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Bo Riccobono, *First Vice Chair*
Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

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FULL BOARD MINUTES

DATE: April 21, 2011
TIME: 6:00 P.M.
PLACE: P.S. 41, 116 E. 11th Street, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Carter Booth, Anita Brandt, William Bray, Richard Caccappolo, Heather Campbell, Lisa Cannistraci, Terri Cude, Maria Passanante Derr, Doris Diether, Roberty Ely, Gideon Gil, Elizabeth Gilmore, Alison Greenberg, Sasha Greene, David Gruber, Jo Hamilton, Chair, Community Board #2, Manhattan (CB#2, Man.), Anne Hearn, Brad Hoylman, Susan Kent, Raymond Lee, Edward Ma, Jane McCarthy, Alison McGonigle-Nelson, Alexander Meadows, Florent Morellet, Judy Paul, Lois Rakoff, David Reck, Robert Riccobono, Robin Rothstein, Wendy Schlazer, Maury Schott, Arthur Z. Schwartz, Shirley Secunda, Chenault Spence, Richard Stewart, Sean Sweeney, Antony Wong, Elaine Young

BOARD MEMBERS EXCUSED: Sigrid Burton, Denise Collins, Arthur Kriemelman, Evan Lederman, Jason Mansfield, Erin Roeder, Rocio Sanz

BOARD MEMBERS ABSENT: Steve Ashkinazy, Sheelah Feinberg

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

GUESTS: Katie Smith, Congressman Jerrold Nadler's office; Colin Casey, Crystal Gold-Pond, Senator Tom Duane's office; Mary Cooley, Senator Daniel Squadron's office; Lolita Jackson, Mayor Mike Bloomberg's Community Affairs Unit, Man. Borough President Scott Stringer, Sandy Myers, Man. Borough President Scott Stringer's office; Lisa Parson, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Noah Isaacs, Council Speaker Christine Quinn's office; Jasmin Torres, Council Member Rosie Mendez's office; Matt Viggiano, Council Member Margaret Chin's office; Debbie Ciraolo, Katia Chery, Karen Coombs, Marilyn Feuer, Elli Jafari, Sharon Telesca Feurer, John Mimikos, Thomas Leinsider, Dale Goday, Marcie Kesner, Claire Martheleur, Robin Felsher, Timothy Lunceford, Robin Goldberg, Hojat Salehi, Rachel Cappucci, Frank Collierius, Bill Keena, Ed McQuillan, Joey Cirillo, Lise and Ron Ottaviano, Laura Maniec, Jennifer Craft, P. Ceppos, Drew Durniak, Al Schlusser, Richard Flood, Donald Bernstein, Susan Leinsider, Cindy Niedoroda, Andrew Linckwitz, Lou Kleiman, Phil Saeur, Arlene Peralta, Davide Gentile, Ray Naumgan, Richard Allman, Nirianna Mendoza, Lise Esdaile, Rosemary Rowley, Noah Burg, Jim Fouratt, Jayne Hertko, Emery Ungrady, Zach Winestine

MEETING SUMMARY

Meeting Date –April 21, 2011
Board Members Present – 41
Board Members Excused–7
Board Members Absent - 2

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II. PUBLIC SESSION

Non-Agenda Items

Jim Fouratt spoke.

St. Vincent's Survey

Jayne Hertko spoke regarding the survey on the former St. Vincent's Hospital site.
Timothy Lunceford provided an update for the community board.

Edgar Alan Poe Room

Lois Rakoff invited everyone to NYU's annual Edgar Alan Poe Room event on May 20th from 6-9 p.m. It is free and open to the public.

South Village Landmarking

Drew Durniak spoke in favor of landmarking this area.

Clearwater Hudson, 447 Hudson Street

Bill and Mary Keena spoke against this establishment.

New York University

Arlene Peralta provided information regarding NYU's upcoming commencement ceremony.

Whitney Museum of American Art

Richard Flood, representing the Whitney, spoke regarding the upcoming groundbreaking events.

Vanishing City

Doris Diether announced the showing of *Vanishing City*, in which she is interviewed, at the Film Forum.

Landmarks & Public Aesthetics Items

Jane St. Triangle West 4th Street at Jane Street and 8th Avenue

Emery Ungraady spoke in favor of the Landmarks Committee resolution.

Cindy Niedoroda spoke against the application

Land Use and Business Development Items

246 Spring St., Trump Soho Hotel Application to allow an open air café within the existing urban plaza

Marcie Kesner, representing the applicant, spoke in favor of the proposed café within the public plaza.

Sidewalks, Public Facilities & Access Items

Bistro Shop Downtown, LLC d/b/a Lyon, 118 Greenwich Ave. aka 234 W. 13th St.

John Mimikos, Debbie Ciraolo, Rosemary Rowley, and Lise and Ron Ottaviano spoke against the proposed sidewalk café.

Gans-Mex, Inc. d/b/a MPD, 73 Gansevoort St.

Zack Winestine spoke against the renewal of the sidewalk café application and in favor of the resolution recommending denial.

SLA Licensing Items

Company to be formed by Theodore Van Buren, Pending, 19 Greenwich Ave.

Robin Felsher spoke against the proposed liquor license, citing no community outreach. Robin Goldberg spoke against the proposed liquor license.

Lori Kleinman spoke against the proposed liquor license.

400 W. 14th St., Inc. d/b/a Gaslight, 400 W. 14th St.

Ed McQuillan spoke in favor of the proposed liquor license alteration to include the sidewalk café.

Corkbuzz, LLC, d/b/a Corkbuzz, 13 E. 13th St.,

Laura Maniec, the applicacnt, spoke in favor of the proposed liquor license.

Entity to be formed by Evan Cohen & Joseph Cirillo d/b/a Gonzalez y Gonzalez, 192 Mercer St.

Donald Bernstein, representing the applicant, spoke in favor of the proposed liquor license application.

GMT New York, LLC d/b/a GMT, 142 Bleecker St.,

Robin Goldberg spoke against the proposed liquor license alteration to include the sidewalk café.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Katie Smith, Congressman Jerrold Nadler's office

Colin Casey, Crystal Gold-Pond, Senator Tom Duane's office

Mary Cooley, Senator Daniel Squadron's office;

Lolita Jackson, Mayor Mike Bloomberg's Community Affairs Unit, reported that the phone booth at Canal St. had been removed due to complaints and ongoing illegal activity.

John Ricker, NYC Comptroller's office

Man. Borough President Scott Stringer

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

Lisa Parson, Assembly Member Deborah Glick's office

Noah Isaacs, of Council Speaker Christine Quinn's office

Matt Viggiano, Council Member Margaret Chin's office;

Jasmin Torres, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Adoption of February minutes and distribution of March minutes.

VI. EXECUTIVE SESSION

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

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

3. **Election of Nominating Committee**

The Board elected the 2011 Nominating Committee for Officers

The following people were nominated for election to CB#2, Man.'s Nominating Committee:

- | | |
|---------------------|-----------------------|
| 1. Carter Booth | 6. Richard Caccappolo |
| 2. Shirley Secunda | 7. William Bray |
| 3. Alison Greenberg | 8. Chenault Spence |
| 4. Jane McCarthy | 9. Florent Morellet |
| 5. Judy Paul | |

The following nominees were elected to the Nominating Committee:

- | | |
|--------------------------------------|--------------------------------|
| 1. Shirley Secunda (35 votes; Chair) | 5. Chenault Spence (30 votes) |
| 2. Alison Greenberg (33 votes) | 6. Judy Paul (30 votes) |
| 3. Carter Booth (32 votes) | 7. Florent Morellet (26 votes) |
| 4. Jane McCarthy (30 votes) | |

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1 - LPC Item:11 - 84 Wooster Street (s.e. Spring) – SoHo-Cast Iron Historic District A Beaux-Arts/Classical style mercantile building designed by Albert Wagner, built in 1895-96. Application is to replace diamond plate at the sidewalk with concrete.

Whereas, the applicant asserted – without a shred of evidence – that diamond plating is a safety concern due to slipping hazards. However, a long-time SoHo resident affirmed that the claim is patently untrue. If anything, the raised diamond design serves as treads, which provide traction, the way the treads of a good rain tire provide stability and traction in the street; and

Whereas, further, the assertion by the applicant that the diamond plating is a maintenance problem was similarly contradicted by resident testimony. The glass vault lights that were originally placed in the metal lattice may indeed have leaked. That is why diamond plating was: it works well and is much easier to maintain than the glass crystals. The resident reported that he has lived in two different buildings in SoHo over a thirty-five year period, and that these diamond plates require little or no maintenance once they are laid properly, nor has he witnessed or heard of a single person slipping on any of the many diamond plates that abound in this district; and, further

Whereas, it is commonplace for property owners in the Cast-Iron Historic District to add or replace this plating. The element is iconic to the neighborhood, and reflects the presence of the unique vault lights that it covers; and

Whereas, replacement of the diamond plating is a common practice with numerous approvals by the Commission; now

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

2 - LPC Item:12 - 20 Bond Street (n.e. Lafayette)– NoHo Historic District A Romanesque Revival/Renaissance Revival style store and loft building, designed by Cleverdon & Putzel and built in 1894-95. Application is to install a painted wall sign.

Whereas, the applicant presented historical photos of signage on this wall; indeed, some ghost signs remain. However, signs were added to the façade in the early 20th-century, after Lafayette Street was gashed and widened, exposing some secondary façades. No evidence was presented to show signage prior to the widening of Lafayette Street; and

Whereas, this neighborhood actually had little or no signage until about fifteen years ago, just prior to designation, when first one, and then other, gross, super-sized, unattractive signs appeared that now detract from the character of this historic district. The last thing it needs is more signage, post designation; and

Whereas, the applicant provided no photos of a sign in this location in many, many decades; and

Whereas, the pretense that this is a work of art to benefit the community was not supported in any way; and

Whereas, the applicant, to his credit, did not try to hide the fact that this sign is just a precursor to a commercial sign in the not too distant future; now

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

Vote: Unanimous, with 41 Board members in favor.

3 - LPC Item:13 - 306 Bowery (Bleecker/Houston)– NoHo East Historic District A Federal Style house built in 1820. Application is to legalize the replacement of dormers in non-compliance with Certificate of Appropriateness 06-7270

Whereas, it is rare to see a group of disparate owners take such great care and diligence in preserving an old building’s historical features; and

Whereas, accidents happen. In this case, a dormer replacement looks a little flatter than the one approved. That is regrettable; but

Whereas, the error is so slight, so barely visible to the average pedestrian, and so costly to rectify, as to be a non-issue; now

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

Further, be it resolved that CB#2, Man. highly commends the degree of excellence this small real-estate partnership of creative people applied in maintaining this old Federal gem, not to benefit their bottom line, as we see so often on the Bowery, but because their building and the NoHo Historic district deserve it.

Vote: Unanimous, with 41 Board members in favor.

4 - 16 Jane Street (Christopher)- Greenwich Village Historic District **LAI D O V E R**

5 - LPC Item:16 - 75 Christopher Street, aka 116-18 7th Avenue, aka 218-224 West 4th Street – Greenwich Village Historic District. A two-story commercial building designed by Phelps Barnum and built in 1932. Application is to install storefront infill.

Whereas, the proposal will improve the existing condition, and the design resembles the bank infill and facade located around the corner in the same building, which was recently approved by the Commission; now

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

Vote: Unanimous, with 41 Board members in favor.

6 - LPC Item:17 - 9 West 11th Street (Fifth Ave)- Greenwich Village Historic District by Joseph G. Wells, and built in 1844-46; the Gothic Revival style chapel, designed by McKim, Mead and White, and built in 1893-94; and the Prairie School style church house, designed by Edgar Tafel, and built in 1958-60. Application is to replace bluestone sidewalks

Whereas, this grand church was designed by the noted architect, Joseph Wells, who, incidentally, along with his colleague, Richard Upjohn, the architect for the Church of the Ascension directly across the street as well as Trinity Church, were both founding members of the AIA in 1857; and

Whereas, when queried by board members, the applicant revealed that this violation was initiated because a lawsuit by someone who filed a claim with the City, alleging that they tripped on the old bluestone. Apparently, this may be the first reported serious tripping-incident in almost 200 years; and

Whereas, the lawsuit against the City precipitated a violation from a sister agency, the Department of Transportation, which noted that the 19th-century sidewalks abutting the church property no longer met the agency's standards; and

Whereas, even if this lawsuit were to have merit, surely the Department of Transportation has a mechanism for these special cases, like a waiver for minor irregularities-in-grade of historic sidewalks; and

Whereas, old churches with weathered bluestone paving are iconic with Olde New York. We think of Trinity, St. Paul's and others; and

Whereas, the applicant noted that there was roughly a \$100,000 difference in repairing the bluestone versus installing new concrete. We recall it being something like \$350,000 vs. \$250,000; but

Whereas, the applicant provided no financial evidence that the church was unable to come up with that additional dollar amount, nor was the possibility of seeking financial incentives available for these types of preservation efforts discussed; and

Whereas, there is significant amount of bluestone remaining that indicates an incremental introduction of concrete over the years. Board members wondered why isn't more of the bluestone being preserved, other than the small amount proposed in front of the entrance gates; now

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

Further, be it resolved that CB#2, Man. urges the DOT to cooperate with LPC to waive minor irregularities-in-grade, and to replace only those portions where difference in grade present a severe hazard; and

Further, be it resolved that CB#2, Man. recommends a compromise: namely, the applicant gather all the remaining bluestone, and run a long, unbroken stretch of it, with the remainder of the sidewalk then filled in with concrete.

