo Italiano, 145-147 Mulberry St.

Marcello Assante, the applicant, and John Kim, spoke in favor of the alteration to the liquor license.

St. Vincent's/New Hospital

Jonathan Slaff and Evette Stark Katz and Steve Okhravi spoke regarding the need for a hospital at the St. Vincents site and for 24-hour medical care.

Traffic and Transportation Items

Request for Additional Locations for a Pilot Program of On-Street Motorcycle & Motor Scooter parking zones

Cheryl Steward, Brad Berson, and Jesse Erlbaum, spoke in favor of the Motorcycle Parking Pilot Program.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Katie Smith, Congressman Jerrold Nadler's office provided an update regarding the 9/11 Health Bill.

Crystal Gold-Pond, Senator Tom Duane's office

Senator Daniel Squadron appeared and provided an update on his activities.

Assembly Member Deborah Glick appeared and spoke about the passing of Ed Gold, and provided an update on her activities.

Matt Borden, Assembly Member Deborah Glick's office

Lolita Jackson, Mayor's Community Affairs Unit, reported on the City's vendor initiatives in CB2.

John Ricker, NYC Comptroller's office;

Sandy Myers, Man. Borough President Scott Stringer's office

Noah Isaacs, of Council Speaker Christine Quinn's office

Lorna Nobile-Chin, Jasmin Torres, and Matt Vigianno Council Member Margaret Chin's office;

V. ADOPTION OF MINUTES

Correction of May minutes, adoption of June minutes and distribution of July minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Jo Hamilton reported

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

3. EXECUTIVE COMMITTEE

1ST LANDMARKS MEETING

1. (LPC Item 5) – 357 Canal St. – SoHo Cast Iron Historic District. A Store & loft building designed by W.T. Beers & built in 1855. Application is to install storefront infill.

Whereas besides the proposal for the new storefront, the applicant also intends to repair the corner of the first floor cornice which is in disrepair, and

Whereas the roll down gates will be removed and the roof cornice will also be repaired, and

Whereas the two cast iron columns, uncovered during the preliminary examination, will be retained and the counterweights will be removed, and

Whereas the Canal St. storefront will be altered, specifically the entrance door, to match or be similar to the entrance to the storefront on the adjacent building, and

Whereas along the side of the building, the metal doors will be painted, with louvers over some of the paneling, and

Whereas the proposed awnings on the first floor Canal St. windows will be retractable, and security gates will be interior only, and

Whereas there is no information at the present time on signage and lighting because there is no tenant for the commercial space yet, and

Whereas the applicant volunteered that he was undecided about whether the side of the building should be metal rather than brick,

Therefore be it resolved CB#2, Man. finds the proposals for 357 Canal St. appropriate and recommends approval, but would prefer masonry or brick rather than the metal.

Vote: Unanimous, with 36 Board members in favor.

2. 40 Fifth Avenue – Greenwich Village Historic District A Neo-Georgian Style apartment house designed by Van Wart & Wein & built in 1929. Application is to modify window openings.

Whereas the changes proposed are for the duplex on the top two floors of this building set back from the outer wall, and therefore are minimally visible, and

Whereas the proposal is to insert a larger window between two of the existing windows on the lower floor of the duplex, and

Whereas the new window and the older existing windows will go back to the original small-paned windows, replacing the single pane windows installed sometime in the past,

Therefore be it resolved CB#2, Man. recommends approval of the proposed changes for the penthouse apartment at 40 Fifth Ave.

Vote: Unanimous, with 36 Board members in favor.

2ND LANDMARKS MEETING

1. **361 Sixth Avenue** - Greenwich Village Historic District Application is to install new storefront infill & signage.

Whereas the applicant intends to remove the existing storefront, which consists of two center doors with two large windows on either side and transom windows above and also one additional window with transom around the side of the building facing onto Washington Place, and

Whereas the existing storefront will be replaced with a single center door and two side panels, three full-length windows above a bulkhead on either side of the center door and two additional windows on the side of the building, all of which will be openable (in anticipation of a sidewalk café on the site), and

Whereas a signage panel will be installed across the front of the store and also extending around the side of the building, white with pin-on letters, and

Whereas the existing retractable awning will be replaced with a new retractable awning and a smaller retractable awning will be installed below the signage on the side of the building, and

Whereas the material for the new storefront will be aluminum, painted brown, rather than a wood storefront, and

Whereas the former side door into the building will be restored for use by the restaurant, and

Whereas lighting will be narrow tract lights below the awning, and

Whereas, although the retractable awnings on the front of the building were acceptable, most of the rest of the design was not:

The central door with two side panels looked unimpressive,
The French windows are not in character for this building or area,
French windows on the side street facing St. Joseph's Church and school are not acceptable, also this is a residential block,
The aluminum, even when painted brown, is not in character for the area,
The signage with the white background was too white, and it was noted the signage did not cover the whole building frontage, leaving a space between the end of the sign and the adjoining building and that the signage extended too far along the side of the building, extended to line up with the windows above instead of extending only over the store window,
The proposed side door which was to be restored needed a transom to go with the rest of the building,

Therefore be it resolved CB#2, Man. recommends denial of this application for 361 Sixth Ave.

Vote: Unanimous, with 36 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES & PUBLIC ACCESS

Modification App. for revocable consent to operate an Unenclosed sidewalk cafe for:

BMT Partners, LLC d/b/a Betel, 49 Grove St., with 9 tables & 18 seats, DCA # 1347560

Block: 591 Lot:40 Lot Frontage: 73' Lot Depth:117' Year Built: 1900(estimated)

Number of Floors: 6 Residential Units: 46 Total # of Units:56 Zoning: C1-6, C4-5

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, the café has been operating for a few months with an approved sidewalk café of 3 tables and 6 seats which was required by the location of a street light and a MuniMeter, and

Whereas, the applicant has arranged for the MuniMeter to be moved east on the block so it is no longer immediately adjacent to the cafe, and

Whereas, the applicant has provisional approval from NYCDOT to have the streetlight moved across the street, and

Whereas, in that short time the applicant has been operating the café, they have done so with 3 additional seats (stools supposedly not for seating), a promotional sign in the waiter service aisle, tables with leaves making them larger than the approved 18 inches and the tables placed outside the approved footprint of the café resulting in a reduction in clear sidewalk space between the café and the street light to appreciably less the required 8 feet, and

Whereas, the applicant has committed to remedying the conditions detailed in Whereas 5 above, and

Whereas, the committee felt strongly that the number of tables and chairs was too large for the space in which they were to be used, and the committee and applicant agreed to maintain the 9 tables but reduce the number of chairs to 16 (2 one-seat tables),

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a MODIFICATION App. for revocable consent to operate an Unenclosed sidewalk café for **BMT Partners, LLC d/b/a Betel, 49 Grove St., with 9 tables & 16 seats, DCA # 1347560** CONDITIONAL UPON the following:

The applicant immediately remedies the situations detailed in Whereas 5 of this resolution, and
The number of seats will be reduced to 16 (2 one-seat tables), and
The café will not be expanded from its current 3 tables and 6 seats until such time as the streetlight immediately adjacent to the café has been moved across the street as provisionally approved by NYC DOT.

Vote: Unanimous, with 36 Board members in favor.

SLA LICENSING COMMITTEE

1. Galata, Inc. d/b/a I Tre Merli, 463 West Broadway, NYC (Houston and Prince)

Whereas, the applicant re-appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for a 2,500 s.f. restaurant d/b/a I Tre Merli located in a commercial building on West Broadway between Houston and Prince streets with 33 table seats and 1 bar with 9 bar seats; and a maximum legal capacity of 100 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are seven days a week from 12:00 p.m. – 1:00 a.m. Sunday through Wednesday and 12:00 a.m. – 2:00 a.m. Thursday through Saturday; there won't be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to the following set of stipulations for the alteration:

1. The applicant has agreed to not use and/or employ any DJ's, Bouncers or Promoters for the premises.
2. The applicant has agreed to the reduction of closing hours to 1:00 a.m. Sun – Wed and 2:00 a.m. Thurs – Sat.
3. The applicant has agreed to not permit dancing of any kind on the premises.
4. The applicant has agreed to ensure that the volume of music that it plays does not exceed levels permitted by NYC Department of Environmental Protection. The doors and windows will be closed while music is being played.
5. The applicant has agreed to operate the restaurant and bar with full consideration towards preserving the quality of life in the neighborhood, and shall immediately responds to, and take all reasonable measures to address, any complaints from the neighbors.
6. The applicant has agreed to community outreach initiatives including but not limited to hosting monthly meetings following their receipt of the new liquor license.
7. The applicant has agreed to monitor and restrict crowds from spilling over onto the sidewalk.

