

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



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

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

### FULL BOARD MINUTES

**DATE:** November 16, 2017  
**TIME:** 6:30 P.M.  
**PLACE:** St. Anthony of Padua Church, 151-155 Sullivan St., Lower Hall

**BOARD MEMBERS PRESENT:** Tobi Bergman, Carter Booth, Katy Bordonaro, Anita Brandt, William Bray, Ritu Chattree, Erik Coler, Tom Connor, Terri Cude, Chair; Doris Diether, Robert Ely, Stella Fitzgerald, Cormac Flynn, Joseph Gallagher, Susan Gammie, Jonathan Geballe, Robin Goldberg, Nicholas Gottlieb, Susan Kent, Patricia Laraia, Daniel Miller, Lois Rakoff, Sandy Russo, Shirley Smith, Susan Wittenberg, Elaine Young

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Keen Berger, Richard Caccappolo, Lisa Cannistraci, Cristy Dwyer, Kathleen Faccini, Jon Giacobbe, Robin Rothstein, Rocio Sanz, Shirley Secunda, Kristin Shea, Frederica Sigel, Georgia Silvera Seamans

**BOARD MEMBERS ABSENT:** None

**BOARD MEMBERS PRESENT/ARRIVED LATE:** Susanna Aaron, Coral Dawson, David Gruber, Edward Ma, Robert Riccobono, Chenault Spence, Antony Wong,

**BOARD MEMBERS PRESENT/LEFT EARLY:** None

**BOARD STAFF PRESENT:** Bob Gormley, District Manager; Josh Thompson, Assistant District Manager, and Florence Arenas, Community Coordinator

**GUESTS:** Robert Atterbury, Congressman Jerrold Nadler's office; Jacqueline Hsia, Congresswoman Nydia Velazquez's office; Jeremy Crimm, Congresswoman Carolyn Maloney's office; Elena Sorisi, Senator Brad Hoylman's office; Eric Mayo, Senator Daniel Squadron's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Laurence Hong, Assembly Member Yuh-Line Niou's office; Charles Anderson, Assembly Member Deborah Glick's office, Gaby Dann-Allel, Mayor Bill Di Blasio's office; Michael Stinson, NYC Comptroller Scott Stringer's office; Adam Chen, Public Advocate Letitia James' office; Patrice Comerford, Council Member Corey Johnson's office; Irak Cehonski, Council Member Rosie Mendez's office; David Thall, Pete Davies, Judith Callet, Ellen Woods, Daniel Braff, J.R. Randall, Howard Rosenthal, Matthew Orley, Shane Phelan, Ed Goytia, Inez Bon, Imaj Mirage, Maureen Remacle, Kevin Kossi, Ed Calvin, Tamar Toledao, Danielle, Iugi, Shelly Warwick, John Keogh, Valerie De La Rosa, Jason Morales, Grace Dixon, Christopher Marte, Valentine Goldstein, Jen Cesa, Vicena Ceus-Ben-David, Cheyenne Barccio, Bree Yearwood, Mark Dicus, Maria Diaz

## MEETING SUMMARY

Meeting Date – November 16, 2017  
Board Members Present – 34  
Board Members Absent With Notification – 12  
Board Members Absent - 0  
Board Members Present/Arrived Late - 7  
Board Members Present/Left Early – 0

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### II. PUBLIC SESSION

#### Non-Agenda Items

##### Annual Roast Beef Dinner

Maureen Remacle announced the date, place and location for the dinner sponsored by the 6<sup>th</sup> Precinct Community Council and Village Care.

##### Various Announcements

Lois Rakoff announced the following events: The free Washington Square Music Festival on November 19<sup>th</sup>; The free BAMRA/Le Souk Thanksgiving event on November 23<sup>rd</sup>, and the free Poe Room event on November 30<sup>th</sup>.

##### Support

Christopher Marte thanked everyone for the support of his campaign.

##### Shop Bleecker Promotion

Maria Diaz, from GVCCC, spoke regarding the upcoming promotional event.

##### DEP Violations

David Thall spoke regarding open noise violations at 82 Mercer St.

Safe Spaces for LGBTQ Youth

Imaj Mirage and Bree Yearwood spoke in support of safe space for LGBTQ youth and have started a petition that has more than 3,000 signatures at this point.

**Quality of Life Items**

GMT New York, LLC, d/b/a GMT Tavern, 142 Bleecker St. with 27 tables & 59 chairs

Judith Callet spoke in favor of the modification to the sidewalk café.

Shelly Warwick spoke against the modification to the sidewalk café.

**SLA Licensing Items**

Amity Street Inc., d/b/a Amity Hall, 80 W. 3<sup>rd</sup> St. 10012-Renewal

Ed Goytia, Inez Bon, Kevin Kossi, and Shelly Warwick, all spoke against the renewal of the establishment's liquor license.

**III. ADOPTION OF AGENDA**

**IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Robert Atterbury, Congressman Jerrold Nadler's office

Jacqueline Hsia, Congresswoman Nydia Velazquez's office

Jeremy Crimm, Congresswoman Carolyn Maloney's office

Elena Sorisi, Senator Brad Hoylman's office

Laurence Hong, Assembly Member Yuh-Line Niou's office

Charles Anderson, Assembly Member Deborah Glick's office

Michael Stinson, NYC Comptroller Scott Stringer's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Patrice Comerford, Council Member Corey Johnson's office

Irak Cehonski, Council Member Rosie Mendez's office

**V. ADOPTION OF MINUTES**

Adoption of September minutes and distribution of October minutes

**VI. EXECUTIVE SESSION**

1. **Chair's Report** Terri Cude reported.

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

## STANDING COMMITTEE REPORTS

### ELECTIONS COORDINATE COMMITTEE/ELECTION OF OFFICERS

After an introduction by the Chair of the committee, Dr. Shirley Smith, the following CB2 members were elected to the Executive Committee:

Terri Cude, Chair – 32 votes  
Dan Miller, 1<sup>st</sup> Vice Chair – 31 votes  
Susan Kent, 2<sup>nd</sup> Vice Chair – 29 votes  
Antony Wong, Treasurer – 31 votes  
Keen Berger, Secretary – 30 votes  
Erik Coler, Assistant Secretary – 32 votes

### LAND USE AND BUSINESS DEVELOPMENT

**666 Greenwich St.** (between Christopher and Barrow Streets): BSA Cal No 2017-256-BZ is an application for a new special permit for a physical culture establishment called “Peloton,” situated in a portion of the first floor and cellar of an existing mixed-use building, pursuant ZR 73-36 and ZR 32-31.

#### **Whereas:**

1. The premise is located in an existing mixed-use building in a C6-2 zoning district.
2. Peloton will use this location as a fitness and production studio focused on treadmill-based workouts, floor-based cardio, strength, stretching and yoga designed for both its studio and at-home customers. The classes will be live-streamed and recorded for on-demand use.
3. The PCE contains 7,160sf of floor area on the first floor and 5,290sf in the cellar.
4. The space that is subject to this application was formerly operated as a health club/gym.
5. A term of 10 years is requested.
6. This use is compatible with the mixed-use nature of the neighborhood and will not interfere with access to the residential portion of the building.
7. It is located as to not impair the essential character or the future use of development of the surrounding area or interfere with any public improvement projects.
8. Hours of operation will be 5:30am to 10pm Monday through Friday and 7:00am to 7pm Saturday and Sunday.
9. The PCE is ADA-accessible with access to the PCE space on the first floor through the building’s common lobby on Christopher Street and by a new platform lift on Greenwich Street. There is also a platform lift from the ground floor to the cellar level inside the premises.
10. Sound attenuation measures have been taken.
11. No portion of the proposed PCE will be located on the rooftop of the subject building; it is appropriately located on an improved street; and the PCE has no potential hazards or disadvantages that will adversely impact the privacy, quiet, light and/or air within the neighborhood.
12. No one from the neighborhood appeared to speak against this application.
13. The applicant agrees to revise the drawings to correctly label the streets.

**Therefore be it resolved,** that CB2, Man. has no objection to this application.

Vote: Unanimous, with 34 Board members in favor.

## LANDMARKS AND PUBLIC AESTHETICS

### FIRST LANDMARKS MEETING

**1. 58 Bank St. Application is to install a new elevator at the rear of the building, a rooftop penthouse addition, and a below grade, rear yard expansion.**

- A. The rooftop addition is minimally visible and the railings are unobtrusive; and
- B. The applicant represented that proper care will be taken to ensure the safety and structural integrity of the building and adjacent properties where underpinning is required; now

**Therefore be it resolved** that CB2, Man. recommends **approval** of this application provided proper care will be taken to ensure the safety and structural integrity of the building and adjacent properties where underpinning is required.

Vote: Unanimous, with 34 Board members in favor.

**2. 269 W. 11th St. – Application is to amend Certificate of Appropriateness 18-7438 to include additional rear yard excavation.**

**Whereas:**

- A. The scope of the excavation is increased into the garden by an additional 37 feet from what was approved in a prior application- for a total distance of 42 feet from the rear façade; and
- B. The applicant represented that proper care proper care will be taken to ensure the safety and structural integrity of the building and adjacent properties where underpinning is required especially below a cottage in the neighboring yard; now

**Therefore be it resolved** that CB2, Man. recommends **approval** of the application provided that proper care will be taken to ensure the safety and structural integrity of the building and adjacent properties where underpinning is required especially below a cottage in the neighboring yard.

Vote: Unanimous, with 34 Board members in favor.

**3. 143 Prince St. (Coach Store) – Application is to add new banner pole and flag on Prince St. to match existing one on West Broadway and remove existing bracket/blade sign on Prince St.**

**Whereas:**

- A. The existing blade sign on the corner of the building will be removed; and
- B. A pole and banner are to be installed on the Prince Street facade; and
- C. The applicant was unable to provide definitive information about the size of the banner, the length of the pole, and the method of securing the pole in its proposed location under a fire escape and other information about the application; and

- D. The applicant agreed to lay over the hearing with the Landmarks Commission and to return to the Committee with a complete proposal; now

**Therefore be it resolved** that CB2, Man. recommends **denial** of the application **until** a complete presentation is made to the CB2 Landmarks Committee in order that the Board may make a recommendation to the Landmarks Commission.

Vote: Unanimous, with 34 Board members in favor.