Vote: Unanimous, with 41 Board members in favor.

7 - LPC Item:18 - 12 West 12th Street (Fifth Ave) - Greenwich Village Historic District

A Gothic Revival style church complex, comprised of the church, designed by Joseph G. Wells, and built in 1844-46; the Gothic Revival style chapel, designed by McKim, Mead and White, and built in 1893-94; and the Prairie School style church house, designed by Edgar Tafel, and built in 1958-60.

Application is to construct additions on the ground floor and roof of the church house, and alter an existing ramp and a path in the garden between the church and church house. Zoned R10

Whereas, the proposed ramp and the path do not detract from the site; but

Whereas, the church house, designed by the recently deceased Edgar Tafel, collaborator with Frank Lloyd Wright, is one of the few Prairie School style buildings on the East Coast. It is unique and special. It adds not only to the building and the historic district, but to this city and

Whereas, the applicant claimed that the fifty-year old windows of the church house were not as energy-efficient as modern windows. However many buildings, some centuries old, continue to maintain their original windows by installing adequate insulation. Or else the owners install new, efficient, replacement windows identical in historical style; and

Whereas, the proposed gate disturbs the line, as well as some of the original fabric, of the old iron fence that surrounds the church grounds, as well as dramatically altering the streetscape of West 12th Street; and

Whereas, we wonder why the applicant just doesn't simply modify the existing fence to accommodate a new gate in the same style as the existing old fence; and

Whereas, this building's primary facades are of exceptional historical, architectural and aesthetic importance. The enclosure of the arcade and destruction of the facade on the west side of the arcade and the removal of a portion of the iron fence and the construction of a new masonry fence on the north side are unacceptable alterations to this valuable building; and

Whereas, the applicant presented no convincing evidence that any these alterations were necessary in order for the church to fulfill its charitable purpose; now

Therefore, be it resolved that CB#2, Man. recommends denial of the portion of the application that seeks to modify the existing fence; and, further, urges the applicant and LPC to come to an arrangement that preserves the fence's integrity; and,

Further, be it resolved that CB#2, Man. recommends denial of the portion of the application that seeks to modify Tafel's design for the church house;

Vote: Unanimous, with 41 Board members in favor.

8 - LPC Item:19 - 139 West 13th Street (Sixth/Seventh)- Greenwich Village Historic District A Greek Revival style rowhouse built in 1845. Application is to legalize the installation of a stoop gate without Landmarks Preservation Commission permits.

Whereas, the gates are not historical; but

Whereas, we are concerned with selective enforcement. The applicant stated that there are other fences on the block installed without LPC permits, yet she is the only one cited; and

Whereas, a spokesman for the 100 Block Association as well as several neighbors appeared in support of the applicant's request for legalization, and talked of the problems that block has with people sleeping on the steps. It is close to 14th Street; now

Therefore, be it resolved that CB#2, Man. recommends that the Commission reach a determination for all the illegal gates on this block, not on a case-by-case basis, but instead strive for a cohesive policy.

Vote: Unanimous, with 41 Board members in favor.

9 - LPC Item:20 - 149 West 13th Street (Sixth/Seventh)- Greenwich Village Historic District _A Greek Revival style house built in 1847-48, and altered c. 1920's. Application is to reconstruct the stoop, install a new entrance, areaway, ironwork, and a new cornice, and construct a rooftop addition. Zoned R6

Whereas, the rooftop addition is barely visible; and

Whereas, the restoration proposed is tasteful and contributes to the building; now

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

Vote: Unanimous, with 41 Board members in favor.

10 - LPC Item:21 - 765 Greenwich Street (- Greenwich Village Historic District A Greek Revival style rowhouse built in 1838. Application is to install a roof deck and railings

Whereas, adjacent buildings display verdant rooftops; and

Whereas, the railing and roof deck are not clearly visible from the street; now

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

Vote: Unanimous, with 41 Board members in favor.

11 - LPC Item:22 - 28 7th Avenue South (Leroy/Morton) - Greenwich Village Historic District A one-story brick building built in 1921. Application is to enlarge masonry openings, install new storefront infill and alter the roof.

Whereas, it seemed that the applicant wanted to put his brand on the building: for instance, the proposal for rustic, barn-wood doors to match the doors of his other restaurant around the corner, those doors being installed prior to the designation of the Greenwich Village 2 Historic District incidentally; and

Whereas, we thought the fenestration was too high; but the architect was amenable to lowering the glass back to the height of the existing lintel; and

Whereas, the proposed design doesn't reflect the character of this historic district or this block of brick buildings; and

Whereas, what we are offered is just as confused as what exists presently. The proposal is a mixing of styles, like a Greek-Revival lamp next to oversized modern windows, flanked by salvaged, farmhouse doors; now

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

Vote: Unanimous, with 41 Board members in favor.

12 - LPC Item:23 - 48 Carmine Street - Greenwich Village Historic District Extension II

An altered Renaissance Revival style tenement building with a commercial ground floor designed by Marshall L. Emery and built in 1894. Application is to replace storefront infill and a bracket sign.

Whereas the Landmarks Preservation Commission's 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. recommends denial of this application in the absence of this important step in the review process.

Vote: Unanimous, with 41 Board members in favor.

13 - LPC Item:24 - 1-3 Little West 12th Street – Gansevoort Market Historic District A neo-Grec style store and loft building, designed by Peter J. Zabriskie, and built in 1887, and a vernacular style warehouse, designed by John G. Michel, and built in 1918-19. Application is to modify parapets and install storefront infill

Whereas, the parapet modification is compatible with the style of the building; and

Whereas, there was no lighting or signage schemes presented; and

Whereas, removing the security gates and retaining the cast iron is commendable; but

Whereas, we felt that the doors' glazing had too many lights, and that metal doors and muntins would be preferable to the proposed wooden material. Our suggestion seeks to harmonize the proposed fenestration with the original cast-iron pilasters of the building, as well as honoring the historic district's industrial feel; now

Therefore, be it resolved that CB#2, Man. recommends approval in general, but suggests that metal be used instead of wood for the fenestration.

Vote: Unanimous, with 41 Board members in favor.

14 – Nomination of the Bowery to the State and Federal Register of Historic Districts

Whereas, nomination to, or inclusion in, the Registers does not subject a property to the restrictions of New York City's Landmarks Law. Indeed, the Register really has no restrictions regarding what an owner can do with property in these districts; but

Whereas, it does seek to preserve historic buildings by offering incentives for their restoration, which is admirable and should be encouraged; and

Whereas, the nomination is supported by civic groups Cooper Square Committee and the Bowery Alliance of Neighbors; now

Therefore, be it resolved that CB#2, Man. supports the nomination of the Bowery in the State and Federal Register of Historic Districts.

Vote: Unanimous, with 41 Board members in favor.

2ND LANDMARKS MEETING

15. - Item 18 - 50 Howard Street (Mercer/Bdwy) - SoHo-Cast Iron Historic District An Italianate style store and loft building built in 1860. Application is to install flagpoles.

Whereas, the applicant presented an historical lithograph depicting the New York State Soldier's Depot, a government building at that time with an American flag. This a precedent for a flag, but not necessarily for a commercial banner; and

Whereas, for commercial signage, we usually prefer to see blade signs of modest scale, not large banners; but

Whereas, this is quite a large building with a 50-foot frontage, so the proposed commercial banner at 16 square feet would not overpower the building nor detract greatly from it. Further, the flagpole and banner do not extend beyond the sidewalk ramp, which is a nice touch; and, further,

Whereas, presently, this is a relatively desolate backwater of the Historic District, and it could be reasonably argued that the business has a stronger basis for requesting more aggressive signage announcing its presence than a store on a busy street in the core of the district would have; and

Whereas, the installation of the flagpole does not destroy historical material; and

Whereas, the proposal for a small blade sign on the Mercer Street side is a reasonable request; and

Whereas, the vinyl lettering on the windows are modest and in scale; but

Whereas, the request to cover the transom lights with red and black, horizontally striped, vinyl detracts from the building and is without precedent. The rationale that the applicant offered - that the pattern represents the design style that the clothier chooses to be in vogue this year - was not convincing. To wit: If striped transoms are in vogue and permitted this season, will we permit polka-dot transoms if the designer feels that is to be the trend next year?; now

Therefore, be it resolved that CB#2, Man. recommends approval of the blade sign on Mercer Street, and the flagpole and commercial banner on Howard; but,

Further, be it resolved that CB#2, Man. recommends denial of the request for vinyl-covered transoms, and suggests traditional transparent transoms be used.

Vote: Unanimous, with 41 Board members in favor.

16. - Item 19 - 560 Broadway (Prince through to Crosby)- SoHo- Cast Iron Historic District A store building designed by Thomas Stent and built in 1883-84. Application is to remove fire escapes.

Whereas, the fire escapes are not original, not exceptionally attractive, and no longer required by Code; and

Whereas, their removal would expose more of the façade of this grand building; now

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

Vote: Unanimous, with 41 Board members in favor.

17. – Item 20 – 103 Prince Street LAID OVER

18. - Item 21 - 240 Mercer Street aka 667-681 Broadway and 2-6 West 3rd Street - NoHo H.D.

A Modern style residence hall designed by Benjamin Thompson & Associates and built in 1979. Application is to install a flagpole.

Whereas, the banner at 6’ by 8’ is very large, but so is the building; so the banner is not out of scale; and

Whereas, it is placed high off the ground and will not block the view of a pedestrian; now

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

Vote: Unanimous, with 41 Board members in favor.

19. - Item 22 – 69 Washington Place (MacDougal/Sixth) A Greek Revival style house built in 1842.
Application is to construct a rear yard addition and replace a window. Zoned R7-2

Whereas, the proposed addition is barely visible from the street; and

Whereas, the materials proposed are appropriate; and

Whereas, the proposed window for the walk-in closet would just be one more of many on that secondary façade, and not will detract from the building; now

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

Vote: Unanimous, with 41 Board members in favor.

20. - Item 23 - 16 Jane Street - Greenwich Village Historic District LAID OVER

21. - Item 24 - West 4th Street at Jane Street and 8th Avenue - Greenwich Village H.D. An irregular street grid laid out c. 1790. Application is to extend the curb line and install plantings, paving and seating.

Whereas, members of the community attended the presentation and joined us in thanking the Department of Transportation and Speaker Quinn for seeking to beautify this little triangular patch of land; but

Whereas, the street grid of Greenwich Village is its oldest element, preceding any of the extant buildings in the historic district, a district whose quirky and historical street grid is renowned, giving us the oddity, for example, of the intersection of West 4th and West 10th Streets; and

Whereas, this location may well have been part an old Indian path even before it was a Colonial trail; and

Whereas, this section of West 4th Street has not been de-mapped; and

Whereas, the proposal does little to honor and highlight the fact that this public plaza is actually built on the roadbed of this old trail; and

Whereas, the applicant was reluctant to consider inserting a clearer delineation for the old roadbed than what is currently proposed: that is, a thin granite band. It would be regrettable if future generations would think that West 4th ended at Jane Street and did not continue beyond that point; and

Whereas, the applicant was not receptive to our suggestions to mark the old roadbed in a better defined, yet inexpensive, manner, say, by using tinted vs. non-tinted pavers, or different shaped blocks, or different colored paving, or scored concrete; and

Whereas, we found it ironic installing a sitting area in the middle of an old roadway, which installation would only further erase any trace or memory of what had existed there for centuries; and

Whereas, the members of the public who attended the meeting objected to having a seating area in that location, not only because it was out of context with its historical use, but because the seating would draw people late at night from the many bars in the area, and could cause great disruption of their peace, quiet and sleep; and

Whereas, these citizens included the president, as well as an officer, of the co-op building right next to this proposed public plaza, the 31 Jane Street Corp, a building with some 100 units, and with windows a mere 13 feet from this seating proposal. In fact, forty tenants took the time and effort to email the community board expressing their opposition to this seating proposal.

Additionally, the co-op has written a letter to Chairman Tierney expressing strong disfavor with the planned seating.

Further, the vice-president of the Jane Street Block Association also appeared before the community board, rejecting the proposed seating plan. No one from the public testified that having seating in the middle of an historical old roadbed made any sense, or that the proposed granite-block seating contributed anything to the Historic District; and

Whereas, the granite-block seating is massive, clunky, and inappropriate to the historic district in style and material, adding nothing except detraction of the Greenwich Village aesthetic; and

Whereas, the reasons offered by the applicant for the unattractive seating arrangement - the need for public seating - is belied by the presence nearby of not one, but two, public parks (Abingdon Square and Jackson Square) with ample seating just a block away in either directions; and

Whereas, perhaps in an attempt to justify the obfuscation of the remnants of a native American roadway, the applicant stated that “native plants” are planned for the landscaping. However, only one of the six plants proposed is native, the coneflower. The rest are imports – mostly from Asia; for example, Russian Sage, daffodils, liriopie and fountain grass; now

Therefore, be it resolved that, we would like to see more of a nod from the applicant that West 4th is a timeworn, centuries-old road, as well as recognition that this proposal is not consistent with the concept of an historical roadway that we would like to see remembered, and,

Further, be it resolved that the seating incorporates a style and material disharmonious with the Greenwich Village Historic District; and,

Further, be it resolved that CB#2, Man. recommends denial of this application unless the applicant:

- 1) more clearly defines and delineates the historical roadway that existed in this location for centuries, and not sweep it away as proposed, and
- 2) remove the unappealing granite-block seating that is out of context in style and material with the aesthetic of the Greenwich Village Historic District, as well as being incongruous when placed in the middle of a road.