Whereas, over 20 letters of support were submitted to this committee; and,

Whereas, several members of the community appeared to express their concerns with the existing establishment but understand the benefits of a scaled back operation; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed alteration to an On Premise license for **Galata, Inc. d/b/a I Tre Merli, 463 West Broadway** unless the conditions agreed to by applicant relating to the fourth "whereas" clause above are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

2. 212 Management Group, LLC, d/b/a Via dei Mille, 357 West Broadway, NYC (Broome and Grand)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a commercial building on West Broadway between Broome and Grand Streets for a 1,600 s.f. Italian restaurant with 66 table seats, 1 bar with 4 seats, and a maximum legal capacity of 73 persons; and,

Whereas, the applicant stated the hours of operation are seven days a week from 11:00 a.m. – 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is background only with the exception of DJs on Sunday between the hours of 4pm-8pm; and,

Whereas, the State Liquor Authority has recently cancelled this liquor license since they did not register the individuals/group operating and managing the establishment for over 18+ months; and,

Whereas, the applicant has been operating and managing the establishment illegally for the past 18+ months by operating outside the previously approved licensed hours of operation; and by permitting dancing and DJs at the establishment; and providing Bottle Liquor service during Sunday brunch parties; and by operating an illegal sidewalk café (which has since been removed); and by operating the establishment under new management without proper notification and filing with CB#2, Man. and State Liquor Authority; and,

Whereas, this applicant has over 100, 311 calls registered regarding repeated noise and overcrowding issues; and,

Whereas, the several members of the community appeared in vehement opposition; citing overcrowding and noise issues from late night and weekend brunch parties; and,

Whereas, the Department of Consumer Affairs has issued a violation for operating the illegal sidewalk cafe; and

Whereas, the community has submitted information and web links (Restaurant's Facebook Page, <http://www.facebook.com/pages/New-York-NY/Via-dei-Mille/79084642520> and YouTube links) showing DJ's, dancing and nightclub activity; and,

Whereas, several members of the community appeared in support of the applicant; and the applicant submitted over 12 letters of support; and,

Whereas, the applicant has agreed to close the doors at all times; to eliminate velvet ropes; and to install a vestibule to reduce the noise and crowd levels; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed On Premise license for **212 Management Group, LLC, d/b/a Via dei Mille, 357 West Broadway**; and,

BE IT FURTHER RESOLVED that CB#2, Man. supports the recent cancellation of the existing liquor license by the New York State Liquor Authority.

Vote: Unanimous, with 36 Board members in favor.

3. Lucky 13 Associates, LLC, 21-27 Ninth Ave., NYC 10014

Whereas, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

Whereas, this application is for an On Premise liquor license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Lucky 13 Associates, LLC, 21-27 Ninth Avenue** **and requests that the SLA send this applicant back to CB#2, Man. should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 36 Board members in favor.

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1ST SEPTEMBER LANDMARKS MEETING

1. 558 Broadway – SoHo Cast Iron Historic District. A commercial building built in 1860 & altered in 1920. Application is to replace storefront.

Whereas, the application is to alter the storefront, but the three columns are to remain, on either side of the entry door to upstairs and one at the other end of the façade, and

Whereas, the proposal is to install a glass front with double doors to the store with steel mullions, and

Whereas, there will be a 16” bulkhead and a band across the top of the first floor with signage of flat red letters,

Therefore be it resolved CB#2, Man. recommends approval of this application for 558 Broadway.

Vote: Unanimous, with 36 Board members in favor.

2. 245 Bleecker St. (formerly NY Hot Dog & Coffee) – Greenwich Village Extension IIA Federal style row house built in 1829 with major alterations completed in 1926. Application is to install storefront infill & signage.

Whereas, the application is to reduce the existing 6 folding doors to 4 folding doors with horizontal divider, and paint the storefront a beige color, and

Whereas, there will be a fixed awning with signage only on the flap and

Whereas, there will also be a blade sign 2’7” by 4’, and

Whereas, lighting will be under the awning,

Therefore be it resolved CB#2, Man. recommends approval of most of the plan for 245 Bleecker St., but would prefer a retractable awning and the blade sign reduced to 2’ x 3’ or smaller.

Vote: Unanimous, with 36 Board members in favor.

3. 257 Bleecker St., (Wafflemeister) corner of Cornelia St. – Greenwich Village Historic District Extension II

Whereas, the present storefront has a recessed door and 2 store windows, one facing the street and the second facing the recess at the door, and

Whereas, the application is to replace the present recessed door with a glass door and side panel, and

Whereas, the current front of the store will be replaced with two brick walls on either side of one openable window for service above an opaque glass panel, and

Whereas, a polished steel column is planned for the corner of the store, and

Whereas, the Cornelia St. side of the building, now brick, would be opened up with 3 sets of windows 6'4" high, each divided into 3 folding wood and glass panels, openable, and

Whereas, retractable awnings are planned over each Cornelia St. window and one on Bleecker St., with signage on the flaps and narrow lighting fixtures under the awnings. and

Whereas, signage on both Bleecker St. & Cornelia St. will be brown with white lettering,

Therefore be it resolved CB#2, Man. recommends denial of this application for 257 Bleecker St. for the following reasons:

The metal post on the corner is out of character for this area.

The lentils on the Bleecker St. side should be retained

The plan for Cornelia St. is inappropriate for this narrow street and requires too much brick to be removed.

The signage is overdone.

Vote: Unanimous, with 36 Board members in favor.

4. 263 Bleecker St. – Greenwich Village Historic District Extension II A Renaissance Revival style tenement building designed by Horenburger & Straud & built in 1904. Application is to install storefront infill & signage.

Whereas, the present sidewalk hatch. now mostly open, will be closed except for deliveries, and

Whereas, the storefront will be changed to two store windows with a glass panel above, and the logo painted on the glass window, and

Whereas, the door will be glass with a transom, and

Whereas, the trim on the storefront will be white painted wood with white tile, and

Whereas, the awning will be retractable with the logo on the flap, and

Whereas, the art glass panels above the storefront will be retained and repaired,

Therefore be it resolved CB#2, Man. recommends approval of the application for 263 Bleecker St.

Vote: Unanimous, with 36 Board members in favor.

5. 34 Gansevoort Street (LPC Item 8) - Gansevoort Market Historic District An Italianate style French flats with store building designed by Charles Mettam and built in 1870. Application is to install signage.

Whereas, the blade sign will not impose itself upon the structure or the district, neither will the letter signage dangling from the canopy, or the modest signage on the window; and

Whereas, the pendant lights reflect the industrial character of the neighborhood; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 36 Board members in favor.

6. 32-36 Little West 12th Street, aka 823-827 Washington Street (LPC Item 9) - Gansevoort Market Historic District. A neo-Grec style building designed by James Stroud and built in 1880. Application is to install signage and lighting.

Whereas, it is unclear whether the two existing flagpoles and commercial banners are legal, and the Commission should research that question; and

Whereas, a minority of the committee thought that, with two existing commercial banners, the proposed 20-foot square sign would be excessive; but

Whereas, a majority did not think that three commercial signs would detract from the building or the district; and

Whereas, the proposed lighting under the awning should be of moderate level and the color of incandescent bulbs; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application; and,

Further, be it resolved that CB#2, Man. recommends that the Commission check its records to see whether the two existing banners are permitted.

Vote: Passed, with 30 Board members in favor, and 6 in opposition (K. Berger, D. Diether, J. Hamilton, B. Hoylman, S. Sweeney, E. Young).

7. 17 Bank Street (LPC Item 10) - Greenwich Village Historic District An Italianate style rowhouse designed by Linus Scudder and built in 1857-57. Application is to demolish a skylight, construct a rooftop addition, and alter the rear facade.

Whereas the Landmarks Preservation Commission's own publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

Whereas the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; now

Therefore, be it resolved that CB#2, Man. strongly recommends denial of this application in the absence of this important step in the review process, and

Further, be it resolved that CB#2, Man. strongly urges that, before the Commission further entertains this application, *the Chair order the applicant to return and present before the community board*, which the vast majority of applicants do willingly and diligently and from which obligation this applicant should not be excused, but, rather, be required to follow, lest LPC send a bad signal to the more conscientious and professional applicants who present before the Commissioners.

Vote: Unanimous, with 36 Board members in favor.

8. 75 Jane Street (LPC Item 11) - Greenwich Village Historic District A Greek Revival style rowhouse designed by Peter Van Antwerp and built in 1846-1847. Application is to rebuild the rear wall and a rear extension and excavate rear yard.

Whereas, the restoration to the front is commendable, and the proposed bulkhead and fence on the roof are unobtrusive; and

Whereas, the excavation in the rear would not damage any historic material nor detract from the doughnut; but

Whereas, in the desire to have the ground floor extend ten feet farther in order to enlarge the interior living area, this proposal would destroy forever the entire, existing, original rear wall that has survived since 1846; and

Whereas, the current owner purchased the house with the existing 20th-century wooden extension, which is in such disrepair that the owner claims it is unsalvageable.

The claim of the complete deterioration may or may not be correct, but the sad state in which it exists is a classic example of Demolition by Neglect. It appears that the prior owner never maintained the extension and may have left the windows open, exposing the extension to the elements for a long period of time. Thus, careful deliberation should be undertaken to determine whether destroying the remainder the existing wooden structure can be justified; and

Whereas, instead of simply replicating or repairing the existing wood structure, the applicant prefers to discard it and install a modern design that introduces a marked verticality in an district where such verticality is not historical; and

Whereas, the rear of these Greek Revival houses are symmetrical; this proposal is not; now

Therefore, be it resolved that CB#2, Man. recommends approval of the bulkhead and fence, as well as the garden excavation; but

Further, be it resolved that CB#2, Man. recommends denial of the proposal to destroy the original brick wall, as well as the wooden extension, which should be restored - not destroyed and replaced with an inappropriate modern interpretation.

Vote: Unanimous, with 36 Board members in favor.

9. 533 Hudson Street, aka 116 Charles Street (LPC Item 12) - Greenwich Village Historic District A Federal style rowhouse built in 1827. Application is to install a roof deck and railings, and legalize an HVAC unit.

Whereas, the roof deck will not be visible and the proposed wrought-iron fence is acceptable; but

Whereas, the proposal to conceal the very visible HVAC unit by painting it a color that would attempt to camouflage it fails. Better would be some sort of screening or open lath; now

Therefore, be it resolved that CB#2, Man. recommends approval of the roof deck and fence; but

Further, be it resolved that CB#2, Man. recommends a screen or lath to conceal the HVAC, instead of simply painting the unit.

Vote: Unanimous, with 36 Board members in favor.

10. 367-369 Bleecker Street (LPC Item 13) - Greenwich Village Historic District

A French Second Empire style multi-family dwelling with ground floor stores constructed in 1868 and designed by Henry Engelbert. Application is to install storefront infill and signage.