4. **75 Washington Pl. – Application is to add a 1-story rooftop addition plus mechanical bulkhead, add 3-story rear addition, excavate at rear yard, and restore areaway fence.**  
(laid over)
5. **170 Bleecker St. –Application is to replace Bleecker St. and Sullivan St. storefronts, replace Sullivan St. entrance doors, add signage and bracket sign above Bleecker St. storefront, add wall signage and signage on glass at Sullivan St.**

**Whereas:**

- A. The present condition is a mixture of storefronts considerably altered from the original over time and portions of the masonry wall have been painted with signage; and
- B. The Sullivan Street façade adjoins the historic row houses of the MacDougal-Sullivan Gardens; and
- C. The clapboard will be removed and the paint on the brick will be stripped and left in its natural state; and
- C. The Bleecker Street storefront turning the corner to Sullivan Street will have a signboard and operable wood framed doors and windows with modern styled narrow mullions and wooden panels at the bottom; and
- E. The Sullivan Street façade has windows similar to the corner infill but in oddly square proportions and with non-historic glass blocks as bulkheads - as a decorative element that have no relationship to the building or neighborhood and no references were presented; and
- F. The paint scheme in white and a non-historic light green, is intrusive and ill suited to the building and the district, and was represented as the identifying colors of the restaurant rather than in the interest of preserving the historical character of the building; and
- G. There are assorted lights in random arrangement and new subtle lighting is proposed for the signboard; now

**Therefore be it resolved** that CB2, Man. recommends:

- A. **Approval** of the facade restoration, the sign band with its lighting and infill provided that all windows are of similar rectangular proportion and have wider wood frames and mullions; and
- B. **Recommends** that the existing lighting fixtures on Sullivan Street be arranged in a reasonable order; and

- C. **Denial** of the glass block infill and that it be replaced with wood; and
- D. **Denial** of the white and light green paint scheme and recommends darker colors suitable to the building and to the neighborhood.

Vote: Unanimous, with 34 Board members in favor.

**6. 65 Spring St. – Application is to modify storefront by relocating center tenant entrance and two existing cast iron columns to open up storefront, and a rear addition at the first floor and cellar levels for modification to single occupant retail use.**

**Whereas:**

- A. The building is typical of the neighborhood with ground floor layout intact, including four cast iron decorative columns/pilasters which have a modern styled storefront infill; and
- B. The central entrance with storefronts on each side gives the building perfect symmetry; and
- C. Though no depictions of the original infill was shown, reference to similar buildings would show wooden frames and substantial bulkheads; and
- D. The proposal to relocate the central cast iron columns/pilasters toward the outside edges of the building destroys the intact, historical design; and
- E. The proposed infill is a generic storefront of a modern design with seamless plate glass, thin framed metal and glass doors, with no bulkhead and other historic elements; and
- F. The proposed design was represented by the applicant as serving the commercial purpose of the building over and against the historic preservation of the facade; and
- G. The entrance to the upper floors is awkwardly placed behind a subway entrance railing; and
- H. There is a commemorative plaque relating to an artist who lived in the building of which the applicant denied any knowledge and is clearly shown in a photograph submitted in testimony by a member of the public; and
- I. The proposed façade elevations are to be modified to better match the sidewalk grading and thereby provide ADA accessible entrances; and
- J. There is a ground floor extension that was not shown with a clear depiction with regards to its design and its visibility from public thoroughfares and was represented by the applicant as being in masonry with a skim coat in a brick color and with clearly visible new coolant pipes to the roof to be painted in a similar color and the applicant agreed to instead clad the extension in brick of a suitable color and design; and
- K. Mechanical equipment, minimally visible, is to be installed on the roof; now

**Therefore be it resolved** that CB2, Man. recommends:

- A. **Denial** of removal and relocation of the historic cast iron pilasters from their present, original location and that the central entrance remain; and
- B. **Denial** of the modern style metal and plate glass infill without bulkheads; and
- C. **Approval** of the regrading of the building's entrances to provide ADA access; and
- D. **Approval** of the rear yard extension provided that it is in red brick, as agreed to by the applicant, that the piping is moved to a non-visible location (moved to the eastern edge of the building), and that staff verifies oral representations by the applicant as being correct; and
- E. **Approval** of the rooftop mechanical equipment; and
- F. That the commemorative sign remain in its present location over the central door.

Vote: Unanimous, with 34 Board members in favor.

## **SECOND LANDMARKS MEETING**

- 7. **827-831 Broadway – Application is to construct a multiple-story setback addition on the roof and restoration of the Broadway façade.**

### **Whereas:**

- A. The buildings were recently designated as an individual landmark for both architectural merit and the cultural significance associated with a number of artists who had studios in the building during an important era in the development of American painting; and
- B. Historic images depict the buildings almost exactly as they appear today, apart from the storefront infill and some of the fenestration; and
- C. The applicant asserted that the cultural significance of the designation so far outweighs the architectural merit of the buildings that the building architecture itself should not be considered in the evaluation the proposed rooftop addition; and
- D. The applicant also noted that the standard Landmark rules and considerations such as “minimally visible roof top additions” and reasonable consideration of scale should not be applied to this project; and
- E. The buildings are clearly of considerable architectural and historical worth and speak to the history of neighborhood, the northern expansion of mid-19<sup>th</sup> century architecture designed for mixed use including manufacturing and the adaptive reuse by significant mid-20<sup>th</sup> century artists – therefore any changes or additions that would diminish the building's integrity would be inappropriate; and
- F. The buildings are 65' high and the four story addition is proposed to be 50' high, the full width of the buildings and setback 28' from the Broadway façade with landscape on the setback terrace; and



- G. The proposed roof top addition's design is in angled glazing and the applicant described the inspiration as drawn from William De Kooning's art and life and is intended to serve as a commemoration of the cultural significance associated with the building's designation; and
- H. Photographs of a mockup of the addition requested from the applicant in order to give a real view of the mass and visibility of the addition were not produced; and
- I. Various photomontages, renderings, and reflective studies make clear that the addition is overwhelmingly visible from many points of view, including areas within the nearby landmarked district to the south and the addition does irreparable harm; and
- J. The scale and bulk (the height of the addition is only 15' shorter than height of the existing building) as well as the design in angled glazing are completely at odds with the building and shift the mass in a manner that causes the building to appear as a fragile base for the addition;
- K. The massive amount of glazing (100% of the façade) will cause the addition to be startlingly reflective and bright by day and obtrusively transparent with the interior distorted yet exposed at night; and
- L. There is to be considerable, faithful historic restoration of the intact façade including preservation of the limestone masonry and cast iron, appropriate fenestration, preservation of the existing south storefront infill and the north storefront infill is proposed to be replaced with a generic system that is intended to evoke a 1950's design; and
- M. There was very considerable community opposition with a large number of neighbors attending the meeting, a number of the attendees speaking, and written correspondence; now

**Therefore be it resolved** that CB2, Man. recommends:

- A. **Denial** of the rooftop addition; and
- B. **Approval** of the façade restoration apart from the north storefront infill.

Vote: Unanimous, with 34 Board members in favor.

**8. 75 Varick St. - Application is to install a roof deck on the 17th floor and to make certain alterations to the façade facing the deck.**

**Whereas:**

- A. The existing condition of the roof is utilitarian and unimproved; and
- B. A roof deck, including a low reflective glass railing at the parapet, will be an amenity for the commercial tenants of the building; and
- C. The proposed deck is stone with plantings and an enclosed structure will be built under the existing elevated mechanical room and a fire stair will be extended to conform to code; and
- D. The windows in the space will be enlarged and made operable; and

- E. The railings and structures are minimally visible and do no harm to the appearance of the building; now

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

Vote: Unanimous, with 34 Board members in favor.

**9. 561 Broadway – Application is to construct a stair bulkhead at the roof.**

**Whereas:**

- II. A stair to the roof is proposed, located in a new square room (17’ wide x 17’ deep, 9.5’ high), similar to others on the Broadway side of the building and with floor to ceiling glazing in steel frames on three sides and brick at the fourth wall located at the north parapet wall; and
- B. There is mechanical equipment on the roof of the proposed bulkhead; and
- C. The bulkhead is minimally visible and only from a great distance to the north and east; and
- D. The applicant represented that there will be a six foot high privacy fence which is not represented in the mockup and would seem to be more than minimally visible; now

**Therefore be it resolved** that CB2, Man. recommends:

- 3. **Approval** of the bulkhead/room and the placing of mechanical equipment on its roof; and
- B. That the LPC staff determine from a mockup to be installed the visibility of the proposed privacy fence and that it be denied if it is more than minimally visible.

Vote: Unanimous, with 34 Board members in favor.

**QUALITY OF LIFE**

**1. Modification for revocable consent to operate an unenclosed sidewalk café to add 3 tables and 5 chairs for:**

**GMT New York LLC, d/b/a GMT Tavern, 142 Bleecker Street with 24 tables and 51 chairs (1382861-DCA)**

**Whereas**, the Licensee’s business is located in a corner building on the Southwest Corner of Bleecker St. and LaGuardia St. and currently operates a sidewalk café only along the LaGuardia Place façade with 24 Tables and 51 Chairs; and,

**Whereas**, this modification application seeks to add an additional 3 tables and 6 Chairs to the sidewalk café along the Bleecker St. façade where no sidewalk café currently exists; and,

**Whereas**, the Licensee made an agreement with CB2, Man. in September 2010 that they would not place any tables and chairs on Bleecker St. as part of their sidewalk café; the existing underlying conditions which were the basis of that agreement in 2010 have not changed and if anything have been further exacerbated; and,

**Whereas**, the agreement to not have any exterior tables or chairs placed on Bleecker St. was part of a larger agreement that the Licensee had agreed to in order to gain CB2, Manhattan’s support for a Liquor License in order to demonstrate that their business would provide a public benefit and minimize the impact on quality of life for area residents and visitors and to alleviate pedestrian crowding in this densely trafficked corridor; and,

**Whereas**, this section of Bleecker St. with one lane of East bound traffic and a bike lane where the Licensee seeks to add tables and chairs is part of one of the most heavily trafficked areas in Greenwich Village, both pedestrian and vehicular and is the last eating and drinking business on Bleecker St. until Broadway; traffic congestion and bottle necks often occur immediately in front of this location on Bleecker St. due to Taxi’s and For Hire Vehicles stopping until they secure a fare and pedestrians trying to hail vehicles, which often creates a dangerous condition for pedestrians moving through the intersection as they navigate around either pedestrians standing in place on the sidewalk and smokers from the establishment and moving through vehicles stopped in front of the premises in the no standing zone; and,

**Whereas**, when the applicant made their initial application to the Department of Consumer Affairs for a sidewalk café in March 2011, the applicant affirmed that agreement and did not include any seating in their sidewalk café on Bleecker St.; and

**Whereas**, 44% of the Licensee’s overall seating including the interior is located in their existing sidewalk café, which is a significantly higher percentage than the vast majority of businesses within CB2; and,