The above resolution that was sent to the LPC from the Landmarks Committee on May 2, 2011 should be disregarded. It was ruled out of order at the April Full Board meeting because a separate resolution regarding the Jane Street Triangle had already been passed at CB#2, Man.'s March Full Board meeting and sent to the LPC.

22.– Item 25 - 15 Little West 12th Street - Gansevoort Market Historic District LAID OVER

23. – Item 26 - 410 West 13th Street - Gansevoort Market Historic District LAID OVER

24. – Item 27 - 803-807 Washington Street (Gansevoort/Horatio)- Gansevoort Market H.D. Three Greek Revival style rowhouses, built ca. 1841 and altered in 1922 by Charles H. Briggs. Application is to install storefront infill and signage.

Whereas, the proposal will improve the building, unifying the storefronts and removing awnings and security gates; and

Whereas, the material and style were consistent with the district's character; but

Whereas, the proposed lighting fixture was too modern; and

Whereas, the storefront bulkhead, at 8 inches, was too low for a building of this age and style; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application, but recommends more traditional lighting fixtures, and a bulkhead more in keeping with that in the tax photo, that is, one about 18" high.

Vote: Unanimous, with 41 Board members in favor.

LETTER TO JOHN TIERNEY, LANDMARKS PRESERVATION COMMISSION

May 12, 2011

Robert B. Tierney, Chair
NYC Landmarks Preservation Commission
One Centre St., 9th Floor North
New York, New York 10007

Dear Chair Tierney:

Community Board #2, Manhattan, strongly urges you to move ahead with consideration of the remainder of the proposed South Village Historic District, as submitted to the LPC by the Greenwich Village Society for Historic Preservation and as unanimously endorsed by us in 2007.

While we are very deeply gratified by the Commission's designation of much of the first third of this proposed district in 2010, it is our understanding that the Commission had agreed to consider the remaining two-thirds of the district soon thereafter. Given the imminent threats this neighborhood faces, the strong and virtually unanimous support the proposed district has from local residents, owners, institutions, and businesses, as well as local, state, and federal preservation organizations, in addition to the elected officials representing the area, we see no reason for the Commission to delay consideration any further. Additionally, the LPC has received primary research documenting the history of every one of the buildings in the proposed district, so consideration of designation should be that much easier and quicker for the Commission.

As you know, the South Village is an extraordinarily historically rich area. Its modest rowhouses, vast array of tenements, notable roster of institutional buildings, and smattering of industrial structures dating from the early 19th to the early 20th centuries tell the story of New York's development from a small city to the financial, cultural, and commercial capital of the world. More specifically, the South Village contains perhaps the most impressive intact record and collection of architecture built or altered for working-class New Yorkers during the last great wave of immigration to New York in the late 19th and early 20th centuries, including tenements of every conceivable type and style with an unusual degree of integrity to details such as cornices, ironwork, and storefronts.

While these elements alone would make the South Village eminently worthy of designation by the Commission, the area contains the additional highly significant layer of significance of the extraordinary cultural innovation and ferment which took place in this neighborhood starting in the late 19th century and through the mid-20th century.

This neighborhood was home to (and in many cases still maintains the physical structures which housed) everything from New York's earliest establishments catering to a gay community to its first non-profit theater, the birthplace of modern theater, the first 'coffeehouse' in America, and many of the most important venues and gathering spots of the Beats in the 1950's and the Folk Revival of the 1960's. It is for these, among other reasons, that the New York State Historic Preservation Office declared the entire South Village eligible for the State and National Registers of Historic Places in 2007.

Unfortunately, in spite of this undeniable significance, the South Village has suffered terrible losses in recent years. This has included the Circle in the Square Theater, the Sullivan Street Playhouse, the Tunnel Garage, nearly the entire Provincetown Playhouse and Apartments, 178 Bleecker Street, and several 19th century structures on lower Sixth Avenue. Now the Children's Aid Society buildings are threatened, as well as the modest structure at 182 Spring Street/83 Thompson Street. It is clear that the Commission needs to move ahead quickly with consideration of designation.

As you know, the request for landmark designation of the South Village is not a new one. Activists as early as the 1960's and as recently as this month have urged designation.

While Community Board #2, Manhattan is grateful for the interest that the Commission has shown in Greenwich Village over the last nine years, it must be noted that this attention has by no means been disproportionate as compared to the work the Commission has done in other parts of the city. While over the last nine years the Commission has designated or calendared approximately 420 buildings in Greenwich Village, during this same time it has designated or calendared 426 buildings in Addisleigh Park, Queens; 582 in Park Slope, Brooklyn; 610 in Sunnyside, Queens; 790 on the Upper West Side, Manhattan; 850 in Prospect Heights, Brooklyn; 1,085 in Crown Heights, Brooklyn, and 1,346 in Ridgewood, Queens. We admire the breadth and volume of work the Commission has done in recent years throughout the five boroughs, and feel strongly that the Commission can and should devote a similar level of attention to Greenwich Village.

Landmarks preservation is extremely important to Community Board #2. Preventing further destruction of the South Village and securing landmarks protections for the remainder of the neighborhood are a very high priority of the Board. Moving forward with consideration of designation of the remainder of the South Village right away would have our unequivocal support.

For all the reasons stated in this letter, we strongly urge that the Commission end any further delay, and, as per its prior statements, move ahead with consideration of the remainder of the South Village as soon as possible.

LAND USE AND BUSINESS DEVELOPMENT

246 Spring St., Trump Soho Hotel development (Block 491, Lots 1201-1594) Application for two certifications by the Chair of the City Planning Commission to allow an open air café of approximately 760.5-square foot to be located within the existing urban plaza in an M1-6 zoning district.

WHEREAS, CB#2, Man. notes that the Trump Soho Hotel development received a 20% increase in bulk for providing the urban plaza as a public amenity and the café will be used as an accessory to the hotel restaurant, And,

WHEREAS, CB#2, Man. views the accessory café as a take-back of public open space, however, the Board recognizes that the café can be allowed providing that certain conditions are met, And,

WHEREAS, the drawings shown to the Board do not include a service aisle and the café would actually occupy a significantly larger area when a 3-foot service aisle is included. The Board also notes that the southern most area of the café is too narrow to accommodate both tables and a service aisle, And,

WHEREAS, One of the basic requirements that needs to be met is that “such #use# promotes public use and enjoyment of the #publicly accessible open area#” and “such #uses# does not adversely impact visual and physical access to and throughout the #publicly accessible open area#”; And,

WHEREAS, CB#2, Man. finds it difficult to predict a usage pattern because the urban plaza has not open for a full year and, during the short time it was open, a large section was fenced off and another area contained scaffolding. These obstructions interfered with the usage of much of the plaza and made it uninviting, And,

WHEREAS, CB#2, Man. finds that the private café area will likely cause over crowding in the public areas of the plaza, And

WHEREAS, the proposed café layout that starts along Spring St. creates the appearance of the plaza being a semi-private space. If approved, the café should be moved farther back to make the plaza entry more inviting & so that it will appear to be more public, And,

WHEREAS, CB#2, Man. finds that the proposed improvements to the plaza to be quite minor, though the Board does not object to them.

THEREFORE BE IT RESOLVED, that CB#2, Man. finds this application to be premature because it is impossible to determine the actual public usage pattern of the urban plaza based on the short time it was actually open and the obstructions it contained, And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. would prefer that the application be withdrawn for at least a year to allow the unobstructed use of the plaza so that the actual usage can be accurately determined

Vote: Unanimous, with 41 Board members in favor.

PARKS, RECREATION & OPEN SPACE

Resolution supporting, with considerations, of a design proposal for renovation of J.J. Walker Field

Whereas, the artificial turf at this field was installed in 1997 and was the first of its kind installed by DPR; and

Whereas, the field has exceeded its life expectancy of ten years and is in need of replacement, and

Whereas, the field was installed using recycled crumb rubber, a technology no longer used in NYC Parks because of various potential health concerns; and

Whereas, the field was tested by DPR and found to have higher lead levels than all but one other field of its kind; and

Whereas, the design of the field includes clay cut-outs on the baseball field that have been a source of drainage problems; and

Whereas, the bleacher area has no area to accommodate turning around a wheelchair; and

Whereas, wheel chair access to the field is limited and there are no accessible drinking fountains; and

Whereas, infill technology now used by DPR provides a similar play experience with greater safety and fewer health concerns; and

Whereas, the clay cut-outs are not necessary and have proved problematic, but clay-colored carpet around the base areas is attractive, safe, and helpful for children learning to play baseball; and

Whereas, the youth leagues expressed willingness to provide information about the best kinds of goals and pitcher's mound; and

Whereas, the fence is deformed in various areas and there is colored fence in the outfield that detracts from the appearance of the park because it is semi-opaque; and

Whereas, the fences are currently not high enough in some areas to protect buildings and pedestrians from batted balls; and

Whereas, it may not be possible or practical to create fences sufficiently high to keep balls in the park, especially when used by competitive adult players; and

Whereas, extra high fences would be unattractive and very expensive, and still unlikely to be effective; and

Whereas, there may be better ways to keep batted balls in the park, including limiting the use to youth and less competitive adult leagues, and improving the backstops; and

Whereas, balls hit over the fence are an important aspect of the game for youth baseball; and

Whereas, the field lighting is insufficient, especially for youth baseball; and

Whereas, lighting usually remains on after 11 PM, creating a nuisance for residential neighbors and wasting electricity; and

Whereas, the little league has requested sun shading in the dugouts; and

Whereas, there is a need for a location to safely store soccer goals and pitching mounds when they are not in use; and

Whereas, there is a concrete ramp at a center field gate that represents a hazard for outfields and this gate may not be needed;

Whereas, the current location of the scoreboard makes it subject to damage from batted balls; and

Whereas, concern was expressed by neighbors regarding the need for rodent control during construction projects; and

Whereas, a plan was presented by DPR that addresses many of the needs and the presenters were very receptive to ideas and concerns expressed at the hearing;

Therefore it is resolved CB#2, Man. applauds the work on the design of this project so far and requests that a final design reflecting the concerns discussed herein be presented at a subsequent final hearing to review the proposal; and

It is further resolved that as always CB#2, Man. strongly supports improvements to wheelchair access but urges DPR to find a solution that does not include accessibility to the handball courts by crossing the ball field, possibly instead providing accessibility to the field from the handball court entrance; and

It is further resolved that CB#2, Man. supports the goal of improved safety, but requests Parks to evaluate methods that may be more effective than higher fences, such as improving backstop design and limiting baseball and softball use of the field to youth and less competitive adult leagues; and

It is further resolved that CB#, Man. supports improvement of field lighting but only if the control of the lighting can be designed in a way that assures that lights are off by 11 PM.

Vote: Unanimous, with 41 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

App. to Department of Consumer Affairs for newsstand:

1. Southwest corner East 14th St. & 4th Avenue, DCA# 1383729

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

Whereas, while this is a heavily trafficked location, the sidewalk is 29.5 ft wide and there appears to be sufficient space between the street light to the east and the subway grates and entrance to the west, and

Whereas, the committee noted various food carts have been operating at this location for many years with no known issue,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this application for revocable consent to install a **Newsstand at the Southwest corner East 14th St. & 4th Avenue, DCA# 1383729**

VOTE: Unanimous, with 41 Board members in favor.

New App. for revocable consent to operate an Unenclosed sidewalk café for:

2. SoHo Garden & Grill, Inc., 224 Lafayette St. (btw Kenmare St & Spring St), with 3 tables & 12 seats, DCA# 1384915

Block:482 Lot:24	Lot Frontage:24.5' Lot Depth:50.33	Year Built:1900(estimated)
Number of Floors:6	Residential Units:9 Total # of Units:10	Zoning:M1-5B

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

Whereas, per Section 14-43 of the zoning regulations, this establishment is governed by the Small Sidewalk Café regulations which specifically allow only an “unenclosed sidewalk cafe containing no more than a single row of tables and chairs adjacent to the street line”, and

Whereas, based on input from the NYC Dept. of City Planning which was provided to CB2 and the Dept. of Consumer Affairs, the committee continues to disagree with DCA’s interpretation of this requirement and contends this application violates the letter and intent of the zoning regulation because it has two (2) rows of chairs at each table and the second row of chairs is not “adjacent to the street line”, and

Whereas, there appear to be no other issues to establishment of this café under the proper definition of the Small Sidewalk Café rules,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this application for a **NEW App. for revocable consent to operate an Unenclosed Small sidewalk café for SoHo Garden & Grill, Inc., 224 Lafayette St. (btw Kenmare St & Spring St), with 3 tables & 12 seats, DCA# 138491**

UNLESS the café is reduced to 3 tables & 6 seats to meet the requirements for a small sidewalk café as clarified by the NYC Dept of City Planning

VOTE: Unanimous, with 41 Board members in favor.

