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COMMUNITY BOARD NO. 2, MANHATTAN

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

FULL BOARD MINUTES

DATE: January 24, 2013
TIME: 6:00 P.M.
PLACE: Scholastic Building, 557 Broadway, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Carter Booth, Anita Brandt, William Bray, Richard Caccappolo, Heather Campbell, Lisa Cannistraci, Denise Collins, Pier Consagra, Terri Cude, Coral Dawson, Maria Passanante Derr, Doris Diether, Cristy Dwyer, Robert Ely, Joshua Frost, Robin Goldberg, Sasha Greene, David Gruber, Chair; Jo Hamilton, Susan Kent, Jeanine Kiely, Arthur Kriemelman, Dodge Landesman, Raymond Lee, Edward Ma, Alexander Meadows, Florent Morellet, Judy Paul, Lois Rakoff, Robert Riccobono, Robin Rothstein, Rocio Sanz, Wendy Schlazer, Maury Schott, Shirley Secunda, Federica Sigel, Sean Sweeney, Susan Wittenberg, Antony Wong, Robert Woodworth

BOARD MEMBERS EXCUSED: Anne Hearn, Chenault Spence, Richard Stewart, Elaine Young

BOARD MEMBERS ABSENT: Pier Consagra, Gideon Gil, Arthur Z. Schwartz

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

GUESTS: Sam Nagourney, Congressman Jerrold Nadler's office; Robert Atterbury, Senator Brad Hoylman's office; Mary Cooley, Senator Daniel Squadron's office; Hannah Friedman, Man. Borough President Scott Stringer's office; Karen He, Assembly Speaker Sheldon Silver's office; Sarah Malloy-Good, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Allie Nudelman, Council Speaker Christine Quinn's office; Victoria Hervas-Castaneda, Council Member Rosie Mendez's office; Matt Viggiano, Council Member Margaret Chin's office; Carolyn Grossman, Laura Smith, Larry Marcus, Pete Davies, Ken Brandmana, Jane Fisher, Caroline Harris, Katy Rice, Meredith Nowitkowski, Bill Hine, Faith Ellguin, Leslie Gulick, Kristin Jones, Arlene Peralta, Eugene Travis, Andy Ramgoolie, Sally Ruan, Xiao Jui Mei, Steven McClure, Ronnie Wolf, J. Ormeral, Marguerite Roeder, S. Rosenbaum, Andrea Swalec, Katherine Gressel, Jessica Wallen, Timothy B. Rosser, Lora Tenenbaum, Renee Monroe, Erycka Montoya, Caroline G. Harris, R. Kelsner

MEETING SUMMARY

Meeting Date –January 24, 2013
Board Members Present – 43
Board Members Excused–4
Board Members Absent - 3

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II. PUBLIC SESSION

Non-Agenda Items

MeatPacking Improvement Association

Meredith Nowikowski made an announcement regarding upcoming events.

Chumley's, 86 Bedford Street

R. Kelser spoke against the liquor license.

Art Exhibit on 8th Street

Katherine Gressel spoke regarding her upcoming art exhibit on 8th Street, "No Longer Empty".

Urban Greenwalk Event

Steven McClure spoke regarding this upcoming event.

Space for Sports in High Schools

Leslie Gulick spoke in favor of the provision of more space for sports in high schools.

Friends of the High Line

Erycka Montoya made an announcement regarding upcoming events.

Environment, Public Safety & Public Health Items

Street Vendor Review Panel

Renee Monrose, Ken Brandman, and Peter Davies, spoke in favor of the resolution calling for a vendor review panel.

Pier Consagra and Timothy B. Rosser spoke against vendors.

Ronnie Wolf spoke regarding vendors.

Land Use and Business Development Items

62 Wooster St. CPC for a special permit to modify use regulations to allow residential use on floors 2-6, proposed penthouse and accessory residential use on portions of ground floor and cellar, and to modify use regulations to allow retail use below 2nd floor level of 2nd story of existing 5-story building
Caroline G. Harris, representing the applicant, spoke in favor of the proposal.

Traffic and Transportation Items

Request for the NYC DOT to develop a full set of guidelines for placement of bicycle parking corrals
Lora Tenenbaum spoke regarding this request.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Sam Nagourney, Congressman Jerrold Nadler's office

Robert Atterbury, Senator Brad Hoylman's office

Mary Cooley, Senator Daniel Squadron's office;

John Ricker, NYC Comptroller's office;

Hannah Friedman, Man. Borough President Scott Stringer's office

Karen He, Assembly Speaker Sheldon Silver's office;

Sarah Malloy-Good, Assembly Member Deborah Glick's office

Allie Nudelman, Council Speaker Christine Quinn's office

Matt Viggiano, Council Member Margaret Chin's office;

Victoria Hervas-Castaneda, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Adoption of December minutes

VI. EXECUTIVE SESSION

1. **Chair's Report** David Gruber reported

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

STANDING COMMITTEE REPORTS

ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH

Street Vendor Review Panel

Whereas CB#2, Man. has conducted a public hearing in June/2012 to review the complex issues created by the proliferation of street vendors along Broadway between Houston and Canal Streets in SoHo (hereinafter referred to as the “Broadway Corridor”); and

Whereas the proliferation of vendors on the Broadway Corridor and similarly saturated blocks in the area constitutes a serious and immediate threat to the health, safety and well being of the public and local residents on the weekends, in that the sidewalks are too congested by pedestrian traffic to permit the numbers of vendors which currently operate on these sidewalks; and

Whereas even without this proliferation of vendors, the Broadway Corridor and similarly saturated blocks in the area was already a highly congested shopping district that attracts tourists and other visitors to the New York City; and

Whereas the residents and families of SoHo who live along the Broadway Corridor have constantly complained of this proliferation of street vendors because of the sidewalk congestion and safety concerns that are created by the extremely high numbers of weekend vendors, the significant health hazard caused by exposure to toxic fumes and particulates from the proliferation of vendor generators burning unregulated, low-grade diesel fuel; as well as the grease-laden air from cooking along with the careless disposal of cooking grease on the sidewalks, over subway grates and at curbside;

Whereas current New York City Regulations relating to street vendors generally prohibit food and general merchandise vending on certain limited street blocks in Manhattan, mostly in midtown and in the financial district for the purpose of relieving acutely congested streets and sidewalks in that area; and

Whereas those same regulations do not restrict the amount of vendors on other, non-designated streets in Manhattan, such as the Broadway Corridor, regardless of the levels of congestion found on those streets and public sidewalks; and

Whereas preventing street vending on certain designated blocks without also placing limits on the number of vendors permitted on other non-designated blocks, such as the Broadway Corridor, causes street vendors to concentrate and proliferate on blocks where vending is not prohibited; and

Whereas the New York City Administrative Code §20-465 restricts street vendors and the placement of their vehicles, pushcarts and stands on any public sidewalk including that no vending vehicle, pushcart, stand or goods shall be located a) within twenty (20) feet of an entranceway of any building or b) on any public sidewalk unless such sidewalk has at least a twelve (12) foot wide clear pedestrian path; and

Whereas many street vendors that operate along this Broadway Corridor do so in violation of these rules; and

Whereas food vendors are required to store their push carts in a New York City Department of Health garage on a nightly basis; and

Whereas some vendor food carts remain stationary and never move from certain spots on the public sidewalks along the Broadway Corridor on a 24 hour basis in violation of these vendor rules requiring cart storage in a Department of Health Garage; and

Whereas there are many misconceived notions and misunderstandings with the street vendors and the general public over the interpretation of these rules; and

Whereas existing vendor restrictions are different for trucks and pushcarts and they depend on what product the vendor is selling; and

Whereas street vendors wish to be as profitable as possible and will locate their vending business to maximize those profits; and

Whereas many vendors may not intentionally seek to violate this stated rules that exist to regulate street vending in this area; and

Whereas most food vendors do not own their cart or the permit on their cart; and

Whereas separate City Agencies are placed in charge of overseeing and enforcing street vending regulations, including the Department of Health, Department of Environmental Protection, the Fire Department and the Police Department; and

Whereas the majority of fines issued to vendors in the City of New York end up in a default finding, meaning the vendor did not show up for the hearing, and that less than ten percent (10%) of all fines issued are paid; and

Whereas the costs of enforcement of Vendor rules and regulations greatly exceed those fees collected from such violations; and

Whereas an employee of a food truck that receives a violation is responsible for paying the penalty, not the owner of the truck or holder of the permit; and

Whereas the local police precincts (First and Fifth) are assigned to patrol and enforce rules and regulations applicable to the street vendors along the Broadway Corridor; and

Whereas the Fifth and First Police Precincts have been confronted with this proliferation of street vendors along the Broadway Corridor; and

Whereas both Precincts have worked together to conduct joint operations which have included the issuing of 60 to 80 summonses to vendors on one weekend day; and

Whereas in addition to the issuing of summons, the joint operations of both Precincts have also produced multiple vendor sweeps along the Broadway Corridor in which vendor carts and merchandise were confiscated; and

Whereas such enforcement is both time consuming and requires considerable amounts of police equipment and personnel to enforce and voucher the confiscated vendor property and equipment; and

Whereas even though these joint operations and vendor confiscations were based on violations of the above-referenced regulations, the enforcement of these rules and confiscations cause the Street Vendor Project and five vendors to bring suit against the First Precinct and seven police officers asserting allegations that their federal civil rights were violated; and

Whereas such lawsuits, whether valid or baseless, brought against the Police Department cause the City of New York to expend money and time to defend these types of lawsuits: and

Whereas this lawsuit, as well as the current numbers of vendors that operate along the Broadway Corridor, demonstrate that the current vendor regulations do not achieve their stated purpose of permitting licensed street vending on the public sidewalks without creating an immediate threat to the health, safety and well-being of the surrounding neighbor in question; and

Whereas New York City Administrative Code §20-465.1 established a street vendor review panel to promulgate and to amend rules prohibiting and/or restricting the numbers of food and general vendors who operate in any particular area, such as the Broadway Corridor; and

Whereas that Street Vendor Review Panel, consisting of commissioners to be designated by the Mayor's Office, as well as the New York City Departments of Small Business Services, City Planning and Transportation, was created in 1995 to review and/or restrict the number of vendors on any particular street; and

Whereas the Mayor and City of New York have not convened this Street Vendor Review Panel since 2001;

Therefore, let it be resolved that CB32, Man. calls upon the Mayor of New York and the City of New York to convene the Street Vendor Review Panel to permit petitions to be reviewed in regard to the numbers of vendors currently operating on the Broadway Corridor; and

Be it finally resolved that at CB#2, Man. calls upon the City of New York, the Mayor's Office and the City Council to promulgate laws, informed by the work of the Review Panel with the stakeholders that limit the numbers of vendors along the Broadway Corridor.

Vote: Unanimous, with 43 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1 - LPC Item:16 - 45 Crosby Street (Broome/Spring)– SoHo-Cast Iron Historic District Extension
A Renaissance Revival/Romanesque Revival factory building designed by George H. Anderson and built in 1895-96. Application is to install a barrier-free access ramp.

Whereas, this situation is a self-created hardship. The request for a change of use is the cause of the problem that this unsightly ramp creates; and

Whereas, Crosby Street sidewalks are among the narrowest in the city and this ramp would not only cause congestion, but would detract from the building and the district; and

Whereas, it was asserted but not substantiated that an inside ramp was impossible; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application because it is a self-created hardship: the request for a change of use creates the problem the unsightly ramp creates and because it was not substantiated that an inside ramp was impossible.

Vote: Unanimous, with 43 Board members in favor.

2 – LPC Item:20 - 410 West 14th Street - Gansevoort Market Historic District. An Arts and Crafts style market building designed by James S. Maher and built in 1914. Application is to install storefront infill.

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 43 Board members in favor.

2ND LANDMARKS MEETING

1 - LPC Item:8 - 130 Prince Street (Wooster/W.Bdwy) – SoHo Cast-Iron Historic District. A garage building built in 1925. Application is to alter the ground floor and to install storefront infill, and a decorative sidewalk. Zoned M1-5A

Whereas, we welcome the return of the façade to a condition that respects the materials and configuration of the original storefront; and

Whereas, the proposed windows and sidewalk treatment are an improvement; but

Whereas, the lamps are too small, haphazardly placed, and not of the caliber of the rest of the restoration. One suggestion would be four larger light-fixtures, symmetrically-placed in relation to the overall façade; and

Whereas, the proposed sign box is continuous and placed directly behind the display window. It is our understanding that sign boxes should be at least 18” from the store window; and

Whereas, the new decorative cast-stone band above the storefront should protrude slightly from the brick face, to give a bit depth to the facade; now

Therefore, be it resolved that CB#2, Man. recommends general approval of this application. However, the lamps deserve a treatment that honors the size, scale and placement of the original lamps; the decorative cast-stone band on the storefront should protrude slightly; and the sign box should be placed 18’ behind the display windows.

Vote: Unanimous, with 43 Board members in favor.

2 - LPC Item:9 - 130 Prince Street (Wooster/W.Bdwy) – SoHo Cast-Iron Historic District

A garage building built in 1925. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use Pursuant to Section 74-711 of the Zoning Resolution. Zoned M1-5A

Whereas, this application raises some concerns. Section 74-711 of the Zoning Resolution is intended to facilitate a request for a change-of-use in return for restoring to a high standard buildings in poor condition, or, echoing a more recent interpretation: for maintaining one’s building in good repair; but

Whereas, this façade, which the applicant wishes to “improve” by removing it, is one that was installed with LPC approval as an “improvement” in 1986.

Now the applicant is essentially saying that the 1986 “improvement” was not really an improvement, that the original configuration and brick masonry, as well as glass windows, are more appropriate.