**Whereas**, the Licensee seeks to add 3 tables and 6 chairs to the Bleecker Street side of the establishment in violation of their existing agreement in order to signal to people on Bleecker Street that the restaurant and sidewalk café are open for business and to extend the esprit de corps of the establishment to the “less lively” section of Bleecker Street that the sidewalk café would inhabit; and

**Whereas**, the establishment has approximately thirteen 3ft x 5 ft flags evenly spaced which fly immediately above the façade, including five along the Bleecker St. façade, which make this establishment very hard to miss by any casual observer; and,

**Whereas**, the Bleecker St. façade contains two standpipes along the building façade which impact the placement of sidewalk café tables and chairs on Bleecker St. and normal use and placement of the proposed tables and chairs would violate the required clearances; and,

**Whereas**, the proposed sidewalk railing placement would interfere with pedestrian flow in this very unique corner and due to the extenuating circumstances created by existing sidewalk obstructions just to the West of the establishment including Public Pay Telephone Booths and protective Bollards would result in pedestrian stepping into the street when there is sidewalk congestion which is dangerous because this is often where cabs pull over at the last second because with the exception of a super market, there are no more businesses East on Bleecker St. for the equivalent of 4 city blocks; and,

**Whereas**, the applicant does not remove the sidewalk railings on the LaGuardia Place side of the business on most evenings during agreeable weather at the mandated time creating a permanent obstruction in the later hours after the sidewalk café has closed but the business is still open; and,

**Whereas**, at CB2's November Full Board Meeting, several local residents and CB2 Board members testified in opposition because of the negative safety impact that adding tables and chairs to the Bleecker St. side of the existing sidewalk café would have and the additional hazard this would add to this already dangerous crossing in the evenings when there is heavy pedestrian and vehicular traffic; furthermore those that spoke felt the Licensee should continue to honor their agreement;

**Therefore Be It Resolved** that CB2, Man. recommends denial of a modification to the existing sidewalk café for GMT Tavern, 142 Bleecker Street to add 3 tables and 6 chairs.

Vote: Passed, with 30 Board Members in favor, and 4 in opposition (E. Coler, E. Ma, J. Gallagher, T. Connor).

## **2. FYI Sidewalk Café Renewal:**

**Margherita Corporation, d/b/a Margherita, 197 Grand St., with 4 tables and 8 chairs (2023879-DCA)**

**Therefore Be It Resolved** that CB2, Man. recommends approval of the subject renewal.

VOTE: Unanimous, with 34 Board Members in favor.

## **3. Street Activity Applications**

**Monday, 11/20/17 – Uniqlo KAWS 2<sup>nd</sup> Launch, Broadway between Spring and Prince Streets**

**Whereas**, the applicant did not appear to speak to this application; and

**Whereas**, two members of the community appeared to express frustration that many commercial events such as these are frequently scheduled and planned by SoHo establishments without any time for the community to provide input; and

**Whereas**, frequently an applicant will not appear at the Community Board to receive input from the community because the permits are frequently granted by the Street Activity Permit Office (SAPO) whether the Community has had a chance to provide input or not; and

**Whereas**, neighboring residents and businesses are frequently not informed by applicants that these events are taking place and there should be a more effective mechanism for alerting neighboring residents and businesses of these events; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of the – Uniqlo KAWS 2<sup>nd</sup> Launch, Broadway between Spring and Prince Streets on November 20, 2017.

Vote: Unanimous, with 34 Board members in favor.

**Fridays, Saturdays and Sundays from 1/5/18-12/21/18 – St. Anthony Flea Market;** West Houston Street from Thompson Street to the end of St. Anthony's property line between Sullivan and MacDougal Streets

**Whereas**, this flea market has been in operation for many years and has had a positive impact on the community; and

**Whereas**, this year, St. Anthony's welcomed a new pastor, Father Mario Julian, who spoke on behalf of this application and expressed that the flea market is an important part of his parish and supports many artisans; and

**Whereas**, Father Julian stated that he would be directly involved in the operations of the flea market and always welcomes input from the community; and

**Whereas**, four vendors (including one who is also a resident of CB2) spoke in favor of this application and explained that the flea market attracts both locals and tourists and creates a boon in business for the area merchants including, Pepe Rosso to Go, Unico and Brigadeiro; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the **St. Anthony Flea Market**; on West Houston Street from Thompson Street to the end of St. Anthony's property line between Sullivan and MacDougal Streets on Fridays, Saturdays, and Sundays from January 5, 2018 through December 21, 2018.

Vote: Unanimous, with 34 Board members in favor

## **SLA LICENSING**

### **1. ASC, Inc. d/b/a La Nonna, 134 Mulberry St. 10013** (Corp. change OP – Restaurant)

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a corporate change of an existing Restaurant On Premise license SN# 116736 (Exp: 11/30/17) to continue to operate a full service restaurant specializing in Italian fare within a mixed use six story building (circa 1915) on Mulberry St. between Hester and Grand Streets in Little Italy; and,

**ii. Whereas**, this application involves an intra-family transfer of ownership with no change in the current method of operation within a roughly 2,200 sq. ft. premise (ground floor and basement with basement for storage purposes only); there are 15 tables and 56 table patron seats in the restaurant, one bar with no seats for a total of 56 patron seats; there are existing French style doors along the front facade that open out to the sidewalk, there is an existing sidewalk cafe with an additional six exterior tables and 12 exterior patron seats; and,

**iii. Whereas**, the hours of operation will continue to be 12 PM to 10 PM Sunday through Thursday and from 12 PM to 11 PM Fridays and Saturdays, the sidewalk cafe and operable doors will close and be closed by 10 PM during the week (Sunday through Thursday) and will close and be closed by 11 PM Fridays and Saturdays, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), 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,

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

1. Premise will be advertised and operated as a full service Italian Restaurant.
2. The hours of operation will be from 12 PM to 10 PM Sunday through Thursday, from 12 PM to 11 PM Fridays and Saturdays.
3. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.

4. The premise will not have a television.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes other than a sidewalk cafe.
7. The sidewalk cafe will close by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays.
8. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
9. The premises will not have DJ's, live music, cover charges or promoted events.
10. The premises will close all doors & windows by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.

v. **Whereas**, this application being subject to the 500 Foot Rule, there being 37 on premise liquor licenses within 750 ft.;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a corporate change application for the restaurant on premise license for **ASC, Inc. d/b/a La Nonna, 134 Mulberry St. 10013** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA On Premise License.

Vote: Unanimous, with 34 Board members in favor.

**2. Liquor Laboratory, Inc. d/b/a Liquor Lab, 138 Wooster St. (2nd Fl) 10013** (New OP – previously unlicensed location)

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new On Premise license to operate a Beverage Education Center, a business where consumers/groups are educated and educational classes providing mixology and bartending techniques, wine pairing and ice carving in a social environment, all within a second floor location in a six story commercial use building on Wooster Street between W. Houston and Prince Streets in Soho; and

**ii. Whereas**, this location did not previously operate with a liquor license or as an establishment for eating and drinking but the concept is not to provide eating and drinking open to the public where food or beverages will be offered for purchase and/or consumed by patrons but rather to provide education services and classes only at a predetermined price; and

**iii. Whereas**, there will be no full-service kitchen but the interior premises will be renovated but there will be no significant mechanical systems installed during the renovation and there will be no outdoor or exterior uses or occupancy ancillary to the operations; and

**iv. Whereas**, the Applicant also operates other Liquid Laboratory locations in NYC that offers public mixology classes at \$80 per class session to couples, groups and individuals to learn the finer art of mixology; and

**v. Whereas**, the premises is 3,100 Sq. ft., with one bathroom, one entrance/exit, 43 tables/desks with 66 seats and 1 bar with no seats for a total seating capacity of 66, the seating diagram presented demonstrating a format similar to a class room setting with tables lined up in symmetrical rows; there is no sidewalk café and no other outdoor areas for patrons, all windows will remain closed at all times; and

**vi. Whereas**, the hours of operation will be from 3 PM to 11 PM every day Monday through Friday and from 11 AM to 11 PM Saturdays and Sundays, 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 two TVs but those TVs will be used for instructional purposes only, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

**vii. Whereas**, this application being subject to the 500 ft. Rule, there being 28 existing licensed premises within 750 feet of these premises and another 3 pending licenses (not including beer and wine licenses); and

**viii. Whereas**, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for operating with on premise liquor license in an area already saturated with licensed establishments, this application being unique to the extent that it seeks to open and run an beverage educational center providing educational classes to the public who sign up and pay for those classes, albeit to educate people on how to mix drinks where there will also be some alcoholic consumption but such consumption will not be primary to the method of operation but rather will be ancillary to the mixology classes offered; and

**ix. Whereas**, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation as a Beverage Educational Center on their On Premise license and the stipulations are as follows:

1. The premises will be advertised and operated as a Beverage and Mixology Education Center open to the public.
2. The hours of operation will be from 3 PM to 11 PM Monday through Friday and from 11 AM to 11 PM Saturdays and Sundays.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have two televisions for instructional purposes only.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. Will close all windows at all times.
8. There will be no patron lines outside on the public sidewalk.
9. The premises will play quiet ambient, recorded background music only.
10. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. Each participant/student will have a seat.
12. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.
13. There will be no "bottle service" or sale of bottles of alcohol except for the sale of wine products.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an on premise license to **Liquor Laboratory, Inc. d/b/a Liquor Lab, 138 Wooster St. (2nd Fl) 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the On Premise License.

Vote: Unanimous, with 34 Board members in favor.