3A. Gans-Mex, 73 Gansevoort St.(NE corner of Washington St), with 42 tables & 88 seats, DCA# 1384348

Block:644 Lot:30	Lot Frontage:80.08' Lot Depth:85.5	Year Built:1920
Number of Floors:3	Residential Units:0 Total # of Units:5	Zoning:M1-5
Landmark Building:Yes	Historic District:Gansevoort Market	

Whereas, the area was posted, community groups notified and there were community members present and many others contacted the committee via email regarding this application, and the applicant’s General Manager and representative, Michael Kelly, were present, and

Whereas, there were complaints from the community about dance music noise from the interior and continued attempts to resolve the noise issues with the management have been unsuccessful, and

Whereas, the applicant has been specifically reminded that there is no music of any kind allowed in the sidewalk café, and

Whereas, members of the community produced numerous internet reviews of the establishment which made it clear the applicant has regularly allowed dancing yet has no NYC Cabaret Permit, and

Whereas, the applicant's GM committed to addressing the noise issues by immediately unplugging and/or removing any subwoofers from the establishment, completing work with a sound consultant by the end of April, closing all doors and windows at 9:00pm every night, and

Whereas, the GM agreed to close the sidewalk café at 11:00pm every night and to ensure music from the interior is not heard at any time beyond the curb, and

Whereas, given the size of the café, particularly on the Gansevoort St. side and the ongoing issues with the neighboring community, the applicant has agreed to reduce the size of the café on Gansevoort St. side to 16 tables and 32 seats, and

Whereas, the GM has further agreed to restrict traffic movement in/out of the café sections to the applicant's property at the corner of Gansevoort St. and Washington St,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for Gans-Mex, 73 Gansevoort St.(NE corner of Washington St), with 42 tables & 88 seats, DCA# 1384348

CONDITIONAL UPON the following:

the café being reduced to a total of 23 tables & 48 seats (16 tables and 32 seats on Gansevoort St) and shown thus on new plans submitted to DCA as committed to in Whereas 7
the implementation of the stipulations in Whereas clauses 5, 6 and 8

Vote: Failed, with 18 Board members in favor, and 22 in opposition (K. Berger, C. Booth, W. Bray, H. Campbell, D. Diether, R. Ely, G. Gil, J. Hamilton, A. Hearn, B. Hoylman, S. Kent, R. Lee, J. McCarthy, A. Meadows, A. Nelson, L. Rakoff, D. Reck, R. Riccobono, S. Secunda, C. Spence, A. Wong, E. Young).

Please see substitute resolution for this applicant below.

3B. Gans-Mex, 73 Gansevoort St.(NE corner of Washington St), with 42 tables & 88 seats, DCA# 1384348

Block:644 Lot:30	Lot Frontage:80.08' Lot Depth:85.5	Year Built:1920
Number of Floors:3	Residential Units:0 Total # of Units: 5	Zoning:M1-5
Landmark Building:Yes	Historic District:Gansevoort Market	

Whereas, the area was posted, community groups notified and there were community members present and many others contacted the committee via email regarding this application, and the applicant's General Manager and representative, Michael Kelly, were present, and

Whereas, there were complaints from the community about dance music noise from the interior and continued attempts to resolve the noise issues with the management have been unsuccessful, and

Whereas, the applicant has been specifically reminded that there is no music of any kind allowed in the sidewalk café, and

Whereas, members of the community produced numerous internet reviews of the establishment which made it clear the applicant has regularly allowed dancing yet has no NYC Cabaret Permit, and

Whereas, the community reports widespread and disruptive noise that interferes with the neighborhood's quiet enjoyment, including loud thumping, and

Whereas, the applicant had noise issues that were reported by the community within a day of meeting with the CB2 committee;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Gans-Mex, 73 Gansevoort St. (NE corner of Washington St), with 42 tables & 88 seats, DCA# 1384348**

VOTE: Unanimous, with 41 Board members in favor.

4. 7th Ave. Landbrot, LLC, d/b/a Lanbrot, 137 7th Ave. South (btw W 10 St & Charles St), with 14 tables & 28, DCA# 1384829

Block:611 Lot:21	Lot Frontage:65.75' Lot Depth:38.66	Year Built:1996
Number of Floors:2	Residential Units:0 Total # of Units:1	Zoning:C2-6
Landmark Building: Yes	Historic District: Greenwich Village	

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

Whereas, this is proposed as a café of 49 ft in length and 7 ft in width on a 20 ft wide sidewalk with approx 9.5 ft clearance to 2 bike racks and 4 ft clearance to subway grates at the north end of the cafe, and

Whereas, the restaurant will be a commercial and retail bakery and sandwich restaurant and will have a beer and wine permit, and

Whereas, the applicant was notified that nightlife noise issues have been increasing along this part of 7th Ave South and he agreed to control noise levels from the restaurant and café,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **7th Ave. Landbrot, LLC, d/b/a Lanbrot, 137 7th Ave. South (btw W 10 St & Charles St), with 14 tables & 28, DCA# 1384829**

VOTE: Unanimous, with 41 Board members in favor.

5. Spring Leopard, LLC, d/b/a Giorgione's, 307 Spring St. (at Renwick St), with 4 tables & 8 seats, DCA# 1384944

Block:597 Lot:33	Lot Frontage:25' Lot Depth:100	Year Built:1900(estimated)
Number of Floors:5	Residential Units:8 Total # of Units:9	Zoning:M1-6

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

Whereas, there was a previous café at this location which was not renewed in time and about which there are no known issues, and

Whereas, the café resides entirely on a raised metal former loading dock which is grandfathered, and

Whereas, the café has been reduced in size slightly to allow clearance for a fire escape ladder to the west of the restaurant door,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Spring Leopard, LLC, d/b/a Giorgione's, 307 Spring St. (at Renwick St), with 4 tables & 8 seats, DCA# 1384944**

VOTE: Unanimous, with 41 Board members in favor.

6. 64 Greenwich Restaurant, d/b/a The Meatball Shop, 64 Greenwich Ave. (btw Perry St & W 11 St), with 6 tables & 9 seats, DCA# 1385289

Block:606 Lot:27	Lot Frontage:21.33' Lot Depth:50	Year Built:1910(estimated)
Number of Floors:3	Residential Units:1 Total # of Units:2	Zoning:C1-6
Landmark Building: Yes	Historic District: Greenwich Village	

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

Whereas, this is proposed as a café of 12'6" length and 6'6" width on a 16'2" wide sidewalk leaving 9'8" clear sidewalk, and

Whereas, due to the seating layout, roughly 4 ft of the restaurant frontage will not be used for the café, and

Whereas, this section of Greenwich Ave has roughly one-third of its sidewalk near the curb laid with Belgian block which can make for somewhat questionable footing,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **64 Greenwich Restaurant, d/b/a The Meatball Shop, 64 Greenwich Ave. (btw Perry St & W 11 St), with 6 tables & 9 seats, DCA# 1385289**

VOTE: Unanimous, with 41 Board members in favor.

7. Grillade, LLC, 28 7th Ave. South (btw St Luke's Pl & Bedford St), with 19 tables & 40 seats, DCA# 1385577

Block:583 Lot:38	Lot Frontage:34' Lot Depth:71.83	Year Built:1920(estimated)
Number of Floors:1	Residential Units:0 Total # of Units:2	Zoning:C2-6
Landmark Building:Yes	Historic District:Greenwich Village	

Whereas, the area was posted, community groups notified and there were no community members present regarding this application and the applicant and his representative, Steve Wygoda, were present, and

Whereas, this is proposed as a café of 39’6” length and 911” width on a 19’9” wide sidewalk leaving 9’10” clear sidewalk and roughly 5’ clearance to subway grates that run along the length of the café, and

Whereas, this section of 7th Ave South has seen a major influx of new sidewalk cafes and the applicant was warned to strictly enforce noise control in the cafe, and

Whereas, roughly 10 ft of the café on the north end is in front of a small additional parcel to which the applicant has a letter of agreement but currently no signed lease, and

Whereas, as a signed lease to the additional parcel is required to allow seating in front of it, if a lease is not obtained, the café must be reduced by the 6 tables and 14 seats which are in front of it, and

Whereas, assuming the additional lease is filed with DCA, the applicant has agreed to reduce the number of chairs at each of the two inside tables on the north end from 3 to 2 to ensure the 3’ service aisle can be maintained, reducing the overall café seating to 19 tables and 38 seats,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Grillade, LLC, 28 7th Ave. South (btw St Luke’s Pl & Bedford St), with 19 tables & 40 seats, DCA# 1385577**

CONDITIONAL UPON the following:

- **the applicant filing a duly executed lease for the additional parcel to the north of the restaurant space and the overall seating being reduced to 19 tables and 38 seats as noted in Whereas 6**

- **IF A LEASE FOR THE ADDITIONAL PARCEL IS NOT RECEIVED BY DCA the total size of the café will be reduced to 13 tables and 26 seats as noted in Whereas 5**

VOTE: Unanimous, with 41 Board members in favor.

8. Bistro Shop Downtown, LLC, 118 Greenwich Ave. aka 234 W. 13th St. with 10 tables & 20 seats, DCA# 1382491

Block:617 Lot:36	Lot Frontage:133' Lot Depth:150	Year Built:1890(estimated)
Number of Floors:5	Residential Units:37 Total # of Units:42	Zoning:C1-6
Landmark Building: Yes	Historic District: Greenwich Village	

Whereas, the area was posted, community groups notified and there were community members present and numerous others contacted the committee regarding this application and the applicant was present, and

Whereas, this is proposed as a café of 55’ length and 5’ width with a single row of 2-seat tables on a 13’ wide sidewalk entirely on the W 13th St side of the restaurant leaving 8’ clear sidewalk, and

Whereas, the café will be served through a new service door in the small bevel façade at the corner, and

Whereas, there were two tree pits with raised Belgian block borders adjacent to the café, but the applicant admitted to recently removing a tree stump from one and cementing up the pit, which he stated was only for temporary safety reasons until the tree could be replaced, and

Whereas, the remaining tree pit, which has a living tree, also has a raised border which must be lowered or replaced and the applicant stated his intent to restore the western pit with a newly planted tree and install bronze perforated plates around both trees, and

Whereas, this block of 13th St is primarily residential and has never had a sidewalk café of this size which has raised substantial noise and congestion concerns for residents of the block, and

Whereas, the last table on the west end sticks out beyond the corner of the building and this intersection with Greenwich Ave is a sharply acute angle, the committee felt this table nearest the serving door should be removed in order to prevent any collisions by pedestrians coming around this blind corner,

THEREFORE BE IT RESOLVED that C#2, Man. recommends **DENIAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Bistro Shop Downtown, LLC, 118 Greenwich Ave. aka 234 W. 13th St. with 10 tables & 20 seats, DCA# 1382491**

UNLESS the following conditions are met:

- **the applicant reopens the western tree pit and arranges with the NYC Parks Department for the replacement of the tree originally located there**
- **the applicant assures that both tree pit borders have been made flush with the sidewalk in a manner satisfactory to the NYC Parks Department**
- **the café is reduced to 9 tables and 18 seats with no furniture sticking out beyond the corner of the building just to the east of the new service door**

VOTE: Passed, with 21 Board members in favor and 19 in opposition (K. Berger, C. Booth, H. Campbell, L. Cannistraci, T. Cude, R. Ely, S. Greene, A. Greenberg, J. Hamilton, B. Hoylman, S. Kent, J. McCarthy, A. Meadows, A. Nelson, J. Paul, L. Rakoff, W. Schlazer, A. Wong, E. Young.).