In return for correcting this “mistake” that was purposely created, a self-created hardship as it were, the applicant is requesting a change-of-use; and

Whereas, this novel and tortured interpretation of 74-711 could set a precedent by encouraging property owners who seek a use change to request LPC to alter a perfectly fine façade, wait several years, restore to the old façade, and then have the effrontery to request a use change. This is troubling and could create an unwanted precedent; but

Whereas, however, in this case, replacing the existing, unappealing storefront is certainly an improvement to the building and the historic district; and

Whereas, the proposed change-of-use would be to a conforming use common in the district, namely small-scale retail. So, it is not as if this applicant is abusing 74-711 in order to slyly introduce an onerous use; but, further

Whereas, the applicant should not later represent to any agency that approval of the landmarks portion of this application implies approval of the zoning portion; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application, while noting that this application is pushing the limits on the use of 74-711, when it claims that removing a storefront approved by the Commission is an “improvement” of that LPC decision.

Vote: Unanimous, with 43 Board members in favor.

3 - LPC Item:11 - 289 Bleecker Street (7th Ave.S.) – Greenwich Village Historic District

A vernacular building built c.1870-80. Application is to replace storefront infill.

Whereas, the presentation was engrossing, the narrative on the building’s history informative and the proposed work commendable: a wonderful restoration of a mutilated façade to its original condition, without seeking in return anything from the LPC: now

Therefore, be it resolved that CB#2, Man. gladly recommends approval of this application and praises the applicant for the superb restoration effort.

Vote: Unanimous, with 43 Board members in favor.

4 - LPC Item:12 - 234 West 13th Street, aka 110 Greenwich Ave – Greenwich Village H.D.
A neo-Grec style apartment house designed by George F. Pelham and built in 1882. Application is to alter the ground floor and replace storefront infill.

Whereas, several residents of the building appeared to testify in opposition to the application, stating that it takes a “mistake”, i.e., the existing storefront to the north, and amplifies that mistake; and

Whereas, the cumulative effect of these little storefronts springing up in a cheesy, hodgepodge manner has not been for the best, creating a lack of architectural unity; and

Whereas, what this building needs is a Master Plan to unify the various storefronts; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application until a Master Plan is instituted for storefront installations.

Vote: Unanimous, with 43 Board members in favor.

5 - LPC Item:13 - 31-33 West 12th Street (5th Ave) – Greenwich Village Historic District
A Romanesque Revival style apartment building built in 1893-94, and altered in 1900-01 by J. B. Snook and Sons. Application is to enlarge windows at the penthouse.

Whereas, the LPC staff visited the site and observed that the penthouse windows proposed to be altered are not visible from the street and thus unprotected; now

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

Vote: Unanimous, with 43 Board members in favor.

6 - LPC Item:14 - 10 Downing Street (6th Ave) – Greenwich Village Historic District Extension II
A Moderne style multiple dwelling designed by Stephen L. Heidrich and built in 1940.
Application is to install an awning.

Whereas, a resident of the building appeared to testify in opposition to the application; and

Whereas, the proposal is to partially lengthen the existing awning, but not to a full length that would match the other existing awning to the south, an awning that extends the entire length of that portion of the façade.

However, a majority of the committee felt that requesting an additional lengthening of the proposed awning would be asking too much of the applicant, the store housing the bank, and the property owner; now

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

Vote: Unanimous, with 43 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

1. A proposal from the Department of City Planning for a Text Amendment to modify off-street parking regulations in the Manhattan Core

Whereas:

(Regarding proposal information.)

1. The proposal was presented to the committee by Stephen Johnson of the Department of City Planning and Sandy Hornick, a consultant to DCP for this project;
2. The Project Description for the Manhattan Core Parking Text Amendment Environmental Assessment Statement discusses a study of off-street parking in the Manhattan Core complete in 2011;
3. The key findings of this study indicate generally resounding success of the 30-year old Manhattan Core parking regulations;
4. The proposed amendment is a comprehensive re-write of the regulations;
5. The amendment would improve efficiency of use of parking facilities by allowing public parking use of parking currently restricted to residential accessory use;
6. The amendment will establish an as-of-right cap of ten spaces for retail parking but will also all addition retail parking by special permit with no upper limit;
7. The amendment will provide new regulations to facilitate use of automated parking;
8. The amendment will implement design requirements to improve garage safety;
9. The amendment will facilitate use of garages for car rental, car sharing, and commercial overnight parking;

(Regarding the project impact and community response.)

10. The chair of the CB2 Traffic & Transportation committee and one public member of that committee raised questions regarding the advisability of this proposal citing risks of disrupting the success of the current text and the risk of encouraging more car trips into the Manhattan Core;
11. No members of the public spoke for or against the proposal;
12. It may not be possible to fully gauge the impacts of this comprehensive amendment and more care is needed to assure that new regulations are not disruptive to the achievements of the current regulations that have reduced entry of unnecessary vehicles into the Manhattan Core;
13. In particular, blanket allowance of public parking in all facilities may have minimal average impact, but may encourage some operators to replace monthly residential parking by residents of nearby buildings with hourly parking, particularly in night-life areas, putting commercial amenity parking in certain areas in competition with residential off-street parking and encouraging entry into the Core of additional vehicles;
14. This risk may especially impact residential parkers in CB2 and other downtown districts where residents are currently more likely to use accessory parking of nearby buildings than in uptown districts;
15. Even a small increase in vehicle entry to the Manhattan Core would be a step backwards with unpredictable localized impacts on traffic, and related impacts on air quality and pedestrian safety;
16. The proposal encourages driveway design that generally improves the safety of pedestrians, but fails to deal with the hazards associated with driveways that do not provide a level area prior to the sidewalk crossing;
17. Of five new Special Permits, at least three may encourage parking intensive commercial development at sites within Hudson River Park, including Pier 40 at West Houston Street;
18. In general, these special permits would allow, without a specified upper limit, conditions directly in opposition to the purpose of the underlying regulation to avoid facilitating the development of auto-oriented uses inappropriate for the Manhattan Core's built environment, and in the cases of Pier 40 and the St. Johns Center, for example, would do so in the worst possible location in the midst of high volume traffic generated by the Holland Tunnel;
19. The availability of these permits will open a door to large-scale parking-dependent commercial projects and generally soften commendable new policy regarding inappropriateness of auto-oriented commercial uses in the Manhattan Core;

20. These three special permits, all with vague and low bar findings, would allow almost unlimited parking for large entertainment projects, stadia, and retail malls or big box stores, all of which have been strongly opposed by when proposed as waterfront uses;
21. Policy discouraging uses that generate high parking demand near the Holland Tunnel and along Route 9A, which is frequently congested, should be strengthened.

Therefore it is resolved that CB#2, Man.

1. Commends the Department of City Planning for undertaking a careful study of off-street parking in the Manhattan Core and proposing many improvements to regulations;
2. Opposes the text amendment as written;
3. Requests the Commission to take special steps to avoid displacement of off-street parking for residents who currently park in nearby buildings by allowing residents to claim spaces in nearby buildings, not just the buildings where they live;
4. Requests the Commission to set an upper limit of 50 spaces for parking allowed by Special Permits to assure that regulations do not encourage parking-based commercial development at Pier 40, the St. Johns Building, and possibly other sites in the intensely congested Holland Tunnel access area;
5. Requests the addition of a requirement of a level area at the top of ramps inside garage entrances.

Vote: Unanimous, with 43 Board members in favor.

2. 45 Crosby Street. Application to the Board of Standards and Appeals for a special permit pursuant to ZR 73-36 to permit a physical culture establish (“SoulCycle”) with portions of an existing mixed-use building located in an M1-5B zoning district within the SoHo Cast Iron Historical District

Whereas

(Regarding the application information.)

1. The application was presented to the committee by Adam Rothkrug of Rothkrug Rothkrug & Spector, representing the 45-47 Crosby Street Tenant Corp.;
2. The proposed PCE would occupy 1122 sf of the cellar and 2135 sf of the first floor of this 7-story, 50-foot wide building.
3. The facility would include 54 spinning cycles on the first floor, and laundry and locker rooms in the basement.
4. The hours of operation will be 5:30 AM to 11 PM, Monday through Saturday, and 7:00 AM to 9:00 PM on Sunday;

(Regarding the request to allow physical culture use.)

5. The building is managed by a co-op board consisting of elected representatives of the tenants of the 12 JLWQA units on floors;
6. Proposed construction will include extensive sound isolation installations to protect building residents;
7. The applicant’s representatives testified to the committee that all building residents were informed of the proposed use;
8. No building residents or community members spoke for or against the application;
9. Construction will include a wheelchair ramp located on Crosby Street and causing a narrowing of the sidewalk in front of the building.
10. The ramp serves only one of two 1st floor units so another ramp may be required at some time in the future.

Therefore it is resolved that CB#2, Man.

Recommends approval of this application but requests that the wheelchair ramp be located inside the building to avoid narrowing of the sidewalk.

Vote: Unanimous, with 43 Board members in favor.

3. 62 Wooster Street. ULURP Application 080104ZSM to the City Planning Commission for a special permit pursuant to ZR 74-711 to modify the use regulations of Section 42-00 to allow residential use on floors two through six and the proposed penthouse and accessory residential use on portions of the ground floor and cellar, and to modify the use regulations of 42-14(D)(2)(a) to allow retail use below the level of the second story of an existing 5-story building

Whereas

(Regarding the application information)

1. The application was presented to the committee by Caroline Harris and Eugene Travers of Golman Harris LLC, Walter Marin of Marin Nanca Architects, and Cas Stachelberg of Higgins & Quasebarth, all representing the property owner, 62 Wooster, LLC;
2. The building is L-shaped with entrances on Broome Street and Wooster Street;
3. Built in 1872, with cast iron facades, the building is vacant and in disrepair;
4. Plans are for up to ten residential units with no more than two units per floor on floors 2-6 and a new penthouse;
5. The floor area for the penthouse will be derived from elimination of floor areas on lower floors for creation of a light well and mechanical equipment space;
6. There will be a small net reduction in floor area, with no change in the FAR of 5.5, exceeding the as-of-right FAR of 5.0;
7. The ground floor and cellar will be partially used for UG 6 retail;
8. The original application stated the ground floor would be not be used for an eating and drinking establishment, but the applicant advised the committee that this was an error and the application had been amended in this regard;
9. The Landmarks Preservation Commission approved a report on June 18, 2012, confirming that a program contributing to a preservation purpose has been established for continuing maintenance;
10. A Certificate of Appropriateness was issued by LPC on October 23, 2007, and an amendment was approved on June 19, 2012;

(Regarding the request to allow residential use.)

11. Restoration and preservation of this long-vacant building will contribute to the historic district;
12. The request conforms to the allowable 10 or fewer units;
13. Documentation for the required findings for this use was provided;
14. Upper floor uses of most nearby buildings are residential or JLWQA;
15. The penthouse will include access to a private deck with an outdoor lap pool;
16. The building plans show elevators serving the roof with direct access from the ground floor, but the access to the penthouse from the elevators to the penthouse is shown through a public corridor leading to the private portion of the roof;
17. The text of the application states that access to the penthouse is through the 6th floor apartment;
18. An additional common area of the roof will be available to all building residents, also accessible from the corridor leading to the elevators;

19. CB2 has objected in the past to a penthouse and deck that have direct private elevator access from the ground floor because of the potential for use for large parties, but this proposal includes a common roof deck and shared elevator access to the roof;

(Regarding the request to all UG 6 below the floor level of the 2nd story.)

20. Documentation for the required findings for this use was provided;
21. The applicant has agreed to a request from the committee to include not less than two retail spaces on the ground floor with separate entrances on Wooster Street and Broome Street laid out such that the largest retail space will not exceed the largest retail space shown on the drawing for the ground floor (CPC-100) submitted with the application;
22. The larger store only slightly exceeds the maximum size of 3600 sf the committee typically recommends for approval for the M1-5A district;
23. The applicant was unwilling to agree to a request from the committee to limit uses to other than eating and drinking establishments;

Therefore it is resolved that CB#2, Man.

1. On the request to allow residential use, recommends approval if the roof includes the common area as shown on the submitted penthouse plan (CPC-105) and the penthouse does not include private access directly from an elevator;
2. On the request to allow retail use below the floor level of the second story, recommends approval only if the modification stipulates that the ground level shall include, as agreed by applicant, two or more stores with ground floor space of neither store larger than the larger of the two spaces shown on the ground floor plan (CPC-100) submitted as part of the application.

Vote: Unanimous, with 43 Board members in favor.

SIDEWALKS/STREET ACTIVITIES

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

1. Sengupta Food Services LLC, d/b/a SoHo Park, 62 Prince St. (SW corner Lafayette St), with 7 tables & 14 seats, DCA# 1277362

Block:496 Lot:18	Lot Frontage:47.33' Lot Depth:54.92	Year Built:2005
Number of Floors:1	Residential Units:0 Total # of Units:1	Zoning:M1-5B

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicants and their representative, Frank Palillo, were present, and

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted the applicants have completely removed large planters that had previously been used for which the committee expressed its appreciation, and

Whereas, the committee requested that two smaller planters that were currently placed just to the front of a winter entrance enclosure be moved against the façade and the applicants committed to doing so,

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 **Sengupta Food Services LLC, d/b/a SoHo Park, 62 Prince St. (SW corner Lafayette St), with 7 tables & 14 seats, DCA# 1277362**

VOTE: Unanimous, with 43 Board members in favor.