Whereas, we commend the applicant for removing the awnings and we feel that the proposed signage is tasteful; but

Whereas, there was uncertainty whether the building's fenestration of multi-pane windows was present prior to designation, or was approved later as part of a Master Plan, or was installed without LPC permission; but

Whereas, assuming the fenestration is permitted, there was discussion whether the ground-floor store window should resemble the upper-floor multi-pane windows, or, instead, reflect the larger display windows of the retail stores on that block that are typical of the historic district; and

Whereas, it was agreed that, if the multi-pane windows are indeed protected, that look should be retained throughout the building, including the ground-floor retail; and, further,

Whereas, it was felt that the proposed larger display window and storefront infill represents something plugged-in to imitate an old-fashion look, but which actually plugs in a brand logo and corporate look; and

Whereas, on the other hand, we believe that if the multi-pane fenestration has *not* been permitted by LPC, nevertheless, it should be legalized and retained; and

Whereas, the proposed black color for the window frame is unacceptable. It should be painted green like all the other window frames in the building, to maintain a chromatic unity; now

Therefore, be it resolved that CB#2, Man. recommends approval of the signage and the removal of the awning; but

Further, be it resolved that CB#2, Man. recommends denial of the request to replace the multi-pane store window with a single pane display window.

Vote: Unanimous, with 36 Board members in favor.

11. 224 West 10 St., - Greenwich Village Historic District. A Greek Revival style rowhouse built in 1847-48. Application is to construct a stoop, alter the front façade and rear window openings and install a rear deck.

Whereas, applicant's plans for the front façade of the building is to make changes to duplicate the front facade of the adjacent 226 West 10 St., both originally Greek Revival rowhouse from 1847-48, and

Whereas, the changes include removing the front and rear fire escapes, replacing the existing ground level entrance and arched window above it with a stoop and entrance at the first floor with a paneled door, side columns & glass paneled lintel with a cornice above it, and

Whereas, the new stoop will have wrought iron railings which will continue along the front lot line with a matching fence similar to 226 West 10 St., and

Whereas, at the rear of the building the original proposal to enlarge the top floor windows has been withdrawn, and

Whereas, the original rear door on the parlor floor will be replicated and a new staircase to the garden will be replaced with a more appropriate railing, and a balcony with a similar railing will be constructed at the parlor level, and

Whereas, additional changes proposed for the rear façade are replacing the two parlor floor windows which match the upper floors with two floor length double panel glass doors, and similar doors at the basement level,

THEREFORE BE IT RESOLVED that CB#2, Man. compliments the applicant on the proposed changes for the front façade, removal of the fire escapes, and on the rear facade recreating the parlor floor entrance and stair with iron work railings and the balcony, but

Although the changes on the cellar level are perhaps acceptable since the floor length windows are not very visible since they are under the balcony, the windows at the parlor level should match those on the upper floors,

BE IT FURTHER RESOLVED that CB#2, Man. recommends approval of the rest of the changes for 224 West 10 St., but recommends denial of the changes to the parlor floor windows.

Vote: Unanimous, with 36 Board members in favor.

12. 17 Bank St. – Greenwich Village Historic District. An Italianate style rowhouse built in 1856-57. Application is to demolish a skylight, construct rooftop additions, install a balcony at the front facade, and alter the rear façade.

Whereas, the proposal is to excavate about an 18” deep area into the rear yard for about 14’, and

Whereas, three windows on the rear wall will be replaced by three doors in line with the windows above, and

Whereas, the existing skylight will be replaced with a new skylight 7’ by 7’ by 6’ high and a new rooftop addition set 20’ back on the roof and not visible from the street, and

Whereas, the three windows on the top floor will be replaced by three louvers and, although they are the same size as the windows, they change the appearance of the rear wall, making the wall above them with the parapet seem too high and too industrial,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of most of the changes for 17 Bank St., but has concerns about the louvers and wall above them and would suggest LPC look at the other possibilities such as copper coping at the top of the brick wall or perhaps a railing instead of brick for the top of the wall.

Vote: Unanimous, with 36 Board members in favor.

13. & 14. 150 7th Ave. South aka 25-27 Charles St. – Greenwich Village Historic District.

A Classical Revival style apartment building designed by George F. Pelham and built in 1903. Application is to modify signage installed without Landmarks permits and to install signage and awnings.

(Although these are listed as one item on the Landmarks calendar the applications deal with two separate commercial establishments so the Committee discussed and voted on them separately.)

13. 25 Charles St.

Whereas, this application is for signage for a commercial establishment on the basement level of the building which also contains another commercial establishment on the first floor, also with signage, and

Whereas, this establishment has or had two large signs attached to the fence plus strings of colored lights and neon lighting on the fence, and a neon sign inside the window, and

Whereas, the applicant has already removed the neon and colored lights on the fence and proposes smaller signs on the fence,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of only one sign 2' x 8" attached to the fence at 25 Charles St., that the second sign be removed or placed inside the store, and the neon sign inside the store be at least 18" inside the window if this is in conformity with the regulations, and no use of TV on the sidewalk.

Vote: Unanimous, with 36 Board members in favor.

14. 150 Seventh Ave. South, 1st floor barber shop.

Whereas, the applicant's presentation was not very clear and sometimes didn't match the photos he showed, the remarks of people who saw the shop or their photos, and

Whereas, the applicant state he would decrease his signage to the flaps of the two retractable awnings to be installed over the window on Charles St. and the door on 7th Ave. So., plus a lighted, moving, barber pole 36" high and 9" wide attached to the 7 Ave. So. side of the building installed using existing holes in the wall, and which would be lighted only when the store was open, and

Whereas, the only other signs for this shop would be an unlighted 10" x 10" "Hair Cut" sign in the shop window and a neon "Open" sign 18" back from the shop window, and all other signage to be eliminated (the moving sign inside the store entry, the "temporary" signs outside the store, etc.)

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for 150 7 Ave. So., provided all of the above conditions are agreed to.

Vote: Unanimous, with 36 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

Renewal App. for revocable consent to operate an Unenclosed sidewalk cafe for:

1. Pepe's Rest. Group, LLC, 170 W. 4th St. (btw Jones & Cornelia), with 2 tables & 4 seats, DCA# 1221449

Block:590 Lot:22	Lot Frontage:44.75' Lot Depth:72.83	Year Built:1920(estimated)
Number of Floors:6	Residential Units:15 Total # of Units:17	Zoning:R6, Commercial Overlay:C1-5

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, the applicant has been operating this café and an adjacent enclosed sidewalk café for many years without apparent issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Pepe's Rest. Group, LLC, 170 W. 4th St. (btw Jones & Cornelia), with 2 tables & 4 seats, DCA# 1221449**

VOTE: Passed, with 35 Board members in favor and 1 recusal-(Sanz).

2. Pasta Bistro Grill, Inc., 93 Macdougall St. (btw Bleecker & Minetta Ln), with 5 tables & 10 seats, DCA# 1311319

Block: 542 Lot: 7502 Lot Frontage:0' Lot Depth:0

Year Built: 1900

Number of Floors:6 Residential Units: 40 Total # of Units:41

Zoning:R7-2, Commercial

Overlay:C1-5

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant's representative, Michael Kelly, was present, and

Whereas, the applicant was recently notified by the Chair of this committee that the café was being operated with too many tables and seats and an arrangement that did not leave 8 feet of clear public sidewalk, and

Whereas, the applicant immediately made efforts to return the café to its approved seating, and

Whereas, the applicant's representative reiterated the applicant's commitment to operating the café in the prescribed manner, and

Whereas, the applicant appears to be operating the café appropriately in all other manners,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Pasta Bistro Grill, Inc., 93 Macdougall St. (btw Bleecker & Minetta Ln), with 5 tables & 10 seats, DCA# 1311319**

VOTE: Unanimous, with 36 Board members in favor.

3. Grand Sichuan 7 Ave., Inc., 15 7th Ave. So. (btw Carmine & Leroy), with 10 tables & 20 seats, DCA# 1288706

Block: 582 Lot: 26 Lot Frontage:68.33' Lot Depth:149.83

Year Built:1900(estimated)

Number of Floors:2 Residential Units:37 Total # of Units:41

Zoning:C2-6R6

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, the applicant appears to be operating this café consistent with the application without apparent issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Grand Sichuan 7 Ave., Inc., 15 7th Ave. So. (btw Carmine & Leroy), with 10 tables & 20 seats, DCA# 1288706**

VOTE: Unanimous, with 36 Board members in favor.

4. Caffè Silvestri, Inc. d/b/a Caffè Napoli, 191 Hester St. aka 130 Mulberry St. with 21 tables & 42 seats, DCA# 0956923

Block: 237 Lot: 36 Lot Frontage:25' Lot Depth:75.25 Year Built:1900(estimated)
Number of Floors:6 Residential Units:15 Total # of Units:16 Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant's representative, Michael Kelly, was present, and

Whereas, the representative was notified that the establishment has been operating with one or more service carts in the café area and a table set up at the corner of the building somewhat inconsistent with the approved plan, and

Whereas, the representative committed to address those issues with the applicant, and

Whereas, the applicant appears to be operating this café consistent with the application in all other ways,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Caffè Silvestri, Inc. d/b/a Caffè Napoli, 191 Hester St. aka 130 Mulberry St. with 21 tables & 42 seats, DCA# 0956923**

VOTE: Unanimous, with 36 Board members in favor.

5. Grotta Azzurra Inn, Inc., 177 Mulberry Street (at Broome), with 20 tables & 40 seats, DCA # 1150943

Block: 471 Lot: 14 Lot Frontage:25.25' Lot Depth:105.42 Year Built:1930(estimated)
Number of Floors:5 Residential Units:20 Total # of Units:21 Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, the applicant appears to be operating this café consistent with the application without apparent issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Grotta Azzurra Inn, Inc., 177 Mulberry Street (at Broome), with 20 tables & 40 seats, DCA # 1150943**

VOTE: Unanimous, with 36 Board members in favor.