**3. Amity Street, Inc. d/b/a Amity Hall, 80 West 3rd St. 10012** (Existing On Premise)

**i. Whereas**, at the request of Community Board 2, Manhattan’s SLA Licensing Committee the licensee appeared for the purpose of responding to certain complaints arising from loud music, large crowds and operations with late night hours consistent with a night club type atmosphere that has persisted for a number of years at the licensed premises operated as Amity Hall; and,

**ii. Whereas**, the licensed premise is located in a two story storefront (basement and first floor) within a five story building (Circa 1910) townhouse on West 3rd Street between Thompson and Sullivan Streets in a historic land marked district of Greenwich Village; and,

**iii. Whereas**, the complaints were generated by neighbors living in an adjacent townhouse building with a shared wall, those living next door providing photos of the Amity Hall premises with bouncers out front with velvet ropes and long lines of patrons on the sidewalk seeking entry, with additional photos showing the interior premises with chairs and tables having been removed, the space being full with patrons dancing, there being a DJ booth and speakers mounted on a bare brick wall that is shared, the music until 4 AM being a thumping base sound through the shared wall; and,

**iii. Whereas**, Amity Hall has been and continues to be operated and advertised primarily as a Sports Bar with 15 TVs employing 4 security personnel or bouncers on a regular basis, but which also promotes, advertises and operates with Live DJs and Karaoke events every Fridays and Saturday nights until 3 AM, and advertises/operates/serves a “bottomless brunch” all day on Sundays; and

**iv. Whereas**, when the licensee first appeared before Community Board 2, Manhattan’s SLA Licensing Committee back in 2008, to apply for its existing on premise license (SN# 1221671 Exp. 11/30/2017), the licensee presented an application to operate as a full service restaurant with background music only, the method of operation presented in 2008 being entirely inconsistent with current operations as a “sports bar”, use of d.j.’s, security personnel or bouncers, promoted events, cover fees, entertainment level music, velvet ropes and/or movable barriers; and,

**v. Whereas**, the local Bleecker Area Merchants and Resident’s Association (“BAMRA”) supported the application in 2008 on the pretext that it supported a restaurant operation going into the premises but were against any more bars in the area; and,

**vi. Whereas**, the recommendation from CB2, Man. in 2008 was to deny the license unless the agreed upon method of operation, as presented as a restaurant, with background music, was incorporated into its liquor license; and,



**vii. Whereas**, the Licensee conceded with their Attorney present that they currently operate and have operated for some time with DJs at entertainment music levels until 3 AM, with 4 bouncers nightly, with ropes/patron lines and barriers on the public sidewalk, but in response explained that they had attempted to soundproof the premises over the past year at a cost so as to prevent the noise and vibration intrusion caused by the loud music on their neighbors; and,

**viii. Whereas**, with their retained Attorney being present the Licensee was informed and made aware that Amity Hall has deviated from its agreed upon method of operation with CB2, Man. and incorporated on its liquor license, those changes establishing a significant and improper intrusion upon the lives and quiet enjoyment of their neighbors, the “bait and switch” type changes in the method of operation being improper and illegal without first giving notice of such changes with notice to the Community Board and to the NYSLA; and,

**ix. Whereas**, the Licensee stated that the Amity Hall business would immediately stop operating with entertainment music levels and DJs and would return to operating with background music levels only within the interior of the premises and further indicated/stated that it planned to apply for an alteration to its existing license *ex post facto* and in the future so as to obtain approval for any and all changes to its previously agreed upon method of operation;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends that NYSLA investigate the noise complaints and changes in method of operation undertaken by **Amity Street, Inc. d/b/a Amity Hall, 80 West 3rd St.** and to take all appropriate measures, including enforcement proceedings, if necessary to insure that the Licensee operate within its agreed upon method of operation as a restaurant and to prevent any further late night intrusions, or the use of DJs and/or music being played at entertainment levels, as more fully described herein.

Vote: Unanimous, with 34 Board members in favor.

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

**4. Hello Lafayette, LLC, d/b/a Bricia Soho, 267 Lafayette st. aka 54 Prince St. 10012 (RW – Restaurant/Pizzeria—Withdrawn)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to withdraw its application from further consideration at this time and would refile a new 30 day notice to CB2 Manhattan should it seek to move forward with this application at any time in the future;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Hello Lafayette, LLC, d/b/a Bricia Soho, 267 Lafayette st. aka 54 Prince St. 10012** **until** the Applicant has properly 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 34 Board members in favor.

**5. Ballato's Restaurant Corp., d/b/a Ballato's, 55 East Houston St. 10012** (OP-Restaurant—laid over at request of Applicant).

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to lay over this application relating to an existing on premise license to December/2017;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Ballato's Restaurant Corp., d/b/a Ballato's, 55 East Houston 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 34 Board members in favor.

**6. Soho Village Hotel, LLC & San Marino at Soho, Inc. d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton St. 10014** (OP - Hotel Change Method of Operation—laid over at request of Applicant).

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to lay over this application for an alteration to an existing on premise license to December/2017;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Soho Village Hotel, LLC & San Marino at Soho, Inc. d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton 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 34 Board members in favor.

**7. Broome Street Food and Drink, LLC d/b/a Black Tap, 529 Broome St. C-104, 10013** (RW – Tavern Wine License, alteration to add the adjacent storefront to the licensed premises—laid over at request of Applicant).

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to lay over this application for an alteration to an existing on premise license to December/2017;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Broome Street Food and Drink, LLC d/b/a Black Tap, 529 Broome St. C-104, 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 34 Board members in favor.

**8. Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013** (OP – Restaurant/Bakery Café) (withdrawn)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to withdraw this application for an alteration to an on-premise license and would refile a new 30 day notice to CB2 Manhattan should it seek to move forward with this application at any time in the future;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board in favor.

**9. Raoul’s Restaurant Corp. d/b/a Raoul’s Restaurant, 180 Prince St. 10012** (Existing OP license at 180 Prince Street seeking to Expand premises to add additional storefront located in adjacent building at 178 Prince St.—laid over at request of Applicant).

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to lay over this application for an on premise license to December/2017;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Raoul's Restaurant Corp. d/b/a Raoul's Restaurant, 180 Prince 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 34 Board members in favor.

**10. Dez Mulberry, LLC d/b/a Dez, 227 Mulberry St. 10012 (RW – Restaurant) (laid over)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to lay over this application for a Restaurant Wine license to December/2017;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Dez Mulberry, LLC d/b/a Dez, 227 Mulberry 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 34 Board members in favor.

**11. 524 Broadway Tenant, LLC, d/b/a WeWork, 524 Broadway 7th, 8th & 9th floor 10012 (RW – Bar/Tavern seeking live music and DJs) (RW – Restaurant) (laid over)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to lay over this application for a Restaurant Wine license to December/2017;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **524 Broadway Tenant, LLC, d/b/a WeWork, 524 Broadway 7th, 8th & 9th floor 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 34 Board members in favor.

**12. 524 Broadway Tenant, LLC, d/b/a WeWork, 524 Broadway 7th, 8th, 9th, 10th & 11th floors 10012 (RW – Bar/Tavern accessory to office space)**

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to lay over this application for a Tavern Wine license to December/2017;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **524 Broadway Tenant, LLC, d/b/a WeWork, 524 Broadway 7th, 8th, 9th, 10th & 11th floors 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 34 Board members in favor.

**13. 428 Broadway Tenant, LLC, d/b/a WeWork, 428 Broadway 2nd, 3rd, 4th, 5th & 6th floor 10012 (RW – Bar/Tavern accessory to office space)**

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to lay over this application for a Tavern Wine license to December/2017;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **428 Broadway Tenant, LLC, d/b/a WeWork, 428 Broadway 2nd, 3rd, 4th, 5th & 6th floor 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 34 Board members in favor.

**14. WW 379 W Broadway, LLC, d/b/a WeWork, 379 W. Broadway 2nd, 3rd, 4th & 5th floors 10012 (RW – Bar/Tavern accessory to office space)**

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 6, 2017, the Applicant requested to lay over this application for a Tavern Wine license to December/2017;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **WW 379 W Broadway, LLC, d/b/a WeWork, 379 W. Broadway 2nd, 3rd, 4th & 5th floors**

**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 34 Board members in favor.

**15. Caudalie Washington Street, LLC, d/b/a Caudalie Vinotherapie Spa, 823 Washington St. 10014 (TW – Wine Lounge in a Spa)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an upscale spa with food service; the focus of the spa is services and products made with grapes, they offer customers wine together with a light food menu; and,

**ii. Whereas**, this application is for a new tavern wine license on the ground floor of a commercial building on Washington St. between Gansevoort St. and Little West 12<sup>th</sup> St. for a roughly 1,128 sq. ft. premise with 7 tables and 14 seats and 1 standup bar with 2 seats, there is no sidewalk cafe and there are no other outdoor areas for patrons, there is an existing Certificate of Occupancy; and,

**iii. Whereas**, the hours of operation will be 11AM to 6PM, Monday to Wednesday from 11AM to 7PM, Thursday to Friday from 11AM to 8PM and Saturday from 11AM to 7PM, all patrons will be cleared and no patrons will remain after stated closing times, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

**iv. Whereas**, the Applicant agreed to execute a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the tavern wine license stating that:

1. Premise will be advertised and operated as an upscale spa with food service.
2. The hours of operation will be Sunday from 11AM to 6PM, Monday to Wednesday from 11AM to 7PM, Thursday to Friday from 11AM to 8PM and Saturday from 11AM to 7PM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a "lounge", tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at all times. Premises will not have French Doors, Operable Windows or open facades.
10. Will play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.

13. There is no sidewalk café.

14. Spa related private events will be limited to 2-3 times per month. Private event hours will be no later than hours stated in #2.

**v. Whereas**, the applicant contacted local residents and there were no objections provided the applicant adhered to the above stipulations; and,

**vi. Whereas**, there are currently approximately 22 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Tavern Wine License for **Caudalie Washington Street, LLC, d/b/a Caudalie Vinotherapie Spa, 823 Washington St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

**16. 29-33 Ninth Avenue, LLC, d/b/a Davide, 29-35 Ninth Ave. New York, NY 10014 (SN#1305942 OP – Restaurant – previously unlicensed)**

**i. Whereas**, the Applicant appeared for a 2<sup>nd</sup> time on November, 9, 2017 before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new on-premise liquor license for a very high end white table cloth restaurant operating with Michelin starred chef with background music and private dining space; the application had previously been presented in August 2017 at which time CB2, Man. had provided a Deny/Unless Resolution provided a number of stipulations were adhered to; the applicant states that there were some miscommunications and that they did not agree to the stipulations so they invited to re-presented their application to be reviewed as presented, and

**ii. Whereas**, this application is for a new Restaurant On-Premise Liquor License on the basement floor of this location in a location never previously operated as a stand alone restaurant, a portion of the basement floor in which this applicant will be located was previously licensed as part of a larger establishment; the location is on Ninth Avenue between 13<sup>th</sup> and 14<sup>th</sup> Street in the basement of a building which already has multiple other venues with liquor licenses including a hotel license, a private club license and another restaurant on-premise liquor license; the building in its entirety, all 6 floors and roof, are licensed for the service of alcohol across these multiple venues; and,

**iii. Whereas**, the premises is approximately 7,500 sq. ft. in the basement with a small 500 sq. ft. portion on the ground floor to accommodate the entrance lobby, there are 35 dining tables and 160 dining seats, 20 small cocktail tables and 38 arm chairs & bench seats for a total of 55 tables and 198 tables seats and 1 standup bar with no seats; the existing certificate of occupancy will be required to be updated as the current basement configuration needs to be altered to accommodate this new stand alone restaurant and the maximum occupancy raised from the current limitation of 134 persons; the applicant stated the certificate of occupancy will be altered prior to seeking issuance of the proposed license; any updated Certificate of Occupancy would therefore be dated November 2017 or later; and,