2. Zonor Rest. Corp. d/b/a Riviera Café, 225 W. 4th St.(NW corner 7th Ave S), with 27 tables & 60 seats, DCA# 0922650

Block:610 Lot:9 Lot Frontage:90.25' Lot Depth:64.17 Year Built:1910
Number of Buildings:3 Number of Floors:4 Residential Units:12 Total # of Units:16
Zoning:C4-5 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 café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted to the applicant that a-frame signs have been used regularly in front of the café and that the only legal use of the signs is folded (2-dimensional) and propped against the façade,

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 **Zonor Rest. Corp. d/b/a Riviera Café, 225 W. 4th St.(NW corner 7th Ave S), with 27 tables & 60 seats, DCA# 0922650**

VOTE: Unanimous, with 43 Board members in favor.

3. PJ's of Little Italy, Inc. d/b/a Pellegrino's, 138 Mulberry St. (btw Hester St & Grand St), with 5 tables & 10 seats, DCA# 1343750

Block:237 Lot:7501 Lot Frontage:124.75' Lot Depth:101.33 Year Built:1915
Number of Buildings:1; Number of Floors:6 Residential Units:0 Total # of Units:11
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, this café has been operated for several years by this applicant with continuing issues, mostly concerned with illegal signage, and

Whereas, the committee noted to Mr. Kelly that a-frame and podium signs have been used regularly in front of the café and that the only legal use of the a-frame signs is folded (2-dimensional) and propped against the façade and podium signs are never allowed,

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 **PJ's of Little Italy, Inc. d/b/a Pellegrino's, 138 Mulberry St. (btw Hester St & Grand St), with 5 tables & 10 seats, DCA# 1343750**

CONDITIONAL UPON the removal of all illegal signage from the sidewalk

VOTE: Unanimous, with 43 Board members in favor.

4. Restaurant 597 Inc. d/b/a Bus Stop, 597 Hudson St. (NW corner Bethune St), with 10 tables & 20 seats, DCA# 0918358

Block:624 Lot:21 Lot Frontage:21.83' Lot Depth:76.33 Year Built:1901(estimated)
Number of Floors:5 Residential Units:12 Total # of Units:14 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 café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted the sidewalk is not always cleared when the café closes and reminded the applicant that furniture must be removed from the sidewalk and barriers moved against the facade,

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 **Restaurant 597 Inc. d/b/a Bus Stop, 597 Hudson St. (NW corner Bethune St), with 10 tables & 20 seats, DCA# 0918358**

VOTE: Unanimous, with 43 Board members in favor.

5. 643 Hudson LLC, d/b/a Fatty Crab, 643 Hudson St. (btw Horatio St & Gansevoort St), with 6 tables & 12 seats, DCA# 1230448

Block:627 Lot:12 Lot Frontage:23.08' Lot Depth:64 Year Built:1950(estimated)
Number of Buildings:1; Number of Floors:4 Residential Units:3 Total # of Units:4
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's representative, Michael Kelly, was present, and

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted that while the café was not currently set up, the applicant had previously been placing tables in the wrong orientation and Mr. Kelly assured the committee that has been resolved,

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 **643 Hudson LLC, d/b/a Fatty Crab, 643 Hudson St. (btw Horatio St & Gansevoort St), with 6 tables & 12 seats, DCA# 1230448**

VOTE: Unanimous, with 43 Board members in favor.

6. New Restaurant Inc. d/b/a Mambo Italiano, 145 Mulberry St. (btw Hester St & Grand St), with 8 tables & 16 seats, DCA# 1345288

Block:236 Lot:7502 Lot Frontage:50.42' Lot Depth:100.08 Year Built:1915
Number of Buildings:1; Number of Floors:6 Residential Units:0 Total # of Units:26
Zoning:C6-2G

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 café has been operated for several years by this applicant with continuing issues, mostly concerned with illegal signage, and

Whereas, the committee noted that a-frame and podium signs have been used regularly in front of the café and that the only legal use of the a-frame signs is folded (2-dimensional) and propped against the façade and podium signs are never allowed, and

Whereas, the applicant appears to be under the impression that the rules on signage do not really apply on Mulberry St. but the committee assured him that they do (although DCA enforcement is minimal at best),

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 **New Restaurant Inc. d/b/a Mambo Italiano, 145 Mulberry St. (btw Hester St & Grand St), with 8 tables & 16 seats, DCA# 1345288**

CONDITIONAL UPON the removal of all illegal signage from the sidewalk

VOTE: Unanimous, with 43 Board members in favor.

7. 151 Mulberry St. Corp. d/b/a Il Palazzo, 151 Mulberry St. (btw Hester St & Grand St), with 4 tables & 9 seats, DCA# 1343752

Block:236Lot:20 Lot Frontage:20.08'Lot Depth:74.33 Year Built:1900(estimated)
Number of Buildings:2; Number of Floors:3 Residential Units:2 Total # of Units:3
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, this café has been operated for several years by this applicant with continuing issues, mostly concerned with illegal signage, and

Whereas, the committee noted the applicant was cited by DCA on June 12, 2012 for not maintaining the appropriate clear path on the sidewalk, and

Whereas, the CB2 office received a letter from the property owner on the date of the hearing notifying the Board that as part of an ongoing legal action they are revoking their permission to the applicant for use of the sidewalk for a café,

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 **151 Mulberry St. Corp. d/b/a Il Palazzo, 151 Mulberry St. (btw Hester St & Grand St), with 4 tables & 9 seats, DCA# 1343752**

VOTE: Unanimous, with 43 Board members in favor.

8. Summit of the World, Inc. d/b/a Bone Lick Park, 75 Greenwich Ave. (btw 7th Ave S & Bank St), with 10 tables & 20 seats DCA# 1343308

Block:614Lot:61 Lot Frontage:77'Lot Depth:107.58 Year Built:1920(estimated)
Number of Buildings:1; Number of Floors:6 Residential Units:41 Total # of Units:48
Zoning:C2-6C1-6 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 café has been operated for several years by this applicant with known issues primarily related to over-seating and extension of the west end of the café beyond the approved footprint, and

Whereas, the committee noted the café has often been extended – and additional seating added – to the west end of the café which also causes the reduction of the required 8 foot clearance between the café and a street light to less than 5 feet, and

Whereas, the applicant was cited by DCA on Aug 23, 2011 for having too many seats in the café and not maintaining the required service aisle, both stemming from the practice noted in the previous Whereas,

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 **Summit of the World, Inc. d/b/a Bone Lick Park, 75 Greenwich Ave. (btw 7th Ave S & Bank St), with 10 tables & 20 seats DCA# 1343308**

UNLESS the applicant strictly operates the café according to their approved plan

VOTE: Unanimous, with 43 Board members in favor.

9. Slice West Village, LTD d/b/a Slice, The Perfect Food, 535 Hudson St. (btw Charles St & Perry St), with 10 tables & 20 seats, DCA# 1346838

Block:632Lot:55 Lot Frontage:100.17'Lot Depth:38.17 Year Built:1910(estimated)
Number of Buildings:1; Number of Floors:5 Residential Units:30 Total # of Units:33
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's representative, Andrew Horn, was present, and

Whereas, this café has been operated for 2 years by this applicant with continuing issues, and

Whereas, the committee noted the café has operated for its entire initial term with planters that are not only not on the approved plans, but are never removed from the sidewalk and as they are well over a foot in width extend the depth of the café to the point that required sidewalk clear path is not maintained, primarily between the café and a fire hydrant and street light immediately in front of it, and the café has consistently occupied more than the allowed ½ of the unobstructed sidewalk, and

Whereas, the approved seating number is predicated on some seating being on a closed and locked sidewalk vault, but the applicant has consistently operated the café with the vault open which is not only contrary to its approved plan, but is an extremely dangerous condition, and

Whereas, the applicant, or her staff has been notified by this committee and the CB2 SLA committee on several occasions going back almost to the inception of the cafe that these issues must be corrected and no apparent effort has been made to correct either condition,

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 **Slice West Village, LTD d/b/a Slice, The Perfect Food, 535 Hudson St. (btw Charles St & Perry St), with 10 tables & 20 seats, DCA# 1346838**

FURTHER BE IT RESOLVED that if DCA and the City Council continue consideration of this license renewal, it be granted only under the following conditions:

- The applicant has already completely removed all planters from the sidewalk
- The applicant sign an agreement with the office of Council Speaker Christine Quinn that at no time will planters be used in or around this café nor will the sidewalk vault be open while the café is in operation

VOTE: Unanimous, with 43 Board members in favor.

10. Panini Resources, LLC, d/b/a Corsino, 637 Hudson St. (NW corner Horatio St), with 6 tables & 20 seats, DCA# 1345390

Block:627Lot:7501	Lot Frontage:39.33'Lot Depth:63.33	Year Built:1999
Number of Buildings:1;	Number of Floors:4	Residential Units:3
Total # of Units:4	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 café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted that the print on file does not reflect changes that were made to ensure clearance between the café and a tree pit fence, although the operation follows the modified plan, and the applicant committed to making sure DCA had a correctly drawn plan,

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 **Panini Resources, LLC, d/b/a Corsino, 637 Hudson St. (NW corner Horatio St), with 6 tables & 20 seats, DCA# 1345390**

VOTE: Unanimous, with 43 Board members in favor.

11. Oreste Inc, d/b/a Trattoria Toscana, 64 Carmine St. (btw 7th Ave S & Bedford St), with 8 tables & 18 seats, DCA# 1163792

Block:528Lot:76	Lot Frontage:75'Lot Depth:60	Year Built:1900(estimated)
Number of Buildings:1;	Number of Floors:6	Residential Units:30
Total # of Units:35	Zoning:R6	Landmark Building:Yes
Historic District:Greenwich Village Historic Dist. Ext. II		

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, but neither the applicant nor a representative was present, and

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted the restaurant has been operated under the trade name Trattoria Toscana for many years but this is not correctly listed on its application, and

Whereas, the committee noted the café is operated in an R-6 zoning but may be grandfathered due to its initial date of operation, and requests DCA notify the Board office if this is in fact the 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 **Oreste Inc, d/b/a Trattoria Toscana, 64 Carmine St. (btw 7th Ave S & Bedford St), with 8 tables & 18 seats, DCA# 1163792**

UNLESS the applicant appear before the committee as required under the NYC Sidewalk Café rules

VOTE: Unanimous, with 43 Board members in favor.

12. 316 Bowery LLC d/b/a Saxon & Parole, 316 Bowery (SW corner Bleecker St), with 17 tables & 34, DCA# 1281748

Block:521Lot:7504	Lot Frontage:40.33'Lot Depth:48.57	Year Built:1910
Number of Buildings:1;	Number of Floors:4 Residential Units:3	Total # of Units:4
Zoning: C6-1	Landmark Building:Yes	
Historic District:Noho East		

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 café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted the café is bordered by planters much larger than those shown on the approved plan that applicant appears to have difficulty moving, and

Whereas, the applicant assured the committee that replacement of the planters with small, narrow ones that fully conform to the approved plan was already in process,

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 **316 Bowery LLC d/b/a Saxon & Parole, 316 Bowery (SW corner Bleecker St), with 17 tables & 34, DCA# 1281748**

VOTE: Unanimous, with 43 Board members in favor.

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

13. Bac Bars Group, LLC d/b/a Bayard's Alehouse, 533 Hudson St. (SW corner Charles St), with 14 tables & 32 seats, DCA# 1248153

Block:631Lot:39 Lot Frontage:27.58'Lot Depth:74.92 Year Built:1910
Number of Buildings:1; Number of Floors:3.5 Residential Units:5
Total # of Units:6 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 café has been operated for several years by this applicant with few 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 Enclosed sidewalk café for **Bac Bars Group, LLC d/b/a Bayard's Alehouse, 533 Hudson St. (SW corner Charles St), with 14 tables & 32 seats, DCA# 1248153**

VOTE: Unanimous, with 43 Board members in favor.

14. Zucca Trattoria Inc. d/b/a Zucca Trattoria, 95 7th Ave. South (btw Barrow St & Grove St), with 12 tables & 32 seats, DCA# 1326701

Block:591Lot:15 Lot Frontage:67.83'Lot Depth:89 Year Built:1900(estimated)
Number of Buildings:1; Number of Floors:1 Residential Units:0 Total # of Units:3
Zoning: C4-5 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 applicants were present, and

Whereas, this café has been operated for several years by this applicant with few 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 Enclosed sidewalk café for **Zucca Trattoria Inc. d/b/a Zucca Trattoria, 95 7th Ave. South (btw Barrow St & Grove St), with 12 tables & 32 seats, DCA# 1326701**

VOTE: Unanimous, with 43 Board members in favor

15. Starbucks Corp. d/b/a Starbuck's Coffee Co., 454 Lafayette St. (NW corner Astor Pl), with 25 tables & 77 seats, DCA# 0924582

Block:545Lot:7503 Lot Frontage:98.42'Lot Depth:159 Year Built:1930
Number of Buildings:1; Number of Floors:11 Residential Units:52 Total # of Units:54
Zoning:C6-2 Landmark Building: Yes Historic District: NoHo

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

Whereas, this café has been operated for several years by this applicant with few 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 Enclosed sidewalk café for **Starbucks Corp. d/b/a Starbuck's Coffee Co., 454 Lafayette St. (NW corner Astor Pl), with 25 tables & 77 seats, DCA# 0924582**

VOTE: Unanimous, with 43 Board members in favor.

16. 74 Seventh, LLC d/b/a Centro Vinoteca, 37 Barrow St. (SW corner 7th Ave S), with 13 tables & 42 seats, DCA# 1280572

Block:587Lot:56	Lot Frontage:56'Lot Depth:41	Year Built:1910(estimated)
Number of Buildings:1;	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's manager was present, and

Whereas, this café has been operated for several years by this applicant with few 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 Enclosed sidewalk café for **74 Seventh, LLC d/b/a Centro Vinoteca, 37 Barrow St. (SW corner 7th Ave S), with 13 tables & 42 seats, DCA# 12805**

VOTE: Unanimous, with 43 Board members in favor.