6. 191 Grand Restaurant Corp., d/b/a Novella, 191 Grand Street (at Mulberry), with 15 tables & 30 seats, DCA# 1213603

Block: 237 Lot: 12 Lot Frontage: 51' Lot Depth: 90 Year Built:1900
Number of Floors:6 Residential Units:35 Total # of Units:38 Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant's representative, Michael Kelly, was present, and

Whereas, the applicant is operating the café inconsistent with the approved layout, with the 4 tables and 8 chairs that should be on Grand St moved around the corner to Mulberry St where there should only be 1 table/2 chair combinations up against and parallel to the building line, and

Whereas, this arrangement reduces the amount of public sidewalk to well below the required 8 feet, and

Whereas, the applicant has two large menu signs standing in the public area of the sidewalk at the corner of Grand and Mulberry,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **191 Grand Restaurant Corp., d/b/a Novella, 191 Grand Street (at Mulberry), with 15 tables & 30 seats, DCA# 1213603** – CONDITIONAL UPON the applicant returning the café layout to the plan provided with the application and removing all signage from the public area of the sidewalk as noted in Whereas clauses 2, 3 and 4 above.

VOTE: Unanimous, with 36 Board members in favor.

7. Feenjon Corp, d/b/a Panchito's, 103-105 MacDougal Street (btw Bleecker & Minetta Ln), with 12 tables & 27 seats, DCA #0855696

103 MacDougal

Block:542 Lot:49	Lot Frontage:25' Lot Depth:135.5	Year Built:1900(estimated)
Number of Floors:7	Residential Units:36 Total # of Units:37	Zoning:R7-2, Commercial
Overlay:C1-5		

105 MacDougal

Block:542 Lot:48	Lot Frontage:25' Lot Depth:134.5	Year Built:1900(estimated)
Number of Floors:7	Residential Units:36 Total # of Units:37	Zoning:R7-2, Commercial
Overlay:C1-5		

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, the applicant appears to be operating this café consistent with the application without apparent issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Feenjon Corp, d/b/a Panchito's, 103-105 MacDougal Street (btw Bleecker & Minetta Ln), with 12 tables & 27 seats, DCA #0855696**

VOTE: Unanimous, with 36 Board members in favor.

8. LADL, Inc., d/b/a Jack's, 80 University Place (at E 11th), with 14 tables & 28 seats, DCA# 1226076

Block:569 Lot:28	Lot Frontage:25' Lot Depth:91.5	Year Built:1930
Number of Floors:5	Residential Units:0 Total # of Units:5	Zoning:C1-7

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant's representative, Michael Kelly, was present, and

Whereas, the applicant appears to be operating this café consistent with the application without apparent issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **LADL, Inc., d/b/a Jack's, 80 University Place (at E 11th), with 14 tables & 28 seats, DCA# 1226076**

VOTE: Unanimous, with 36 Board members in favor.

9. La Ripaille Corp., d/b/a La Ripaille Restaurant, 605 Hudson St (btw Bethune & W 12th), with 4 tables & 11 seats, DCA # 1010686

Block:624 Lot:17 Lot Frontage:34.58' Lot Depth:76 Year Built:1900(estimated)
Number of Floors:5 Residential Units:8 Total # of Units:10 Zoning:C1-6

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, the applicant appears to be operating this café consistent with the application without apparent issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **La Ripaille Corp., d/b/a La Ripaille Restaurant, 605 Hudson St (btw Bethune & W 12th), with 4 tables & 11 seats, DCA # 1010686**

VOTE: Unanimous, with 36 Board members in favor.

SLA LICENSING

The following applications were heard at the August SLA Licensing Committee, but the resolutions were adopted at the September 23, 2010 Full Board.

1. Corp to be formed, d/b/a Verace, 137 7th Avenue South, NYC (West 10th and Charles)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 2,600 s.f. pizzeria located in a commercial building on 7th Avenue between West 10th and Charles streets with 70 table seats and 1 bar with 6 bar seats; and a maximum legal capacity of 105 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday through Wednesday from 11:00 a.m. – 1:00 a.m. and Thursday through Saturday from 11:00 a.m. – 2:00 a.m.; there won't be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to the following set of stipulations:

1. The applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to a new Certificate of Occupancy.
2. The applicant has agreed to not utilize D.J.'s or live music.
3. The applicant has agreed to keep the kitchen open and serve food at all times.
4. The applicant has agreed to the closing hours of 1:00 a.m. from Sunday through Wednesday and 2:00 a.m. from Thursday through Saturday.
5. The applicant has agreed to notify the Community Board in the event of a change of ownership.
6. The applicant has agreed to operate a Family oriented restaurant.

Whereas, a few members of the community appeared to express their concerns with the proposed establishment; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Corp to be formed, d/b/a Verace, 137 7th Avenue South** unless the conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor

2. Scott Kelly d/b/a CLO, 122 Greenwich Ave., NYC (at 8th Avenue)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 1,470 s.f. wine bar located in a mixed use building on the corner of Greenwich and 8th Avenue with 50 table seats and 1 bar with 6 bar seats; and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are seven days a week from 12:00 p.m. – 2:00 a.m. there won’t be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to the following set of stipulations:

1. The applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to a new Certificate of Occupancy and Public Assembly Permit.
2. The applicant has agreed to not utilize D.J.’s or live music.
3. The applicant has agreed to prohibit bottle liquor sales or service.
4. The applicant has agreed to the closing hours of 2:00 a.m. seven days a week.
5. The applicant has agreed to no third party private events.
6. The applicant has agreed to not install any French doors.
7. The applicant has agreed to operate as an upscale wine bar offering high-end spirits and cordials.

Whereas, no one appeared in opposition from the community; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Scott Kelly d/b/a CLO, 122 Greenwich Ave** unless the conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

3. Blackfoot Consulting, LLC, d/b/a The Venue at 93 Greenwich, 93 Greenwich Ave., NYC (between Bank and West 12th)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new SLA Catering liquor license for a 2nd floor private dining space located in a mixed use building on Greenwich Avenue between Bank and West 12th Streets with a maximum 40 table seats and no bar; and a maximum legal capacity of 50 persons; and,

Whereas, the applicant stated the hours of operation for the catering establishment are seven days a week from 11:00 a.m. to 12:00 a.m.; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to the following set of stipulations:

1. The applicant has agreed to no live music at all times.
2. The applicant has agreed to prohibit valet parking during its events.
3. The applicant has agreed to monitor idle cars and assign personnel to control the flow of traffic during its events.
4. The applicant has agreed to obtain all required certificates, permits and related documents, including a revised Certificate of Occupancy.

Whereas, the applicant currently occupies the retail space at the ground level of the building; and,

Whereas, no one appeared in opposition from the community; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise Catering license for **Blackfoot Consulting, LLC, d/b/a The Venue at 93 Greenwich, 93 Greenwich Ave** unless the conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

4. Chili Jam, LLC, d/b/a TBD, 469 6th Ave., NYC (between 11th and 12th Streets)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a Thai restaurant located in a 1,000 s.f. premise in a mixed use building located on 6th Avenue between 11th and 12th Streets with 63 table seats, 1 bar with 7 bar seats and a maximum legal capacity of 70 persons; and,

Whereas, the applicant stated the hours of operation are Sunday – Thursday from 12:00 p.m. – 12:00 a.m. and Friday and Saturday from 12:00 p.m. – 1:00 a.m.; there is no sidewalk café and no backyard garden; music is background only; and,

Whereas, the applicant has agreed to curtail its closing hours to operate within a residential district; and,

Whereas, no one appeared in opposition from the community; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise license for **Chili Jam, LLC, d/b/a TBD, 469 6th Ave.**

Vote: Unanimous, with 36 Board members in favor.

5. Walkam Group, Inc., d/b/a to be determined, 16 W. 8th St., NYC (5th and 6th Avenues)

Whereas, the applicant re-appeared before the committee; and,

Whereas, this application is for an On Premise license for a 1,200 s.f. café/tavern d/b/a Gizzi’s located in a commercial building on West 8th Street between 5th and 6th Avenues with 36 table seats and 1 bar with 6 bar seats; and a maximum legal capacity of 45 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are seven days a week from 8:00 a.m. – 1:00 a.m.; there won't be a sidewalk café application and no backyard garden; music will be live and background only; and,

Whereas, the applicant has agreed to the following set of stipulations:

1. The applicant has agreed to schedule live performances only on Thursday, Friday and Saturday from 7:00 p.m. to 10:00 p.m.
2. The applicant has agreed to forbid any D.J. or third party promoters.
3. The applicant has agreed to no cover or admission charge for the live performances.

Whereas, the applicant has been successfully operating the establishment for over 5 months; and,

Whereas, the applicant has spent over a month reaching out to members of the community and neighboring residents to establishment community support; and,

Whereas, the applicant has submitted over 9 letters from various stakeholders in support of the proposed liquor license application; and,

Whereas, over 9 people appeared to support the proposed liquor license application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Walkam Group, Inc., d/b/a to be determined, 16 W. 8th St.** unless the conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

6. RHPK LLC, formerly known as LBPR, LLC, 33 W. 8th Street, NYC (Macdougall and 6th Avenue)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 2,000 s.f. restaurant located in a mixed use building on West 8th Street between Macdougall and 6th Avenue with 57 table seats and 1 bar with 10 bar seats; and a maximum legal capacity of 67 persons; **to file a change in the LLC name and its ownership; and,**

Whereas, the applicant stated that there will be no changes to the prior method of operation; the hours of operation for the establishment are from Sunday - Tuesday from 10:00 a.m. – 1:00 a.m. and Wednesday – Saturday from 10:00 a.m. – 2:00 a.m.; there is no sidewalk café application and no backyard garden; music is background only; and,

Whereas, the applicant has agreed to install the ventilation system through the roof of the building; and,

Whereas, no one appeared in opposition from the community; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **RHPK LLC, formerly known as LBPR, LLC, 33 W. 8th Street** the condition agreed to by applicant relating to the fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Passed, with 35 Board members in favor, and 1 recusal (D. Gruber).