**iv. Whereas**, the proposed hours of operation are Sunday to Thursday from 10AM to 2AM and Friday to Saturday from 10AM to 2:30AM (no patrons shall remain at closing), music will background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged

music), there will no use of DJ's except there may be a DJ in the smaller private dining room indicated on the plans for smaller private parties and also use of a DJ when there is private party booked for the entire venue, the applicant also proposes live music during dinner hours from one or two musical instruments and during weekend brunches there may be no more than three instruments; there will be no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

**v. Whereas,** the applicant returned to CB2, Man. in November/2017 because they were asked by CB2, Man. to return after the original proposed stipulations were not executed by the applicant; the applicant did not feel that the stipulations represented what they had presented; in August 2017, it was CB2's recollection and understanding and the Communities understanding that the applicant had agreed to operating hours closing Sunday to Thursday at 12AM and Friday and Saturday at 2AM, CB2 provided a Deny/Unless recommendation with those hours of operation and parameters regarding the use of DJ's and Live Music; in November 2017, the applicant's presentation expanded to include later hours of operation until 2AM Sunday to Thursday and 2:30AM Friday and Saturdays, the applicant also added live music during brunch and dinner service, added Dj's service to the private dining room and added a "late dining menu" instead of offering the full dinner menu until closing; the applicant emphatically stated that they had never agreed to close at 12AM during the week in August 2017 despite that being the committee and community's understanding; and,

**vi. Whereas,** the applicant met with local residents in August 2017, a number of local residents appeared in opposition both in August 2017 and again in November 2017, the primary objections were **(1)** the hours of operation - comparable high end white table cloth restaurants in this area operate at earlier hours closing at midnight during the week and 1 am on the weekends, **(2)** the use of DJ's and live music at any time, **(3)** that this large venue would further exacerbate the existing noise level from patrons exiting on to the streets in the Meat Packing District - particularly in light of the fact that every space in the entire building is part of a licensed venue or proposed licensed venue, **(4)** the expanded impact on vehicular traffic at this location, on for hire vehicles and its over all impact on the meat packing district and the residential community to the South and East, **(5)** there were significant concerns that when the local L line subway service is closed for extended repairs that there will be an extensive impact on this area, **(6)** there were significant concerns that when private events are held, that the impact would even be more significant, it was requested that full buyout private events be limited to no more than 2-3 per month **(7)** they also raised concerns that other venues operated by this applicant have adverse histories with violations, and seem to be focal points for where criminal activity occurs or other activities begin according to press reports; and,

**vii. Whereas,** the applicant made a big point of stating that this was a previously licensed location when in fact this application is for a new Restaurant On-Premise Liquor License on the basement floor of this location in a location never previously operated as a stand alone restaurant, this location would be a new licensed venue; a portion of the basement floor in which this applicant will be located was previously licensed and operated as a part of the basement floor of Spice Market, which was a larger restaurant that occupied both the Ground Floor and Basement; The portion of the basement that was previously licensed as Spice Market hours of operation were Sunday to Thursday from 11:30 AM to 12AM and Friday to Saturday from 11:30AM to 1AM; and,

**viii. Whereas,** there are concerns with licensing another new establishment in the meat packing district, which is widely understood and has been demonstrated repeatedly to be oversaturated with many licenses, many for multi-floor premises with high occupancy; there is an existing vehicular traffic problem which is acknowledged by New York City's Department of Transportation which is in the midst of a long running traffic evaluation of the area in response to the overwhelming vehicular traffic which extends into the adjoining residential communities whose streets are not equipped to handle the type of evening vehicle



volume which descends on this area during peak dining hours and later into the evening through 4 a.m. as a result of the limited entry ways into the Meat Packing District; there is an acknowledged very high volume of pedestrian traffic through the course of the evening and into the early morning hours in the larger area including residential areas due to the high number of patrons who frequent this area and as a result of a lack of adjoining public transportation options and the corresponding lack of for hire vehicles willing to transit this high traffic area; and furthermore the number of existing venues, vehicles, traffic congestion and pedestrians all have a direct impact on the existing noise level in the area which directly impacts the quality of life of area residences in a significant manner; agreed upon stipulations and method of operation are regularly flouted and ignored by some area operators creating an untenable situation at certain times and licensing any additional premises in the area that does not meet the public interest is not acceptable to most in this community, and,

**ix. Whereas,** the applicant did agree to a number of stipulations but would not agree to reduce their hours of operation during the week; use of DJ's during full buyout events only, limit the number of events per month, they added time to the hours of operation on the weekends in their new presentation in November and added a live music component; in light of this, CB2 has presented stipulations for consideration below that might conceivably allow for the creation of public interest by mitigating the impacts the issuance of this new license might have and that represent a balance between residents and the operator; and

**x. Whereas,** should the Liquor Authority consider granting this license in light of the above outlined issues and over CB2's recommendation of Denial, CB2, Man. respectfully requests that the following stipulations/conditions be imposed on the license if the applicant does not otherwise agree to them:

1. Premise will be advertised and operated as a high-end white tablecloth restaurant with Michelin rated chef with background music only.
2. The hours of operation will be Sunday to Thursday from 10AM to 12AM and Friday to Saturday from 10AM to 2AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a bar, tavern or sports bar other than the small area identified on diagrams as a "lounge" area.
4. The premise will not have televisions. There may be screens during private events.
5. The premises will not permit dancing.
6. The premises will play ambient-recorded background level music only. Music will not be played at entertainment levels. All music levels and volumes will at all times comply with all New York City Laws and Regulations.
7. The premises will not have DJ's, live music, cover charges or promoted events.
8. Exception for live music: Live music may be permitted during weekend brunch service produced by three or less instrument (trios) at background volume levels only and at dinner service only produced by two or less instruments at background levels ending at 11PM; if there is a full entire venue buyout as described under DJ use, live music is permitted for the duration of the buyout with music ending no later than 12AM.
9. Exception for DJ: DJ may be permitted if there is a private event where the entire restaurant is booked. There will be no dancing and music will not be at entertainment levels. It will be at background levels. There will be no permanent DJ booth. Private Events are of the type where one bill is presented to one client or several clients for the whole event time period the details of which are negotiated in advance and individuals do not pay.
10. All doors and windows will remain closed at all times except for patron ingress/egress.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches" or advertise boozy brunches.

12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products or champagne.
13. The full dinner menu will be available until closing.
14. There will be no ropes, no “security” at entrance, and no lines at the entrance in keeping with the restaurant character of the premises. Premises will not allow waiting patrons to congregate in front of the premises.
15. Contact information for a manager will be available to residents at all times.
16. Applicant will not apply for any alteration to the method of operation or changes to any stipulations indicated here without first notifying and appearing before CB2.
17. A copy of the stipulations/conditions will be kept in immediate proximity to the license on the premises in such a fashion as to be available for review along with the Liquor License.

**xi. Whereas,** the applicant operates a number of licensed premises within New York City; and,

**xii. Whereas,** there are currently approximately 26 On Premise Liquor Licenses within 500 ft. of the premises, many of which are large multi floor venues and an unknown number of beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the presented application seeking a new restaurant on-premise liquor license for **29-33 Ninth Avenue, LLC, d/b/a Davide, 29-35 Ninth Ave., New York, NY 10014**; and,

**THEREFORE BE IT FURTHER RESOLVED** that should this new restaurant on-premise liquor license application be considered by the Liquor Authority, CB2, Man. respectfully requests that after a 500 ft rule hearing is conducted, that this item be Calendared to appear before the Full Board of the Liquor Authority; and,

**THEREFORE BE IT FURTHER RESOLVED** that if this application is considered by the Liquor Authority, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. respectfully requests that the Liquor Authority make a condition of approval the stipulations and conditions as set forth above.

Vote: Unanimous, with 34 Board members in favor.

**17. RH NY Guesthouse F&B, LLC, d/b/a RH, 55 Gansevoort St. 10014 (OP – New Hotel with Restaurant and Basement Wine Lounge)**

**i. Whereas,** the applicant appeared for a 2<sup>nd</sup> time in November/2017 before CB2’s SLA Licensing committee to present an application for a new Hotel liquor license for a 12-room guest house with a basement wine lounge, ground floor restaurant, 12 hotel rooms on the 2<sup>nd</sup> through 5<sup>th</sup> Floors and a rooftop outdoor space with pool area; the concept is related to the widely known Restoration Hardware; and

**ii. Whereas,** after presenting before CB2, Man. in October/2017, the applicant requested to return to CB2 in November 2017 to further discuss the application and make changes they felt were significant and worthy of reconsideration by the Committee especially as it related to outdoor music and hours of operation after CB2’s SLA Licensing Committee had unanimously recommended to Deny the proposed application in October/2017, but prior to it’s presentation to the full board of CB2, Man.; and

**iii. Whereas,** upon returning in November/2017, it was noted that the material facts of the application were substantively the same, however the applicant had met with local residents and conducted some exploratory sound tests to try to convince local residents that music on the rooftop outdoor pool area was acceptable, the residents who appeared in opposition prior and who participated in the sound tests appeared again and remained opposed to outdoor music on the hotel rooftop pool area; and,

**iv. Whereas,** this premises has a history for over a decade as a long problematic location with CB2, Man. and has a long adverse history, see SLA records and CB2 resolutions sent to the Liquor Authority regarding SN#1199484, AM Operating Group, LLC; SN#1242771, Villa Pacri, LLC; and SN#1268022, 61 Gans Restaurant, LLC; The most recent resolution from CB2 was sent to the Liquor Authority in April/2015 with respect to a renewal application for the last operator SN#1268022 and outlines significant issues and problems with that particular Licensee; and,

**v. Whereas,** this application reflects significant changes to the building in which this premises will be located in that the previously commercial upper floors are in the process of being converted into an upscale 12 room guest house hotel and the *rooftop which was previously unused has been converted and built out into an outdoor roof deck with a pool*; previously the premises was licensed on the basement ground floor and 2<sup>nd</sup> floor only; this application seeks to expand the licensed premises to include guest rooms and the recently constructed outdoor rooftop pool area; and,