Street Activity Applications:

Whereas, CB#2, Man. has determined within its ability that each sponsor is a community-based, not-for-profit organization, association, or the like, which has an indigenous relationship to the specific street, community or both, and

Whereas, the areas were posted, community groups notified and the applicants were present regarding the first six applications below for which requests were made to the CB2 office to hold a public hearing, and

Whereas, the remaining items – noted as FYI – Renewals below – have been held for 3 or more years, and after the areas were posted, community groups notified and the items were published on the CB2 Calendar of Meetings, no members of the community requested a public hearing be held regarding them,

- 3/9/13 Film Safety Training (NYU), Washington Pl. bet. Broadway & Mercer St.

Vote: Unanimous, with 43 Board members in favor.

- 3/31/13 Waverly Block Association Waverly Place Festival Co-Sponsored Festival, Waverly Pl. bet Macdougall St. & University Pl.

Vote: Unanimous, with 43 Board members in favor.

- 5/17-9/9/13 Mulberry Street Mall, Mulberry St. bet. Canal St. & Broome St.

Vote: Unanimous, with 43 Board members in favor.

- 5/23-6/2/13 St. Anthony's Feast, Mulberry St. bet. Broome St. & Spring St.

Vote: Unanimous, with 43 Board members in favor.

- 8/29/13 CAS Closing Block Party, Washington Place bet. Washington Square East & Mercer St.

Vote: Unanimous, with 43 Board members in favor.

- 9/12-9/22/13 Feast of San Gennaro, Mulberry St. bet. Canal St. & E. Houston St.

Vote: Unanimous, with 43 Board members in favor.

(FYI – Renewals)

- 3/8-12/22/13 St. Patrick's Old Cathedral Outdoor Market, Prince St. bet. Mulberry St. & Mott St.

Vote: Unanimous, with 43 Board members in favor.

- 3/9-12/15/13 St. Anthony's Outdoor Flea Market, W. Houston St. bet. Thompson St. & Macdougall St.

Vote: Unanimous, with 43 Board members in favor.

- 3/30-12/22/13 Our Lady of Pompeii Outdoor Flea Market, Bleecker St. bet. Leroy & Carmine Sts.

Vote: Unanimous, with 43 Board members in favor.

- 3/30/13 Washington Place Festival -- Saint Joseph School/Bailey House (co-sponsored), Washington Pl. bet. Grove St. & 6th Ave.

Vote: Unanimous, with 43 Board members in favor.

- 4/13/13 Astor Place Festival -- Ninth Precinct Community Council/St. Joseph's Church (co-sponsored), Astor Pl. bet. Broadway & Lafayette St.

Vote: Unanimous, with 43 Board members in favor.

- 4/20/13 Village Committee for Jefferson Area Market Greenwich Avenue Festival (co-sponsored), Greenwich Ave. bet. 6th Ave. & 7th Ave.

Vote: Unanimous, with 43 Board members in favor.

- 5/18/13 Christopher Street Block and Merchant Association Street Fair, Christopher St. bet. 7th Ave. South & Hudson St.

Vote: Unanimous, with 43 Board members in favor.

- 5/18/13 Ye Olde Village Fair, Barrow St. bet. 7th Ave. So. & Hudson St.; Bedford St. bet Morton St. & Christopher St.; Commerce St. bet. Barrow St. & 7th Ave. South

Vote: Unanimous, with 43 Board members in favor.

- 5/19/13 Fine Art and Design Crafts on Bleecker -- Greenwich Village Youth Council, Bleecker St. bet. Bank St. & Christopher St.

Vote: Unanimous, with 43 Board members in favor.

- 6/1/13 Taste Meatpacking Meets Chelsea, Gansevoort St. bet. Hudson St. & 9th Ave.; Gansevoort Plaza

Vote: Unanimous, with 43 Board members in favor.

- 6/30/13 PrideFest, Hudson St. bet. Bethune St. & W. 14th St.

Vote: Unanimous, with 43 Board members in favor.

- 9/28/13 Far West 10th Street Block Festival, West 10th St. bet Bleecker St. & West 4th St.

Vote: Unanimous, with 43 Board members in favor.

- 10/19/13 Marco Polo, Hester St. bet Mott St. & Mulberry St.

Vote: Unanimous, with 43 Board members in favor.

THEREFORE BE IT RESOLVED, that CB#2, Man. has no objections to the street fair permit applications on the dates and at the locations listed above.

SLA LICENSING

1. Subculture No Ho, LLC, 45 Bleecker St. – New Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine in a basement space located on Bleecker Street between Mott and Mulberry Street (Block #529/lot #62), for a 4,500 sq. ft premise with two possible seating arrangements; one for theater seating which will have 167 seats and no tables and 1 bar with 12 seats and one for a catering hall that will have 15 tables with 96 seats with 1 bar with 12 seats and the maximum occupancy is 180 people, there will be a sidewalk café but no backyard use; and,

Whereas, the applicant states that the hours of operation will be Sunday to Wednesday from 8:00 a.m. to 12:30 a.m. and Thursday to Saturday from 8:00 a.m. to 2:00 a.m.; the establishment will be a performance space with live music, amplified music as well as quiet background consisting of music from ipod/; there will be scheduled performances and private parties with the potential use of projectors and movie screens and televisions but there will not be any outside promoters allowed to use this space; and,

Whereas, stipulations regarding the method of operation have been established and executed with the NoHo Bowery Stakeholders and have also been executed with CB2 through a separate stipulations agreement; and,

Whereas, those stipulations are organized in a “Memorandum of Agreement “ which are as follows:

Memorandum of Agreement

This AGREEMENT is made as of January 8th, 2013 (the “Agreement”) by and between SubCulture, LLC, a NY State corporation with an address at 45 Bleecker Street New York, NY 10012 doing business as SubCulture, and NoHo-Bowery Stakeholders, Inc. with an address at 17 Bleecker St., New York, NY 10012 (“NBS”).

WHEREAS, Marc Kaplan and Steven Kaplan holder/applicant of a Tavern Beer and Wine SLA license for an establishment located in the cellar units at 45 Bleecker Street; are applicants to the New York State Liquor Authority (“SLA”) Wine and Beer license within a new 4500 sq. ft. space identified on the DOB Plans set forth below pursuant to an application filed with the SLA on or about January 30, 2013;

WHEREAS, SubCulture, LLC represents that it is the applicant to the NYC Department of Buildings (“DOB”) to complete the currently incomplete renovations on the site (the “Building”) for use as a Theater and Catering Hall Establishment (Use Group 9) as described in plans at 45 Bleecker (the “Property”) filed in connection with DOB Job #103819209₂ (the “DOB Plans”), reduced images of which are attached to this Agreement as **Exhibit A or B** and incorporated hereto;

WHEREAS, Fred Rogers represents and affirms (i) that, as of the date of this Agreement, is sole owner of the Property and the Building; (ii) SubCulture, LLC as sole operator has full legal right, title and authority to enter into this Agreement, make all of the promises it has made to NBS in this Agreement, and undertake to all of the legal obligations it has agreed to accept in this Agreement; and,

WHEREAS, NBS and the Community Members have expressed their objections to SubCulture, LLC with regard to certain aspects of the SLA application, including but not limited to (i) the locations of permitted food and liquor service inside the Building, (ii) the capacities and hours of operation of the food and liquor venues shown in the DOB Plans and requested in the SLA Application, and (iii) the manner by which SubCulture, LLC would conduct food and liquor operations in and around the Building; and

WHEREAS, Community Members and additionally both residential and commercial members of the community, including many represented by NBS appeared prepared to testify in opposition to the SLA Application at a duly calendared public hearing of the SLA Committee of Manhattan Community Planning Board No. 2 (“CB 2”) on January 8, 2013; and,

WHEREAS, SubCulture, LLC expressed a willingness to address many of the concerns raised by the community, and to enter into a written agreement with the Community Members and NBS to memorialize its intentions in exchange for expressions of support from those present, that CB 2 should recommend approval of the SLA Application; and,

WHEREAS, after direct negotiations with SubCulture, LLC, NBS and the Community Owners, who represent the overwhelming majority of residents of the affected blocks of Lafayette, Bleecker and Bond Sts., agreed to provide support for the SLA Application as modified by the terms of this Agreement throughout the remaining review of the SLA Application by CB 2 and the SLA, affirmed herein, provided that SubCulture, LLC agreed that (i) they would agree to the terms in this Agreement, (ii) they would take all necessary steps to modify its DOB Plans and SLA application in accordance with the terms of this Agreement, and (iii) they would agree to permit a copy of this Agreement to be attached to any CB 2 resolution BPCGGC and (iv) they would commit to the SLA that this Agreement is binding on the method of operation recorded with the SLA license, and,

WHEREAS, the Parties now wish to memorialize their mutual agreements in writing through this Agreement.

NOW THEREFORE, based on the mutual promises and covenants contained herein, it is AGREED by each of the Parties that:

1. SubCulture, LLC will not seek to transfer this license to a third party without seeking consent through hearing at the SLA Committee of CB#2 Manhattan.
2. SubCulture, LLC will also seek review through CB#2 Manhattan should the principals of the corporation change.
3. SubCulture, LLC will include the following in their Method of Operation attached to this On-Premise License application to the State Liquor Authority:
 - a. The establishment will close at 12:30 a.m. Sunday through Wednesday, and 2:00 a.m. on days of operation beginning on Thursdays, Fridays and Saturdays.
 - b. The inside capacity and Public Assembly Permit attached to this license will reflect the following maximum usage: 170 ~~table~~ seats; 1 bar with 10 seats with no more than 180 patrons on the premises. This number is not to be substituted by DOB capacity which may be greater than the above stated and agreed capacity of the venue.
 - c. There will be no sidewalk café.
 - d. The establishment will provide for dedicated entrance personnel to manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk in front, Thursday through Saturday from 10:00 p.m. to closing.
 - e. The establishment will actively engage in all efforts to keep the sidewalk and gutters free of debris and waste at all times, including the provision of metal containers in which to store garbage until third-party pick up and that all effort will be made to avoid garbage pick-ups between the hours of 2 am and 6 am, seven days a week.
 - f. Abide by all the regulations of the Dept of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, the Public Assembly Permit and exterior signage, modifications and design.
- 4) Commitments regarding Special Events. Special Events will be defined as any of the following: (a) a group consisting of 50 or more people who will be using the restaurant during normal hours of operation or (b) any group, including SubCulture, LLC management, which has reserved the exclusive use of the restaurant for a private function. Special Events will be subject to the following restrictions:

- (i) SubCulture, LLC will limit the number of guests attending Special Events to no more than the total permitted Public Assembly named on the venue's license per day at any given time.
- (ii) SubCulture, LLC will require that any Special Event for 50 or more guests will require the responsible party (and if it is SubCulture, LLC that is holding the Special Event, they will be equally bound) to enter into an Events Contract stipulating:
 - (a) that any special event will end by the daily hours of operation
 - (b) that dedicated Special Events personnel will be required for the entire period of the event to ensure that guests congregating or smoking on the Street be directed away from any other residential or merchant building entrances; that vehicles associated with the Special Event do not block the street, and that drivers are made aware of the special parking arrangements at nearby lots or garages,
 - (c) that there will be no post-event removal of rented equipment after 12 a.m. or before 7 am, and,
 - (d) SubCulture, LLC will manage all sound equipment and levels for all events.

5. Commitments to Appoint Community Liaison. SubCulture, LLC will assign at least one person ("Community Liaison") who will be available to speak with NBS officers or directors during normal weekday business hours concerning any matter related to compliance with the terms of this Agreement. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of this Agreement in the event emergency contact is required.

6) Commitments to Contain Sounds. SubCulture, LLC agrees to design and operate the venue so as to comply with all NYC Noise Code standards. Should reasonable complaint be made to NBS and presented to SubCulture, LLC, and should any measures taken by SubCulture, LLC to answer such complaint(s) not be sufficient to abate such sound, SubCulture, LLC agrees to, at their own expense, conduct sound testing to assure that any amplified, non-amplified sound or HVAC system sound is not present or audible outside or inside the contiguous residences beyond NYC noise control code levels.

Such testing will establish a permitted maximum volume for the venue's interior sound systems and such volume will be made part of any Special Events contract as set forth in paragraph 5.

In the event of exterior HVAC system sound, a testing period will be established for not less than one week during normal hours of daytime and evening operation. Those affected NBS members with property contiguous to the Building agree to make available and provide access to at least one unit/building for the installation and monitoring or sound meter device(s). Upon signing this application there are already existing HVAC units outside of the theater that correspond with the ground floor. SubCulture, LLC will not be adding any new HVAC units to the exterior of the space.

If the results indicate that the noise levels within the neighboring buildings or on balconies exceed code, or if any future similar testing by any of the Community Owners indicates code exceedances, SubCulture, LLC agrees to either repair or replace the equipment producing the exceedances or install sound attenuating material sufficient to remediate the code exceedances, within thirty (30) days or as soon as practicable after receipt of the report.

7) Commitments regarding Public Support and Cooperation.

Provided the SLA Application and the DOB Plans remain consistent with the terms and intent of this Agreement, and the terms of any license approved by the SLA pursuant to the SLA Application are consistent with the terms and intent of this Agreement, NBS agrees that no Party to this Agreement shall appear, either directly, through a representative or proxy or through cooperation with any association in opposition to the SLA Application nor shall any Party to this Agreement subsequently commence or assist in any legal, administrative, or any other public proceedings which seeks to overturn approval of the SLA Application.