7. RRFB, LLC d/b/a Rock Bar, 185 Christopher St. (Washington and West Street), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer to an existing On Premise license for a bar located in 2,400 s.f. premise in a mixed use building located on Christopher between Washington and West Streets with 12 table seats and 1 bar with 5 bar seats and a maximum legal capacity of 72 persons; **and to alter their method of operation to include live music; and,**

Whereas, the applicant stated there are no plans to change the previously approved hours of operation; the applicant stated the bar hours are Monday – Friday from 12:00 p.m. – 4:00 a.m.; Saturday from 1:00 p.m. – 4:00 a.m. and Sunday from 1:00 p.m. – 2:00 a.m.; and,

Whereas, the applicant has agreed to have live performance only during the hours of 10:30 p.m. to 12:30 a.m.; and,

Whereas, no one appeared in opposition from the community; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed transfer of an On Premise license for **RRFB, LLC d/b/a Rock Bar, 185 Christopher St.** unless the condition agreed to by applicant relating to the fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

8. New Restart, Inc., d/b/a Mambo Italiano, 145-147 Mulberry St., NYC (Grand and Hester)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for a 9,804 s.f. (4704 s.f. ground floor and 5100 s.f. basement) restaurant d/b/a Mambo Italiano located in a mixed use building on Mulberry between Grand and Hester streets with 284 table seats (128 table seats in Ground Floor and 156 table seats in the Basement) and 2 bars with 22 bar seats; and a maximum legal capacity of 306 persons; and,

Whereas, the applicant stated the hours of operation for the establishment is Sunday through Thursday from 12:00 p.m. – 1:00 a.m. and Friday and Saturday from 12:00 p.m. – 2:00 a.m.; there is currently a sidewalk café but no backyard garden; music will be background and live Opera only; and,

Whereas, this committee has expressed concerns with the large establishment catering to scheduled live performances; and, questions whether or not the location is zoned for this use; and,

Whereas, this committee has expressed concerns with an expansion from 70 table seats with a capacity of 88 persons to 128 tables seats with a capacity of 306 persons; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed alteration to an On Premise license for **New Restart, Inc., d/b/a Mambo Italiano, 145-147 Mulberry St.**

Vote: Passed, with 33 Board members in favor, and 3 in opposition (M.P. Derr, A. Meadows, R. Sanz).

The following applications were heard at the September SLA Licensing Committee meeting, and adopted at the September Full Board meeting.

9. Blue Sand Holdings, Inc., 508 Greenwich St., NYC (Spring and Canal)

Whereas, the applicant appeared before the committee; and,

Whereas, this application to change its license classification from Beer and Wine to Brew Pub for a 2,500 s.f. located in a mixed use building on Greenwich Street between Spring and Canal with 65 table seats and 1 bar with 9 bar seats; and a maximum legal capacity of 75 persons; and,

Whereas, the applicant stated that there will be no changes to its existing method of operation with the exception of a slight increase of hours; the new hours of operation for the establishment are seven days a week from 11:00 a.m. – 12:00 a.m. Sunday through Wednesday and 11:00 a.m. – 2:00 a.m. Thursday - Saturday; there is no sidewalk café application and no backyard garden; music is background only; and

Whereas, the applicant has agreed to change its use group classification to allow brewing, if required by the NYC Department of Building; and,

Whereas, no one appeared in opposition from the community;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Blue Sand Holdings, Inc., 508 Greenwich St., NYC** unless the condition agreed to by applicant relating to the fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

10. 75 Clarkson St. FSB, d/b/a TBD, 75-77 Clarkson St., NYC (at West Street)

Whereas, the applicant re-appeared before the committee; and,

Whereas, this application is for On Premise license for a 2,844 s.f. disco/adult entertainment nightclub with a small restaurant/cafe in a commercial building located on the corner of Clarkson and West Streets with 166 table seats, 2 bars with 24 bar seats and a maximum legal capacity of 299 persons; and,

Whereas, the applicant stated the hours of operation are seven days a week from 6:00 p.m. – 4:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is D.J. only; and,

Whereas, the applicant had reached out to members of the community prior to the SLA Committee hearing; and,

Whereas, the applicant has agreed to the following set of stipulations:

1. The applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to a new Certificate of Occupancy and Public Assembly Permit.
2. The applicant has agreed to keep the windows and doors closed at all times.
3. The applicant has agreed to implement security (1 bonded security officer per 60 patrons) and traffic control measures as outlined in their “traffic and security” plan.
4. The applicant has agreed to fully soundproof the entire establishment.
5. The applicant has agreed to continue its community outreach, including but not limited to monthly meeting during its first 6 months of operation and quarterly thereafter.
6. The applicant has agreed to not solicit bottle service sales.

7. The applicant has agreed to not use 3rd party promoters.
8. The applicant has agreed to use sound level detectors to maintain a <45 decibel level.
9. The applicant has agreed to waive their rights to set up a sidewalk café.
10. The applicant has agreed to implement a student internship program for the local schools, particularly for educating students about gardening organic vegetables (as planned for the rooftop of the building).
11. The applicant has agreed to agreed to not use velvet stanchions.
12. The applicant has agreed to provide a General Manager or Principal Agent's contact information to the neighbors.
13. The applicant has agreed to post a "please respect the neighbors" sign in front of the establishment.
14. The applicant has agreed to cease operations at 4:00 a.m. daily.
15. The applicant has agreed to participate in any and all traffic enhancement studies in the neighborhood.

Whereas, neighboring residents (representing 5 residential buildings) expressed some concern for cab and black car congestion and excessive noise on Clarkson St. and the immediate area and the characterization of the applicants that the area has no residential units and cited concerns over the applicants involvement in another nearby establishment that initially had serious problems with its neighbors (The Jane Hotel); a few neighbors requested that this item be laid over for additional vetting;

Whereas a few neighbors requested an outright denial; and

Whereas, the applicants presented a security plan, but were unwilling to stipulate to following the plan and could not provide details on how it would be implemented and did not present full details on how security cameras would be utilized inside and outside the establishment; and

Whereas, the applicants presented a traffic plan, but the details and implementation were not satisfactory. Specifically, Clarkson St. is the only ingress into Greenwich Village from the southbound NY 9A/West St between 14th St. and Houston St. and is a major artery to the Holland Tunnel. While the street is 4 lanes wide, two lanes are dedicated to parking during the operating hours of the proposed establishment. The applicant has detailed that their plan is to place cones in the street utilizing one of the remaining two lanes for dedicated drop off and pickup thereby leaving only one lane available for vehicles to utilize. While the applicant did provide some vehicle count studies, it is difficult to ascertain whether the results of the study, which were conducted in mid-August, are relevant to the typical operating environment for the proposed establishment. The applicants plan also failed to address the impact of their proposed traffic plan on the over 35 active truck bays in the immediate area (Fed Ex, UPS, St. John's Center); and

Whereas, the applicants were unable to stipulate to the exact nature of the adult entertainment aspect of this location and specifically how it would be reflected in their proposed method of operation; and

Whereas, the proposed location has not been licensed since at least 2001 and according to the applicant the location has a history of drug arrests and prostitution and for the last 15 years was a full nude adult establishment; and

Whereas, the applicants are also apprised that a negative resolution will be presented to the full board by the committee with the ONLY exception being that the board office receives a letter requesting postponement until next month and with the notation that said application to the State Liquor Authority will not be submitted until after the applicant continues its dialogue with the neighbors and meets with the SLA Committee again in October; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **75 Clarkson St. FSB, d/b/a TBD, 75-77 Clarkson St.**

Vote: Unanimous, with 36 Board members in favor.

11. Ideal Food & Drink, d/b/a same, 7-9 West 8th St., NYC (5th and 6th Avenue)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 7,500 s.f. cafeteria style restaurant located in a mixed use building on West 8th Street between 5th and 6th Avenues with 150 table seats and 1 bar with 16 bar seats; and a maximum legal capacity of 195 persons; and,

Whereas, the applicant stated the hours of operation for the establishment is Sunday - Thursday from 7:00 a.m. – 12:00 a.m. and Friday and Saturday from 7:00 a.m. – 2:00 a.m.; there won't be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, this location has never held an On Premise liquor license; and,

Whereas, this committee could not establish the public benefit in converting a retail space into a large restaurant without community/residents support; the committee had expressed concerns with the large bar placed in front of the establishment, which includes a 2nd means of ingress; and,

Whereas, a member of the community expressed his opposition of the proposed licensed establishment; citing saturation issues on the block; and,

Whereas, the West 8th Street Block Association had submitted a letter to express their concerns and lack of support; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed On Premise license for **Ideal Food & Drink, d/b/a same, 7-9 West 8th St.**

Vote: Unanimous, with 36 Board members in favor.

12. GMT New York, LLC, 142 Bleecker St., NYC (at Laguardia)

Whereas, the applicant re-appeared before the committee; and,

Whereas, this application is for an On Premise license for a 1,440 s.f. Gastro pub restaurant located in a mixed use building on the corner of Bleecker and Laguardia with 50 table seats and 1 bar with 14 bar seats; and a maximum legal capacity of 64 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday through Thursday from 11:00 a.m. – 2:00 a.m. and Friday and Saturday from 11:00 a.m. – 4:00 a.m.; there will be a sidewalk café application but no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to the following set of stipulations:

8. The applicant has agreed to curtail its closing hours to 2:00 a.m. on the weekdays and 4:00 a.m. on the weekends.
9. The applicant has agreed to exclude the sidewalk tables on Bleecker Street when applying for a sidewalk café license.
10. The applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to a new Certificate of Occupancy.