**vi. Whereas,** this application is for a new Hotel Liquor License for the recently converted building that is located on Gansevoort St. between 9<sup>th</sup> Ave. and Washington St.; the premises will include 4 distinct separate licensed areas, a basement wine lounge, a ground floor restaurant, hotel guest rooms and an outdoor roof deck with pool serviced by two standup bars, 1 located in the basement and 1 located on the ground floor and 2 additional service bars; the basement wine lounge will have hours of operation from Sunday to Wednesday from 6PM to 2AM and Thursday to Saturday from 6PM-4AM; Basement Wine Lounge will have no more than 9 tables and 36 table seats and 1 stand up bar with 6 bar seats for a total of 42 seats; the ground floor restaurant will have hours of operation from Sunday to Wednesday from 7AM to 12AM and Thursday to Saturday from 7AM to 2AM; the ground floor restaurant will have no more than 28 tables and 96 seats in the interior, 1 stand up bar and 2 service bars; the rooftop hotel guest pool area has proposed hours of operation from Sunday to Friday from 9AM to 12AM; the rooftop hotel guest pool area will have no more than 6 tables and 44 seats; at the designated closing time for each area above, all patrons will be cleared and no patrons will remain after the stated time; a detailed floor plan of each area was presented; the applicant is in the process of completing the necessary work to temporary certificate of occupancy which indicates patron use of the ground floor and basement for an eating and drinking establishment; an updated Certificate of Occupancy is in the process of being obtained and it appears that all necessary Landmark Preservation Permits have been obtained; there is no sidewalk café presented as part of this application and operable doors and windows will be closed at 10 PM during the week and 11PM on Friday and Saturdays; and,

**vii. Whereas,** music will be ambient 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 dj except as provided for below in the stipulations, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, particularly as they relate to the basement wine lounge; and,

**viii. Whereas,** the applicant worked with CB2, Man. to complete an extensive stipulations agreement with CB2 to cover many areas of contention between those from the community who are in opposition and with issues from CB2, Man., but were not able to come to agreement specifically on hours of operation for the rooftop which CB2 was generously willing to extend until 9PM Sunday to Thursday and 10PM Friday to Saturday to this applicant but without Music on the rooftop; the applicant seeks hours of

operation on the rooftop until 12AM but was willing to come down and close the rooftop by 10 PM Sunday through Thursday and by 11PM on Fridays and Saturdays, albeit insisting that there be amplified outdoor music at all times; while CB2, Man. made significant concessions and was willing to allow doors and windows to remain open until 10PM during the week and 11PM on Weekends on the ground floor and have hours of operation in the basement until 4AM and Ground Floor until 2AM Thursday to Saturday, as were concessions made for the provisions of DJ's and Live music as outlined in the stipulations during full buyout events as described and other concessions were made; CB2, Man. and community members remain steadfast in the recommendation that no music be permitted on the rooftop; and,

**ix. Whereas**, subsequent to the applicant's appearing in October/2017 before CB2, the applicant met with some area residents to conduct what they believe were extensive sound tests that they believed in conjunction with the addition of a 42" Plexiglas Wall above the 22" parapet would eliminate any impacts from outdoor music in this already loud area known as the Meat Packing District; several community residents participated in this sound test; and,

**x. Whereas**, a number of community residents appeared in strong opposition to the application in relation to the outdoor roof deck pool area and music on the roof and CB2, Man. members shared similar concerns regarding hours of operation and music; **(1)** the underlying concern was that while its possible that a appropriate level could be found, it was not in the public interest in this brand new never before operated outdoor rooftop space with pool to have any sort of amplified music, **(2)** there is no track record with this operator and given the corporate nature of the entity, its entirely reasonable that the opening team would not be the day to day operators and therefore there are no absolute assurances on how the space would be operated with music over time which is unacceptable to residents, **(3)** that it is very hard in this neighborhood to track down where wafting outdoor music is coming from in the warmer months as stipulations are routinely violated and the excessive outdoor areas and open windows proliferate in the neighborhood; **(4)** there are few DEP or enforcement inspectors who have the wherewithal to conduct effective enforcement; **(5)** that the presumption of music on the rooftop despite the applicant's operating model should not be acceptable at this location in this building on the rooftop were this use previously did not exist and where the burden of any mistakes would immediately impact the quality of life of area residents; **(6)** that voices alone from groups of people on rooftops are enough to cause great disturbances and when hours of operation of the rooftop area are past 9PM during the week and 10PM on weekends it begins to have a serious impact on quality of life in the area; **(7)** while conducted by a sound engineering firm, there were issues outlined with the sound tests in that they were conducted utilizing generic murmuring voices and not real sounds of people, the speakers were not aimed at residential units, and weather conditions; **(8)** one immediately impacted resident said she could hear the sound tests when conducted but chose not to participate in the tests because she was adamantly against any rooftop music period and felt participating would some how further a conversation that roof top music was acceptable when it is not; **(9)** other residents testified to issues with other venues whereby the sound parameters instituted by sound engineers were circumvented and questioned any benefit because this could so easily happen; and,

**xi. Whereas**, Community residents had had an opportunity to meet and discuss aspects of the application with the applicants multiple times to address concerns and issues so most other areas of the application were somewhat acceptable and residents were willing to not oppose certain elements of the application because the lower portion of the building had been previously licensed and because of the applicants brand and style of operation; their concerns with the basement area and ground floor area were mitigated for this particular applicant partly because it was felt this would be an improvement over the long lousy track record of operations at this location on the ground floor and basement; residents also felt that the concessions regarding private events represented a middle ground, but would have preferred less; and,

**xii. Whereas,** there are always significant concerns regarding vehicular traffic and for hire vehicles in this immediate area, an area known to already have significant long standing traffic congestion and problems and the expansion of the use at this building would further exacerbate those issues; the existing traffic conditions in the evenings and during late night hours are often 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,

**xiii. Whereas,** this application is subject to the 500-foot rule, requiring the Applicant to establish the public interest standard there being 29 On-Premise Liquor Licenses within 500 ft. of the basement premises; 41 On-Premise Liquor Licenses within 750 ft., and 7 additional pending licenses; of those licensed venues, many are large multi floor high capacity premises; and

**xiv. Whereas,** should the Liquor Authority consider granting this license in light of the above outlined issues and over CB2's recommendation of Denial because of the significant impact of the hours of operation of the previously unlicensed outdoor rooftop pool area and the use of amplified music in the outdoor rooftop pool area, CB2, Man. respectfully requests that the following stipulations/conditions be imposed on the license which the applicant has already agreed to with the exception of the reduced hours of operation for the outdoor rooftop pool area and no music in the outdoor rooftop pool area (*italicized*):

1. Premise will be advertised and operated as a 12-room guesthouse hotel with basement wine lounge, ground floor restaurant, in-room dining for hotel rooms and rooftop accessible for hotel guests only.
2. The hours of operation will be:  
Basement Wine Lounge: Sun-Wed 6PM-2AM, Thur-Sat 6PM-4AM.  
Ground Floor Restaurant: Sun-Wed 7AM-12AM, Thur-Sat 7AM-2AM  
Rooftop Hotel Guest Pool Area: *Sun-Thur 9AM – 9PM, Fri-Sat 10PM,*  
At the designated closing time for each area above, all patrons will be cleared and no patrons will remain after the stated time.
3. The Basement Wine Lounge will have no more than 9 tables and 36 table seats and 1 stand up bar with 6 bar seats for a total of 42 seats. The Ground floor restaurant will have no more than 28 tables and 96 seats in the interior, 1 stand up bar and 2 service bars. The Rooftop Hotel Guest Pool Area will have no more than 6 tables and 44 seats. All tables will remain in a fixed position at all times. A full food menu will be available during all hours of operation in the ground floor restaurant and to registered hotel guests using the rooftop, a limited menu will be available in the basement wine lounge.
4. No portion of the premises may operate as a bar, tavern or sports bar other than the basement area, which may operate as a Wine Lounge as described in submissions.
5. The basement wine lounge, ground floor restaurant and rooftop area of the premises will not have televisions. There may be screens during private full buyout events of the entire premises as described below only on the ground floor and basement. There will be televisions in hotel guest rooms. There will never be televisions or projectors or similar on the rooftop.
6. There will be no DJ's or live music in the premises at anytime except as noted below.
7. There will be no dancing in any portion of the premises at anytime.
8. No sidewalk café is included in this application at this time.
9. The premises will play ambient-recorded background music only. Music will not be played at entertainment levels. All music levels and volumes will at all times comply with all New York City Laws and Regulations.
10. *There will be no music on the rooftop area at any time.*

11. There will be a 42” glass or Plexiglas wall installed on top of the 22” roof parapet that will surround the entire rooftop area with a 5ft barrier for sound mitigation.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”.
13. Brunch service will be civilized and orderly and there will be no music audible from the curb line in front of the premises. There will be no advertising or promotion of any type of boozy or tipsy brunch service.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products or champagne.
15. All doors and windows on the ground floor will be closed no later than Sunday to Thursday at 10PM and Friday and Saturday at 11PM and anytime there is music played on the interior that is audible from the curb line immediately in front of the premises.
16. There will be no more than 2 patrons staying in each hotel room with the exception of the suite, which will have no more than 4 patrons.
17. The rooftop area and pool area will be limited to registered hotel room patrons only and will never be open to the public or patrons of the basement and ground floor restaurants. Each hotel room may have 3 additional guests to accompany the occupants of the hotel room on the roof (total max 5 persons per guest room). At no time will there be more than 56 guests on the roof. A full food menu will be available in the rooftop area from the restaurant. Food ordered on the roof will be billed directly to hotel rooms.
18. There will be no ropes, no security at entrance, and no lines at the entrance in keeping with the restaurant and hotel character of the premises. Premises will not allow waiting patrons to congregate in front of the premises at any time, especially not for the basement wine lounge. An electronic notification system will be utilized if needed to prevent patrons from waiting outside the premises.
19. There may only be private events at the premises a maximum of 9 times (24 hour periods) per calendar year. A private event constitutes a full buyout of the entire Hotel and all areas of the hotel including basement, ground floor and all hotel rooms. All events during any buyout on the roof will end at 9PM. During full buyout private events, a DJ and amplified live music may be used in the basement only. During private events, there may be acoustic live music only on the ground floor; amplification may be used for voice only. If there is a dj or amplified live music in the basement or live acoustic music on the ground floor, all doors and windows will remain closed.
20. Outside promoters will never be used.
21. All Department of Building permits and including any Place of Assembly Permits or temporary Certificates of Occupancy will be kept current at all times.
22. Contact information for a manager will be available to residents at all times.
23. Applicant will not apply for any alteration to the method of operation or changes to any stipulations indicated here without first notifying and appearing before CB2.
24. A copy of the stipulations/conditions will be kept in immediate proximity to the license on the premises in such a fashion as to be available for review along with the Liquor License.