SubCulture, LLC whose principals are: Marc Kaplan and Steven Kaplan agree that any change in the method of operation, notwithstanding any requirements or lack thereof of the State Liquor Authority, will be submitted and reviewed for approval through CB#2 Manhattan, and will include NBS. as representatives of the community and be contingent upon a similar agreement subject to review and attachment to the new or altered license.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new Beer and Wine license for **Subculture NoHo, LLC, 45 Bleecker St** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Beer and Wine license.

Vote: Unanimous, with 43 Board members in favor.

2. Entity to be formed by Stephanie Markowitz, TBD (Catico Inc. dba Il Corallo), 176 Prince St. 10012 –Beer and Wine Transfer

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the “transfer” of a Beer and Wine license (#1029237) in a mixed use building, located on Prince Street between Sullivan and Thompson Street (Block #503/lot #20), for a 1,700 sq. ft premise (800 sq. ft. on ground floor and 900 sq. ft. in basement – no patron use of basement) with 24 tables with 62 seats, 1 service bar with 0 seats, and the maximum occupancy is 100 people, there is no sidewalk café and no backyard use; and,

Whereas, there is no change in the hours of operation and the hours of operation will continue to be Sunday to Saturday from 12:00 p.m. to 11:30 p.m.; the establishment is a family Italian restaurant, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music) from 4 small ceiling mounted speakers, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, the applicant has agreed to the following stipulation:

1. All doors and windows will be closed no later than 10:00 p.m., 7 days a week.
2. Hours of operation will be Sunday to Saturday from 12:00 p.m. to 11:30 p.m.
3. There will be no change to the Method of Operation.
4. There will be no patron use of the basement.
5. There will not be a sidewalk café.
6. There will be no more than 4 small ceiling speakers for the sound system.

Whereas, there were no community members or letters against this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the transfer of the Beer and Wine license for **Entity to be formed by Stephanie Markowitz, TBD (Caticho, Inc. dba Il Corallo), 176 Prince St. 10012** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Beer and Wine license.

Vote: Unanimous, with 43 Board members in favor.

3. Robert Meller or Corp. to be formed d/b/a TBD (Formerly Mussel Pot), 174 Bleecker St. – New OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license in a mixed-use building located on Bleecker Street between Sullivan and MacDougal Street (Block #526/lot #62), for a 3,000sq. ft premise (1,800 s.f. for ground and 1,200 s.f. for the basement) with 25 tables with 54 seats, 1 bar with 6 seats for a total of 60 interior seats and the maximum occupancy is less than 74 people, there will be a sidewalk café (89 sq. ft.) which is not included in this application (no diagram was presented and the applicant stipulated that they would reapply to the Department of Consumer Affairs for a sidewalk café and appear in front of CB2’s Sidewalks and Street Activities Committee for a recommendation) and a backyard garden (400 sq. ft.) consisting of 7 tables and 18 seats; and,

Whereas, the hours of operation will be Sunday to Wednesday from 11:00 a.m. to 1:00 a.m. and Thursday to Saturday from 11:00 a.m. to 2:00 a.m.; the establishment will be a seafood restaurant specifically described as a “small neighborhood restaurant with a 4 star world renowned celebrity Chef Madison Cowan” who is “an Iron Chef winner and Chopped Grand Master Champion” who will “design a menu consisting of mussels, exotic meats incorporating international flavors” , music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music) which will also have a limiter/ suppresser control, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, several of the applicants were part of another corporation at this location and were principals on the previous license at this location but did not have controlling interest and this application is part of the resolution of ongoing issues at the establishment; and,

Whereas, the partners with controlling interest (SLA license # B783706) ran the operation without consideration to their agreement with CB2 regarding their Method of Operation and displayed compete disrespect for the local residents and residents in the building in which this operation is located; and,

Whereas, during that period violation and fines were written which are still outstanding and some of these violations must be cleared up with the Department of Buildings with regards to partial vacate notice and illegal prep kitchen use in basement space which has not yet been resolved and should be cleared prior to the issuance of any new license to ensure compliance with all local ordinances; and,

Whereas, the new applicants which consist of two of the original principals and 4 new principals did reach out to the Bleecker Area Merchants' and Residents' Association (BAMRA, the local neighborhood/merchant association) and other community members and established and executed a stipulation agreement with the association; and,

Whereas, the applicants have executed a CB2 stipulations agreement agreeing to abide by the same agreement that they have entered into with BAMRA to be attached to the method of operation of the license they are applying for at the Liquor Authority; and,

Whereas, the stipulations are as follows:

STIPULATIONS FOR 174 Bleecker St, NY, NY 10012

The undersigned, **Robert Meller**, hereby agrees on behalf of the hereinafter defined Operators, that an approval of an on-premises liquor license by the New York State Liquor Authority shall be subject to compliance by **Robert Meller or Corporation to be formed d/b/a TBD** ("the Operators") with respect to its operation of a premises located at **174 Bleecker St** (the "Establishment") with the following stipulations:

1. **Hours of Operation:** The Establishment shall operate from **11:00 AM to 1:00 AM each Sunday through Wednesday** and from **11:00 AM to 2:00 AM each Thursday through Saturday** and the kitchen will be open until closing time each day of the week.
2. **Certificates, Permits and Related Documents:** The Operators shall obtain all required certificates, permits and related documents and resolve all building department fines. BAMRA's support of this applicant is conditioned upon the resolution of all permit, certificate and any related document issues that currently exist.
3. **Method Of Operation:** The Establishment shall operate only as a full time restaurant and not as a pub or tavern, which would require a change in the SLA license.
4. **CB2, Manhattan Mussel Pot Stipulations:** The Operators re-stipulate to the original stipulations for the SLA license application approved by CB2, Manhattan for their former restaurant, The Mussel Pot.
5. **Backyard:** There will be no speakers or music played in the backyard garden at any time and Operators will keep noise from patrons in the garden from disturbing residents. The Operators shall reach out to the Sullivan Gardens community organization to assure that the activity in the backyard is not a disturbance and that the stipulations regarding the backyard reached by the Operators and BAMRA satisfy Sullivan Garden residents concerns. BAMRA's support is conditioned upon Sullivan Gardens Block Association review of this stipulation. Doors to the backyard Garden will be closed by 10:00 PM.

6. **Community Outreach:** The Operators have met with BAMRA and will reach out to the Sullivan Gardens Block Association.
7. **Legal Dissolution of Former Partnership:** The Operators are currently involved in a legal case to dissolve the partnership between themselves and Seahawk Capital, which owned a 51% share in The Mussel Pot Restaurant at 174 Bleecker Street. Robert Meller and the partners of Seahawk Capital are currently two of the principals of the op license active for this location. New York County Supreme Court case number 651719-2012 is still an active case and no partnership dissolution agreement has been filed as of January 7, 2012. The Operators assure BAMRA that the dissolution of this partnership is imminent and that the partners of Seahawk Capital will have no stake in and take no part in the operation of this new Establishment in any way, financial, operational or otherwise. BAMRA's support of this applicant is conditioned upon a legal dissolution of this partnership.
8. **Traffic:** The Operators will use reasonable efforts to remedy any traffic issues brought to its attention, to the extent that it can. The Operators shall direct staff to monitor the patrons of the Establishment who are gathered outside the Establishment and the staff shall direct such persons or traffic going to and from the Establishment to keep the area clear and passable by pedestrians. The Operators will clean any debris left by its patrons (ie: cigarette butts, etc.) from the area in front of the Establishment and surrounding areas. All employees will be instructed to leave the area quietly after the Establishment has closed.
9. **Manager:** One of the six principals will be available to address any community issues at any time during business hours and at any time staff is still present on premises. At least one of the principals will be present during all business hours. All management and staff will uphold the stipulations agreed to between BAMRA and the principals. Any complaints made about the Establishment to BAMRA will be relayed to the Operators and the Operators will make their phone numbers available to complainant and will work with both the complainant and BAMRA to reasonably resolve any issues.
10. **Music:** The Operators shall play soft, low background level music inside the Establishment and shall not play any music whatsoever outside the Establishment, nor deliberately direct music from within the Establishment to be heard outside the Establishment. The Operators shall not permit DJs, live music or outside promoters in the Establishment.
11. **Television:** The Operators shall have one television played without sound in the Establishment.
12. **Soundproofing:** Because of noise complaints by residents against the Operator's former business at this location, The Mussel Pot, the Operators agree to conduct sound level tests in upstairs resident, Margaret Collins', apartment by January 31, 2013. These will not be determined solely by a basic sound meter (which would not measure bass octaves), but will be determined by whether any music is audible or palpable in Ms. Collins' apartment. Once an acceptable level is set, limiters, compressors and any other sound abatement equipment (including replacing speakers, if necessary) shall be installed to ensure that no music from the restaurant can be heard or felt in Ms. Collins' or any other resident's apartment. No new speakers will be added. Only the six principals will have control of the sound system and will not allow any staff to change the levels once they have been set. All principals will be responsible for any noise issues. Should any noise generated by sound reproduction equipment, by patrons and staff, and by commercial equipment such as HVAC equipment,

air handlers, compressors and fans become an issue for neighboring residents, Operators will use best efforts to remedy the issue to make sure that noise does not emanate from the Establishment, or its equipment, in any direction and meets or exceeds New York City noise code.

13. **Windows:** The Operators shall close doors and windows in the front of restaurant by 10:00 PM.
14. **Sidewalk Cafe:** The Operators will reapply for a sidewalk cafe license.
15. **Sanitation:** The Operator shall not place refuse at the curb except as close to pick up as possible and will coordinate pick-up with surrounding businesses to minimize the disturbance of garbage truck noise in the community.
16. **Lighting:** The Operator shall not install illuminated signage or lighting on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment and will install no neon lighting whatsoever. The Operators agree to leave downward-directed security lighting on after the Establishment has closed.
17. **Advertising:** The Operators shall not advertise using flyers in front or near restaurant, nor have any staff try to direct passersby into the restaurant.
18. **Notification Of Change Of Ownership or Alteration in Method of Operation:** The Operator shall notify Manhattan Community Board 2 in the event of a change of ownership or alteration in method of operation as required by law.
19. **Transfer of License:** If the Operators transfer this license, the new operators will appear before BAMRA and CB2, Manhattan
20. **Events:** The Operator shall not host third party private events, meaning an activity by a non-affiliated group or individual where the Operator has no responsibility or staff involved.
21. **Temporary Liquor License Hours Extension Permits:** The Operators agree to apply for no more than 4 hours extension permits per calendar year.
22. **License Renewal:** The Operator will appear before BAMRA and Manhattan Community Board 2 before renewing this liquor license, to determine if the stipulations are working and are being adhered to.

Whereas, given the issues which have recently occurred at this location with the previous licensee, CB#2, Man. is solely relying on the representations by the current applicants that they will adhere with the agreements above and will operate exclusively as a restaurant and will not impact quality of life issues in the immediate area through their operation and will strive to correct all outstanding issues prior to operation and adhere to all stipulations for the previous entity as well; and

Whereas, at the time of the presentation of this application before CB2's SLA Licensing Committee in January 2013 over \$60,000 in fines were currently pending with the New York City Department of Buildings, including several violations for failing to comply with "Commissioners Order" and no resolution had been provided in regards to illegal/un-permitted use of basement for a prep kitchen, office and patron bathrooms for the previous licensed entity, in which two of the current applicants were principals, and CB2,

Manhattan cannot stress enough that the Liquor Authority review appropriate documents provided by the applicants prior to issuing the license to verify that in fact the current applicants have ensured that all violations have been cured in regards to the use of the basement and note that a letter of no objection for the first floor only dated 1/13/2004 is not sufficient in regards to legal use of the basement which is not included in that letter of no objection which is for the 1st floor only; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new On Premise license for **Robert Meller or Corp. to be formed d/b/a TBD (Formerly Mussel Pot), 174 Bleecker St. unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 9th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote Passed, with 42 Board members in favor, and 1 in opposition (D. Diether).

4. Café Habana Inc., 17 Prince St. dba Café Habana (Formerly of 229 Elizabeth St. Corp.) – Corporate Name Change (License #1107399)

Whereas, the applicant appeared before the committee per the request of CB2; and,

Whereas, this application is for a Corporate Name Change of a Full On Premise license (#1107399) and tax id number for tax purposes in a mixed use building, located on Prince Street (Block #508 / lot #46), for a casual dining restaurant with 15 tables with 36 seats, 1 service bar with 7 seats, and the maximum occupancy is 74 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will continue to be Sunday to Saturday from 9:00 a.m. to 12:00 a.m.; the establishment is a family restaurant, music will be quiet background only from “4 small speakers playing music loud enough to hear while people talk and enjoy a meal” consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, the applicant has agreed to the following stipulation:

1. There will be no change to the Method of Operation.
2. The hours of operation are Sunday to Saturday from 9 am to 12 am.
3. This is a Corporate Change only.
4. The applicant agrees that the information submitted in the CB2 Questionnaire is accurate and is the manner in which the premise will operate and continue to operate.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the transfer of the Beer and Wine license for **Café Habana, Inc., 17 Prince St. (Formerly of 229 Elizabeth St. Corp.) unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 43 Board members in favor.