Whereas, the applicant has reached out to members of the community to establish support of the application; and,

Whereas, a member of the community appeared in opposition; citing overcrowding and noise issues on the block; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **GMT New York, LLC, 142 Bleecker St.** unless the conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

13. Dinner is Ready, LLC d/b/a 84, 84 Seventh Ave. South, NYC (Bleecker and Grove)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 1,200 s.f. restaurant located in a mixed use building on Seventh Avenue South between Bleecker and Grove Streets with 45 table seats and 1 bar with 3 bar seats; and a maximum legal capacity of 49 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are seven days a week from 8:00 a.m. – 1:00 a.m.; there is an enclosed sidewalk café with 25 table seats but no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to close the windows by 10:00 p.m. daily; and,

Whereas, no one appeared in opposition from the community; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Dinner is Ready, LLC d/b/a 84, 84 Seventh Ave. South** unless the condition agreed to by applicant relating to the fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

14. Chelsea Morning Partners, LP, TBD, 2 Bank St., NYC (Greenwich Ave. and Waverly Pl.)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 4,800 s.f. (2,000 s.f. basement and 2,800 s.f. ground floor) steakhouse in a mixed use building located on Bank Street between Greenwich Street and Waverly Place with 184 table seats (126 table seats at Ground level and 42 table seats at Basement level), 2 bars with 16 bar seats (13 bar seats at Ground level and 3 bar seats at Basement level) and a maximum legal capacity of 223 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday - Thursday from 10:00 a.m. – 12:00 a.m. and Friday and Saturday from 10:00 a.m. – 1:00 a.m.; there will be a sidewalk café application but no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to the following set of stipulations:

1. The applicant has agreed to operate as a restaurant only.
2. The applicant has agreed to curtail its closing hours to 12:00 a.m. on the weekdays and 1:00 a.m. on the weekends.
3. The applicant has agreed to advertise the restaurant with a Greenwich Avenue address.
4. The applicant has agreed to designate a manager to monitor the car and taxi cab drop-offs/parking.
5. The applicant has agreed to install the ventilation system through the roof of the building.
6. The applicant has agreed to operate the kitchen and offer menu items up until 1 hour prior to closing

Whereas, a few members of the community appeared to express their concerns; citing potential noise and traffic issues on Bank Street; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Chelsea Morning Partners, LP, TBD, 2 Bank St.** unless the conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

15. Casa La Femme, 140 Charles St.

Whereas, the operator appeared before the committee; and,

Whereas, this application is for a renewal of an existing On Premise license for a Middle Eastern restaurant and bar in a mixed use building on Charles Street between Greenwich and Washington Streets; and,

Whereas, the Community Board has pulled a slew of 311 complaints for excessive noise at this establishments; and,

Whereas, the operator had stated that all 311 complaints were anonymous and isolated; and, claims that they are being targeted and profiled; and,

Whereas, a few members of the community appeared to share their testimony in opposition but had to leave prior to the hearing; and,

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the renewal of an On Premise license for **Casa La Femme, 140 Charles St.**; and,

BE IT FURTHER RESOLVED that CB#2, Man. recommends that the operator initiate dialogue with neighboring residents to resolve the issues.

Vote: Unanimous, with 36 Board members in favor.

16. 212 Lafayette Associates, LLC, 212 Lafayette Street, NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a alteration to their current method of operation by relocating 2 tables and 10 chairs from the center of the restaurant to a back space (which was used for storage only) and add a service bar in a mixed use building on Lafayette between Kenmare and Spring Streets for a 3,500 s.f. restaurant with an original 18 tables and 53 seats and 1 bar with 8 seats and a total maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Sunday – Wednesday from 8:00 a.m. – 1:00 a.m. and Thursday – Saturday from 8:00 a.m. – 2:00 a.m. there will eventually be a request for a sidewalk café but no backyard garden; music will be background only, no DJ or outside promoters; and,

Whereas, the applicant has agreed to operate as a full service restaurant which will have a menu/food service at all times up to one hour before closing; and

Whereas, 1 community member showed up to oppose this request stating that this location has been a noise and crowd problem for their neighborhood and 1 letter stating the same;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the Alteration of the On Premise license for **212 Lafayette Associates, LLC, 212 Lafayette Street, NYC**

Vote: Unanimous, with 36 Board members in favor.

17. Brown Stew, LLC, d/b/a Miss Lily's, 132 W. Houston St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine License in a mixed use building on W. Houston between Sullivan and MacDougal Streets for a 1,500 s.f. restaurant with the original 19 tables and 55 seats and 1 bar with 5 seats, and a total maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Sunday –Saturday from 8:00 a.m. – 2:00 a.m.; there will eventually be a request for a sidewalk café but no backyard garden; music will be background only, no DJ, no live music or outside promoters; and,

Whereas, the applicant has agreed to operate as a full service restaurant only and agrees not to apply for a Cabaret License; and,

Whereas, the applicant agrees to close all windows and doors no later than 10 p.m.; and,

Whereas, the applicant agrees to never develop the 2nd floor space or use basement space for anything but restrooms; and,

Whereas, the applicant agrees to not to use any outdoor café space be it on THEIR property or not without coming back to CB#2, Man. and has stated that their application to the SLA will not include any outdoor spaces in the area to be licensed; and

Whereas, the applicant has provided a Sound Protection Report that stated NYC Noise Code limits for commercial music was exceeded and that modifications with acoustical construction would be required and was completed; and,

Whereas, The outdoor area of this property immediately joins the gardens of the MacDougal-Sullivan Gardens Historic District which was designated by the Landmarks Preservation Commission August 2, 1967 based on "careful consideration of the history, architecture and other features of this area"; and,

Whereas, this applicant has a “Letter of No Objection” for the 1st floor; and,

Whereas, CB#2, Man. has concerns regarding potential traffic problems at this address and that the applicant does not currently have a traffic plan; and,

Whereas, the community provided a signed New York State Licensed Land Surveyor “Distance Certification Sketch Report” that this establishment is in fact 160.2 ft away from St. Anthony of Padua Church and 164.3 feet from the Children’s Aide Society; and though this does not apply to Beer and Wine licenses, it should apply to full OP if this applicant should ever try to apply for such a license; and,

Whereas, the community has provided a list of 48 licensed establishments within 500 ft. of 132 West Houston St.; and,

Whereas, the Bleeker Area Merchants’ & Residents’ Association (BMRA) in support of this application providing the agree to all the stipulations incorporated above; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the New, Beer and Wine license for **Brown Stew, LLC, d/b/a Miss Lily’s, 132 W. Houston St., NYC 10012**; unless those conditions agreed to by the applicant in the “whereas” clauses above is incorporated into the “Method of Operation” on the SLA Beer and Wine license.

Vote: Unanimous, with 36 Board members in favor.

18. Fergon, Inc., 41 Greenwich Ave., NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an existing On Premise liquor license in a mixed use building on Greenwich Avenue between Christopher and Barrow Streets for a 1,500 s.f. restaurant with 12 tables and 32 seats and 1 bar with 6 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Sunday to Thursday from 11:30 a.m. – 11:00 p.m. and Friday to Saturday from 11:30 a.m. – 2 a.m.; there will be no sidewalk café and but there will be a backyard garden with 7 tables and 24 seats; music will be background only and will not have a DJ or outside promoters; and

Whereas, the applicant agrees to close the backyard garden by 10:00 p.m. every night; and,

Whereas, the applicant agrees to keep all windows and doors facing the backyard garden closed at all times, there will be no music in the backyard and no smoking; and,

Whereas, the applicant agrees to keep the kitchen open and offer a full menu until ½ hour before closing; and,

THEREFORE BE IT RESOLVED that CB#2, Man recommends denial of the transfer of an existing On Premise license for **Fergon, Inc., 41 Greenwich Ave., NYC 10014** unless all conditions agreed to by the applicant are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

19. Amble Side Partners, LLC, d/b/a Saint James, 281 Lafayette St. NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an On Premise license in a commercial building on Lafayette between Houston and Prince Street for a 3,000 s.f. restaurant with 25 tables and 66 seats, 2 bars with 14 seats, and a maximum legal capacity of 135 persons; and,

Whereas, the applicant stated the hours of operation are from 5:00 p.m. – 4:00 a.m. 7 days a week; there is no sidewalk café and no backyard garden; and,

Whereas, this transfer is due to the change of one of the principals only; and,

Whereas, there is not physical changes to the restaurant; and,

Whereas, there are no changes to the method of operation; and,

Whereas, this applicant publishes hours of operation that are less than currently allowed which are Sunday from 6pm to 1am, Monday to Wednesday from 5pm to 1am, Thursday from 5pm to 2am and Friday-Saturday from 5pm to 3am and agrees they reserve the right to occasionally open beyond those hours;

THEREFORE BE IT RESOLVED that CB#2, Man recommends approval of the transfer of the existing On Premise license **Amble Side Partners, LLC, d/b/a Saint James, 281 Lafayette St. NYC 10012.**

Vote: Unanimous, with 36 Board members in favor.