9. Joy Burger Bar, Inc., 361 Ave. of the Americas (SW corner of Washington Pl), with 16 tables & 32 seats, DCA#1386368

Block:592 Lot:18 Lot Frontage:23.58' Lot Depth:58 Year Built:1910(estimated)
Number of Floors:4 Residential Units:6 Total # of Units:8 Zoning:R7-2
Commercial Overlay:C1-5 Landmark Building:Yes Historic District:Greenwich Village

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

Whereas, this is proposed as a café of 24'4" length along the 6th Ave façade, the corner and 11'2" along the Washington Pl façade with a 7' width leaving 12'7" clear sidewalk (9' to a street light) on the 6th Ave side and 8' clear sidewalk on the Washington Pl side assuming an existing bike rack is relocated, and

Whereas, due to the café wrapping around the corner the proposed layout is not realistic and would lead to wait staff serving the tables along the outside of the café perimeter from the public sidewalk, and

Whereas, to address these concerns the applicant has agreed to split the center 3 table pairs on the 6th Ave side and shift one half of each to against the façade which shifts the service aisle to between the tables, and

Whereas, the applicant will also convert the southernmost pair of tables on 6th Ave to a single 3-person table, and

Whereas, the applicant has further agreed to remove the northernmost inside table and 2 chairs from the 6th Ave side (at the corner) to ensure the shifted 3 ft service aisle is maintained at the corner, and

Whereas, the applicant has further agreed to ensure the eastern two table pairs will always be seated as ‘4-top’ tables again in order to maintain the 3 ft service aisle along Washington Place,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Joy Burger Bar, Inc., 361 Ave. of the Americas (SW corner of Washington Pl), with 16 tables & 32 seats, DCA#1386368**

CONDITIONAL UPON the café being reduced to 14 tables and 29 seats with new plans submitted to DCA with the layout adjusted as described in Whereas clauses 4, 5 and 6

VOTE: Passed, with 37 Board members in favor and 3 against –(Diether, Rothstein, Hoylman)

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

10. Caliente Cab Rest. Co. Inc. d/b/a Caliente Cab Co., 61 7 Ave. South (SE corner of Bleecker St), with 42 tables & 84 seats, DCA# 0670525

Block:587 Lot:21	Lot Frontage:47' Lot Depth:72.92	Year Built:1925(estimated)
Number of Floors:2.5	Residential Units:8 Total # of Units:9	Zoning:C2-6
Landmark Building: Yes	Historic District: Greenwich Village Hist. Dist. Ext. II	

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

Whereas, after some past problem conditions, this unenclosed café has been operated by this applicant for several years with no known issues, and

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 **Caliente Cab Rest. Co. Inc. d/b/a Caliente Cab Co., 61 7 Ave. South (SE corner of Bleecker St), with 42 tables & 84 seats, DCA# 0670525**

VOTE: Unanimous, with 41 Board members in favor.

11. Cowgirl, Inc., d/b/a Cowgirl and Bark, 519 Hudson St. (NW corner of W 10th St), with 11 tables & 22 seats, DCA# 0919917

Block:631 Lot:46	Lot Frontage:106.5' Lot Depth:105.33	Year Built:1930(estimated)
Number of Buildings:5	Number of Floors:5	Residential Units:90
Total # of Units:96	Zoning:C1-6	Landmark Building:Yes
Historic District:Greenwich Village		

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

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues, and

Whereas, the committee requested the applicant encourage patrons waiting for tables stand in the area just south of the café near the corner rather than in front of the café where a tree restricts sidewalk movement,

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 **Cowgirl, Inc., d/b/a Cowgirl and Bark, 519 Hudson St. (NW corner of W 10th St), with 11 tables & 22 seats, DCA# 091991**

VOTE: Unanimous, with 41 Board members in favor.

12. Da Silvano Corp. 260 6th Ave. (btw W Houston St & Bleecker St), with 27 tables & 57 seats, DCA# 1187717

Block:526 Lot:11	Lot Frontage:40' Lot Depth:100	Year Built:1900(estimated)
Number of Floors:6	Residential Units:31 Total # of Units:32	Zoning:R7-2
Commercial Overlay:C1-5		

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

Whereas, this is a relatively large café with two sections divided by an area in front of the building's residential entry whose management is further complicated by having 3 food service entrances to the restaurant, and

Whereas, even though the applicant often seats LESS than the approved 57 seats, he continues to have consistent and long-running issues with service constantly occurring from the public sidewalk and the residential entry lane and despite extensive discussions with the applicant over many years there appears to be no solution they are willing or able to implement, and

Whereas, after carefully reviewing the plan with the applicant's representative the committee feels a great part of the problem is created by the approved plan itself being impractical in actual use, and

Whereas, the main issues are the 6 tables and 12 seats at each end of the north section, the 3 tables in the outside center of the north section and the one 4-seat table in the south section, and

Whereas, the tables on each end of the north section should be reduced to 4 tables and 8 seats at each end with the seating orientation rotated by 90 degrees (**reduction: 4 tables/8 seats**), and the 3 tables in the outside center of the north section should be reduced to two 2-seat tables (**reduction: 1 table/3 seats**), and

Whereas, the 4-seat table in the outside north corner of the south section consistently causes the adjacent service aisle to disappear and should be reduced to one 2-seat table (**reduction: 2 seats**),

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Da Silvano Corp. 260 6th Ave. (btw W Houston St & Bleecker St), with 27 tables & 57 seats, DCA# 1187717**

UNLESS the total amount of tables and chair approved for the café should be reduced to 22 tables and 44 seats as described in Whereas clauses 5, 6 and 7

VOTE: Passed, with 31 Board members in favor and 1 in opposition (D. Diether).

13. Red Mulberry, Ltd. d/b/a Sambuca's, 105 Mulberry St. (btw Canal St & Hester St), with 8 tables & 16 seats, DCA# 1158751

Block:206 Lot:26	Lot Frontage:52.25' Lot Depth:75.67	Year Built:1915(estimated)
Number of Floors:5	Residential Units:6 Total # of Units:14	Zoning:C6-2G

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

Whereas, the café resides entirely on a platform with railing that is grandfathered, but the plans (from 1996) do not meet the requirement for a 3 ft service aisle on the south end of the café, and

Whereas, the committee has evidence the applicant has often violated the terms of the sidewalk café permit by extending the café beyond the applicant's property line,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Red Mulberry, Ltd. d/b/a Sambuca's, 105 Mulberry St. (btw Canal St & Hester St), with 8 tables & 16 seats, DCA# 1158751**

UNLESS the applicant strictly adheres to the confines of the property and does not extend the café seating beyond it

VOTE: Unanimous, with 41 Board members in favor.

14. Gadberry Pizza Inc. d/b/a Bleecker Street Pizza, 69-71 7 Ave. South (NE corner of Bleecker St), with 3 tables & 6 seats, DCA#1183527

Block:590 Lot:54	Lot Frontage:39.5' Lot Depth:75.17	Year Built:1900
Number of Floors:1	Residential Units:0 Total # of Units:2	Zoning:C2-6
Landmark Building: Yes	Historic District: Greenwich Village	

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

Whereas, this unenclosed café has been operated by this applicant for several years with no known 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 **Gadberry Pizza Inc. d/b/a Bleecker Street Pizza, 69-71 7 Ave. South (NE corner of Bleecker St), with 3 tables & 6 seats, DCA#1183527**

VOTE: Unanimous, with 41 Board members in favor.

15. Nilo Inc. & Viola Consulting LLC, d/b/a Mezzogiorno Assoc. 195 Spring St., with 11 tables & 22 seats, DCA# 0832737

Block:503 Lot:45 Lot Frontage:46.25' Lot Depth:75 Year Built:1900(estimated)
Number of Floors:6 Residential Units:24 Total # of Units:26 Zoning:R7-2 Commercial
Overlay:C1-5

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, but the committee received one email in support of the café after its meeting, and the applicant's representative, Michael Kelly, was present, and

Whereas, the committee has evidence the applicant has consistently violated the terms of the sidewalk café permit by extensively expanding the permitted seating by upwards of 50% by doubling the approved seating on the Sullivan St side of the café by the use of 4-seat tables instead of the approved 2-seat tables, and

Whereas, as this section of Sullivan St is in any case not a legal spot for a sidewalk café as its width of 11'9" (per the approved plan) is less than the minimum 12 ft required for sidewalk cafes, and the applicant's doubled seating often leaves little more than 3 ft of clear pedestrian path, and

Whereas, this is a continuing violation which the applicant signed an agreement to cease at its renewal two years ago with Community Board 2 Manhattan and for which the applicant was fined by DCA in 2010, and

Whereas, all evidence leads the committee to believe the applicant has no intention of correcting the repeated violations and this sidewalk is too narrow to be legally hosting a sidewalk café in any case,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Nilo Inc. & Viola Consulting LLC, d/b/a Mezzogiorno Assoc. 195 Spring St., with 11 tables & 22 seats, DCA# 0832737**

UNLESS the illegal and misused tables on Sullivan St are removed from café plan and the seating is reduced to just the 4 tables and 8 seats on the Spring St side of the restaurant

VOTE: Passed, with 39 Board members in favor and 1 in opposition (D. Diether).

16. Greenwich Village Bistro LTD, d/b/a Greenwich Village Bistro, 13 Carmine St. with 9 tables & 18 seats, DCA# 1030835

Block:589 Lot:47 Lot Frontage:25' Lot Depth:100 Year Built:1900(estimated)
Number of Floors:5 Residential Units:13 Total # of Units:14 Zoning:R7-2 Commercial
Overlay:C1-5 Landmark Building: Yes
Historic District: Greenwich Village Hist. Dist. Ext. II

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

Whereas, this unenclosed café has been operated by this applicant for several years with no known 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 **Greenwich Village Bistro LTD, d/b/a Greenwich Village Bistro, 13 Carmine St. with 9 tables & 18 seats, DCA# 1030835**

VOTE: Unanimous, with 41 Board members in favor.

17. 164 Mulberry St. Corp. d/b/a Da Nico, Restaurant, 164 Mulberry St. with 4 tables & 8 seats, DCA# 0949447

Block:471 Lot:29	Lot Frontage:25' Lot Depth:100.17	Year Built:1900
Number of Floors:5	Residential Units:3 Total # of Units:4	Zoning:C6-2G

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

Whereas, the committee has evidence the applicant consistently violates the terms of the sidewalk café permit by extending the café beyond the applicant's property line to the south,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **164 Mulberry St. Corp. d/b/a Da Nico, Restaurant, 164 Mulberry St. with 4 tables & 8 seats, DCA# 0949447**

UNLESS the applicant strictly adheres to the confines of the property and does not extend the café seating beyond it

VOTE: Passed, with 39 Board members in favor and 1 against-(Diether)

Re-apply App. for revocable consent to operate an Unenclosed sidewalk café for:

18. Jec II LLC, d/b/a One Little West 12, 1-3 Little West 12th St. (SW corner of 9th Ave), with 31 tables & 62 seats, DCA# 1161856

Block:628 Lot:1	Lot Frontage:77.33' Lot Depth:100	Year Built:1913
Number of Buildings:3	Number of Floors:6	Residential Units:0
Total # of Units:3	Zoning:M1-5	Landmark Building:Yes
Historic District:Gansevoort Market		

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

Whereas, this applicant appeared for a renewal just in Nov. 2010 but had their permit revoked by DCA apparently for the café railings and furniture being left set up when the café was not in use and the committee advised the applicant that during all off-hours all furniture and railings should be stored off the sidewalk or as tightly up against the building as possible, and

Whereas, the committee requested at that hearing some correction to the seating plan to address pedestrian clearance issues at the corner of Little W. 12 St and 9th Ave, and at the eastern end of the café along Little W. 12 St where the sidewalk narrows, and

Whereas, these sidewalk clearance issues appear to have been resolved in a satisfactory fashion,

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 **Jec II LLC, d/b/a One Little West 12, 1-3 Little West 12th St. (SW corner of 9th Ave), with 31 tables & 62 seats, DCA# 1161856**

VOTE: Unanimous, with 41 Board members in favor.

SLA LICENSING

1. The Vault, LLC, d/b/a Bunker Club, 675 Hudson St. (West 13th and West 14th) NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration of an existing On Premise license in a mixed use building on Hudson between West 13th and 14th Street for a 3,000 s.f. upscale lounge with 110 table seats, 2 bars with 10 seats with a maximum legal capacity of 230 persons; **to convert an existing service bar into a stand-up bar**; and,

Whereas, the applicant stated the hours of operation are seven days a week from 9:00 p.m. – 4:00 a.m.; there is no sidewalk café application and no backyard garden; music is D.J. only; and,

Whereas, the applicant has been operating the establishment for over 6 months; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an existing On Premise license for **The Vault, LLC, d/b/a Bunker Club, 675 Hudson St.**

Vote: Passed, with 40 Board members in favor, and 1 recusal (W. Schlazer).

2. 75 Clarkson St. F&B d/b/a The Westway (at West St.)