5. 202 Centre Corp. d/b/a Red Egg, 202 Centre St. 10013 – transfer (License #1206246)

Whereas, this applicant appeared before the committee; and,

Whereas, this application is for the transfer of the On Premise license (#1206246) and an alteration for a premise located in a commercial use building located on Centre Street between Hester and Grand Street (Block #235/lot #1), for a two story 6,374 sq. ft premise (no patron use of basement) with 40 tables with 120 seats and 1 bar with 5 seats; the maximum occupancy is 127 people, there will be no sidewalk café and there is no backyard use; and,

Whereas, the hours of operation for the restaurant is Sunday to Saturday from 10:00 a.m. to 11:00 p.m.; establishment is a full service Hong Kong style restaurant, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no private parties, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, the alteration portion of the application is to reduce the size of the stand up bar to 11 feet as originally existed and as shown on plans provided to CB#2, Man.; and,

Whereas, this transfer changes the principals from Darren Wan to his parents David and Renee Wan; and,

Whereas, during the time that Darren Wan was controlling management, he ignored regulations and stipulations agreed to with CB2 and the SLA and ran operations recklessly creating an unlicensed illegal night club which received violations and was the source of neighborhood complaints and created safety hazards in the premise and quality of life issues (refer to past CB2 resolutions); and,

Whereas, David and Renee Wan have now taken control and plan on running a full service restaurant with hours of operation and method of operation to concur with the original CB2 and SLA applications for this license; and,

Whereas, the applicant agreed to the following stipulations:

1. Hours of operation are from 10:00 am to 11:00 pm only.
2. Applicants will operate and advertise as a full service “Hong Kong Style Restaurant” only.
3. There will be no nightclub or after hours events and the licensee will not continue previous unapproved method of operations.
4. There will be no promoted events.
5. There will be background music only.
6. There will be no D.J.s, live music or promoted events.
7. Previous stipulations agreements will still be adhered to.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the transfer of the existing On Premise license for **202 Centre Corp. d/b/a Red Egg, 202 Centre St. 10013** unless the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 8th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 43 Board members in favor.

6. Galata, Inc. d/b/a I Tre Merli, 463 W. Broadway 10012 – Alteration (License #1025086)

Whereas, the applicant appeared before the committee for a second time since August of 2012; and,

Whereas, there have been no significant changes since this alteration application was heard in August of 2012 with the exception of an increase in hours of operation on certain nights and the applicant has still not performed community outreach or held discussions with the community which was part of a stipulations agreement in September 2010 in which the licensee agreed to host monthly meetings with the community; and,

Whereas, CB#2, Man. passed a resolution in September 2012 recommending denial for this alteration application which was very similar; and,

Whereas, this application is for the alteration of the On Premise license in a commercial use building located on West Broadway between Houston and Prince Street (Block #515 / lot #07), for a 2,500 sq. ft premise with 19 tables with 77 seats and 1 bar with currently 12 seats but with this alteration will become 15 seats; the maximum occupancy is 100 people, there is a sidewalk café but there is no backyard use; and,

Whereas, the hours of operation for the restaurant is Sunday to Saturday from 12:00 p.m. to 2:00 a.m.; the establishment is a full service Italian restaurant, music will be quiet background and entertainment level consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, in August of 2012 the applicant had presented much more reduced hours of operation than in this application; and,

Whereas, this location has had many issues with the community regarding noise in the past and as a consequence moved the bar to the back of the establishment and decreased the size by three seats in 2010 which helped decrease the noise issue for the residents and improved the deteriorating quality of life issues previously caused by this location, specifically as they relate to noise; and,

Whereas, the applicant wanted it stated that he has had no problems in the last couple of years with the neighbors and outlined:

1. Since they stopped throwing special events there have been no problems; and, Opposition to the alteration come only from a few resident who have told us that they will oppose no matter what. The residents in favor have expressed their views at previous hearings.
2. The residents who opposed the application admitted that the restaurant abides by the law and by the terms of the stipulations.
3. In the previous hearing of July 2012 the applicant refused a further stipulation that would have had the restaurant closing the French doors at 10 PM. and is now willing to accept it, in consideration of possible noise spilling in the neighborhood.

Whereas, this application wants to move the bar back to the front of the premise and increase the seating back to 15 seats similar to the way it was originally because the applicant states the current layout is not working; and,

Whereas, once again a number of members of the community from surrounding residential buildings appeared before CB2 against this alteration stating that it will only bring back the unwanted noise out onto the street and to the residents next door whose bedrooms are all adjacent to the connecting wall where the applicant wants to relocate the bar, and the bar will now be located under skylights which have no soundproofing and they pointed out that moving the bar to its current location in the rear specifically resulted in a substantially improved quality of life for neighboring residents and that moving the bar back to

the front of the premises as described in this alteration would bring back the issues that have plagued residents for many years including noise and quality of life issues that have been well documented and they also pointed out that the licensee has never made any overtures to discuss the impact his business has on the immediate residential community despite promise to do so; and,

Whereas, CB#2, Man. encourages the Liquor Authority to review CB2's previous recommendations submitted in September 2010 and in September 2012 for further details on the history of issues at this location; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the alteration of the On Premise license for **Galata, Inc. d/b/a I Tre Merli, 463 W. Broadway 10012**.

Vote: Unanimous, with 43 Board members in favor.

7. Corp. to be formed by Jared Gordon, d/b/a Analogue, 41 E. 11th St 10003 – New OP

Whereas, the applicants appeared before the committee; and,

Whereas, subsequent to CB2's SLA Licensing Committee meeting and prior to CB2's Full Board meeting, the Liquor Authority ruled that this location is subject to the 200 Ft. Rule and as such, a full on-premise liquor license cannot be issued for this location; and,

Whereas, this application is for the new On-Premise license in a commercial building located on 11th Street between University Place and Broadway (block # 563/ lot #1), for a 2,950 sq. ft premise (kitchen is 100 sq. ft., bathrooms are 100 sq. ft. and ground floor is 2,050 sq. ft and basement is 900 sq. ft.) which will have 6 tables with 48 seats and 1 bar with 12 seats for a total capacity of 60 and a maximum occupancy of 75, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Wednesday from 4:30 p.m. to 12:30 a.m. and Thursday to Saturday from 4:30 p.m. to 2:30 a.m.; music will be live acoustical unamplified and quiet background only consisting of music from a vintage record player, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, the applicant will be installing sound proofing, sound proof windows, acoustical paneling, and drapery; and,

Whereas, the applicant did do extreme diligence in reaching out to the local community; and,

Whereas, there were numerous speakers both for and against the application; and,

Whereas, the applicant submitted a petition in support with 270 signatures on a petition form which does not state any hours of operation; and,

Whereas, CB2 did receive 8 letters in support of this application and many speakers at the meeting attested to the good character of the applicants, including former employers and employees and that they believed the applicants would execute their plan as presented and would be a benefit to the community by providing an alternate venue for an older demographic; and,

Whereas, there is some question as to whether or not the neighbor within 200 ft., the Baha'i Faith Center, is a recognized religious center by the SLA and will be determined by an SLA hearing on January 16th, 2013; and,

Whereas, regardless of the ruling by the SLA on this religious center, CB2 feels that other concerns must also be seriously considered; and,

Whereas, the applicant was unable to get support from any of the neighborhood associations which include:

- East 12th & 13th Street Block Association, Davide Gentile, Acting-President
- East 11th Street Block Association, Thomas G. Brown, President
- East 10th Street Block Association, Thelma Barry, President
- 16 East 11th Street Corporation, Richard Dodd, President
- 21 East 10th Street Owners Corp, Claire Martheleur, President
- University Place Residents Association

Whereas, these association combined, did submit a petition against this application with 93 local signatures from the immediate surrounding area; and,

Whereas, the principals have no experience owning an establishment serving alcohol or operating a jazz venue; and,

Whereas, this is another location within CB2 that has never been licensed by the SLA; and,

Whereas, CB#2, Man. has concerns about the loss of retail stores that support the daily needs of the residents and a growing concern that too many locations have or will become licensed which is causing overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location; and,

Whereas, there are at least 15 SLA OP licenses within 500 ft of this location; and,

Whereas, this application is for a bar playing live jazz and not a restaurant which is also not unique in this neighborhood in Greenwich Village and offers no new public interest and would instead be a theme bar which still brings with it the many quality of life issues with which the Liquor Authority is well acquainted for bars into a predominantly residential area even though there is a commercial overlay; and,

Whereas, some of the concerns outlined by those in opposition included that the applicant stated that live jazz would initially only be incorporated for two nights a week only, that this particular block while having commercial businesses is not a part of the University Place bar scene and extending the "bar" scene to cross streets which do have residential buildings would exacerbate quality of life issues which the area is already having issues with, that the area does not need another destination bar location and the associated noise and traffic impacts, that another licensed venue would serve to drive down residential values, that there is no such thing as "quiet" jazz and that there are plenty of jazz venues in the area and many have struggled to maintain this type of operation and that these applicants have no experience doing so and that the Village as a whole is on an upswing but jazz venues have not benefited from this and are struggling, that the linear progression of saturation and the many newly licensed locations in the immediate area is simply unsustainable and that the applicant would be better suited for a previously licensed location, in response to questions to the applicant there was some questioning as to how a high end jazz venue would pay the musicians if there were no cover charges or set times and there was concern that the applicant stated they

would consider having high school students playing or professional jazz musicians playing pro bono until they were able to fill their bookings, there was also some concern that not paying professional musicians was not a sustainable model as professional musicians do try to make a living as jazz musicians and this brought into question the sustainability of the Jazz Music portion of the method of operation and that ultimately this would simply be another bar; and,

Whereas, CB#2, Man. recommends that the SLA verify that this establishment does not violate the 200 ft. rule (the prohibition of issuing an On Premise License to an establishment located within 200 feet of a school or place of worship) and respectfully request that the SLA conduct a 500 ft. ruling, and

Whereas, CB#2 Man. would also like to note that this application is for an on-premise liquor license and not a tavern wine license or other beer/wine license and as such, the applicant would be requested to reappear before CB#2, Man. and re-present this application should they pursue any type of beer/wine license at this location;

THEREFORE BE IT RESOLVED that regardless of the SLA ruling on the religious center located adjacent to this location, CB#2, Man. recommends **denial** of the new On Premise license for **Corp. to be formed by Jared Gordon, d/b/a Analogue, 41 E. 11th St 10003.**

Vote: Unanimous, with 43 Board members in favor.

8. Juicerie, LLC d/b/a The Butcher's Daughter, 19 Kenmare St. 10012 – New Beer and Wine

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

Whereas, this application is for the new Beer and Wine license in a mixed-use building located on the corner of Kenmare and Elizabeth Street (block # 478/lot #12), for a 1,500 sq. ft. premise (ground floor is 600 sq. ft., and basement is 900 sq. ft. but for employees only – no patron use of basement) which will have 1 table with 13 seats, 1 bar with 6 seats and 2 window food counters with 10 seats, for a total capacity of 29 seats and a maximum occupancy of 74, there will be sidewalk café which is specifically not included in this application and the applicant stated clearly that they will return to CB#2's SLA Licensing Committee in the future to present inclusion of the sidewalk café and there is no backyard use; and,

Whereas, the hours of operation will be Sunday from 8:00 a.m. to 10:00 p.m. and Monday to Saturday from 8:00 a.m. to 11:00 p.m.; music will be quiet background only consisting of music from a vintage record player, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, this is another location within CB2 that has never been licensed by the SLA; and,

Whereas, CB2 has concerns about the loss of retail stores that support the daily needs of the residents and a growing concern that too many locations have or will become licensed which is causing overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location; and,

Whereas, the applicant appeared before CB2 having addressed two main concerns which was to complete more community outreach which was done and to obtain a Certificate of Occupancy in which the applicant did receive a Letter of No Objection from the Department of Building in lieu of a Certificate of Occupancy; and,

Whereas, there were 2 community members in attendance that supported this application and 1 against and at previous presentations others in support and opposition have appeared; and,

Whereas, the applicant agreed to the following stipulations with CB2:

1. Hours of operation are Sunday from 8:00 a.m. to 10:00 p.m. and Monday to Saturday from 8:00 a.m. to 11:00 p.m.
2. All doors and windows are to be closed at all times.
3. There will be no French doors.
4. The applicant will return before CB2 to present the sidewalk café and that for this application the sidewalk café will not be included.
5. The applicant agrees to waive their right and will not attempt to upgrade to a full On Premise license at this location.
6. The applicant agrees that they will not utilize a “Take Out Window” for service so as to keep the sidewalk clear of congestion and to eliminate patrons from standing in line outside the premises.
7. The premise will be advertised only as a juice bar and vegetarian café.
8. The applicant will not mix juices with beer or wine.

Whereas, the applicant should follow their agreement with City Council Margaret Chin’s office regarding the sidewalk café which will be presented at a later date; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new Beer and Wine license for **Juicerie, LLC d/b/a The Butcher’s Daughter, 19 Kenmare St. 10012** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 8th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Beer and Wine license.

Vote: Passed, with 23 Board members in favor, and 15 in opposition (H. Campbell, C. Dwyer, R. Ely, J. Frost, R. Goldberg, D. Gruber, S. Kent, A. Kriemelman, B. Riccobono, R. Rothstein, M. Schott, F. Sigel, S. Sweeney, S. Wittenberg, and R. Woodworth).