20. West End Merchants Inc., d/b/a Miss Kate's Parlour, 130 West 10th Street, NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed use building for a restaurant located in 600 s.f. premise on 10th Street between Waverly Street and Greenwich Avenue with 8 tables and 20 seats, 1 bar and 8 seats and a maximum legal capacity of 50 persons; and,

Whereas, the applicant stated the hours of operation will be Sunday to Wednesday from 10:00 a.m. – 1:00 a.m. and Thursday to Saturday from 10:00 a.m. – 2:00 a.m.; there is no sidewalk café and no backyard garden; and,

Whereas, music will be background only no DJ and no outside promoters; and,

Whereas, this location has never been licensed by the SLA and would be adding a new license to a neighborhood that is over saturated; and,

Whereas, there are currently 8 SLA licenses on this block, 6 of which are new within the last 3 years and 3 more that are pending; which has dramatically changed the noise level on this small street; and,

Whereas, this location sits directly next to a NYC Fire Department and there are concerns that taxis and private cars that may be dropping off passengers to this location could interfere with the safety and ability of this Fire Departments duties; and

Whereas, the West 10th Street Block Association and 33 Greenwich met with this applicant and established the following stipulations which are signed and notarized and should be included into this applicants method of operation :

1. **Hours of operation:** On each Sunday through Wednesday night, the Operator shall open no earlier than 10 a.m. and close no later than 1 a.m. On each Thursday through Saturday, the Operator shall open no earlier than 10 a.m. and close no later than 2 a.m.
2. **Soundproofing:** The Operator shall hire a certified acoustical consultant to make recommendations such that the Establishment will meet or exceed the current New York City Noise Code guidelines for residential areas. The Operator shall use its best efforts to soundproof the Establishment according to said recommendations to ensure that noise (including, but not limited to, noise generated by patrons and staff and by commercial equipment does not emanate from the Establishment, or its equipment, in any direction and meets or exceeds New York City noise code. Subsequent to any necessary soundproofing, the Operator shall hire a certified acoustical consultant to perform a "Commissioning Test" to ensure that such measures are installed correctly. The Operator shall provide proof of successful Commissioning Test to the Community Board and State Liquor Authority. The Operator will ensure that music within the Establishment will be background music only and all of the sound system speakers at the Establishment will face inward and away from the front door.
3. **Kitchen:** The Operator shall ensure that the kitchen is located in the cellar of the Establishment and that there will not be any outside venting from within the Establishment.
4. **Sanitation:** The Operator shall not store garbage or dumpsters outside the Establishment until one-half hour before garbage pickup. All garbage generated by the Establishment will be stored inside until its closing and pick-up service of its garbage will be coordinated with a neighboring restaurant.
5. **Sidewalk:** The Operator will ensure that the sidewalk in front of the Establishment will be kept clear of trash including cigarette butts.
6. **Windows and Doors:** The Operator will ensure that the windows and doors of the Establishment will remain closed during the hours of operation.
7. **Food Service:** The Operator will ensure that food will be served up to _ hour before closing of the Establishment.
8. **Security:** The Operator will ensure that it will hire a doorman who will be enlisted to maintain crowd and noise control outside of the Establishment on each day of operation.
9. **Lighting:** The Operator will ensure that there will be no illuminated signage from the Establishment and that there will be no excessive lighting from within the Establishment and all lighting near the windows of the Establishment will comply with New York City Landmarks' codes.
10. **Lighting:** The Operator will ensure that there will be no illuminated signage from the Establishment and that there will be no excessive lighting from within the Establishment and all lighting near the windows of the Establishment will comply with New York City Landmarks' codes.
11. **Monthly Meetings:** The Operator of the Establishment will hold monthly meetings with community residents of West 10th Street (between Waverly Place and Greenwich Avenue) and from 33 Greenwich Avenue for at least the first year of operation to address residents' concerns about the Establishment.
12. **Limits On Expansion Of Business:** The Operator will ensure that he will never expand the Establishment beyond the ground floor and cellar of 130 West 10th Street.
13. **Community Outreach:** The Operator will make himself accessible to complaints from neighbors and will provide his cell phone number so that they may contact him.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the new Beer and Wine license for **West End Merchants Inc., d/b/a Miss Kate's Parlour, 130 West 10th Street, NYC** unless all conditions agreed to by the applicant within the signed legal document are incorporated into the "Method of Operation" on the SLA's Beer and Wine license.

Vote: Unanimous, with 36 Board members in favor.

21. Friendly Foods LLC, d/b/a Pulino's Café, 18 Greenwich Avenue, NYC 10011

Whereas, this application is for an On Premise liquor license; and,

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license in a commercial building on Greenwich Avenue on the corner of Greenwich Avenue and 10th Street for a 2,505 s.f. restaurant with 21 tables and 80 seats, 1 bar with 12 seats, and a maximum legal capacity of 100 persons; and,

Whereas, the applicant stated the hours of operation are:

Monday to Thursday from 12:00 p.m. – 12:00 a.m.

Friday from 12:00 p.m. – 1:00 a.m.

Saturday from 10:00 a.m. – to 1:00 a.m.

Sunday from 10:00 a.m. – 12:00 a.m.;

Whereas, the applicant agrees to no sidewalk café and no backyard garden; and,

Whereas, this location has never been licensed by the SLA and would be adding a new license to a neighborhood that is over saturated with 29 SLA licenses already in existence; of which at least 6 are new within the last 3 years, and 3 licenses are currently pending and,

Whereas, this location was previously Village Paper Party Store which was destroyed by a fire in February 2010 and this neighborhood has lost most of its book stores, coffee shops, and other general retail stores; and

Whereas, the neighborhood has presented a petition with 57 signatures against this applicant and 15 appeared in opposition; and,

Whereas, the West 10th Street Block Association and 33 Greenwich and CB2 have requested denial from the last 2 applications that came before us for the same address – 18 Greenwich Avenue; and,

Whereas, the applicant, who currently operates many successful destination location restaurants in CB#2, Man. did not present details on how this location would impact vehicular and pedestrian traffic and parking, and did not provide plans that were satisfactory to the community regarding the impact on existing noise levels in the community; and,

Whereas, the applicant agreed to the following stipulations:

To not establish a sidewalk café thought it is zoned for one and would not appear before CB#2, Man. for a sidewalk café without the community and neighborhood associations support.

To establish Quarterly meetings with the community and offer personal contact information.

To maintain a doorman outside the premises to control traffic and sidewalk noise.

To close all doors and windows at 9 p.m.

To soundproof the interior and windows and doors.

Whereas, the community and CB#2, Man. would re-consider this applicant if a different format/plan/method of operation for this location could be offered that would not be an upscale pizza place and provided plans on mitigating the effects on traffic, parking, and existing noise levels;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise liquor license to **Friendly Foods LLC, d/b/a Pulino's Café, 18 Greenwich Avenue, NYC 10011.**

Vote: Unanimous, with 36 Board members in favor.

22. Manjit Singh or Corp. to be formed, 72 University Pl. NYC 10003

Whereas, this application is for a new On Premise liquor license; and,

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license in a mixed use building on University Pl., between 10th and 11th Street, for a restaurant located in 3,154 s.f. premise, with 24 tables and 70 seats, 1 bar and 5 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation will be Sunday to Saturday from 11 a.m. to 11 p.m.; there will be a sidewalk café but no backyard garden; music will be background only; and,

Whereas, the applicant currently operates a successful Indian restaurant in Jackson Heights Queens, DBA Jackson Diner, and stated that this application is for a similar style restaurant which operate under the same name; and,

Whereas, the applicant agreed not to apply for a sidewalk café for at least 3 years from day of opening and would not come before CB2 for an sidewalk café application without community support; and,

Whereas, the applicant agrees to have quarterly meetings for the community and will do outreach to the neighborhood associations on East 11th Street, 10th Street, and 12th and 13th Street; and

Whereas, there were some community members in attendance to oppose this application but were agreed with the applicant's stipulations stated above; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the new OP license for **Manjit Singh or Corp. to be formed, 72 University Pl. NYC 10003** unless all conditions agreed to by the applicant in their signed and notarized stipulation agreement are incorporated into the "Method of Operation".

Vote: Unanimous, with 36 Board members in favor.

23. PSSP NY, Inc., d/b/a Sofia's, 143 Mulberry St., NYC 10013

Whereas, this application is for the transfer of an On Premise liquor license; and,

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an existing On Premise license in a mixed use building on Mulberry St., between Hester and Grand St., for a restaurant located in 1,800 s.f. premise, with 24 tables and 64 seats, 1 bar and 7 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation will be Sunday to Saturday from 10 a.m. to 2 a.m.; there will be a sidewalk café but no backyard garden; music will be background only; and,

Whereas, there are no changes to the site or method of operation; and,

Whereas, this is a transfer in the immediate family from Father to Son, and the son has been an employee for his father at this establishment for several years; and,

Whereas, there was no one in opposition of the application

THEREFORE BE IT RESOLVED that CB#2, Man, recommends approval of the transfer of an On Premise liquor license **PSSP NY, Inc., d/b/a Sofia's, 143 Mulberry St., NYC 10013.**

Vote: Unanimous, with 36 Board members in favor.

24. Café Crystal, Inc. d/b/a Café Krystall, 70 Mercer St./ 499 Broadway, NYC 10012

Whereas, this application is for the alteration of an On Premise liquor license; and,

Whereas, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of the alteration of an On Premise liquor license **Café Crystal, Inc. d/b/a Café Krystall, 70 Mercer St./ 499 Broadway, NYC 10012** **and requests that the SLA send this applicant back to CB#2, Man. should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 36 Board members in favor.