Whereas, the applicant re-appeared before the committee for the third time; and,

Whereas, this application is for On Premise license for a 2,850 s.f. nightclub 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 standard operating hours are seven days a week from 10:00 p.m. – 4:00 a.m., with occasional private events from 6:00 p.m. – 4:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is Live, D.J. and background iPod music only; and,

Whereas, after appearing before CB#2, Man. in August and September 2010 and after appearing twice before the NY SLA in March 2011 and being asked to return to CB#2, Man. the applicant reached out to members of the community, elected officials and members of CB#2, Man. prior to the CB#2, Man. SLA Committee hearing on April 7th, 2010; and,

Whereas, the applicant, representatives of the community, representatives of state and local officials and executive members of CB#2, Man. held a meeting on Monday, March 31st 2011 to address the proposed traffic and security plan and method of operation; and,

Whereas, as a result of the meeting on March 31st, 2011, the applicant further consulted with members of the community, CB#2, Man. members, and representatives of elected officials, and produced revised materials taking into consideration many of the concerns addressed at the meeting and presented those materials to interested parties and also formulated a more detailed set of stipulations to address many of the outstanding concerns; and,

Whereas, the applicant presented a revised Security and Traffic Plan at the CB#2, Man. SLA Committee meeting; and,

Whereas, the applicant has agreed to the following set of stipulations to address the concerns of CB#2, Man. and the elected officials:

1. The applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to a new Public Assembly Permit.
2. The applicant has agreed to implement traffic control measures as outlined in their “traffic and security” plan. Notwithstanding the provided traffic analysis, the applicant has acknowledged the serious nature of the potential for traffic related issues as outlined by many local residents and endeavors to utilize their staff to the maximum extent allowed by law at all times to maintain orderly vehicular traffic flow resulting from patrons entering and exiting the premise. If the control measures that are outlined in their “traffic and security” plan are inadequate on an ongoing basis to maintain the orderly flow of vehicles at all times in and around their premise, the applicant will work with residents in the community and the 6th Precinct on additional measures to mitigate the situation, including but not limited to retaining consultants to help correct traffic and security problems if it's determined after opening that problems exist. To be clear, the applicant has agreed to take all steps to be a "good neighbor”.
3. The applicant, at the request of the community, will support the community fully to begin addressing potential traffic concerns by joining the community in asking that the NYC Department of Transportation designate appropriate evening 'No Standing' zones on the north side of Clarkson Street between the eastern border of the venue and West St./Rt. 9a.
4. The applicant has agreed to improve the “traffic and security” plan from time to time only with the approval of Community Board, 2 Manhattan.
5. The applicant has agreed to prepare a 'tip sheet' for private cars and other vehicles with directions to private car parks, public transportation, and preferred places to wait for customers.
6. The applicant has agreed to participate in any and all traffic enhancement studies in the neighborhood.
7. The applicant has agreed to implement security with at least 1 bonded security officer per 60 patrons which is beyond what the NYPD Best Practices for Nightlife Establishments recommends at all times. The applicant has further agreed that at a minimum, even if low attendance is expected (less than 120 guests through the course of the evening), there will be at least two bonded security officers present at all times the premise is open to the public, with the exception of Wednesdays when they will have three bonded security guards and Thursday-Saturday nights when they will have a full security team of 4 NYS licensed security guards and 1 unarmed NYS licensed security guard supervisor. The applicant has agreed that for the first 3 months of operation that instead of a full team of 5 security guards they will have 6 security guards Thursday-Saturday. The security guards will perform the duties outline in the applicants traffic and security plan as needed.
8. The applicant has agreed to ensure the exterior of the venue is adequately lit.
9. The applicant has agreed install additional security cameras to the exterior of the venue on Clarkson Street and, if possible, on West Street.
10. The applicant has agreed to Signage on the exterior of the building will include one instructing respect for neighbors, and another indicating the exterior of the premise is under video surveillance.

11. The applicant has agreed to have security and/or management routinely walk the perimeter of the building including on West Street.
12. The applicant has agreed to not use velvet stanchions or any other element to create a perception of exclusivity or lining up during normal operating hours (excluding special or private events if the applicant feels that their use would create a more expedited system for entry for which the applicant is willing to provide 24 hours notice to the community if requested).
13. 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.
14. The applicant has agreed to provide a General Manager or Principal Agent's contact information to the neighboring residents.
15. The applicant has agreed to be open to the public at 10pm and operate private parties from 6pm only.
16. The applicant has agreed to keep the windows and doors closed at all times.
17. The applicant has agreed to fully soundproof the entire establishment.
18. The applicant has agreed to not solicit bottle service sales.
19. The applicant has agreed to not use 3rd party promoters.
20. The applicant has agreed to cease operations at 4:00 a.m. daily.
21. The applicant has agreed to use sound limiters to maintain a sub 45 decibel level as required by NYC DEP.
22. The applicant has agreed to waive their rights to operate a sidewalk café.
23. The applicant has agreed that the outdoor signage will not include flashing neon lights or anything that might distract drivers or residents.
24. The applicant has agreed that there will not be at anytime any activity construed as "adult entertainment" under the laws of the city and state and the applicant agrees that they will endeavor to prevent any behavior that may be construed as such by their patrons even though the location is currently zoned for adult entertainment
25. The applicant has agreed to attend the 6th Precinct Community Council Meetings during the first 6 months of operations.

Whereas, some neighboring residents continued to express concerns with cab and black car congestion along Clarkson Street and did not agree with some aspects of the traffic analysis conducted by a traffic consultant for the applicant, but did agree that the applicant was taking steps to address these concerns and felt that the applicant would continue to address these concerns on an ongoing basis; and one or two members of the community who appeared at the meeting expressed concerns that even though the applicant removed the original adult entertainment component of the establishment and agreed that there would not be at anytime any activity construed as adult entertainment that the dancing poles inside the establishment would create an adult entertainment aspect to members of the community passing by outside; and,

Whereas, members of the Committee feel that the applicant has adequately addressed the concerns of the community which were initially outlined in the CB#2, Man. September 23, 2010 resolution in which CB#2, Man. asked the applicant to continue dialogue with the community to resolve these issues and the Committee has chosen not to comment on the use of "dancing poles" because the applicant has agreed to no adult use as outlined in the agreed upon stipulations; and,

THEREFORE BE IT RESOLVED that the SLA Licensing Committee of CB#2, Man. recommends denial of an On Premise license for **75 Clarkson St. F&B d/b/a The Westway (at West Street)** unless the conditions agreed to by applicant relating to the eighth "whereas" clause above are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Unanimous, with 41 Board members in favor.

3. The Upper Crust, Inc. d/b/a 91 Event Space, 91 Horatio St. (West and Washington Sts.), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise Catering license for a 5,000 s.f. private event facility in a mixed use building located on Horatio Street between West and Washington Streets with a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Monday - Thursday from 11:00 a.m. – 1:00 a.m. and Friday and Saturday 11:00 a.m. – 2:00 a.m.; there is no sidewalk cafe and no backyard garden; music is background, D.J. and live only; and,

Whereas, the applicant has been operating this private event facility for over 25 years; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the On Premise Catering license for **The Upper Crust, Inc. d/b/a 91 Event Space, 91 Horatio St.**

Vote: Unanimous, with 41 Board members in favor.

4. Apple Restaurant & Bom Bar, d/b/a Apple Restaurant, 17 Waverly Pl. (Greene and Mercer Sts.), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 5,000 s.f. Asian restaurant located in a mixed use building on Waverly Place between Greene and Mercer Streets with 123 table seats and 1 bar with 25 bar seats with a maximum legal capacity of 173 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Monday through Wednesday from 12:00 p.m. to 12:00 a.m., Thursday from 12:00 p.m. to 1:00 a.m. and Friday and Saturday from 12:00 p.m. to 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; music will be Ipod/CD at background levels and Karaoke only; and,

Whereas, the applicant has agreed to amend the published hours of operation on its website to reflect the same hours as this application; and,

Whereas, the applicant has been operating this establishment for over 17 years; and,

Whereas, no one appeared in opposition of the proposed establishment; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Apple Restaurant & Bom Bar, d/b/a Apple Restaurant, 17 Waverly Pl.** 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 41 Board members in favor.**

5. 400 W. 14th St. Inc. d/b/a Gaslight, 400 W. 14th St. (at 9th Avenue), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for a restaurant located in 8,500 s.f. (4,000 s.f. ground floor and 4,500 cellar) premise in a commercial building located on the corner of West 14th Street at 9th Avenue with 230 table seats and 2 bar with 35 bar seats and a maximum legal capacity of 266 persons; **to add 24 tables with 48 seats in an unenclosed sidewalk cafe; and**,

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the SIDEWALK hours are Sunday – Thursday from 12:00 p.m. – 12:00 a.m.; Friday and Saturday from 12:00 p.m. – 1:00 a.m.; music is Live DJ and Ipod/CD at background levels only; and,

Whereas, the applicant has been approved by the sidewalks committee of Community Board 2, Manhattan; and,

Whereas, a member of the committee appeared in support; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **400 W. 14th St. Inc. d/b/a Gaslight, 400 W. 14th St.**

Vote: Unanimous, with 41 Board members in favor.

6. Franco American Restaurant Investment Group, Inc. d/b/a The Tea Set, 235 W. 12th St. (Greenwich Ave. and West 4th St.), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing Beer and Wine license for a restaurant located in 600 s.f. premise in a mixed use building located on West 12th between Greenwich Avenue and West 4th Street with 30 table seats and no bar and a maximum legal capacity of 36 persons; **to add 3 tables with 6 seats in an unenclosed sidewalk cafe; and**,

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the interior restaurant and SIDEWALK hours are seven days a week from 8:00 a.m. – 12:00 a.m.; music is Ipod/CD at background levels only; and,

Whereas, the applicant has been approved by the sidewalks committee of Community Board 2, Manhattan; and,

Whereas, a member of the committee appeared in support; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to a Beer and Wine license for **Franco American Restaurant Investment Group, Inc. d/b/a The Tea Set, 235 W. 12th St.**

Vote: Unanimous, with 41 Board members in favor.

7. Naked Lunch, Inc., 17 Thompson St. (Grand and Canal), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration of an existing On Premise license in a mixed use building on Thompson Street between Grand and Canal Streets for a 1,500 s.f. bar/lounge with 66 table seats, 1 bar with 8 seats with a maximum legal capacity of 74 persons; **to add a stand up bar in the Southwest corner of premises**; and,

Whereas, the applicant stated the hours of operation are Tuesday and Wednesday from 4:30 p.m. – 1:00 a.m., Thursday from 4:30 p.m. – 2:00 a.m. and Friday and Saturday from 4:30 p.m. – 3:30 a.m.; there is no sidewalk café application and no backyard garden; music is D.J. and Ipod/CD at background levels only; and,

Whereas, the applicant has been operating the establishment for over 17 years; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an existing On Premise license for **Naked Lunch, Inc., 17 Thompson St.**

Vote: Unanimous, with 41 Board members in favor.

8. Sprbar Inc., d/b/a The Anchor, 310 Spring St., NYC

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

Whereas the operator has agreed to the following stipulation for their renewal license:

1. The operator has agreed to keep its doors and windows closed at all times
2. The operator has agreed to clear the sidewalk area in front of the establishment
3. The operator has agreed to place a receptacle for cigarettes butts in front of the establishment
4. The operator has agreed to have a security present at all times
5. The operator has agreed to encourage the street cart vendors to relocate away from the establishment
6. The operator has agreed to post a “respect neighbors” type sign in front of the establishment

Whereas, a member of the community appeared to express concerns with the establishment; overcrowding and noise issues on this block; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the renewal of an On Premise license for **Sprbar Inc., d/b/a The Anchor, 310 Spring St.** unless those conditions agreed to by applicant relating to the second “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 41 Board members in favor.

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

9. Michelandelo-Mamo NYC, LLC, 1-3 Little West 12th St., NYC

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; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license **Michelandelo-Mamo NYC, LLC, 1-3 Little West 12th St.** **and requests that the SLA send this applicant back to CB2 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 41 Board members in favor.

10. MNP Restaurant Company, d/b/a TBD, 47 W. 8th St., NYC

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; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license **MNP Restaurant Company, d/b/a TBD, 47 W. 8th St.** **and requests that the SLA send this applicant back to CB2 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 41 Board members in favor.

11. Entity to be formed Hayden Felice is Principle, TBD, 615 Hudson St., NYC

Whereas, the applicant did not appear before the committee but withdrew their application; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Entity to be formed Hayden Felice is Principle, TBD, 615 Hudson St.,** **until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 41 Board members in favor.

12. Spring Bar LLC Inc., d/b/a Spring Bar, 5 Spring St. NYC

Whereas, the applicant did not appear before the committee but withdrew their application; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Spring Bar LLC Inc., d/b/a Spring Bar, 5 Spring St.** **until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 41 Board members in favor.

13. Entity to be formed by Sergi Benderski & Associates d/b/a Maison Close, 173 Mott St., NYC

Whereas, the applicant did not appear before the committee but withdrew their application; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Entity to be formed by Sergi Benderski & Associates d/b/a Maison Close, 173 Mott St., until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 41 Board members in favor.

14. SoHo House New York, Inc., 29-35 Ninth Ave. NYC

Whereas, the applicant did not appear before the committee but withdrew their application; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed alteration to an existing liquor license to **SoHo House New York, Inc., 29-35 Ninth Ave. until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 41 Board members in favor.