9. David Kay d/b/a Love, 446 W. 14th St., 10014 - New OP for Previously Unlicensed Location

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the new On Premise license in a commercial building located on West 14th Street between 10th Avenue and Washington Street (block # 646/ lot #14), for a 4,000 sq. ft. tavern/bar (basement only) which will have 20 tables with 120 seats and 1 bar with 18 seats for a total capacity of 225 and a maximum occupancy of 290, there will be no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday and Monday from 6:00 p.m. to 2:00 a.m. and Tuesday to Saturday from 6:00 p.m. to 4:00 a.m.; there will be D.J.’s and but no live music and, there will no promoted events, no events with cover fees, there will be use of velvet ropes; and,

Whereas, the applicant has experience in the hospitality business and was a principle/owner in another state (Los Angeles, CA) operating a restaurant but not as a principle in New York City operating a lounge/bar/tavern; and,

Whereas, this premise is located in the basement only and the applicant will be sound proofing the space; and,

Whereas, the applicant submitted a signed and executed CB2 stipulations form which they agreed would be incorporated into the method of operation on their SLA license stating that:

1. Hours of operation will be Sunday and Monday from 6:00 p.m. to 2:00 a.m. and Tuesday to Saturday from 6:00 p.m. to 4:00 a.m.
2. There will be no live music, no promoted events and no events for which a cover fee is charged or any scheduled performances but there will be dj's.
3. There will be licensed and bonded security staff
4. There will be staff assigned to traffic control for vehicles and pedestrians.
5. A 24 hour contact number for the applicant will be provided to the community.
6. The principle will manage and be on premise.
7. There will be no dancing and the applicant will not seek a Cabaret License.
8. There will be no sidewalk café or backyard garden

Whereas, even though the applicant submitted the above executed stipulations agreement, CB2, Man. does not believe the issuance of this license would be in the public interest; and,

Whereas, this is **another** location within CB2 that has **never been licensed by the SLA**; and

Whereas, there are at least 10 full on premise licenses within 500 feet and 35 within 750 feet and many of those venues are large multi floor locations with significant capacities; and,

Whereas, CB2's SLA Committee notes that the applicant, while providing a food menu, floor plans did not present a complete presentation or additional materials which would address the known issues in the area and that the applicant did not provide a copy of the SLA application as requested or satisfactorily address issues as they relate directly to the 500 ft. rule in regards to traffic, existing noise levels, vehicular parking and quality of life concerns among others; and,

Whereas, the concept as presented by the applicant of a "Cocktail Lounge serving small dishes focusing on innovative recipes using all natural ingredients for mixology" is not a unique concept for CB2 or for this area and many similar types of "lounges" operate in the area of the meat packing district in which this premise is located and the applicant did not provide any supporting materials and was not able to explain or show or illustrate why this concept would be unique or somehow add to the public interest and benefit; and,

Whereas, the applicant is willing like all other similar type establishments in the area to maintain license and bonded security, will be utilizing velvet ropes and will assign staff to manage vehicular and pedestrian traffic, but CB2 does not feel that simply complying with the law or standard practices rises to the level of meeting public interest or benefit; and,

Whereas, this establishment does not serve the neighborhood or public interest for an area already inundated beyond it's capacity or the capacity of the city to properly provide adequate policing presence, traffic control and other measures to address the impact on quality and safety of life; and,

Whereas, CB2 and members of the public have repeatedly submitted illustrations and testified at the Liquor Authority regarding the extreme effects of vehicular traffic and pedestrian traffic and parking issues and double parking issues in the meat packing district, and while this venue is located on 14th St., it is in the Meatpacking district and furthermore east and west bound traffic movement on 14th Street at peak late

evening/early morning hours is absolutely critical to allowing traffic to enter and leave the meat packing district efficiently in order to alleviate traffic congestion and the effects of yet another lounge/tavern/bar with a large occupancy and high turnover with many patrons arriving by taxi, hired cars and/or private vehicles (which require parking) due to the limited public transportation in the area at evening, late evening and early morning hours would further exacerbate an already tenuous and deplorable traffic situation which directly impacts the surrounding residential community due to the fluid nature of traffic movement and simply having staff dedicated to ameliorate any traffic situations directly in front of the venue does address the new volume specifically attributable to this new venue in a previously unlicensed location in an area that is know to have significant traffic issues; and,

Whereas, adding another large establishment operating as a bar/lounge/tavern with a high occupancy and turnover in this area would exacerbate the existing noise level in the area, not necessarily from music emanating from a soundproofed basement venue, but from the large number of new patrons that would be drawn to this location and because of the use of velvet ropes which suggests patrons would be waiting outside and the increased number of patrons that would be traversing through the area being loud at late hours of the evening and early morning creating quality of life issues, which while each licensee in the area says they do not contribute to this problem, is often obvious to any casual observer who ventures into the meat packing district during late evening or early morning hours, particularly in the fall and spring during warmer weather where the noise can be heard from a significant distance; and,

Whereas, CB2 has concerns about the loss of retail stores and promoting diverse business uses in the area which lead to healthy mixed used communities which the meat packing district is becoming with the addition of new retail stores, museums and a new park and that having too many on premise licensed locations is causing overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location; and,

Whereas, there were concerns from the community regarding this application and several letters in opposition were submitted in particular addressing the saturation of loud nightlife in the Meat Packing District late at night, non uniqueness of another lounge and overwhelming traffic concerns in the immediate area; and,

Whereas, those in opposition to the issuance of this license were very concerned specifically about the impact on traffic, parking and quality of life in this area, which is a topic very familiar to CB2 Manhattan and to which no solutions have been implemented despite years of complaints and meetings with City officials and in particular the existing traffic conditions in the evenings and during late night hours are

already deplorable and have a direct impact on the quality of life in the immediately adjacent residential communities which result in traffic jams, honking horns, loud patrons arguing about taxi's and livery cars, drunk patrons wandering quiet residential cross streets and screaming as they exit the area at late hours; and,

Whereas, those in opposition wonder how this could possibly be in the public interest given all the concerns and also questioned the applicant's ability to address the impact to the existing traffic and parking conditions and quality of life issues when no other licensee has been able to address these issues successfully as a whole in this community; and,

Whereas, the community did acknowledge that the applicant was open about his plans for the location but expressed additional concerns regarding a lack of any illustration of how the concept would be executed or what would make it unique or how it would serve the public interest or benefit; and,

Whereas, those in opposition also stated that there needs to be a line when there are so many licensed venues in the Meat Packing District and that new licenses for late night premises just exacerbate existing conditions beyond a tolerable level and that enough is enough and the area does not need another new late night lounge/bar/tavern; and

Whereas, a new license here will in effect grandfather a location through “build out” to forever be a licensed premise; and,

Whereas, the stance taken by local residents is not anti-business, but rather a clear argument that it is just too much for this particular area to incorporate more of these types of establishments; and,

Whereas, CB#2, Man. respectfully request that the SLA hold a 500 ft. rule hearing for this application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new On Premise license for **David Kay d/b/a Love, 446 W. 14th St., 10014.**

Vote: Unanimous, with 43 Board members in favor.

10. Double Dip, LLC d/b/a TBD, 611 Hudson St. 10014 – New OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the new On Premise license in a mixed-use building located on the corner of Hudson Street and West 12th Street (block # 625/ lot #15), for a 1,379 sq. ft. Restaurant only (ground floor is 1110 sq. ft. and 269 sq. ft in the basement) which will have 20 tables with 60 seats (of which 1 table and 14 seats will be in basement) and 1 bar with 8 seats for a total capacity of 68 and a maximum occupancy of 74, there will be no unenclosed sidewalk café and no backyard use; and the seating counts include seating in the existing enclosed sidewalk café; and,

Whereas, the hours of operation will be Sunday from 11:00 a.m. to 12:00 a.m., Monday to Thursday from 5:30 p.m. to 12:00 a.m. and Friday from 5:30 p.m. to 12:30 a.m. and Saturday from 11:00 a.m. to 12:30 a.m.; music will be quiet background only consisting of music from ipod, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers and there will be no TV’s; and,

Whereas, this location did have a previous SLA license (#1025729) for the 1st floor only – there was no patron use of the basement; and,

Whereas, there is currently no dining use for the basement and is approved for storage only by the NYC Department of Buildings, but the applicant is applying to change the use and will not operate the basement portion of the premises until a new Certificate of Occupancy is issued by the Department of Buildings at the completion of the work required to alter the basement space; and,

Whereas, the applicant submitted 2 letters and a petition with 129 signatures in support of this application; and,

Whereas, the applicant operates other restaurants in CB2 both with and without licenses issued by the Liquor Authority; and,

Whereas, the applicant agreed to the following stipulations and executed a stipulations agreement with CB2 and will submit these stipulations to be incorporated as a part of the method of operations on their Liquor Authority license:

1. The premises will be advertised and operated as a full service “Mediterranean Food Restaurant” only
2. All windows and doors to be closed by 10 p.m.
3. The hours of operation will be Sunday from 11:00 a.m. to 12:00 a.m., Monday to Thursday from 5:30 p.m. to 12:00 a.m. and Friday from 5:30 p.m. to 12:30 a.m. and Saturday from 11:00 a.m. to 12:30 a.m.
4. Basement will be for sit down dining only.
5. Both floors will operate under the same hours of operation.
6. No patron use of the basement at all until a new Certificate of Occupancy has been issued by the Department of Buildings – it is not currently approved for patron dining uses.
7. No speakers in the enclosed sidewalk area.
8. Applicant will install soundproofing.

Whereas, there were no community members in opposition of this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new On Premise license for **Double Dip, LLC TBD, 611 Hudson St. 10014** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 8th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 43 Board members in favor.

11. COS206 LLC d/b/a Costata, 206 Spring St. – New OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the new On Premise license in a previously licensed building located on Spring Street between 6th Avenue and Sullivan Street (block # 490/ lot #23), for a 7,791 sq. ft. “white-clothed restaurant of the highest quality”, specifically an Italian steak restaurant (Cellar is 1284 sq ft, 1st floor is 2200 sq ft, 2nd floor is 2200 sq ft and 3rd floor is 2107 sq ft – no patron use of cellar) which will have a total of 54 tables with 201 seats and 2 bars with 16 seats for a total capacity of 217 and a maximum occupancy of 281, there will be no sidewalk café and no backyard use; and,

Whereas, the first floor will have 17 tables and 46 seats, second floor will have 30 tables and 95 seats and the third floor will have 7 tables and 60 seats. There will be a bar on the first floor with 7 seats and a bar on the 2nd floor with 9 seats; and,

Whereas, the hours of operation will be Sunday from 11:00 a.m. to 12:00 a.m., Monday to Wednesday from 11:30 a.m. to 12:00 a.m. and Thursday and Friday from 11:30 p.m. to 1:00 a.m. and Saturday from 11:00 a.m. to 1:00 a.m.; music will be quiet background only consisting of music from ipod, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers and there will be one TV located in the third floor private dining room only; and,

Whereas, a petition with 81 signatures was submitted in support of this application; and,

Whereas, 6 community members appeared before the committee and spoke in support of this application; and,

Whereas, the applicant signed and notarized a stipulations agreement with CB2 which are the following:

1. This will be advertised and operated as a full service “Italian Steak Restaurant” only.
2. The hours of operation will be Sunday from 11:00 a.m. to 12:00 a.m., Monday to Wednesday from 11:30 a.m. to 12:00 a.m. and Thursday and Friday from 11:30 p.m. to 1:00 a.m. and Saturday from 11:00 a.m. to 1:00 a.m.
3. This location will not operate as a disco or nightclub and will not seek a Cabaret License.
4. There will be no sidewalk café or backyard use.
5. Music will be quiet background only consisting of music from ipod, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers.
6. Staff will be provided to manage outside pedestrian and vehicle traffic.
7. There will be no rooftop access for patrons or staff.

Whereas, there were no community members in opposition of this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new On Premise license for **COS206 LLC d/b/a Costata, 206 Spring St. unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 43 Board members in favor.

12. Silver Spurs¹ Family Limited Partnership, d/b/a Silver Spurs, 771 Broadway 10003– Upgrade to OP (License #1174085)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the upgrade of a beer and wine license to an on premise restaurant license (beer wine license#1174085) in a mixed-use building located on Broadway between 9th Street and 10th Street (block # 561/ lot #7501), for a 2,200 sq. ft. family restaurant which will have 38 tables with 84 seats, 1 standup bar with 13 seats and one eating counter with 8 seats for a total capacity of 105 and a maximum occupancy of 150, there will be no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Saturday from 7:00 a.m. to 12:00 a.m.; music will be quiet background only consisting of music from ipod/cd’s, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers, there are 3 existing tv’s; and,

Whereas, this is a neighborhood restaurant which has been in business for 32 years and has maintained a beer and wine license since 1982 and there will be no other changes to the current method of operation or trade name; and,

Whereas, a petition with 39 signatures was submitted in support of this application; and,

Whereas, the applicant signed and notarized a stipulations agreement with CB#2, Man. which are the following:

1. This will be a full service restaurant only.
2. The hours of operation will be Sunday to Saturday from 7:00 a.m. to 12:00 a.m.
3. This location will not operate as a lounge, bar, disco or nightclub and will not seek a Cabaret License.

4. There will be no sidewalk café or backyard use.
5. Music will be quiet background only consisting of music from ipod, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers.
6. The trade name “Silver Spurs” will be maintained.
7. There will be no changes to the current Method of Operation.

Whereas, there were no community members in opposition of this application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the upgrade to an On Premise license for **Silver Spurs1 Family Limited Partnership, d/b/a Silver Spurs, 771 Broadway 10003** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 43 Board members in favor.