25. BMT Operations, LLC, d/b/a Betel, 49 Grove St., NYC

Whereas, this application is for the alteration of an existing On Premise liquor license; and,

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration of an existing OP license in a mixed use building for a restaurant located in 1,600 s.f. premise on Grove St. between Bleecker and 7th Avenue with 15 tables and 50 seats and 1 bar with 12 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation will be Monday to Thursday from 12:00 p.m. – 1:00 a.m. and Friday from 5:00 p.m. – 1:00 a.m. and Saturday to Sunday from 12:00 p.m. – 1:00 a.m.; there is a sidewalk café but no backyard garden; music will be background only; and,

Whereas, the alteration to this license is to cover the increase in size of the sidewalk café that was approved by CB2 which will be for a new total of 9 tables and 16 seats; and,

Whereas, the applicant agrees to close all doors, French doors, and windows by 10:00 p.m.;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed alteration of the full OP License for **BMT Operations, LLC, d/b/a Betel, 49 Grove St., NYC** unless the conditions agreed to by the applicant are incorporated into the “Method of Operation”

Vote: Unanimous, with 36 Board members in favor.

26. Juliana’s on Bowery, LLC d/b/a Juliana’s Pizza, 342 Bowery, NYC 10003

Whereas, this application is for a new Beer and Wine license; and,

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed use building on Bowery between Great Jones and East 4th St., for a pizza restaurant located in 2,000 s.f. premise, with 19 tables and 50 seats, 1 bar and 12 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant has agreed that the new hours of operation will be Sunday to Saturday from 11:00 a.m. to 12:00 a.m.; there will be a sidewalk café but no backyard garden; music will be background and Juke Box only; and,

Whereas, there has never been an SLA license at this address and this community is already saturated with over 36 SLA license within 500 feet; and,

Whereas, this applicant would like to have accordion doors open to the sidewalk and would be requesting a sidewalk café even though the community requested that they not do either and has serious concerns regarding noise issues; and,

Whereas, the applicants, of which two have previously operated destination location pizza restaurants in Brooklyn and Hoboken, where unable to articulate how overflow patrons might be handled at this location, specifically given that a sidewalk café would take up at least half the sidewalk which raises serious concerns regarding the safety of pedestrians on this major artery for North/South traffic through Manhattan; and

Whereas, the community submitted 5 letters from nearby building associations and a petition with 187 signatures opposing this application; and,

Whereas, the community consisting of residents, property owners, businesses and developers have repeatedly objected to additional licenses in this area citing quality of life concerns such as traffic and noise that already exist in this neighborhood; and,

Whereas, there was a lack of community outreach by this applicant; and,

Whereas, the community feels that this plan does not enhance the neighborhood or is unique to the neighborhood because there are already several high end Pizza locations located in close proximity; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a Beer and Wine license for **Juliana’s on Bowery, LLC d/b/a Juliana’s Pizza, 342 Bowery, NYC 10003**.

Vote: Unanimous, with 36 Board members in favor.

STREET ACTIVITY & FILM PERMITS

Support of Various Street Fair Permit Applications

WHEREAS, each of the street fair permit applications listed below are single-block events not affected by the current moratorium on new multi-block events; and

WHEREAS, each of the street fair permit applications listed below include a setup and breakdown time between 8:00 a.m. and 8:00 p.m.; and

WHEREAS, the sponsors of the street fair permit applications listed below appeared before the Committee to answer questions, and the Committee has determined in the exercise of its sound judgment that the sponsors meet the requirements of Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges, in that each such sponsor is a “community based, not-for-profit organization, association or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full responsibility for the conduct of the event”; and

WHEREAS, there is no community opposition to such applications from the public; now

THEREFORE BE IT RESOLVED that CB#2, Man. supports the street fair permit applications on the dates and at the locations listed below:

1. **9/11/10-CVBA Block Party**, Cornelia St. bet. Bleecker & West 4th Sts.

Vote: Unanimous, with 36 Board members in favor.

2. **9/12/10-Minetta Block Association**, Minetta St. bet. Minetta Lane & Bleecker St./Sixth Avenue

Vote: Unanimous, with 36 Board members in favor.

3. **9/26/10-Children’s Museum of the Arts Hudson Square Community Day**, Charlton St. bet. Greenwich St. & Hudson St. **(new)**

Vote: Unanimous, with 36 Board members in favor. **(Subsequent to this vote, applicant canceled this event.)**

4. **10/3/10-West 13th Street 100 Block Party**, West 13th St. bet. 6th, & 7th Aves. **(new)**

Vote: Unanimous, with 36 Board members in favor.

5. **10/16-Tavern on Jane Annual Neighborhood Block Party**, Jane St. bet. Hudson St. & 8th Ave.

Vote: Unanimous, with 36 Board members in favor.

6. **10/17/10-Grove Street Block Party**, Grove St. bet. Bleecker St. & Christopher St. **(new)**

Vote: Unanimous, with 36 Board members in favor.

7. **10/23/10-NYU Alumni Day-Fall Festival**, LaGuardia Pl. bet. Washington Square So. & West 3rd St. **(new)**

Vote: Unanimous, with 36 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution requesting replacement of “No Parking Anytime” with “No Stopping Anytime” regulations and signage and installation of a curbside bicycle lane on the north side of W. 10th St. bet. Waverly Pl. and Greenwich Ave., with placement of “No Honking” signs on that street, and provision of five parking spaces for FDNY personnel on the south side of W. 10th St. bet. Greenwich Ave. and Ave. of the Americas.

Whereas the block association on W. 10th St. between Waverly Pl. and Greenwich Ave. has requested that CB#2, Man. aid them in having parking regulations and signage on their block changed to allow for cleaning the north side of the street (which the current No Parking rules do not accommodate in order to provide FDNY personnel parking) and to alleviate traffic congestion and noise occurring in the very narrow passage between constantly parked cars on both sides of the street; and,

Whereas repeated observations by the community (which the block association has reported) and by CB#2, Man., as well as confirmation from Squad 18 of the FDNY at 132 W. 10th St. on that block, have revealed that a large number of parking spaces on the north side of the street are taken up by illegal placard parking, often continuously or for many weeks at a time, with Squad 18/FDNY personnel legally occupying a smaller number of spaces; and,

Whereas Squad 18 of the FDNY has indicated that it has no objection to relocating the personnel parking spaces it uses on the north side of W. 10th St. between Waverly Pl. and Greenwich Ave., while retaining the FDNY parking spaces allotted on the south side of the street, and has suggested using a portion of the south side of W. 10th St. bet. Greenwich Ave. and Ave. of the Americas for the relocated FDNY north side parking (so as to preserve the sweeping regulation on the south side of W. 10th St. between Waverly Pl. and Greenwich Ave. for its community neighbors there); and

Whereas W. 10th St. between Waverly Pl. and Greenwich Ave. is the only block without a bicycle lane (eliminated there to accommodate firefighters’ personal vehicles) on the otherwise continuous bike lane facility on 10th St. in CB2; and

Whereas both the street’s block association and Squad 18 of the FDNY have expressed their willingness to have such a bike lane on the north side of that street along with “No Stopping Anytime” regulations and signage, which would allow for street cleaning space and passage;

Therefore be it resolved that CB#2, Man. requests the replacement of “No Parking Anytime” with “No Stopping Anytime” regulations and signage and installation of a curbside bicycle lane on the north side of W. 10th St. bet. Waverly Pl. and Greenwich Ave., with placement of “No Honking” signs on that street; and

Be it further resolved that CB#2, Man, requests provision of five parking spaces for FDNY personnel on the south side of W. 10th St. bet. Greenwich Ave. and Ave. of the Americas; and

Be it finally resolved that CB#2, Man, asks that, if implemented, the proposed No Stopping and No Honking rules be vigorously enforced.

Vote: Unanimous with 36 Board members in favor.

2. Resolution requesting additional locations for a pilot program of on-street motorcycle and motor scooter parking zones

Whereas in April 2010, following a presentation by members of the New York Motorcycle and Scooter Task Force (NYMSTF), CB#2, Man. approved the creation of designated on-street parking zones for two-wheeled motor vehicles, specifically motorcycles and motor scooters, in two locations in this district; and

Whereas CB#2, Man. indicated that it was willing to review proposals of further locations that might be appropriate to add to the pilot program, and on that basis NYMSTF presented 11 additional potential locations to the CB#2, Man. Traffic and Transportation Committee; and

Whereas the two previously-approved locations have been implemented by the NYC Department of Transportation, and no resident complaints have been received, though observations reveal that with just a single sign and no on-street markings, many automobile drivers seem unaware of the designated motorcycle parking zone; and

Whereas NYMSTF reiterated their rationales for these zones, including increased safety for legally-parked two-wheel vehicles which are subjected to damaging knockovers when other vehicles parallel park, the reduction of illegal sidewalk parking of scooters and motorcycles, and the benefits of “daylighting” intersections so as to increase the visibility of pedestrians; and

Whereas several residents expressed concerns about some of the proposed locations, citing fears of increased noise and rowdiness associated with the motorcycling community, and these locations were eliminated; and

Therefore Be It Resolved that CB#2, Man., requests that the New York City Department of Transportation (DOT) expand the pilot program for the parking of two-wheeled motor vehicles to include the following locations:

- On E. 11th St. at University Pl., NW corner, for 1 car-length
- On Bleecker St. at Lafayette St., NW corner, for 1 car-length, as long as the motorcycle parking on Bleecker St. at Lafayette St. does not impede a currently existing bike lane
- On Bleecker St. at Mercer St., SW corner, for 1 car-length
- On Spring St. at Bowery, NW corner, for 2 car-lengths
- On Sullivan St. at Washington Sq. Park S., SE and SW corners, for 1 car-length each; and

Be it further resolved that some form of street markings would be desirable in addition to the current signage, preferably a simple boxed area with “Motorcycle Only” written on the ground; and

Be it finally resolved that the conclusions from the pilot program should include data pertaining to registered noise complaints from DOT and the incidence of illegal parking, specifically of motorcycles and scooters on sidewalks from NYPD.

Vote: Unanimous, with 36 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Susan Kent, Secretary
Community Board #2, Manhattan