**xvi. Whereas**, this applicant also recently appeared before the Members of the Authority with respect to another operation, RH NY MP F&B, LLC, d/b/a Restoration Hardware, 9-19 Ninth Ave. 10014, less than a block away, which was for a restaurant wine application encompassing a retail showroom and rooftop restaurant with outdoor rooftop area not subject to the 500 ft. rule and which has not yet opened as of 11/2017; and,

**xv. Whereas**, CB2, Man. does not believe that the public interest would be met by licensing the outdoor area and rooftop pool portion of this venue with amplified music or music of any type;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the presented application seeking a new hotel liquor license for **RH NY Guesthouse F&B, LLC, d/b/a RH, 55 Gansevoort St. 10014**; and

**THEREFORE BE IT FURTHER RESOLVED** that should this new hotel liquor license application be considered by the Liquor Authority, CB2, Man. respectfully requests that after a 500-ft. rule hearing is conducted, that this item be Calendared to appear before the Full Board of the Liquor Authority; and,

**THEREFORE BE IT FURTHER RESOLVED** that if this application is considered by the Liquor Authority, despite CB2, Manhattan's recommendation to deny this application, CB2, Man. respectfully requests that the Liquor Authority make a condition of approval the stipulations and conditions as set forth above.

Vote: Unanimous, with 34 Board members in favor.

**18. Mikado Bistro, Inc., d/b/a Mikado Bistro, 525 6th Ave. 10011 (RW – Corporate Change - SN#1253188)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a corporate change to an existing restaurant wine license SN#1253188 for a Japanese Restaurant to remove Miao Miao Lin from the license leaving Yao Yao Liu as the sole principal; and,

**ii. Whereas**, this application is for a corporate change for a restaurant wine license for a currently licensed location located on the 6<sup>th</sup> Avenue between West 13<sup>th</sup> and West 14<sup>th</sup> St. in a mixed-use residential building on the ground floor and basement (1,000 sq. ft. ground floor, 800 sq. ft. basement, no patron use of basement), with 11 tables and 36 seats and a sushi bar with 5 seats for a total of 41 seats; there is an existing temporary certificate of occupancy which indicates patron use of the ground floor and basement for an eating and drinking establishment; there is no sidewalk café and there are no French doors or operable windows; there is no existing Certificate of Occupancy and a Letter of No Objection was not provided; it does not appear that this Licensee has ever provided proper documentation showing that this is an allowable use at this location; and,

**iii. Whereas**, the hours of operation will be 11AM to 11PM 7 days a week (no patrons shall remain at closing), music will be ambient 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 dj, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**iv. Whereas**, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the existing Restaurant Wine License and CB2, Man. requests that the SLA add these stipulations to the license SN#1253188 stating that:

1. Premise will be advertised and operated as a Japanese restaurant.
2. The hours of operation will be from 11AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a "lounge", tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).

7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French doors, operable windows or open facades.
10. Will play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. There is no sidewalk café.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the corporate change to the existing Restaurant Wine License SN#1253188 for **Mikado Bistro, Inc., d/b/a Mikado Bistro, 525 6th Ave. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

**19. Le Prive' – Sanjay Le Forest & Joe Vicari, d/b/a Le Prive', 446 W. 14th St. 10014 (OP – Bar Lounge/ Event Space – Previously unlicensed)**

**i. Whereas**, the applicant and his representative appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an on-premise liquor license to operate an "event driven bar/lounge/catering space" in a previously unlicensed location in the basement only of a recently constructed building located on Fourteenth Street between Washington St. and Ninth Ave. for a roughly 5,000 sq. ft. premise with 12 tables and 74 seats and 1 bar with 15 seats for a total of 89 seats and a proposed occupancy of 299; and,

**ii. Whereas**, the applicant proposes a method of operation that includes live DJs, music volumes at entertainment levels, external ropes and security staff, and a combination of reserved private parties, with simultaneous multiple private events and walk-up public patrons attracted by "the cool vibe," and late-night hours until 4 AM Wednesday through Saturday and 2 AM Sunday through Tuesday; and,

**iii. Whereas**, the applicants presented reasons for why they felt this application was in the public interest that amounted to a list of generic items that they felt cumulatively rose to standard public interest including the creation of jobs, revenue, the primary reason being a need that they felt was not being provided in the area for a private events driven bar/lounge concept with DJ's and entertainment level music operating until 4AM providing a location for corporate events, fund raisers, product launches and other similar events, that because of changes in the area this was a good time to approach this project, that their model would only be successful if they booked as many events as possible and then continued to remain open after those events for people to come and enjoy the venue until 4AM; and,

**iv. Whereas**, a few individuals who were friends of the applicant but did not live in the area came to speak in support of the applicant indicating that there was a need for this type of venue; and,



- v. **Whereas**, floor plans provided to the committee present a configuration that prevents a variety of typical corporate and business events, making it likely that the establishment's character will be closer to a traditional lounge/nightclub than a traditional event space/catering space; and,
- vi. **Whereas**, there are already at least 20 event/lounge spaces of a similar nature and/or capacity within a few blocks of the proposed location, amply serving the community need for such venues at the cost of a substantial negative impact on the residential quality of life; and,
- vii. **Whereas**, the West Side Highway/West St. entrance/exit at the end of the block and existing event/lounge spaces and restaurants in the immediate area already generate substantial traffic congestion and parking challenges on West 14<sup>th</sup> Street and surrounding blocks on the weekends, in the late evenings and early morning hours that existing bars, event spaces, and restaurants are already struggling with and those issues extend into the residential portions of the surrounding area; and,
- viii. **Whereas**, planned 18-month closing of the New York Subways' 14<sup>th</sup> Street "L" train next year is expected to greatly exacerbate the traffic congestion and parking issues; and,
- ix. **Whereas**, one of the applicants is known to CB2, Man. as proprietor of a previously licensed premise originally proposed as an American Diner that subsequently morphed to a rock and roll restaurant called Rockography Café that generated many community complaints and quality of life complaints before it subsequently closed and was rebranded as yet another concept after 4 months (SN#1251341 Maximopino Café 1, LLC & Trust 3 Hospitality, LLC d/b/a Rockography Café); and,
- x. **Whereas**, a number of local residents appeared at the hearing to vigorously oppose the granting of the license and provided written testimony as well; the main issues of complaint are **(1)** this location has never previously been licensed or operated as a club or any type of eating and drinking establishment, **(2)** this method of operation and its known impacts on quality of life issues represents a step backwards for the community, **(3)** over the course of a day, this premises could bring an additional 600-1000 additional people into the immediate area, particularly in the evening and early morning hours creating significant quality of life issues, traffic impacts and a dramatic impact on street noise directly associated with the venue from patrons, **(4)** the applicants represented to residents that this location was not subject to the 500-ft. rule when it clearly is, **(5)** The focus of the space on the after-hours party and late night was of significant concern because often, the visitors to this space and other in the area pass through residential areas abutting the Meat Packing District, **(6)** there were significant concerns regarding vehicular traffic and for hire vehicles and the impact they would have stopping in front of the premises on this major east/west bound artery and it was noted that the existing traffic conditions in the evenings and during late night hours are often 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 taxis and livery cars, drunk patrons wandering quiet residential cross streets and screaming as they exit the area at late hours **(7)** there were concerns that the 18 month suspension of the L Train service for repairs would have a major impact resulting in additional vehicular for hire traffic, **(8)** the last thing needed is another club, **(9)** the operators are inexperienced operating a late-night venue and club in this specific area, **(10)** that the proposed venue served no benefit to the community serving only those who do not live here, but the brunt of the impact would be felt by residents; and,
- xi. **Whereas**, CB2, Man. and members of the public over the years 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 14<sup>th</sup> St., it is in the Meatpacking district and furthermore east and west bound traffic movement on 14<sup>th</sup> 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 not 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,

**xii. 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,

**xiii. Whereas,** despite the applicants claims that there are no licensed venues within 500 ft of this premises, this application is subject to the 500-foot rule, requiring the Applicant to establish the public interest standard there being 13 On-Premise Liquor Licenses within 500 ft. of the basement premises; an additional 15 On-Premise Liquor Licenses within 750 ft., and 5 additional pending licenses; of those licensed venues, many are large multi floor high capacity premises; and,

**xiv. Whereas,** CB2, Man. sees no public benefit in this usage given the already saturated market for such venues in the immediate vicinity, the substantial negative impacts on traffic, parking, late-night noise, quality of life and other issues;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new on-premise liquor license for **Le Prive’ – Sanjay Le Forest & Joe Vicari, d/b/a Le Prive’, 446 W. 14<sup>th</sup> St. 10014;** and

**THEREFORE BE IT FURTHER RESOLVED** that should this new restaurant on-premise liquor license application be considered by the Liquor Authority, CB2, Man. respectfully requests that a 500 ft rule hearing be conducted and that this item be calendared to appear before the Full Board of the Liquor Authority;

Vote: Unanimous, with 34 Board members in favor.

**20. LHG Restaurant, Inc., d/b/a Pending, 16 West 8th St. 10011 (RW – Restaurant)**

**i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a previously licensed location for a restaurant serving rice noodles and others from the Yunnan Province of China; there is no bar, but the premises will provided beer and wine for patrons; and,

**ii. Whereas,** this application is for a new Restaurant Wine License for a previously licensed location located on West 8<sup>th</sup> St. between 5<sup>th</sup> Avenue and MacDougal St. in a 1-story commercial building for a roughly 1,163 sq. ft. premise located on the ground floor with 15 tables and 45 seats and no standup bar, sidewalk cafes are not permitted on this portion of West 8<sup>th</sup> St.; there is an existing Certificate of Occupancy; and,

**iii. Whereas,** the hours of operation will be no longer than 11AM to 11PM Sunday to Thursday and 11AM to 12AM Friday and Saturday, all patrons will be cleared and no patrons will remain after stated closing times, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), doors will not be propped open, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

**iv. Whereas,** the Applicant agreed to execute a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a rice noodle Chinese restaurant.
2. The hours of operation will be 11AM to 11PM Sunday to Thursday and 11AM to 12AM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes including a sidewalk café.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress.
10. There will only be a fixed façade. There will be no French doors or operable windows. There will be no operable windows in the rear of the premises.
11. Will play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. There is no standup bar.
15. Will manage exterior space to prevent patrons from lingering or queuing.
16. Will operate with restaurant character at all times (full service restaurant).
17. Will adhere to all stipulations agreed to with the West 8<sup>th</sup> St. Block Association.