13. Red Mulberry Ltd., d/b/a Sambuca’s, 105 Mulberry St. – Upgrade to full OP (RW License #1144856)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the upgrade of a beer and wine to an On Premise license (RW License #1144856) for a restaurant/café which has operated at this “premises since 1985 serving light Italian delicacies and sweets” in a mixed-use building located on Mulberry Street between Canal and Hester Streets (block # 206/ lot #26), for a 800 sq. ft., light Italian restaurant which will have 13 tables with 39 seats and no bar for a total capacity of 39 and a maximum occupancy of 74, there is a sidewalk café with 20 seats but no backyard use; and,

Whereas, there will be no changes to the current method of operation with the exception of being able to serve patron’s cocktails; and,

Whereas, the hours of operation will be Sunday to Thursday from 9:00 a.m. to 2:00 a.m. and Friday and Saturday from 9:00 a.m. to 3:00 a.m.; music will be quiet background only consisting of music from ipod/cd’s, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers; and,

Whereas, a petition with 58 signatures and 4 letters were submitted in support of this application and several members of the public appeared in support; and,

Whereas, there are at least 14 on premise licenses within 500 feet of this location and CB#2, Man. requests that the Liquor Authority conduct a 500 ft. hearing; and,

Whereas, CB#2, Man. believes that there is a church located within 200 ft of this location despite the applicant’s claims to the contrary that would make this location subject to the 200 foot rule, specifically located next door, and respectfully requests that the SLA conduct a 200 ft. rule determination; and,

Whereas, specifically, the Church of the Most Precious Blood, which has it’s main address at 113 Baxter Street is connected to the church Rectory located at 109 Mulberry Street and shares common ownership and is operated jointly and in conjunction with the Church; 109 Mulberry Street is immediately adjacent to the applicant; there are signs when entering through the gated entrance at 109 Mulberry Street, which is

open regularly to the public, which direct members of the public to enter the Church through an open air walkway which does not cross any non-public areas that leads to a rear door of the Church and that this entrance is used and advertised as an alternative to the front door on Baxter Street and is regularly used by members of the public for ingress into the Church in addition to the front door located on Baxter Street; therefore CB2 Manhattan feels that using the center of the entrance at 109 Mulberry St. is an appropriate location from which to determine whether or not this location is subject to the 200 ft rule and would like the Liquor Authority to review this matter and make a determination; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the upgrade to an On Premise license for **Red Mulberry Ltd., d/b/a Sambuca's, 105 Mulberry St.**

Vote: Unanimous, with 43 Board members in favor.

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

14. 7th Ave. LandBrot, LLC, 137 7th Ave. So. 10114 (RW License #1252664)

Whereas, the applicant **did not appear** before CB2, Man.'s SLA Licensing Committee meeting on January 8, 2013 for a Corporate Change to an existing restaurant wine license at the above referenced address after being placed on the agenda and having been requested to appear;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of corporate change, any temporary licenses or changes to any existing license for **7th Ave. LandBrot, LLC, 137 7th Ave. So. 10114 (RW License #1252664)** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

15. Zucca Trattoria, Inc. d/b/a Zucca Trattoria Restaurant, 95 7th Ave. So. 10014 (OP License #1223197)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on January 8th, 2013, the applicant's attorney requested to layover the application from consideration; and,

Whereas, this application is for a corporate change for an existing license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed corporate change to the liquor license or any temporary license or changes to the existing license for **Zucca Trattoria, Inc. d/b/a Zucca Trattoria Restaurant, 95 7th Ave. So. 10014 (OP License #1223197)** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

16. My Café, LLC d/b/a Kopi 2, 68 W. 3rd St, 10012

Whereas, the applicant **did not appear** before CB2, Man.'s SLA Licensing Committee meeting on January 8, 2013 for a new beer and wine license at the above referenced address after being placed on the agenda and having been requested to appear;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed beer and wine license, any transfers of any existing license to this entity or any temporary licenses for **My Café, LLC d/b/a Kopi 2, 68 W. 3rd St, 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

17. Thelewala Corp. 112 MacDougal Street 10012

Whereas, at this month's CB2 SLA Licensing Committee meeting on January 8th, 2013, the applicant agreed to layover this application until they have performed outreach to the local neighborhood association, the Bleecker Area Merchants' and Residents' Association (BAMRA) and allow them to have the opportunity to meet with the applicant and make a recommendation to CB2; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed Beer and Wine license for **Thelewala Corp. 112 MacDougal Street 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

18. Sotto Casa NY, LLC, 167 7th Ave. South

Whereas, the applicant failed to appear before CB2's SLA Licensing Committee on January 8th, 2013 per the request of CB2 after being placed on the agenda and being notified; and,

Whereas, this application is for the transfer of a Beer and Wine license or for a new Beer and Wine License;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed transfer of any existing Beer and Wine license or the issuance of any new or temporary license to **Sotto Casa NY, LLC, 167 7th Ave. South** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

19. Howard Project, LLC, 3 Howard Street, 10013

Whereas, the applicant **did not appear** before CB2's SLA Licensing Committee meeting on January 8, 2013 for a new on-premise liquor license at the above referenced address after being placed on the agenda and having been requested to appear;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Howard Project, LLC, 3 Howard Street, 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

20. Oberon Hospitality Partners, LLC, d/b/a Rector's Café-Restaurant-Bar, 295 Lafayette St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on January 8th, 2013, the applicant's attorney requested to layover the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed new On Premise license for **Oberon Hospitality Partners, LLC, d/b/a Rector's Café-Restaurant-Bar, 295 Lafayette St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

21. Entity to be formed by Jason Brunetti, TBD, 626 Hudson St. 10014

Whereas, at this month's CB2 SLA Licensing Committee meeting on January 8th, 2013, the applicant's attorney requested to layover the application from consideration in order to perform additional community outreach; and,

Whereas, this application is for the transfer of an existing beer and wine license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed transfer of a beer and wine license or any new or temporary license of any kind for **Entity to be formed by Jason Brunetti, TBD, 626 Hudson St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution requesting the NYC Department of Transportation to develop a full set of guidelines for placement of bicycle parking corrals

Whereas CB2, Man. thanks the NYC Department of Transportation (DOT) for presenting proposals that were considered by the Board to install two bicycle parking corrals in vehicular street parking curbside spaces, one at 62 Spring St. (on Lafayette St., s.w. corner, using one parking space for 8 bicycles), the other at 30 Prince St. (on Mott St., s.e. corner, using 1 ½ parking spaces for 14 bicycles) (a third, presented without notice, preventing posting of the location to enable community response, was not considered); and

Whereas CB2, Man. recognizes the potential advantages presented by DOT of such corrals in certain situations, such as providing facilities where bicycles that are parked helter-skelter on crowded sidewalks can be shifted to provide more pedestrian sidewalk space, removing blockage of vehicular sightlines at pedestrian crossings for greater safety, enhancement with plantings maintained by adjacent businesses or others who also would clean the sites, reduction of bicycles chained to trees and poles and infringing on private property, and at 7 ½ feet wide, taking up less street space than 8-foot wide parking for motor vehicles; and

Whereas Friends of Petrosino Square, in addition to many other community members, objected to locating a corral at the s.w. corner on Lafayette at Spring St. (in front of Spring St. Natural restaurant), expressing concern about already heavy vehicular and pedestrian congestion there, including double parking, and problems with emergency access for Ladder 20 of the FDNY just up Lafayette St., both of which they've discussed alleviating by eliminating all parking there; and

Whereas community members objected to locating a corral at the s.e. corner on Mott St. at Prince St., (in front of Little Cupcake Bakeshop) citing concerns about safety, accessibility, street cleaning problems, commercial delivery bicycles' overuse and loss of car parking; and

Whereas Spring St. Natural and Little Cupcake Bakeshop submitted petitions they distributed on forms provided by DOT that, upon counting, indicated 29 signatures from neighborhood people supporting the proposed bicycle parking corral at 62 Spring St. and 73 signatures from neighborhood people supporting the proposed bicycle parking corral at 30 Prince St.; and

Whereas when queried about whether guidelines have been established to assess where bicycle parking corrals could be most suitably and advantageously placed, DOT indicated that no formal guidelines have been developed;

Therefore be it resolved that CB2, Man. requests that DOT develop a comprehensive set of guidelines that prescribe the appropriate placement of bicycle parking in the street and that address the overall goals and structure of the corral program, considering such criteria as pedestrian and vehicular traffic conditions, presence and amount of bicycle parking nearby and in the general vicinity including Bike Share parking, determination of how many parking spaces are needed at a location, number of corrals allowed per block, maintenance partner qualifications, and enforcement; and

Be it further resolved that CB2, Man. asks that further bicycle corral installations be delayed in CB2 until DOT returns to CB2 to present these guidelines along with details clarifying the broader program's goals and structure for the community.

Vote: Unanimous, with 43 Board members in favor.

Resolution calling for safety improvements at the intersection of Clarkson St., Carmine St., Varick St. and 7th Ave. S.

Whereas the intersection of Clarkson St., Carmine St., Varick St. and 7th Ave. S., with its extreme misalignment, is exceptionally dangerous for both pedestrians and motorists, plagued by pedestrian and vehicular conflicts, congestion, dangerous pedestrian crossings, haphazard turns and confusion, in particular by the following problematic conditions:

- The Don't Walk Signal on the southeast side of Varick St. is located too far south, i.e., south of the crosswalk, eluding pedestrian sightlines.
- At the northeast corner of 7th Ave. S. and Carmine St., drivers make a quick left turn into Carmine from 7th Ave. S., endangering crossing pedestrians.
- At the southwest corner of Varick and Clarkson Sts., drivers make a very fast turn and park in the crosswalk. Driver visibility is obscured while making a turn there because of the odd angle of the crosswalk.
- Crossing 7th Ave. S. from the northwest side of the intersection is long and dangerous for pedestrians.
- The left hand turn that must be made on to Varick St. from Carmine St. is extraordinarily hazardous, with the misaligned "dog leg" extension of Clarkson St. putting traffic head on into the cars emerging from Carmine St.
- There are gridlock and blocked crosswalks on Varick, Clarkson, and some on Carmine St.; and

Whereas motor vehicles form multiple, non-defined and disorderly lanes of traffic on 7th Ave. S./Varick St., disregarding traffic signals and crosswalks, especially at rush hour heading for the Holland Tunnel, creating more congestion, confusion and danger; and

Whereas these conditions are highly threatening to the vulnerable user population of the Dapolito Recreation Center at that location and a school, library, and the Hudson River Park a stone's throw away, including children of all ages and seniors (as well as many other users), not to mention the hazards encountered by the large residential, working and tourist populations, who pass by and often frequent the many restaurants in the area; and

Whereas the Hudson Square Connection Business Improvement District, who studied this intersection as part of their Interim Traffic Management Plan in 2011 and found it to be very unsafe and pedestrian-unfriendly, urged that improvements are needed to make it safer for the people who live and work in the area; and

Whereas a request was presented to consider the following safety improvements:

- Relocation further north of the traffic light signal on the s.e. side of Varick St. in keeping with pedestrian sightlines.
- Installation of a bulbout (neckdown) on the n.e. corner of 7th Ave. S. & Carmine St. (preferably on both sides) to shorten the pedestrian crossing and slow down turning drivers, discouraging sweeping turns from 7th Ave. S. onto Carmine.
- Daylighting (installing a "No Parking" space) at the s.w. corner of Clarkson at Varick St., so that pedestrians can be seen by drivers turning into Varick.
- Installation of a bulbout (neckdown) on the n.w. corner of 7th Ave. S. at Clarkson St. for a shorter, safer pedestrian crossing.

- Conversion of Carmine St. bet. Bedford St. & 7th Ave. S. to one-way northeastbound to eliminate the danger of quick-turning cars into Varick St. hitting crossing pedestrians or colliding with vehicles turning south from Clarkson St.
- An integrated set of geometric (street design) and operational (light signal, signage, etc.) improvements addressing the functioning of that intersection holistically; and

Whereas a large representation of local community people (also submitting a 1,000 signature petition) voiced their opposition to converting Carmine St. bet. Bedford St. & 7th Ave. S. to one-way northeastbound, expressing their concern about diversion of more traffic to Bedford St. and to other streets in the area, traffic backups on Carmine, Bedford and other streets, increased emissions and the possibility of head-on collisions, but were completely supportive of the other suggested safety improvements and additionally suggested the possibility of a left turning arrow from Carmine onto Varick and a leading pedestrian interval to give people crossing the street a head start and more visibility before vehicles speed around the corner; and

Whereas it was reported that at one time there were two NYPD officers who directed traffic at the intersection in question, which helped promote safety as well as no horn honking there, but they were long since gone, and with their departure, traffic conditions there are now highly treacherous;

Therefore be it resolved that CB2, Man.) requests that DOT institute the following traffic safety improvements at the intersection of Clarkson St., Carmine St., Varick St. and 7th Ave. S.:

- Relocation further north of the traffic light signal on the s.e. side of Varick St.
- Installation of a bulbout (neckdown) on the n.e. corner of 7th Ave. S. & Carmine St., preferably on both sides, i.e. in both directions.
- Daylighting (installing “No Parking”) at the s.w. corner of Clarkson at Varick St., and inserting planters or bicycle or motorcycle parking or other similar uses in that space that would prevent motorists parking and standing there while still affording visibility.
- Installation of a bulbout (neckdown) on the n.w. corner of 7th Ave. S. at Clarkson St.
- Traffic signal changes, such as a left-turn arrow at Varick St. and a leading pedestrian interval (LPI).
- Comprehensive integrated geometric and operational improvements at the Carmine/Clarkson/Varick Sts./7th Ave. S. intersection (similarly holistic to those at the 7th Ave./Bleecker St. intersection), incorporating the above recommendations and others based on DOT observations; and

Be it further resolved that CB2, Man. asks DOT to investigate the problematic conditions created by motorists en route to the Holland Tunnel forming multiple, non-defined and disorderly lanes of traffic on 7th Ave. S./Varick St., without regard for traffic signals or crossing pedestrians, and implement measures to create a safer, more orderly flow of traffic; and

Be it further resolved that CB2, Man. does not support conversion of Carmine St. bet. Bedford St. & 7th Ave. S. to one-way northeast-bound; and

Be it finally resolved that CB2, Man. urges that NYPD dispatch police to the Carmine/Clarkson/Varick Sts./7th Ave. S. intersection to manage the movement and disposition of traffic there on a regular basis.

Vote: Unanimous, with 43 Board members in favor.

Respectfully submitted, Susan Kent, Secretary, Community Board #2, Manhattan