15. Corkbuzz, LLC, d/b/a Corkbuzz, 13 E. 13th St., NYC 10003

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Full OP license for a full service restaurant in a mixed-use building on 13th Street between 5th Avenue and University Street (block #571 / lot # 9) for a total of 3,000 s.f. (2550 s.f. 1st flr/450 s.f. bsmt.) with 25 tables with 96 seats and 1 bar with 11 seats, and a maximum legal capacity of 170 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Wednesday from 12:00 p.m. to 12:00 a.m. and Thursday through Saturday from 12:00 p.m. to 1:00 a.m., there will be no sidewalk café and no backyard garden; music will be quiet background only; and,

Whereas, one of the principals, Laura Maniec, described herself as a Master Sommelier, the highest recognition one can achieve as a wine professional, and one of only 168 worldwide; and,

Whereas, the applicant described the operation as a “full service restaurant serving cuisine which will focus on wine and food pairings, tasting events and educational events about wine”; and,

Whereas, community opposition and support was equally strong regarding this application; and,

Whereas, there are many previously licensed locations that are closed and available for rent in this immediate area; and,

Whereas, this location has never been licensed by the SLA before and this community regrets adding additional license into a neighborhood that has so many and provided documentation demonstrating that the number of licensed premises has at least doubled since 2006 in this area and furthermore in the last few years over 19,000 s.f. of new space has been licensed; and,

Whereas, one community member was concerned that the 7 Street Fairs, dramatic increase in traffic (both pedestrian and vehicular traffic) and the large increase in the number of licensed premises in the area was having an impact on the character of the immediate neighborhood; and,

Whereas, the applicant did do extensive outreach to the community, neighboring residential buildings and neighborhood associations; and,

Whereas, the applicant will obtain the proper NYC DOB Certificate of Occupancy showing a capacity of 170 and will obtain a Public Assembly Permit; and,

Whereas, the applicant has agreed to the following stipulations:

1. Hours of operation are Sunday through Wednesday from 12:00 p.m. to 12:00 a.m. and Thursday through Saturday from 12:00 p.m. to 1:00 a.m.
2. Kitchen to stay open until closing every night.
3. Sound proofing will be installed with a sound engineer to protect the residents above.
4. No French Doors will be installed and all windows and doors will remain closed at all times.
5. Applicant will never apply for a sidewalk café.
6. All garbage will be stored inside until 1 hour before pick-up.
7. No outside promoters are third party events.
8. No neon signs outside the location.
9. Applicant will install an Exhaust system that will not disrupt quality-of-life for residents surrounding the locations.

Whereas, CB#2, Man. requests, that given the strong concerns that this neighborhood has concerning the over saturation of liquor licenses and that this location has not previously maintained a liquor license of any sort, that should this location change hands or transfer ownership in the future or adopt a different method of operation in the future, that the SLA not give weight in this specific circumstance to the fact that this location was licensed by the above referenced entity given that this establishment is unique to some extent in this neighborhood and is the primary reason this board recommends approval; and

Whereas, CB#2, Man. request that the SLA conduct a 500 ft. rule hearing; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this new Full OP license for **Corkbuzz, LLC, d/b/a Corkbuzz, 13 E. 13th St., NYC 10003** unless all stipulations agreed to in this resolution are incorporated into the “Method of Operation”.

Vote: Unanimous, with 41 Board members in favor.

16. 120 U Rest. LLC, 94 University Pl., NYC 10003

Whereas, the applicant appeared before the committee; and,

Whereas, this is an application for a 1800's style Mexican Tortaria featuring an open kitchen with a family style sit down counter; and,

Whereas, this application is for a new Full OP license in a previously licensed mixed use building (block #569 and lot #21) on the corner of University Place and 12th Street for an 1,100 s.f. restaurant with 7 tables and 30 seats, 1 bar with 7 seats, , and a maximum legal capacity of 49 persons; and,

Whereas, the applicant stated the hours of operation are from Sunday through Thursday from 8:00 a.m. to 12:00 a.m. and Friday and Saturday from 8:00 a.m. to 1:00 a.m.; they will continue to use the enclosed sidewalk café, there will be no backyard garden, no televisions and music will be background only; and,

Whereas, the applicant did reach out to the community and acquire 93 signatures in support; and,

Whereas, there were community members that petitioned against the applicant (313 signatures) and the fact that they already had 4 Mexican restaurants in this area; and,

Whereas, the applicant agreed to the following stipulations:

1. Hours of Operation are Sunday through Wednesday from 8:00 a.m. to 12:00 a.m. and Thursday through Saturday from 8:00 a.m. to 1:00 a.m.
2. The operator shall hire a certified acoustical consultant to make soundproofing 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 does not emanate from the establishment 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 a successful Commissioning Test to the Community Board and the State Liquor Authority.
3. The operator shall do the same as #2 for all exterior equipment installed and operated.
4. The operator shall construct a door vestibule that prevents noise from escaping onto the sidewalk and the front door is to remain closed at all times.
5. The operator shall not operate any outdoor speakers or sound amplification and shall not deliberately direct any sound outside the establishment.
6. The operator will hang a sign outside the establishment, which shall be legible from 20 feet away, instructing the patrons to keep all noise down and respect the neighbors.
7. All windows are to be closed at all times and if windows are to be replaced that they are done so with soundproofed, non-operable windows.
8. The operator shall cause a communicative general manager to be present at the establishment during all hours of operation.
9. The operator shall not permit DJs or live music in the establishment. Only background music at a reasonable level shall be permitted.
10. The operator shall not store garbage outside of the establishment for more than 1 hour before pick-up and shall construct a refrigerated room to store all garbage until the 1-hour time before pick-up.
11. The operator will not establish any out door seating or seek to obtain permission for any outdoor seating including but not limited to an unenclosed sidewalk café. This does not include the current enclosed sidewalk café.

12. The operator shall not install any up lighting on the exterior of the establishment so as to not disturb residents living about or above the establishment.
13. The operator shall not install any signage or advertising above the first story. All signage will conform to signage standards found in landmark districts.
14. The operator shall not attempt to steer the public from the sidewalk into the establishment.
15. The operator shall not distribute any fliers on the sidewalk or street.
16. The operator shall not serve any alcoholic beverages larger than 16oz.
17. The operator shall make available the general manager to attend monthly meetings with representatives of the community upon request.
18. There will be no alcohol service before 12:00 p.m., noon, 7 days a week.
19. There will be no “happy hours” events or discounted drinks sold.

Whereas, the petition of 313 signatures against this applicant was acquired prior to the completed list of stipulations and many including the representative of the petition now believe to be in support of this applicant; and,

Whereas, CB#2, Man. request that the SLA conduct a 500 ft. rule hearing; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this new Full OP license for **120 U Rest. LLC, 94 University Pl., NYC 10003** unless all stipulations agreed to in this resolution are incorporated into the “Method of Operation”.

Vote: Unanimous, with 41 Board members in favor.

17A. Entity to be formed by Evan Cohen & Joseph Cirillo d/b/a Gonzalez y Gonzalez, 192 Mercer St., NYC 10012

Whereas, the applicant appeared for the second time before the committee; and,

Whereas, the restaurant Gonzalez y Gonzalez, operated by Ark Sub One Corp., has operated at this location for over 20 years, recently their lease ended and the landlord has split the previous location into two spaces, one of which another entity will occupy and one of which the applicant would like to continue occupying dba Gonzalez y Gonzalez after purchasing use from Ark Sub One Corp.; and

Whereas, this is a new application for half of a previously existing Mexican Restaurant and Bar; and,

Whereas, this application is for a new Full On Premise license, in a commercial building (block 523 / lot 46) which was previously licensed for a full block with entrances on both Broadway (625 Broadway) and on Mercer Street (192 Mercer St.) between Bleecker Street and Houston Street, which is being divided in half with the applicant taking the western space with an entrance at 192 Mercer St only with a new size of 5,021 s.f. (3,021 s.f. on the ground floor and 2,000 s.f. in the cellar) with 34 tables and 70 seats, 1 bar with 24 seats and a total capacity of 150 persons; and,

Whereas, the applicant stated the hours of operation are Sunday to Saturday from 12:00 p.m. to 4:00 a.m. 7 days a week; there will be no sidewalk café and no backyard garden; music will include Live DJ, Live Music and ipod/cds music at entertainment and quiet background levels; and,

Whereas, the live music will be in 2 sets: 9:30 p.m. and 11:00 p.m. on weekdays and 11:30 p.m. and 1:15 a.m. on weekends, each set running approximately 45 minutes; and,

Whereas, The applicant stated that there is no change in the “Method of Operation” at this location except for the decrease in size of the space and the new use of Mercer Street for the main entrance; and,

Whereas, the applicant supplied a “Letter of No Objection” for occupancy of 74 persons or less with no public assembly uses for the ground floor space and a demolition permit at the second committee meeting which were concerns previously, but stated that this application is now for occupancy of 150 people and that they will obtain a “Public Assembly Permit” reflecting the 150 occupancy, which is now more appropriate for a location with 3,000 s.f. ground floor; and,

Whereas, the applicant did several community outreach attempts, including postings, welcome meeting and the meeting of 2 Co-Op officials on Mercer St.; and,

Whereas, the applicant has a petition in support by neighboring community members with 107 signatures; and,

Whereas, the 200 Mercer Street Apartment Cooperation which is two doors north and the closest residential building to the applicant has submitted a letter in opposition of the applicant with concerns to the live music and alcohol service until 4:00 a.m.; and,

Whereas, the applicants have agreed to the following stipulations:

1. Kitchen will remain open until closing.
2. No doors or windows to remain open at any time.
3. Security will be provided outside from 8:00 p.m. until closing.
4. All garbage to be stored inside until just before pick-up with a carting service that will be coordinated with other buildings on Mercer.
5. Applicants must obtain a “Letter of No Objection” from the Department of Buildings.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the On Premise license for **An Entity to be formed by Evan Cohen & Joseph Cirillo, d/b/a Gonzalez y Gonzalez, 192 Mercer St. (W. Houston St. & Bleecker St. NYC 10012** ; and,

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. recommends that if this applicant appears in front of the SLA to pursue this application that the applicant incorporate the stipulations stated in the 12th whereas clause of this resolution as part of the Method of Operation.

Vote: Failed, with 20 Board members in opposition, 16 in favor (K. Berger, C. Booth, A. Brandt, W. Bray, R Ely, H. Campbell, T. Cude, D. Diether, G. Gil, J. Hamilton, A. Hearn, L. Rakoff, R. Rothstein, R. Riccobono, C. Spence, A. Wong.)

PLEASE SEE SUBSTITUTE RESOLUTION FOR THIS APPLICANT BELOW.

17B. Entity to be formed by Evan Cohen & Joseph Cirillo d/b/a Gonzalez y Gonzalez, 192 Mercer St., NYC 10012

Whereas, the applicant appeared for the second time before the committee; and,

Whereas, the restaurant Gonzalez y Gonzalez, operated by Ark Sub One Corp., has operated at this location for over 20 years, recently their lease ended and the landlord has split the previous location into two spaces, one of which another entity will occupy and one of which the applicant would like to continue occupying d/b/a Gonzalez y Gonzalez after purchasing use from Ark Sub One Corp.; and

Whereas, this is a new application for half of a previously existing Mexican Restaurant and Bar; and,

Whereas, this application is for a new Full On Premise license, in a commercial building (block 523 / lot 46) which was previously licensed for a full block with entrances on both Broadway (625 Broadway) and on Mercer Street (192 Mercer St.) between Bleecker Street and Houston Street, which is being divided in half with the applicant taking the western space with an entrance at 192 Mercer St only with a new size of 5,021 s.f. (3,021 s.f. on the ground floor and 2,000 s.f. in the cellar) with 34 tables and 70 seats, 1 bar with 24 seats and a total capacity of 150 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Saturday from 12:00 p.m. to 4:00 a.m.; there will be no sidewalk café and no backyard garden; music will include Live DJ, Live Music and ipod/cds music at entertainment and quiet background levels; and,

Whereas, the applicant has agreed to a new set of hours of operation which are Sunday through Wednesday from 12:00 p.m. to 1:00 a.m. and Thursday through Saturday from 12:00 p.m. to 3:00 a.m.

Whereas, the live music will be in 2 sets: 9:30 p.m. and 11:00 p.m. on weekdays and 11:30 p.m. and 1:15 a.m. on weekends, each set running approximately 45 minutes; and,

Whereas, The applicant stated that there is no change in the “Method of Operation” at this location except for the decrease in size of the space and the new use of Mercer Street for the main entrance; and,

Whereas, the applicant supplied a “Letter of No Objection” for occupancy of 74 persons or less with no public assembly uses for the ground floor space and a demolition permit at the second committee meeting which were concerns previously, but stated that this application is now for occupancy of 150 people and that they will obtain a “Public Assembly Permit” reflecting the 150 occupancy, which is now more appropriate for a location with 3,000 s.f. ground floor; and,

Whereas, the applicant did several community outreach attempts, including postings, welcome meeting and the meeting of 2 Co-Op officials on Mercer St.; and,

Whereas, the applicant has a petition in support by neighboring community members with 107 signatures; and,

Whereas, the 200 Mercer Street Apartment Cooperation which is two doors north and the closest residential building to the applicant has submitted a letter in opposition of the applicant with concerns to the live music and alcohol service until 4:00 a.m.; and,

Whereas, in response to questions from the committee there was some confusion as to whether the previous method of operation, which the applicants states that they will not be changing except as noted above, included dancing which one the applicants mentioned by way of salsa dancing lessons, but the head of security stated despite a committee member’s personal observation, that dancing has not been allowed and will not be allowed and that the premise will continue to prohibit dancing and will install signage indicating that dancing is not allowed, will not have a dance floor and would approach and tell patrons that dancing is not allowed; and,

Whereas, a member of the community representing a large co-op building's board at 88 Bleecker Street stated that their building's co-op board was in opposition to this applicant citing issues concerning quality of life, tremendous concern at the use of the entrance on Mercer St., which they stated was very different in character from what the applicant states, as a unique street which has a small bookstore, a sandwich shop, several buildings with NYU offices and service entrances for the Stereo Exchange, Crate and Barrel and the Angelica Theatre among others, and stated that because the residents in the area were already familiar with the method of operation of the previous entity that shifting the comings and goings of late night patrons to Mercer St. from Broadway was wholly inappropriate for the bordering residential buildings on Mercer, Bleecker and Houston St.; and,

Whereas, the President of the 200 Mercer Street Apartment Cooperation presented a letter in opposition to this application on behalf of the Co-op board that is located two doors north of the proposed location stating that the opposition "fundamentally rests on the Co-op's desire to maintain the quiet, residential character of the block and preserve the quality of life of its shareholders. Allowing the applicants to operate an establishment that will serve liquor and provide live music until 4 am will detrimentally change the nature of our block, and is totally out of character with the current commercial spaces on the block."