**v. Whereas,** the applicant reached out to the local block association which is active and communicates regularly with CB2, the West 8<sup>th</sup> Street Block Association, and agreed to a number of stipulations which the applicant agreed would also be incorporated into the stipulations with CB2 above and include language and concerns specific to the block on which the Licensee is located; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Restaurant Wine License for **LHG Restaurant, Inc., d/b/a Pending, 16 West 8th St. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

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

**21. 88 U Place Tenant, LLC, d/b/a WeWork, 88 University Pl. 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> & 6<sup>th</sup> floor 10003 (TW – Bar/Tavern seeking live music and DJs)**

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on November 9th, 2017, the Applicant requested to **layover** this application for a new tavern wine and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **88 U Place Tenant, LLC, d/b/a WeWork, 88 University Pl. 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> & 6<sup>th</sup> floor 10003** **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 34 Board members in favor.

**22. 88 U Place Tenant, LLC, d/b/a WeWork, 88 University Pl. 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> & 10<sup>th</sup> floor 10003 (RW – Bar/Tavern seeking live music and DJs)**

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on November 9th, 2017, the Applicant requested to **layover** this application for a new tavern wine and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **88 U Place Tenant, LLC, d/b/a WeWork, 88 University Pl. 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> & 10<sup>th</sup> floor 10003** **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 34 Board members in favor.

**23. WeWork Little West 12th, LLC, d/b/a WeWork, 1 Little W. 12<sup>th</sup> St. 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> & 6<sup>th</sup> floor 10014 (TW – Bar/Tavern seeking live music and DJs)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on November 9th, 2017, the Applicant requested to **layover** this application for a new tavern wine and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **WeWork Little West 12th, LLC, d/b/a WeWork, 1 Little W. 12<sup>th</sup> St. 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> & 6<sup>th</sup> floor 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 34 Board members in favor.

**24. Murray's Cheese, LLC, d/b/a Murray's Cheese, 254 Bleecker St. 10014 (RW- Bar & Tavern) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on November 9th, 2017, the applicant asked again after having asked in October/2017 to **layover** this application for a corporate change for an existing tavern wine license; CB2 indicated that the applying corporate entity had to be the same corporate entity that is currently licensed and not a new corporate entity; this would be a transfer application if that were the case; the current Licensed entity is Cornelia Street Group, Inc. d/b/a Murray's Cheese, the corporate entity that submitted the 30 day notice for a corporate change is Murray's Cheese, LLC, the applicant indicated that Murray's Cheese, LLC had bought Cornelia Street Group, Inc.; the representative still felt this was a corporate change application despite the obvious problematic explanation but agreed to come back in November after having researched the matter and clarifying the issues, the applicant is undertaking the filing paperwork themselves without a filing representative or attorney; they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Murray's Cheese, LLC, d/b/a Murray's Cheese, 254 Bleecker 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 34 Board members in favor.

**25. Slice West Village, Ltd. d/b/a Slice, The Perfect Food, 535 Hudson St. 10014 (RW – Restaurant) (laid over)**

**Whereas**, at the October 12<sup>th</sup> CB2, Manhattan SLA Licensing Committee #2 meeting the Applicant agreed to return to CB2, Man. in December to further address issues and complaints raised by local residents; the complaints are the same that have been raised year over year and were last memorialized by CB2 in 2013 in a resolution to the Liquor Authority; residents and the applicant agreed to try to once again resolve these issues which center around issues with operation of the sidewalk café and not adhering to Department of Consumer Affairs regulations and ongoing Quality of Life Issues centering around an inability to resolve issues with noisy ventilation fans which the applicant has promised to fix for YEARS but still continues to cause problems; as a good faith gesture, CB2, Man. extended the courtesy to the Applicant of a 2-month layover during which time he can meet with local residents and hopefully resolve the matter once and for all;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends that the applicant, **Slice West Village, Ltd. d/b/a Slice, The Perfect Food, 535 Hudson St. 10014**, resolve with local immediately impacted residents the issues surrounding the operation of their sidewalk café and the quality of life issues, particularly the noise issues associated with their vent fan which is left on 24 hours a day causing unnecessary noise and vibration and that they return to CB2 in December 2017 to update the Board on these matters and CB2, Man. requests that the Liquor Authority await further advisement on this situation from CB2 regarding any recommended course of conduct.

Vote: Unanimous, with 34 Board members in favor.

**26. Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 10003 (Alteration OP – Bar/Tavern SN# 1024183) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on November 9th, 2017, the Applicant requested to layover this application for an alteration to an existing on premise liquor license SN# 1024183 and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 10003** 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 34 Board members in favor.

**27. Moon Wrap, LLC d/b/a Wolfnights, 235 Bleecker St. 10014 (Beer/Wine/Cider – Quick Service Wraps Restaurant) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on November 9th, 2017, the Applicant requested to layover this application for a new beer/wine/cider license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for an **Moon Wrap, LLC d/b/a Wolfnights, 235 Bleecker 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 34 Board members in favor.

**28. TB Cantina, LLC, d/b/a Taco Bell, 647 Broadway 10012 (OP - Restaurant) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on November 9th, 2017, the Applicant requested to **layover** this application for a new on premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for an **TB Cantina, LLC, d/b/a Taco Bell, 647 Broadway 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 34 Board members in favor.

**29. Entity to be formed by Eric Einstein, d/b/a N/A, 100A 7th Ave. South 10014 (OP – Tavern) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on November 9th, 2017, the Applicant requested to **withdraw** this application for a new on premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for an **Entity to be formed by Eric Einstein, d/b/a N/A, 100A 7th Ave. South 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 34 Board members in favor.

**30. Entity to be formed by Arun Mirchandani, d/b/a The Royal Munkey, 31 Cornelia St. 10014 (OP – Restaurant) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on November 9th, 2017, the Applicant requested to layover this application for a new on premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for an **Entity to be formed by Arun Mirchandani, d/b/a The Royal Munkey, 31 Cornelia 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 34 Board members in favor.

**TRAFFIC AND TRANSPORTATION**

**1. Resolution requesting a study for implementing ferry service on the west side of Manhattan as part of the NYC Ferry network.**

**Whereas** CB2, Man. has been observing and appreciating the successful initiation and response to the NYC Ferry program, with an unanticipated number of riders now using the ferry service (over a million) both on a daily basis and for frequent other trips; and

**Whereas** NYC Ferry offers an alternative option to other public transportation modes (frequently over capacity) that reduces air pollution and traffic congestion, while often providing quicker more direct trips to destinations. Demand for it is quickly growing, especially in areas, such as the west side of Manhattan, that are not served or not well served by public transit; and

**Whereas** with zoning changes and the ebbing of industrial uses, the residential population on Manhattan's far west side has been steadily increasing in recent years, along with new commercial activities and a growing working population, much of this occurring within the CB2 district; and

**Whereas** large new rezonings in the far west side area of CB2, Man. have now occurred, including the Hudson Square rezoning and approval for the development of 550 Washington St. (St. John's Terminal), which promises to bring thousands of new residents and office workers, who will need convenient public transit access; and

**Whereas** CB2, Man. is discussing future uses for Pier 40 and the construction of one million s.f. of office space, with the potential for thousands more daily visitors there, in addition to a large new stream of visitors to the lately opened Whitney Museum and to various other new activities in the area, plus an increasing number of visitors to the Hudson River Park, all needing convenient access to public transportation; and

**Whereas** there is no close-by public transit in this far western portion of CB2, yet the Hudson River is just a stone's throw away across West St.; and



**Whereas** currently the far west side relies too heavily on for-hire vehicles and private cars for accessible transportation, which cause congestion and denigrate the environment; and

**Whereas** NYC Ferry service has the potential to provide a convenient and accessible public transportation opportunity right in the nearby Hudson River from this far west area to other areas of the City as well as laterally along the far west Manhattan shore on a much-needed north-south route; and

**Whereas** the speedy expansion of NYC Ferry Service to Manhattan's far west side can help reduce motor vehicle use and ease the current load on subways while serving existing public transit needs and effectively anticipating more such needs from oncoming robust development both in CB2's far western portion and other communities along the corridor there; and

**Whereas** already existing piers (such as Piers 40, 45 and 46 in CB2) might provide some of the needed infrastructure;

**Therefore be it resolved** that CB2, Man. strongly urges that the NYC Economic Development Corporation study the expansion and implementation of ferry service on the west side of Manhattan as part of the NYC Ferry network; and

**Be it further resolved** that CB2, Man. recommends including census data, rezonings, land use, density and population changes, commuter habits, feasible user hours, among other factors, as part of the study; and

**Be it finally resolved** that, in view of the ever-growing population on Manhattan's far west side and its growing need for convenient public transit access, CB2 asks that this study be completed as soon as possible.

Vote: Unanimous, with 34 Board Members in favor.

## **2. Resolution requesting installation of two speed humps on Spring St. bet. Mott and Elizabeth Sts.**

**Whereas** automobiles, taxis and trucks all speed excessively down Spring St. bet. Mott and Elizabeth St., many of them rushing forward to make the light on the Bowery (one block east of Elizabeth), all seriously endangering pedestrians; and

**Whereas** a great many elderly people and children live and/or walk on this stretch of Spring, a particularly vulnerable population that needs protection from these speeding vehicles; and

**Whereas** there have been many close and hazardous calls resulting from this high speed driving, the most recent being when a car travelled so fast that it ignored a school bus with flashing lights parked at 21 Spring St. as well as a Stop sign, passing by the side of the bus where a child was entering, and then jumping the sidewalk; and

**Whereas** crash data in recent years indicates that there also have been injuries on this stretch of Spring bet. Mott and Elizabeth Sts.: from Oct. 2014 to Oct. 2017 there were three crashes on Spring and Mott including five injuries (one bicyclist, two pedestrians, two motorists) and one crash on Spring and Elizabeth (with one pedestrian injury); and

**Whereas** several speed humps have been installed in the area surrounding Spring bet. Mott and Elizabeth, including Mulberry St. bet. Spring and Prince Sts., Mulberry bet. Prince and Houston Sts., Mott bet. Houston and Prince Sts., and Mott bet. Prince and Spring Sts., and residents have reported that they've helped slow down traffic and promote pedestrian safety; and

**Whereas** examples in other cities as well as on certain streets in CB2 have shown that installing two speed humps on a block helps sustain a steady slow speed in motor vehicles that otherwise go full speed ahead once going over a single speed hump;

**Therefore be it resolved** that CB2, Man. requests that the NYC Department of Transportation install two speed humps on Spring St. bet. Mott and Elizabeth Sts.

Vote: Unanimous, with 34 Board Members in favor.

Respectfully submitted,

Keen Berger  
Secretary  
Community Board #2, Manhattan