He further stated that previously the entrance on Mercer was predominately a service entrance and that there were additional concerns regarding safety and security on the block at late hours with the increased traffic flow of bar patrons and that after hearing many applications at the committee meeting prior to this application that the combination of live music, DJ's, shots, frozen drinks, 4 am closing and low end booze was exactly the recipe that every residential neighborhood and quiet street did not want on their block; and,

Whereas, the applicants presented at CB#2, Man.'s Full Board meeting on April 21st, 2011 during the public session lesser hours of operation of 12 p.m. to 1 a.m. Sunday to Wednesday and 12 p.m. to 3 a.m. Thursday to Saturday and there was concern from many members of CB#2, Man. that the applicant did not present the revised hours at the appropriate SLA Committee hearing where there is appropriate opportunity for public comment to reflect these significant changes and there were questions as to why the applicant did not present the changes at the two previous SLA Committee hearings when they were presenting their "method of operation"; and,

Whereas, the applicants have agreed to the following stipulations:

1. Kitchen will remain open until closing.
2. No doors or windows to remain open at any time.
3. Two Security officers will be provided outside from 8:00 p.m. until closing.
4. All garbage to be stored inside until just before pick-up with a carting service that will be coordinated with other buildings on Mercer.
5. Applicants must obtain a "Letter of No Objection" from the Department of Buildings.
6. No Promoted events.
7. No dancing without a cabaret license.
8. Contact number provided by both principals.
9. The applicant has agreed to a new set of hours of operation, which are Sunday through Wednesday from 12:00 p.m. to 1:00 a.m. and Thursday through Saturday from 12:00 p.m. to 3:00 a.m.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the On Premise license for **An Entity to be formed by Evan Cohen & Joseph Cirillo, d/b/a Gonzalez y Gonzalez, 192 Mercer St. (W. Houston St. & Bleecker St. NYC 10012;** unless all stipulations agreed to in this resolution in the 17th Whereas clause are incorporated into the "Method of Operation".

Vote: Passed, with 30 Board members in favor, 8 in opposition (A. Brandt, T. Cude, R. Ely, G. Gil, J. Hamilton, L. Rakoff, B. Riccobono, R. Rothstein), and 3 abstentions (C. Booth, R. Lee, E. Young).

18. International Culinary Center, LLC d/b/a L'Ecole, 462 Broadway, NYC 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a Catering Liquor license in a commercial building (block 473 / lot 1) on the corner of Broadway and Crosby Street, between Grand and Broome Street for the 2nd to the 5th floors of the Culinary Center's building with:

2nd floor = 16 tables /35 seats and a theatre with 150 seats

3rd floor = 7 tables / 19 seats

4th floor = 6 tables / 40 seats

5th floor = 15 tables / 90 seats

They will also have 3 stand-up bars, and a total occupancy of 1,181 which is for the entire building, but the areas which will generally be utilized under this license which the applicant stated if fully occupied would be approximately 330 occupants; and

Whereas, the applicant stated the hours of operation would be Sunday to Saturday from 8:00 a.m. to 12:00 a.m. 7 days a week; there will be a no sidewalk café, and no backyard garden, music would include live music, live DJ and background only; and,

Whereas, the total capacity for the building is 1,181, there would never be more than 330 seated guests at a time or event utilizing this license; and,

Whereas, all events will be based on students cooking for these events; and,

Whereas, there is already a Full OP license established for the 1st floor which is the school's restaurant; and,

Whereas, there was one community member in opposition to this application who referred to concerns with refrigerated trucks coming and going, garbage pick-up, and rooftop venting noise; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the approval of the new Catering license to **International Culinary Center, LLC d/b/a L'Ecole, 462 Broadway, NYC 10013**

Vote: Unanimous, with 41 Board members in favor.

19. Mtown, Inc. d/b/a Pending, 17 Cleveland Pl., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an On Premise license, for an Italian restaurant in a mixed-use building on Cleveland Place between Kenmare and Spring Street for a 700 s.f. restaurant with 5 tables and 20 seats, 1 bar with 13 seats, and a maximum legal capacity of 54 persons; and,

Whereas, the applicant stated the hours of operation are Sunday – Saturday from 8:00 a.m. to 2:00 a.m. 7 days a week; there will be no sidewalk café and no backyard garden; music will be quiet background only; and,

Whereas, there was concern from the community that this would really be a bar with minimal pizza since there were almost as many bar seats as there were tabled seats and that this location has never really utilized their small electric kitchen or presented itself as a restaurant and that the interior will remain unchanged; and,

Whereas, the community has concern for quality of life issues on this residential street and believes that this operation will only further contribute to the deteriorating quality of life with increases in late time pedestrian traffic due to the proliferation of licensed premises in the immediate area (at least 16 within 500 ft.) and the belief that this location will function primarily as a bar; and,

Whereas, the kitchen seemed inadequate for the planned menu and restaurant needs; and,

Whereas, the applicant has no previous experience running a restaurant; and,

Whereas, there was limited outreach to the community about this plan by the new applicant and furthermore outreach was conducted only the day before via email to selected neighborhood groups; and,

Whereas, CB#2, Man. request that the SLA conduct a 500 ft. rule hearing;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the denial of the On Premise license for **Mtown, Inc. d/b/a Pending, 17 Cleveland Pl., NYC 10012.**

Vote: Unanimous, with 41 Board members in favor.

20. 8617 Northern Blvd. Corp. d/b/a Despana, 199 Lafayette St. Store H, aka 408 Broome St., NYC 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this is an application for a tavern wine license for a small specialty food boutique selling exclusively foods from Spain; and,

Whereas, this application is for a new Beer and Wine license, in a commercial building (block 482 / lot 7501) on Broome Street between Lafayette and Center Street for a 1,350 s.f. Food Store with 3 tables and 24 seats, no bar with 17 seats and a maximum legal capacity of 40 persons; and,

Whereas, the applicant stated the hours of operation are Sunday from 12:00 p.m. to 7:00 p.m., Monday through Thursday from 10:00 a.m. to 7 :00 p.m. ad Friday and Saturday from 10:00 a.m. to 8:00 p.m.; there will be no sidewalk café and no backyard garden; music will be quiet background level; and,

Whereas, the applicant reached out to the community and submitted a petition in support with 170 signatures;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the Beer and Wine license for **8617 Northern Blvd. Corp. d/b/a Despana, 199 Lafayette St. Store H, aka 408 Broome St., NYC 10013.**

Vote: Unanimous, with 41 Board members in favor.

21. Company to be formed by Theodore Van Buren, Pending, 19 Greenwich Ave, NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license, in a mixed use building (block 610 / lot 54) on Greenwich Avenue between Christopher and West 10th Street for a 2,100 (1,200 s.f. on ground floor and 900 s.f. in cellar) s.f. Mexican restaurant with 22 tables and 44 seats, 1 bar with 13 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Monday – Wednesday from 11:00 a.m. to 12:30 a.m., Thursday and Friday from 11:00 a.m. to 2:30 a.m., Saturday from 9:00 a.m. to 2:30 a.m. and Sunday from 9:00 a.m. to 12:30 a.m.; there will be a future request for a small sidewalk café which is not part of this application but no backyard garden; there will be no televisions and music will be quiet background only; and,

Whereas, this applicant has agreed to the following stipulations:

1. Will comply with landmark approval for any signage
2. Will supply a “Letter of No Objection”

Whereas, the applicant did reach out to the 10th Street Block Association and provided a printed copy of an email in support by this association; and,

Whereas, there is some concern by CB2 that this applicant seems to be well known for his promoted events at other locations and the applicant made it very clear that this is to be a restaurant only and no promoted events are allowed as specified by the applicant in the CB2 application; and,

Whereas, there was also some concern by members of the committee that this location that previously operated as “Sweetiepie” was licensed for on-premise liquor, but was only licensed until 11:30 pm 7 days a week and that the extension of hours for this applicant would have some impact on the surrounding neighborhood; and,

THEREFORE BE IT RESOLVED that CB#2, Manhattan recommends approval of the On Premise license for **Company to be formed by Theodore Van Buren, Pending, 19 Greenwich Ave., NYC 10014** .

THE ABOVE APPLICATION WAS LAID OVER. SEE SUBSTITUTE RESOLUTION BELOW.

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

21. II Buco Alimentaria/Vineria 53 Great Jones St. NYC

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license **II Buco Alimentaria/Vineria 53 Great Jones St. NYC until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 41 Board members in favor.

22. Parm Restaurant, LLC, d/b/a TBD, 248 Mulberry St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Parm Restaurant, LLC, d/b/a TBD, 248 Mulberry St., NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

23. Stefan Dorian or Corp. to be formed, 173 Mott St., NYC 10013

Whereas, the applicants attorney notified CB2 that the applicant was withdrawing their application from CB#2, Man.;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Stefan Dorian or Corp. to be formed, 173 Mott St., NYC 10013** and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

24. Ci-q Restaurant LLC, d/b/a Ci-q, 265 Elizabeth St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Ci-q Restaurant LLC, d/b/a Ci-q, 265 Elizabeth St., NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

25. Luke Fryer, TBD, LLC, 384 Broome St., NYC 10013

Whereas, the applicants attorney notified CB2 that the applicant was withdrawing their application from CB#2, Man.;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Luke Fryer, TBD, LLC, 384 Broome St., NYC 10013** and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

26. Entity to be formed by Starr Restaurants, TBD, 295 Lafayette St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Entity to be formed by Starr Restaurants, TBD, 295 Lafayette St., NYC 10012** and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

27. GMT New York, LLC, 142 Bleecker St., NYC 10012

Whereas, the applicants attorney notified CB2 that the applicant was withdrawing their application from CB2; and,

Whereas, the applicant is operating without a kitchen or food service as agreed in the SLA license; and

Whereas, CB#2, Man. feels there should be no reason to grant a liquor license, which would include the sidewalk café since there is not food service at this time;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **GMT New York, LLC, 142 Bleecker St., NYC 10012** and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

28. Garden Café Associates, 40 East 4th St., NYC 10003

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Garden Café Associates, 40 East 4th St., NYC 10003** until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

29. ALN Restaurant, Inc. d/b/a Giovanna's, 128 Mulberry St., NYC 10013

Whereas, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing or withdrew their application from CB2; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **ALN Restaurant, Inc. d/b/a Giovanna’s, 128 Mulberry St., NYC 10013** and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

30. Akram Restaurant Management, Inc. d/b/a Da Gennero, 129 Mulberry St, NYC 10013

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Akram Restaurant Management, Inc. d/b/a Da Gennero, 129 Mulberry St, NYC 10013** until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

31. Forcella Eatery Inc. 334 Bowery, NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Forcella Eatery Inc. 334 Bowery, NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

STREET ACTIVITY & FILM PERMITS

Support of Various Street Fair Permit Application Renewals

WHEREAS, each of the street fair permit applications listed below are renewal applications which were approved by the Committee and Community Board Two last year; 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 material 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. 5/14/11-West 11th Street Block Party, W. 11th St. bet. 5th & 6th Ave.

Vote: Unanimous, with 41 Board members in favor.

2. 5/21/11- PS3 Spring Fling-2011, 490 Grove St. bet. Hudson St. & Bedford St.

Vote: Unanimous, with 41 Board members in favor.

3. 6/3/-6/5/11-World Science Festival Street Festival, West 4th St. bet. Sullivan & Mercer & LaGuardia Pl. bet. W. 3rd & Washington Square South (ADDITION).

Vote: Passed, with 38 Board members in favor, and 3 in opposition (T. Bergman, L. Rakoff, R. Stewart).

4. 6/4/11-Jane St. Block Assn. Street Sale, Jane St. bet. 8th Ave. & Hudson St.

Vote: Unanimous, with 41 Board members in favor.

5. 6/5/11-Open Air Street Air, Crosby St. bet. Prince St. & East Houston St.

Vote: Unanimous, with 41 Board members in favor.

6. 6/18/11-Anniversary of the Order Sons of Italy, 203 Grand St. bet. Mulberry St. & Mott St.

Vote: Unanimous, with 41 Board members in favor.

7. 6/21/11-Make Music New York on Cornelia St. 29 Cornelia St. bet. Bleecker St. & West 4th St.

Vote: Unanimous, with 41 Board members in favor.

8. 6/21/11-Make Music New York on Astor Pl. Astor Pl. bet. Broadway & Lafayette St.

Vote: Passed, with 40 Board members in favor, and 1 in opposition (R. Stewart).

9. 7/9/11-9th Annual Arab-American Block Party, Great Jones St. bet. Broadway & Lafayette St.

Vote: Unanimous, with 41 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan