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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: February 21, 2019
TIME: 6:30 P.M.
PLACE: P.S. 41, 116 W. 11th St., Auditorium

BOARD MEMBERS PRESENT: Keen Berger, Tobi Bergman, Carter Booth (Chair), Katy Bordonaro, Amy Brenna, Richard Caccappolo, Lisa Cannistraci, Ritu Chatree, Tom Connor, Coral Dawson, Valerie De La Rosa, Doris Diether, Robert Ely, Joseph Gallagher, Jonathan Geballe, Susan Kent, Jeanine Kiely, Ryder Kessler, Patricia Laraia, Edward Ma, Brian Pape, Lois Rakoff, Bo Riccobono, Sandy Russo, Rocio Sanz, Scott Sartiano, Shirley Secunda, Frederica Sigel, Georgia Silvera Seamans, Antony Wong

BOARD MEMBERS ABSENT WITH NOTIFICATION: Susanna Aaron, Anita Brandt, William Bray, Erik Coler, Terri Cude, Kathleen Faccini, Cormac Flynn, Nicholas Gottlieb, Maud Maron, Daniel Miller, Shirley Smith, Cathy Sullivan, Susan Wittenberg, Adam Zeldin

BOARD MEMBERS ABSENT: Janet Liff

BOARD MEMBERS PRESENT/ARRIVED LATE: Susan Gammie, David Gruber, Robin Rothstein, Kristin Shea, Chenault Spence

BOARD MEMBERS PRESENT/LEFT EARLY: Tobi Bergman, Amy Brenna

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

GUESTS: Danielle Zuckerman and Zameena Mejia, Senator Brian Kavanaugh's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Laurence Hong and Claudia Zhu, Assembly Member Yuh-Line Niou's office; Charles Anderson, Assembly Member Deborah Glick's office, Patrice Comerford, Council Speaker Corey Johnson's office; Irak Cehonski, Council Member Carlina Rivera's office; Rush Perez, Council Member Margaret Chin's office, Abby Damsky, Council Member Ben Kallos's office; Robert Reiss, Elizabeth Torres, Cory Attardo, Cordelia Persen, Chandler Forsyth, Pete Davies, Anne Mitcheltree, Sloan Post, Jane Carey, Margie Goldman, Daisy Prince, Sarah Ziff, Laine Nooney, Tony Bueno, Fareen Islam, Will Hunter, Jamyn Edis, Patrick Doherty, Anita Dickhuth, Christopher Taha

MEETING SUMMARY

Meeting Date – February 21 2019

Board Members Present – 35

Board Members Absent With Notification – 14

Board Members Absent - 1

Board Members Present/Arrived Late - 5

Board Members Present/Left Early – 2

I. SUMMARY AND INDEX

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II. PUBLIC SESSION

Non-Agenda Items

Whitney Museum

Jane Carey updated everyone on upcoming events.

SoHo Broadway Earth Day Block Party

Fareen Islam, representing the applicant, spoke in favor of the event.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Danielle Zuckerman and Zameena Mejia, Senator Brian Kavanagh's office;

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

Charles Anderson, Assembly Member Deborah Glick's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Patrice Comerford, Council Speaker Corey Johnson's office

Rush Perez, Council Member Margaret Chin's office

Irak Cehonski, Council Member Carlina Rivera's office

IV. ADOPTION OF MINUTES

Adoption of January minutes

V. BUSINESS SESSION

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

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

STANDING COMMITTEE REPORTS

ARTS & INSTITUTIONS/PARKS & WATERFRONT

1. Resolution Regarding a Public Art Project Called “New York Artist Memorial Garden” in Jackson Square

WHEREAS:

1) New York City Parks Department’s “Adopt-a-Bench program”, which was started in 2005, enables individuals, groups, and families to purchase a plaque that resides on a bench in honor of a loved one or to celebrate a special occasion; and

2) The program raises over \$100,000 a year for general park maintenance and operations; and

3) Art Production Fund a 501(c)(3) non-profit organization dedicated to commissioning and producing ambitious public art projects (www.artproductionfund.org) and White Columns (www.whitecolumns.org) a not-for-profit art gallery founded in 1970 that is open to the public and free of charge that has been active in Manhattan CB2 neighborhood since 1979 are partnering with NYC Parks on this project; and

4) This program, a curatorial initiative by White Columns’ director Matthew Higgs, invited and signed up 34 New York-based artists to each dedicate a plaque to a person - or an entity - significant to them; and

5) The sponsors initially proposed Jackson Square for the project, then decided to move to Father Demo Square because Jackson Square was to close for years for renovation, but the local community around Father Demo Square was not in favor of the project; and

6) Jackson Square is now scheduled to reopen by spring/summer 2019 and the sponsors have requested to return to create the Artist Memorial Garden in the renovated park; and

7) Jackson Square is more appealing a location for this project than Father Demo Square because there will still be benches available for members of the public to adopt beyond those already sold for the Memorial Garden, because Father Demo has fewer benches and all would have been claimed. Jackson Square will have 27 benches which can take up to 54 plaques; 34 plaques have been sold as part of the program; and

8) The Jackson Square Alliance supports the placement of this installation in the park and will receive a one-time ear-marked donation of \$57,000 for maintenance of the park; and

THEREFORE, BE IT RESOLVED that CB2, Man.:

- Approves the proposal for this art project in Jackson Square done in conjunction with the NYC Parks Department’s Adopt a Bench program, but

- Requests that the identifying signage at the entrance of the park that will explain the art project, list the participants, and list the sponsors be retained for longer than the proposed one-year duration.
- Specifies that our support is a one-time approval that should not be considered a blanket endorsement of using the Adopt a Bench program in this manner moving forward, because we see the Adopt a Bench program as a way to memorialize loved ones and/or honor local achievers and do not want it to be used as a vehicle for arts installations or commercial projects that purchase most of the benches in small neighborhood parks, because such initiatives would undercut both the spirit and intent of the program.

VOTE: Passed, with 29 Board Members in favor, and 5 in opposition (S. Russo, K. Bordonaro, S. Gammie, D. Gruber, F. Sigel).

2. A Resolution Regarding a Temporary Public Art Exhibition at Duarte Square Called “Superstorm” by Robert Lobe

WHEREAS:

- 1) The artist Robert Lobe presented the proposal to the committees, along with Jennifer Lantzas, Deputy Director of Public Art, NYC Department of Parks and Recreation; and
- 2) The installation is expected to be installed this Spring, 2019, and will be presented for a period of one year; and
- 3) The sculpture, called *Superstorm*, shows a re-created a tree and boulder that were blown over during Superstorm Sandy, is formed in aluminum, is 10’ x 10’ x 17.5’ and will reside on top of a concrete base 10’ x 8’ x 6’; and
- 4) The sculpture is attached to a steel frame bolted to the concrete footing that will be engineered to act as a cantilever to stabilize the piece without the need for excavated footings; and
- 5) The installation will be positioned south of the statue and east of the bike rack in Duarte Square; and
- 6) New York Foundation of the Arts (NYFA.org) awarded the grant to Mr. Lobe for the project, including installation and deinstallation, the budget for which is \$30,000.

THEREFORE, BE IT RESOLVED that CB2, Man., approves this proposal for a temporary installation by artist Robert Lobe and appreciates the ongoing efforts of the Parks Department to install interesting art in our community spaces.

VOTE: Unanimous, with 34 Board Members in favor.

LAND USE AND BUSINESS DEVELOPMENT

1. Discussion and resolution of the Residential Tower Mechanical Voids Text Amendment recently certified by City Planning Commission and presented by Sylvia Li of Dept. of City Planning

Whereas:

1. Many of the new, tall buildings in New York City use empty “mechanical voids” in their design that are exempt from zoning floor area. These empty spaces can add hundreds of feet to the height of a building in order to create

- super-high apartments with better views stacked on top of light- and air-stealing, empty enclosed spaces.
2. The City has released a proposed zoning text amendment whose purpose is to limit how much of these mechanical voids would be exempt from restrictions on building size.
 3. The proposed changes would apply to residential towers in residential areas and would limit any one mechanical floor to no more than 25' in height, after which additional height would count towards building size limits.
 4. Each mechanical floor would have to be separated from the next mechanical floor by 75' or it, too, would count toward zoning floor area.
 5. For mixed-use buildings, non-residential mechanical space would be subject to the same 25'/75' limit, if non-residential uses occupy less than 25%.
 6. A cluster of mechanical floors that totals 80' would count as three floors of zoning floor area, even when each floor is less than 25' and non-contiguous.
 7. The City has made it clear that they will not apply these rules to unenclosed spaces, so if the void has no walls or is on stilts, the new restrictions won't apply. Thus, developers can sidestep the text amendment by removing the walls from these structural voids.
 8. It also does not appear that there would be anything to prevent a developer from making every few floors (separated by 75') a 25'-high mechanical floor and increasing the size and height of the building to get around limits that way.
 9. A more effective way to achieve the stated goals and overall spirit of the measure would be to determine a maximum allowable percentage of overall building height that could be devoted to mechanical space.
 10. The text amendment would apply to residential towers in non-contextual R9 and R10 residence districts and their commercial districts where residential towers are permitted.
 11. Lower Fifth Avenue is zoned entirely R10, and while much of that street is in the historic district, the upper blocks within CB2 are not. Thus, only zoning limits the size and height of new development there.
 12. The City should impose absolute height limits on new buildings in residential areas to ensure that they remain in context with their surroundings (as "contextual zoning" already does).

Therefore, be it resolved, CB2, Man. recommends denial of this text amendment unless:

1. The text amendment is rewritten to apply to all void spaces—enclosed or not.
2. The City requires that non-FAR mechanical space be filled only with equipment necessary for the functioning of the building, and disallows any accompanying empty space as exempt from the FAR calculation.
3. The City creates a process for determining whether an interval of as little as 75' between voids is appropriate to most buildings.
4. The City establishes and enforces a limit on the percentage of allowable non-FAR mechanical space in residential buildings, and prohibits any other amount of empty space.

Vote: Unanimous, with 34 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1. **686 Broadway** - Application is to install a new storefront on Broadway at the 1st, 2nd and 3rd floors, decorative railings and new brick veneer and decorative grille at the parapet; paint the existing brick facade at Great Jones Alley to match the new brick veneer at the Broadway facade.

Whereas:

- A. An earlier modifications to the building removed or covered the entire historic facade; and
- B. The proposed design references the original facade as shown in a historic photograph with second and third floor windows with banding of cast iron insets and a modern minimal infill at the ground floor.
- C. The ground floor commercial space infill is blandly modern with doors that are not tall enough to be properly proportioned to the high opening and two single pane display type windows without transoms. The bulkheads are too low, have no historical reference and are not harmonious with the upper floors of the building and the neighborhood; and
- D. The upper floors and a brass grill in the gable are generally acceptable apart from the oversized disproportionate windows in the third floor; and
- E. The interior and side piers are not continuous and are both odd and do not express the vertical elements typical to historic buildings; and
- F. The brass pin letters, though not of historic design, fit well into the facade; and
- G. The front façade brick veneer on Broadway and the rear façade on Great Jones Alley color is a non-historic dark gray, is out of harmony with the neighboring buildings and is an intrusion on the streetscape; now

Therefore be it resolved that CB2, Man. recommends **denial** of the application unless;

- A. There are taller doors and transoms over the doors and windows with higher bulkheads at the ground floor; and
- B. The third floor windows are smaller and narrower; and
- C. The piers are continuous from the top to the street and not interrupted with detailing at the level of each floor; and
- D. The facade color is in harmony with the limestone and cream-colored facades on the buildings in the block.

Vote: Unanimous, with 34 Board members in favor.

2. 400 Lafayette St. - Application is to install a new glass marquee above commercial building entrance.

Whereas:

A. The existing awning is to be removed and to be replaced by a glass marquee in a modern style with stainless steel anchors and supporting rods; and

B. The design has no historic reference, is not in keeping with the building and the neighborhood and was represented by the applicant as reflecting the interior design of the building rather than regard for the exterior of the historic building; now

Therefore be it resolved that CB2, Man. recommends **denial** of the application for the modern design as inappropriate for the building and the neighborhood.

Vote: Unanimous, with 34 Board members in favor.

3. 275 Canal St. – Application is to establish a master plan for new painted wall sign on visible western façade.

Whereas:

A. The applicant represented that existing historic sign cannot be preserved owing to necessary repair work, including extensive brick replacement to the wall; and

B. The proposed sign is 15'-5" x 21'-5" and is smaller than the existing sign; and

C. The applicant represented that the position and the design properties conform to guidelines and that each new sign design will be submitted to the Landmarks Commission staff for review to ensure that they continue to conform; now

Therefore be it resolved that CB2, Man. recommends **approval** of this application provided that Landmarks staff ensures that the master plan design and each individual design conforms to applicable guidelines.

Vote: Unanimous, with 34 Board members in favor.

4. 76 Wooster St. - Application is to install a fire escape at the façade for legal egress of the 2nd, 3rd and roof levels. (laid over)

[NOTE: 200 Prince St. and 202 Ave. of Americas is an application for one project and that they are combined, together with a vacant lot and addressed in one resolution.]

5. 200 Prince St. – Application is to alter the street facade including partial demolition of exterior walls; install new windows, doors and signage; and partially expand the building towards side yard at street level.

AND

6. *202 Ave. of the Americas - Application is to alter the street facade with changes to existing window openings and entrances, and install new signage.

Whereas:

- A. The project consists of two buildings separated by a 20' wide vacant lot- the Prince Street building is an extensively altered row house and the Sixth Avenue address is an apartment building; and
- B. The proposal is to remove the top floor from the row house, install a roof railing that gives the appearance of a long structure on the roof, single pane windows on the second and third floor and continuous plate glass windows with minimal bulkheads on the ground level, all of which are without historical reference and deny the historic essence of the intact row house; and
- C. This work involves removal of a considerable amount of historic fabric of the row house, including the entire top floor and the demolition of the entire ground floor facade; and
- D. The adjoining vacant lot is to have a one-story glass pavilion with operable windows to open entirely to the street and with a roof for an outdoor dining area as an extension of the commercial space in the ground floor of the row house. This design, just like the design for the row house ground floor, is without historical reference and is in disharmony with the neighboring buildings and the district; and
- E. The apartment building at the west side has display windows and reconfiguration of the Sixth Avenue infill and is connected to the other two structures with an odd steel shelf beam that makes an inappropriate modern statement by joining the three distinct elements into a "shopping mall" ill-suited to the neighborhood and the district; and
- F. There is a hanging element on the side wall of the row house that was represented by the applicant as a vague concept and is without historical reference and is not in keeping with the neighborhood; and
- G. There was considerable testimony from residents of the neighborhood in opposition to the application's destruction of the row house and the modern design; now

Therefore be it resolved that CB2, Man. recommends **denial** of the application in that it alters an intact row house beyond recognition with the removal of a large portion of historic material and inserts a modern complex that shows no respect for the neighborhood or historical reference and is in disharmony with the historic district.

Vote: Unanimous, with 34 Board members in favor.

7. 121 Washington Pl. – Application is to approve excavation of the cellar, the garden and the area below the artist's studio; to approve changes to the skylight window on the fourth floor of the main building; and to make changes to the facade of the studio building.

Note: Original application including aspects of the project that are approved by staff:
To restore the front and rear facades of the row house with modifications of the windows and to excavate the cellar; to restore front and rear facades of the artist's studio building and to restore an historic skylight; to excavate the rear garden and area below the studio to the same level as the row house cellar; to change placement of HVAC equipment on the roof and extend chimney flues.

Whereas:

- A. The 1831 Federal style row house was renovated in 1924 into its present Georgian Revival expression; and
- B. The rear yard artist's studio building (recorded in DOB records as a carriage house) was built in 1909 expressly as a sanctuary for noted American poet and playwright Edwin Arlington Robinson, who was a 3 time Pulitzer winner and 4 time Nobel nominee and whose residence at 121 Washington has been commemorated on a plaque on the front facade of the main house.
- C. The rear façade fourth floor main building's proposed large skylight enhances the building, and does not alter its historic character; and
- D. The excavation of the cellar level 4'-0" lower and 11'-5" below the garden and rear yard studio is not visible and does not intrude on the historic character of the buildings. The applicant represented that all regulations and customary protocols associated with such excavations are being followed; and
- E. The front (south) facade of the studio is an intact charming original configuration of three arched openings and the proposed removal of this facade would do great harm to the design of the studio that was purpose build for the distinguished artist Edwin Arlington Robinson and merits careful preservation throughout for its historical association; and
- F. The proposal of the ground floor full height folding windows in the main house directly opposite the studio does harm to the character of the garden and the studio and traditional double doors would serve the same purpose of opening the interior to the outdoors; now

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

- A. **Approval** of the modifications to the fourth floor skylight; and
- B. **Approval** of the excavation provided that all regulations and protocols to protect the building and the adjacent structures be followed; and
- C. **Denial** of any alterations to the studio apart from restoration of the skylight; and
- D. That the ground floor infill of the main house be double doors or of similar historic design.

Vote: Unanimous, with 34 Board members in favor.

8. **66 Morton St. - Application is to restore the front facade, add a small 2-story addition in the rear and add a penthouse addition at the roof.**

Whereas:

- A. The front facade is being restored with window replacements in kind; and
- B. The rear facade is in poor condition with considerable water damage and there has been an effort to keep it intact; and
- C. The third and fourth floor rear facade will be restored to the original historic condition; and

D. An extension is to be added to the basement and parlor floors with non- historically referenced full height glass doors and an iron balcony and spiral staircase; and

E. A penthouse with a stair bulkhead, minimally visible from the public thoroughfare owing to the increased height of the east parapet wall, is to be added at the rear, east corner of the roof (the least visible location) and a required safety railing and flue extensions are added; and

F. A parapet will be added to the east wall, matching the west wall and appears as an unbroken higher wall; now

Therefore be it resolved that CB2, Man. recommends approval of this application with the exception of the infill in the rear parlor level to reflect a more historic design.

Vote: Unanimous, with 34 Board members in favor.

9. **120-124 Prince St. – Application is to legalize existing signage at the Wolford and Nars stores, modify door at the Wolford store to match historic conditions.** (reviewed by LPC staff)

10. **210 6th Ave. - Application is to install storefront infill.**

Whereas:

A. The building has noteworthy art deco details; and

B. The accessible entrance is to be moved to a side entrance on Macdougall Street and the ramp at the corner will be removed; and

C. Two bays on Prince Street and one bay on Macdougall are to have modern folding windows, and the remaining bays have windows that are identical in appearance and were represented by the applicant as being inoperable; and

D. The windows are styled like “French doors”, though in metal and glass and with solid bottom panels, and the corner entrance is marked by a Federal style solid wood paneled door with sidelights and neither are in keeping with the significant art deco style and details of the building; now

Therefore be it resolved that CB2, Man. recommends:

A. Approval of the relocation of the accessible entrance and removal of the ramp at the corner entrance; and

B. Denial of the door and windows -both operable and inoperable, as out of keeping with the art deco details of the building, the neighborhood and the district.

Vote: Unanimous, with 34 Board members in favor.

QUALITY OF LIFE

New applications for revocable consent to operate an unenclosed sidewalk café for:

1. Zia Maria Little Italy LLC, d/b/a Zia Maria, 138 Mulberry St. between Hester and Grand Sts. with 4 tables & 8 chairs (500-2019-ASWC)

Whereas, this establishment, a full-service, family-style Italian restaurant, is located in a mixed-use residential/commercial building and the previous operator, Pellegrino, operated a sidewalk café at this location for many years; and

Whereas, the CB2 SLA Committee recommended approval for an on-premises liquor license in May 2018 for this establishment and the applicant will file an amended application to include this sidewalk café; and

Whereas, the applicant stated that the café would be open for lunch and dinner and the sidewalk café would close no later than 10 PM, seven days a week; and

Whereas, the applicant will offer full-service waitstaff who will deliver all food and drink to patrons at their seats; and

Whereas, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

Therefore Be It Resolved that CB2, Man. recommends approval of the application for revocable consent to operate an unenclosed sidewalk café for **Zia Maria Little Italy LLC, d/b/a Zia Maria, 138 Mulberry St. with 4 tables & 8 chairs (500-2019-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 34 Board Members in favor.

2. Timoni, Inc., d/b/a Tre Giovani, 548 LaGuardia Pl. between W. 3rd and Bleecker Sts. with 8 tables & 18 chairs (875-2019-DCA)

Whereas, this establishment, a contemporary Italian restaurant, has operated at this location for 20 years and has, since at least 2000, operated a sidewalk café with 4 tables and 12 chairs; and

Whereas, the restaurant operates out of the ground floor of a four-story mixed use building and received an on premises liquor license in October of 2017; and

Whereas, the applicant wishes to increase the size of the sidewalk café, but will remain compliant with all zoning and clearance requirements; and

Whereas, the applicant stated that revenue generated from the sidewalk café is one of the reasons this establishment has been able to survive for 20 years in this community; and

Whereas, the applicant stated that the café would be open for lunch and dinner and the sidewalk café would close no later than 11 PM, seven days a week; and

Whereas, the applicant will offer full service waitstaff who will deliver all food and drink to patrons at their seats; and

Whereas, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

Therefore Be It Resolved that CB2, Man. recommends approval of the application for revocable consent to operate an unenclosed sidewalk café for **Timoni, Inc., d/b/a Tre Giovani, 548 LaGuardia Pl. with 8 tables & 18 chairs (875-2019-DCA)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 34 Board Members in favor.

Street Activities Applications

3. Monday, April 22, 2019 — SoHo Broadway Earth Day — (SoHo Broadway Initiative): Howard Street between Broadway and Mercer St. (full street closure)

Whereas, the applicant, a neighborhood improvement district, is applying to host this Earth Day recycling event from 10 AM-4 PM; and

Whereas, the event will consist of several areas to donate and recycle household items; an e-waste collection area in partnership with Lower East Side Ecology Center, and a textile and clothing drop-off area in partnership with Housing Works; and

Whereas, the event will also feature other Earth Day related educational activities; and

Whereas, this block of Howard Street dead-ends at Mercer Street and therefore will not greatly impact traffic flow; now

Therefore Be It Resolved that CB2, Man. recommends approval of the **SoHo Broadway Earth Day — (SoHo Broadway Initiative): Howard St. between Broadway and Mercer St. (full street closure)** on April 22, 2019.

Vote: Unanimous, with 34 Board members in favor.

4. May 4, and July 27, 2019 — Our Lady of Pompeii Church Bleecker Street Festival (Clearview Festival Productions): 1) Bleecker Street between 6th Ave. and 7th Ave. South, 2) Carmine Street between 6th Ave. and Bedford St. (full street closure)

Whereas, these two events were held in 2017 and 2018 and are the primary fundraising efforts of the church and are crucial to the organization; and

Whereas, the applicant has been a member of the community for decades and makes many contributions to the community including serving as a cooling center in the summer months and allocating space for senior center operations and community events; and

Whereas, each festival will begin set-up at 8 AM with the event taking place from 10 AM-6 PM and full breakdown will be complete before 8 PM and the festival will include some local vendors as well as the typical vendors used by Clearview Festival Productions; and

Whereas, fifteen feet of Bleecker Street will be open and accessible to emergency vehicle traffic; and

Whereas, no alcohol will be sold or served at these events; and

Whereas, the applicant moved these two events from 6th Avenue to these locations after a request from the community and FDNY; now

Therefore Be It Resolved that CB2, Man. recommends approval of **Our Lady of Pompeii Church Bleecker Street Festival (Clearview Festival Productions): 1) Bleecker Street between 6th Ave. and 7th Ave. South, 2) Carmine Street between 6th Ave. and Bedford St. (full street closure)** on May 4 and July 27, 2019.

Vote: Unanimous, with 34 Board members in favor.

5. Saturday, May 18, 2019 — Parsons School of Design—The People’s Runway: East 13th Street between 5th Ave. and University Place (full street closure)

Whereas, the applicant is applying to host this street fashion show to showcase the work of graduating seniors in the fashion program at Parsons School of Design; and

Whereas, the event will take place from 1 PM-4 PM and will not include amplified sound, nor any raised platforms; and

Whereas, the event will be continuously monitored by on-site security provided by Parsons School of Design and the area will be cleaned and made clear by staff; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **Parsons School of Design—The People’s Runway: East 13th Street between 5th Ave. and University Place (full street closure)** on May 18, 2019.

Vote: Unanimous, with 34 Board members in favor.

6. Fridays, Saturdays, Sundays, May 5-September 8, 2019 — Little Italy Pedestrian Mall (Little Italy Merchant Association): 1) Mulberry Street between Canal and Broome Sts. 2) Hester Street from Mott to Baxter Sts. (sidewalk and full street closure)

Whereas, this pedestrian mall began as a tourist attraction in 1996 and has operated continuously since that time but was first introduced and tested by Mayor Abraham Beame in 1974 in an effort to boost shopping and dining in the local businesses that line Mulberry Street; and

Whereas, the mall operates for 16 weekends during the summer from 5 PM-11 PM; and

Whereas, in 2017, several participating business owners appeared in opposition to this event but the applicant stated that all participating business owners are now in full support of the event and none appeared before the committee in opposition at the present time; and

Whereas, this application has previously started over Memorial Day weekend and this application now begins three weekends earlier; and

Whereas, no complaints have been received regarding this event and no members of the public appeared to express opposition; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **Little Italy Pedestrian Mall (Little Italy Merchant Association): 1) Mulberry Street between Canal and Broome Sts. 2) Hester Street from Mott to Baxter Sts. (sidewalk and full street closure)** from May 5-September 8, 2019.

Vote: Unanimous, with 34 Board members in favor.

7. Friday, June 28, 2019 — STONEWALL 50 Commemoration Rally (Heritage of Pride Inc.): Christopher Street between Waverly Pl. and 7th Ave. South (full street closure)

Whereas, the first Stonewall Rally occurred one month after the Stonewall Rebellion in 1969 and NYC Pride has continued this tradition by hosting this event in various locations throughout the City for the past 49 years; and

Whereas, the applicant wishes to hold the annual rally this year on the 50th anniversary of the Stonewall Rebellion on the block where the rebellion took place; and

Whereas, this event will include speeches by elected officials and community leaders which will occur on a raised stage near Waverly Place facing West from 6 PM-8 PM; and

Whereas, this event occurs on the Friday before the annual Pride March on Sunday, June 30 and the route of the Sunday March has yet to be determined; and

Whereas, Greenwich Village and the West Village are incredibly proud of the rich LGBTQ history emanating from our neighborhood and streets and are also incredibly impacted by the revelry and detritus surrounding the Pride events every year and urge the City and pride planners to take great care in minimizing this impact to the best extent possible; and

Whereas, a neighboring resident appeared to express concern about the general density of crowds and noise surrounding nightlife establishments in the area; and

Whereas, this event is scheduled to begin immediately after the Pride Nation concert event (below) and will be continuously planned, monitored, and kept secure by NYPD and other City agencies; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **STONEWALL 50 Commemoration Rally (Heritage of Pride Inc.): Christopher Street between Waverly Pl. and 7th Ave. South (full street closure)** on June 28, 2019.

Vote: Unanimous, with 34 Board members in favor.

8. Friday, June 28, 2019 — STONEWALL Day (Pride Live Nation): Christopher Street between Waverly Pl. and 7th Ave. South (full street closure)

Whereas, the applicant wishes to host this 60 minute live stream music event in front of the Stonewall Inn to celebrate the 50th Anniversary of the Stonewall Rebellion; and

Whereas, this event will begin set-up at 5 AM with the event taking place from noon-2 PM and will precede the Stonewall Rally taking place from 6-8 PM and will include a live stream of concert performances from around the world and the applicant has received or is in the process of receiving all necessary sound permits; and

Whereas, this event occurs on the Friday before the annual Pride March on Sunday, June 30 and the route of the Sunday March has yet to be determined; and

Whereas, Greenwich Village and the West Village are incredibly proud of the rich LGBTQ history emanating from our neighborhood and streets and are also incredibly impacted by the revelry and detritus surrounding the Pride events every year and urge the City and pride planners to take great care in minimizing this impact to the best extent possible; and

Whereas, a neighboring resident appeared to express concern about the general density of crowds and noise surrounding nightlife establishments in the area; and

Whereas, this event is scheduled to begin before the Pride Rally event (above) and will be continuously planned, monitored, and kept secure by NYPD and other City agencies; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **Friday June 28, 2019 — STONEWALL Day (Pride Live Nation): Christopher Street between Waverly Pl. and 7th Ave. South (full street closure)** on June 28, 2019.

Vote: Unanimous, with 34 Board members in favor.

9. Sunday, August 25, 2019 — 4th Avenue Festival (Clearview and Transportation Alternatives): 4th Avenue between East 9th and East 14th Sts. (full street closure)

Whereas, this event has been produced for many years and has previously been recommended for approval and renewal by CB2; and

Whereas, during this event last year a complaint was received from a neighboring resident that there was a DJ present playing very loud amplified sound, and such amplified sound was not part of the event application; and

Whereas, a representative from Clearview Festival Productions appeared before the committee and stated that the music used last year was a mistake and that there would be no amplified sound at the event this year; and

Whereas, the festival will begin set-up at 8 AM with the event taking place from 10 AM-6 PM and full breakdown will be complete before 8 PM and the festival will include some local vendors as well as the typical vendors used by Clearview Festival Productions; and

Whereas, fifteen feet of 4th Avenue will be open and accessible to emergency vehicle traffic; and

Whereas, no alcohol will be sold or served at these events; now

Therefore Be It Resolved that CB2, Man. recommends approval of **4th Avenue Festival (Clearview and Transportation Alternatives): 4th Avenue between East 9th and East 14th Sts. (full street closure)** on August 25, 2019.

Vote: Unanimous, with 34 Board members in favor.

10. Sunday, October 6, 2019 - Avenues for Justice 4th Avenue Festival (Clearview and Avenues for Justice): 4th Avenue between East 9th and East 14th Sts. (full street closure)

Whereas, this event has been produced for many years and has previously been recommended for approval by CB2; and

Whereas, the applicant was asked to appear because this event is in the same footprint of another event sponsored by this applicant which received a noise complaint; and

Whereas, the applicant confirmed that there would be no amplified sound used during this event and that the applicant takes any complaints seriously; and

Whereas, the festival will begin set-up at 8 AM with the event taking place from 10 AM-6 PM and full breakdown will be complete before 8 PM and the festival will include some local vendors as well as the typical vendors used by Clearview Festival Productions; and

Whereas, fifteen feet of 4th Avenue will be open and accessible to emergency vehicle traffic; and

Whereas, no alcohol will be sold or served at these events; and

Therefore Be It Resolved that CB2, Man. recommends approval of Avenues for **Justice 4th Avenue Festival (Clearview and Avenues for Justice): 4th Avenue between East 9th and East 14th Sts. (full street closure)** on October 6, 2019.

Vote: Unanimous, with 34 Board members in favor.

FYI/Street Activity Renewals:

- 11. 3/30/19 - Flea Market (Our Lady of Pompeii Church): 1) Bleecker St. between Carmine St. and Leroy St. [partial sidewalk closure]**
- 12. 4/6/19 - GVCC Waverly Place Festival (Greenwich Village Chelsea Chamber of Commerce) Waverly Place Festival: Washington Square North between 5th Ave and University Place [full street closure]**
- 13. 5/11/19 – Spring Fling 2019 (PS 3): Grove St. between Bedford St. and Hudson St. [full street closure]**
- 14. 5/16/19 – Hudson Park Library Oregon Trail Summer Reading Kick-Off: Leroy St. between Seven Ave. South and Hudson St. [full street closure]**
- 15. 5/18/19 – Ninth Precinct Community Council Astor Place Festival: Astor Place between Broadway and Lafayette St.**
- 16. 5/19/19 – The Urban Bear Street Festival (Community Health Project, Inc. dba Callen Lourde Community Health CE): Little West 12th St. between 10th Ave. and Washington St. [full street closure]**
- 17. 5/25/19 – 6/2/19 – Washington Square Outdoor Art Exhibit, Inc.: University Place between Waverly Place and East 13th St. [curb lane closure only]**
- 18. 6/2/19 – Portuguese SoHo (Arte Institute): Sullivan St. between Spring St. and Prince St. [full street closure]**
- 19. 6/14/19 – Astor Blaster Silent Disco (Village Alliance District Management Association): Astor Place Plaza (South) (East 8th St. between 4th Ave. and Lafayette St.)**

20. 6/21/19 – Joes Pub Block Party Make Music New York (Village Alliance District Management Association): Astor Place Plaza (South) (adjacent to the Alamo Sculpture)
21. 7/13/19 – 8th Annual Witch Fest USA (NYC Wiccan Family Temple): Astor Place between Broadway and Lafayette St. [sidewalk and street closure]
22. 7/13/19 – Jefferson Area Market/VID co-sponsored Bleecker Street Festival: Bleecker St. between Christopher St. and Bank St. [full street closure]
23. 7/20/19 – Greenwich House Waverly Place Festival: Washington Square North between Washington Square West and 5th Ave. [full street closure]
24. 7/26/19 – Astor Alive Cabaret with Joes Pub (Village Alliance District Management Association): Astor Place Plaza (South): Astor Place Plaza (South) [Pedestrian Plaza Closure]
25. 8/31/19 – Bailey House Washington Square Festival: Washington Square North between University Place and MacDougal St. [full street closure]
26. 8/31/19 – 9/8/19 – Washington Square Outdoor Art Exhibit: University Place between Waverly Place and East 13th St. [curb lane closure only]
27. 9/7/19 – Broadway Village Fair (Congress of Racial Equality): Broadway between Waverly Place and East 14th St. [full street closure]
28. 9/21/19 – Astor Alive with Joes Pub (Village Alliance District Management Association): Astor Place Plaza (South) (curb-side parking)
29. 9/22/19 – Washington Square Arch Fair (6th Police Precinct Explorers): Washington Square North between University Place and Fifth Ave. [full street closure]
30. 10/5/19 – 11th Annual Marco Polo Festival (Two Bridges Neighborhood Council): Grand between Mulberry St. and Mott St

Whereas, these items were on the public agenda and none were requested to be heard for further discussion by any community member; now

Therefore **Be It Resolved** that CB2, Man. recommends **approval** of the subject renewals provided that the applications conform with all applicable zoning and street activity laws, rules, regulations, and clearance requirements.

Vote: Unanimous, with 34 Board members in favor.

SLA LICENSING

1. BS Mulberry, LLC, d/b/a Beyond Sushi, 215 Mulberry St. 10012 (RW - Restaurant)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license for their existing “vegan sushi restaurant” in a C6-2 zoned 5 story, mixed use 1996 building on Mulberry Street between Spring and Kenmare Streets (block #495 lot #41) in the Special Little Italy Zoning District; and,

ii. Whereas, the one-story premises are approximately 696 sq. ft., and has a maximum occupancy of 74, and usage appears consistent with the Certificate of Occupancy; and,

iii. Whereas, the premises will have 4 tables with a combined 26 seats, 1 food counter with 6 seats and one snack bar with no seats for total patron seating of 32; no sidewalk café was included in this application and applicant stipulated that they will not ever seek a sidewalk café in the future; and,

iv. Whereas, the applicant’s proposed hours of operation will be 7 days a week (Sunday to Saturday) 11:00 a.m. to 10:00 a.m.; and the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will be advertised and operated as a vegan sushi restaurant.
2. The hours of operation will be: 11AM to 10PM Sunday through Saturday. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a sushi restaurant with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including license sidewalk cafés).
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will keep all doors & windows closed at all times and anytime there is amplified music, live music, or DJ.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the new Restaurant Wine license for **BS Mulberry, LLC, d/b/a Beyond Sushi, 215 Mulberry St. 10012**, 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.

2. Takeshi Sushi LLC, d/b/a N/A, 28 Grand St. 10013 (RW – Restaurant)

i. Whereas, the applicant and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license to operate an “Omakase-style sushi restaurant” in an M1-5B zoned 6 story, mixed use 1900 building on Grand Street between Sixth Avenue and Thompson Street (block #676 lot #45) in SoHo; and,

ii. Whereas, the two-story premises are approximately 900 sq. ft., with 550 sq. ft. on the ground floor store level and an additional 350 sq. ft. in the basement, and has a proposed occupancy of 20, and the committee anticipates no complications in the applicant getting the necessary Certificate of Occupancy; and,

iii. Whereas, the premises will have 1 sushi bar with 11 seats for total patron seating of 11, there being no tables, and all service and patron areas will be on the ground floor, the basement being restricted to staff; no sidewalk café was included in this application and applicant stipulated that they will not ever seek a sidewalk café in the future; and,

iv. Whereas, the applicant's proposed hours of operation will be 7 days a week (Sunday to Saturday) 11:00 a.m. to 12:00 a.m.; and the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will be advertised and operated as an Omakase-style sushi restaurant.
2. The hours of operation will be: 12AM to 12AM Sunday through Saturday. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a sushi restaurant with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including license sidewalk cafés).
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will keep all doors & windows closed at all times and anytime there is amplified music, live music, or DJ.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: Dancing, DJs, live music, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the new Restaurant Wine license for **Takeshi Sushi LLC, d/b/a N/A, 28 Grand 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 Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

3. Sanuk, LLC, d/b/a Pending, 52 Kenmare St. 10012 (OP–Restaurant with Sidewalk Cafe)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new On-premises license for a “neighborhood diner” in a C6-1 zoned 6 story, mixed use 1900 building on Kenmare Street between Mott and Elizabeth Streets (block #479 lot #3) in the Special Little Italy Zoning District; and,

ii. Whereas, the two-story premises are approximately 768 sq. ft. on the ground floor, with all patron areas being on the ground floor, and additional square footage in the basement for storage only and having no patron access, and has a maximum occupancy of 74, and usage appears consistent with the Certificate of Occupancy; and,

iii. Whereas, the premises will have 20 tables with a combined 47 seats, 1 bar with 18 seats for total interior patron seating of 65; a sidewalk café is also anticipated for the Kenmare Street side of the premises, and applicant does not yet know the number of seats, but stipulated that it will not be significantly larger in footprint than the previous café licensed for that location; and

iv. Whereas, applicant also stipulated that they will not have or seek a sidewalk café on the Mott Street side of the premises, or will remove any existing benches or other exterior seating on the Mott Street side and not place any seating on that side in the future; and,

v. Whereas, the local residents appearing at the hearing or submitting letters expressed concerns about the potential for noise and pedestrian obstruction centered on hours, the premises French windows, and the proposed sidewalk café’s footprint; and

vi. Whereas, the applicant stipulated interior hours of operation will be 7:00 a.m. to 12:00 a.m. Sunday to Thursday, and 7:00 a.m. to 1:00 am Friday and Saturday; and the anticipated sidewalk café will close by 10:00 p.m. every night; and all windows and doors, including the French windows, will close by 9:00 p.m. every night; and, the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will be advertised and operated as a neighborhood diner.
2. The hours of operation will be: 7AM to 12AM Sunday through Thursday and 7AM to 1AM Friday and Saturday. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a neighborhood diner with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including license sidewalk cafés).
7. Will operate sidewalk café no later than 10PM (all tables and chairs will be removed at this hour).
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at 9PM every night and anytime there is amplified music, live music, or DJ.
10. Will not make changes to the existing façade except to change signage or awning.

11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.
16. Will not seek a sidewalk café on the Mott Street side (only on the Kenmare Street side).
17. Will not place or allow benches or exterior seating on Mott Street.
18. The footprint and capacity of the sidewalk café on the Kenmare Street side will not be significantly larger than that of the previous occupant of the location.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the new Restaurant Wine license for **Sanuk, LLC, d/b/a Pending, 52 Kenmare St. 10012**, 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.

4. 133 Mulberry Operating Group, Inc. d/b/a Aunt Jake’s, 133 Mulberry St. 10013 (OP– Restaurant with Sidewalk Cafe)

- i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new On-premises license for a “pasta restaurant” in a C6-2G zoned 6 story, 1973 commercial building on Mulberry Street between Hester and Grand Streets (block #236 lot #27) in the Special Little Italy Zoning District; and,
- ii. Whereas**, the ground story premises are approximately 3,800 sq. ft., and applicant is awaiting a new Certificate of Occupancy for the newly sub-divided space, but proposes a use occupancy of 74 and stipulates that they will maintain necessary place of Assembly permit, and the committee anticipates no complications in securing a valid Certificate of Occupancy and permits; and
- iii. Whereas**, the premises will have 15 tables with a combined 51 seats, 1 bar with 6 seats for total interior patron seating of 57; a sidewalk café of 72 sq. ft. with 11 seats is also anticipated for the Kenmare Street side of the premises, and applicant does not yet know the number of seats, but stipulated that it will not be significantly larger in footprint than the previous café licensed for that location; and,
- iv. Whereas**, the local residents appearing at the hearing or submitting letters expressed concerns that the store façade infill recently completed by the landlord, and not the applicant, is out of compliance with the Special Little Italy District zoning regulations, and applicant stipulated that they would take whatever steps were necessary to ensure that infill comes into compliance; and,

v. **Whereas**, the applicant stipulated interior hours of operation will be 11:00 a.m. to 11:00 p.m. Sunday to Saturday (all 7 nights); and the anticipated sidewalk café will close by 10:30 p.m. Sunday through Thursday and by 11:00 p.m. on Friday and Saturday; and all windows and doors, including the French windows, will close by 9:00 p.m. every night; and, the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will be advertised and operated as a pasta restaurant.
2. The hours of operation will be: 7AM to 12AM Sunday through Thursday and 7AM to 1AM Friday and Saturday. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a neighborhood diner with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including license sidewalk cafés).
7. Will operate sidewalk café no later than 10PM (all tables and chairs will be removed at this hour).
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at 9PM every night and anytime there is amplified music, live music, or DJ.
10. Will not make changes to the existing façade except to change signage or awning or to come into code compliance.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, security personnel or doorman.
16. Will install soundproofing.
17. Will obtain Certificate of Occupancy (dated later than 2/5/19) reflecting revised figures for newly subdivided space.
18. Will maintain necessary place of assembly permit.
19. Will take steps necessary to ensure that infill meets zoning requirements of the Special Little Italy District (SLID).

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the new Restaurant Wine license for **133 Mulberry Operating Group, Inc. d/b/a Aunt Jake’s, 133 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 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:

5. Let's Eat Cantina, Inc., d/b/a Pepe Rosso Cantina, 173 Mott St. Basement 10013 (OP – Restaurant - moving OP License to the 1st floor premises from separate basement premises and closing basement premises)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on February 5th, 2019 the Applicant requested to **lay over** this application to March/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Let's Eat Cantina, Inc., d/b/a Pepe Rosso Cantina, 173 Mott St. Basement 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.

6. Entity to be formed by William Dupree, d/b/a Pending, 110 Thompson St. South Store 10012 (TW – Wine Bar and Café)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on February 5th, 2019, the Applicant requested to **withdraw** this application for On Premises Catering license for a 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 **Entity to be formed by William Dupree, d/b/a Pending, 110 Thompson St. South Store 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.

7. 207 Mulberry Burger, LLC (formerly known as Mulberry Burger LLC), d/b/a Amboy, 209 Mulberry St. 10012 (OP – Restaurant/Bar)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on February 5th, 2019 the Applicant requested to **lay over** this application to February/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **207 Mulberry Burger, LLC (formerly known as Mulberry Burger LLC), d/b/a Amboy, 209 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.

8. Brink Concepts, d/b/a Soho Food Market, 594 Broadway 10012 (OP – Restaurant/Bar)

Whereas, during CB2, Manhattan's SLA Licensing Committee #1 Meeting on February 5th, 2019 the Applicant requested to layover this application to March/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Brink Concepts, d/b/a Soho Food Market, 594 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.

9. Carmine Street Beers, Inc., d/b/a N/A, 52A Carmine St., 100014 (TW – Alteration to extend hours of operation and add acoustical live music)

i. Whereas, the Applicant and their Attorney appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for an alteration of its existing Tavern Wine license to extend its hours of operation, add 2 televisions and add occasional live acoustical music at the rear of its premises; and,

ii. Whereas, other than the above-referenced requested changes, the storefront premises will continue to operate as a Beer Bar and small Tavern specializing in providing specialty beers from around the world within a small storefront (approximately 850 sq. ft. with ancillary 350 sq. ft. basement—basement for storage only) within a mixed use 5 story building on Carmine Street between Bedford and Bleecker Streets, the building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the licensed premise has operated in this manner since the Summer of 2016, the premises before that having operated as a printing business (albeit by the current licensee), with hours of operation on Sundays from 12PM to 9PM, Monday to Wednesday from 10AM to 10PM, and Thursday to Saturday from 10AM to 11PM with music that was quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), 5 tables with 22 seats and 1 rail bar with 12 seats, windows to the establishment are fixed and inoperable, there are no outside areas or sidewalk café, there is one bathroom and one entrance/exit for patrons with an existing Letter of No Objection permitting such use and occupancy, and,

iii. Whereas, the applicant now seeks to alter the license to operate until 12 AM seven nights a week, to add two televisions, and also, to add occasional live music performance (acoustical guitar) to the rear of the interior premises only; and,

vi. Whereas, the Applicant executed a new stipulations agreement with CB2, Man., stipulations which he agreed would continue to be attached and incorporated into the method of operation on the existing Tavern Wine license in the future, and those stipulations are as follows:

1. The premises will be advertised and operated as a Beer Bar and small Tavern specializing in craft beers from around the world.
2. The hours of operation will be from 11 AM to 12 AM, midnight, 7 days a week.
3. The premises will not operate as a lounge or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have 2 televisions only, no larger than 46”.
5. The premises will not permit dancing.
6. The premises will play quiet ambient, recorded background music only, except when occasional live acoustical guitar is played in the back of the establishment on occasion.
7. Will not install operable French Doors or windows and will close all existing doors/windows at all times.
8. The premises will not have DJ’s, live music (except for occasional acoustical music with guitar in the rear of the establishment), promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
10. There will be no bottle service or the sale of bottles of alcohol except for the sale of beer products.
11. Will not have a licensed sidewalk café, backyard garden or any outdoor area for commercial purposes.
12. Will not have or use velvet ropes or metal barricades, security personnel or a doorman on the sidewalk.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application seeking to change the method of operations application for an existing Tavern Wine license to **Carmine Street Beers, Inc., d/b/a N/A, 52A Carmine St., 10014** **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 Tavern Wine License.

Vote: Passed, with 33 Board members in favor, and 1 in opposition (D. Diether).

10. Angelika Film Centers, LLC, d/b/a Angelika Film Center & Café 18 W. Houston St. 10012
(New Tavern Wine—Movie Theater with Cafe)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for a new Tavern Wine license to operate a cafe on the main floor of the movie theater complex adjacent to its existing box office and lobby, serving beer and wine to its customers in addition to light cafe food (sandwiches, salads, non-alcohol drinks, coffee/tea and desserts), the movie theater being on the corner of Mercer and West Houston Streets in Greenwich Village, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. **Whereas**, the movie theater has been at this location for years providing independent movies, the consumption of all alcoholic beverages will occur only in the café and not in any of the theaters, the café on the main/first floor being roughly 3,400 sq. ft., the entire complex being roughly 12,750 sq. ft. on multiple floors, a certificate of occupancy for a movie theater being presented; and,

iii. **Whereas**, there are not operable doors or windows to the premises and no outdoor areas for the service of alcohol, the cafe will have 23 tables with 50 table seats, one food counter with no seats and no stand up bars, for a total patron seat capacity of 50 patrons, no TVs, background music only with signage and personnel being stationed to limit the consumption of alcohol within the confines of the café only; and,

iv. **Whereas**, the hours of operation will be from 10 AM to 11 PM Sunday through Thursday and from 10 AM to 1 AM Fridays and Saturdays, all exterior facades will be fixed and there will be no future operable doors or windows planned, no DJs, no promoted events, live music or TV's, no sidewalk café or other outdoor areas for the service of alcohol; and,

v. **Whereas**, the Applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their Tavern Wine license and the stipulations are as follows:

1. Will operate a movie theater with ancillary café on its main/first floor.
2. The service of alcohol will be limited to the café only and there will be no service of alcohol in the movie theaters.
3. The café hours of operation will be from 10 AM to 11 PM Sunday through Thursday and from 10 AM to 1 AM Fridays and Saturdays.
4. 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.
5. The premises will not have Televisions.
6. Will not operate a backyard garden/rooftop/sidewalk café or other outdoor area for commercial purposes.
7. The licensed cafe will play quiet ambient recorded background music only.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The premises will not permit dancing.
10. The operator will not install French doors, operable windows or open facades.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products

vi. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Tavern Wine application to **Angelika Film Centers, LLC, d/b/a Angelika Film Center & Café 18 W. Houston St. 10012** **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 Tavern Wine License.

Vote: Unanimous, with 34 Board members in favor.

11. LE2 LLC, d/b/a TBD, 27 ½ Morton St. 10014 (Transfer – Rest. Beer & Wine)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a transfer of an active Restaurant Wine license (SN #1260738) in a C2-6 zoned 6 story, mixed use 1910 building on Morton Street between Seventh Avenue South and Bedford Street (block #587 lot #1) in Greenwich Village; the building falls within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the two-story premises are approximately 1,400 sq. ft., with 800 sq. ft. on the ground floor store level and an additional 600 sq. ft. in the basement (basement not for patron uses) with a maximum occupancy of 74, and the proposed usage appears to be consistent with the zoning; and

iii. Whereas, there will be a new name for the restaurant but the licensed premises will continue to operate with the same method of operation as a full service neighbor restaurant serving Eastern European foods for breakfast, lunch and dinner, the new owners being existing managers for the restaurant’s current owner, the existing owner having operated multiple licensed premises in CB2, Man., including at the existing location, without issue and in good standing, the owner also appearing for the application to insure a smooth transition, with 27 tables with an aggregate of 59 seats, one (1) stand-up bar with 8 seats, four (4) additional counter seats for a total of 71 interior seats, all service and patron areas will be on the ground floor, the basement being restricted to staff; and,

iv. Whereas, the premises will have an unenclosed sidewalk café of 136 sq. ft. with six (6) tables and 14 seats subject to approval and activation of license by the NYC DCA, the Applicant being informed that there is currently no DCA license for the sidewalk café and that the Applicant will likely need to appear before CB2’s Quality of Life Committee in the future for this purpose; and,

v. Whereas, the applicant’s proposed hours of operation will be from Sunday through Saturday 9:00 am to 12:00 am; and,

vi. Whereas, the Applicant executed a stipulation 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 license stating that:

1. Premise will be advertised and operated as a Classic West Village Neighborhood Restaurant serving Eastern European (German, Czech, Austrian, etc.) Cuisine.
2. The hours of operation will be Sunday through Saturday, seven days/nights a week from 8AM to 12AM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will have no more than 1 television, no larger than 46” (there will be no projectors).
5. Will not operate a backyard garden or any outdoor area for commercial purposes (not including license sidewalk cafés).
6. Will operate sidewalk café no later than 11PM every night. (All tables and chairs will be removed at this hour.)
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.

8. Will close all doors & windows at 10:00 PM every night and anytime there is amplified music, live music, or DJ.
9. Will not install or have French doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.
13. Will not operate a sidewalk café until DCA license is active.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the transfer of Restaurant Wine license (SN#1260738) for **LE2 LLC, d/b/a TBD, 27 ½ Morton 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.

12. Nonna Beppa Soho, LLC, d/b/a Nonna Beppa Soho, 290 Hudson St. 10013 (New OP—Class change from restaurant wine)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new On Premise liquor license to operate a full service restaurant serving cuisine of the Italian region of Emilia Romagna, within a seven-story, mixed-use building (circa 1900) on Hudson Street at Dominick Street in Hudson Square; and,

ii. Whereas, the Applicant has operated at this roughly 1,800 sq. ft. premise (ground floor and basement – accessory use only in basement) since the Spring of 2018, and there are no proposed changes to its existing method of operation, other than the proposed class change, as a full-service restaurant with 20 tables and 60 seats, 1 stand up bar with 6 seats for a total of 66 interior seats, one bathroom and no TVs; and,

iii. Whereas, the hours of operation will continue to be from 11AM to 12AM Sunday to Thursday and from 11AM to 1AM Friday to Saturday, there are plans for a future sidewalk café that will close no later than 11pm, all doors and windows will be closed 10PM, music will be quiet background only consisting of music from ipod/CDs (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 new restaurant wine SLA license stating that:

1. This application is for a new restaurant wine license for a family owned restaurant specializing in food from the Italian region of Emilia Romagna.
2. The hours of operation will from 11AM to 12AM Sunday to Thursday and from 11AM to 1AM Friday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.

3. The premises will operate a full service restaurant; specifically a restaurant specializing in food from the Italian region of Emilia Romagna with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.
5. The premise will not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. Any future licensed sidewalk café will operate no later than 11PM 7 days a week. All tables and chairs will be removed at 11pm and there will be no patrons in the sidewalk café after 11PM.
8. The premises will play quiet ambient-recorded background music only.
9. All doors and windows will be closed at 10PM every night.
10. Will not make changes to the existing façade. There are existing sliding doors.
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. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the new On-Premise Liquor License for **Nonna Beppa Soho, LLC, d/b/a Nonna Beppa Soho, 290 Hudson St. 10013** unless the statements the Licensee has presented are accurate and complete, and that those conditions and stipulations agreed to by the Licensee above are incorporated into the existing “Method of Operation” on the On-premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

13. Prinkipas, LLC, 210 6th Ave. 10012 (OP – Corporate Change)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to re-present an application for a new restaurant on premise liquor license for a full service Greek restaurant bounded by Sixth Ave. to the West, Spring St. to the South and MacDougal St. to the east; and,

ii. Whereas, when the Applicant (Cobi Levy) originally appeared before CB2, Man. for this application in October/2018, he agreed to certain stipulations defining his method of operation as a full-service restaurant, including but not limited to his agreement to limit the number of open or operable facades for the premises to one “bay” of doors on the Spring St. façade, one “bay” of doors on the MacDougal St. side and none on the Sixth Avenue side; and,

iii. Whereas, as a result of his agreements—there being residents in October/2018 appearing in opposition to this application and this application being subject to the 500 foot rule—CB2, Man. recommended the license be approved subject to the method of operation presented, the agreed upon stipulations being incorporated with the license for purposes of satisfying the public interest standard required by the 500 ft. rule; and,

iv. Whereas, after making said agreements and signing a stipulation agreement with CB2, Man., the Applicant thereafter submitted a Landmarking application to Community Board 2 Man. seeking open facades on all three sides of the storefront proposed to be licensed, including multiple bays on Sixth Avenue, Prince and MacDougal Streets; and,

v. **Whereas**, when the Applicant appeared he acknowledged the architectural plans (demonstrating no limitations as to the numbers of operable doors on all three storefront facades) initially submitted to the Landmarking Committee were incorrect, and in response came forward with amended architectural plans limiting the number of open or operable facades for the premises to one “bay” of doors on the Spring St. façade, one “bay” of doors on the MacDougal St. side and none on the Sixth Avenue side, further representing that the amended plans would be submitted to landmarking and reaffirming his agreements with CB2, Man. and the Community surrounding the location that he would abide by his agreed upon method of operation and stipulations in the future; and,

vi. **Whereas**, the Applicant again executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their Restaurant On Premise license and the stipulations are as follows:

1. This application is for a new restaurant on premise liquor license for a full service Greek restaurant.
2. The hours of operation are Sunday from 10AM to 12AM, Monday to Wednesday 11AM to 12AM and Thursday to Saturday from 11AM to 1AM.
3. The premises will operate as a full service Greek restaurant with the kitchen open and full menu items available during all hours of operation.
4. The premises, or any portion of the premises will not operate as a tavern, lounge or sports bar.
5. The premises will not have televisions.
6. Will operate sidewalk café no later than 10PM Sunday to Thursday and 11PM Friday to Saturday (no patrons will remain after that time and all tables & chairs will be removed).
7. Will install landmark approved sound dampening awning/canopy over all licensed sidewalk café areas and any operable facades.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at any time.
9. Will close all doors & windows at 9PM Sunday to Thursday and 10PM Friday and Saturday and anytime there is music.
10. Will utilize only one primary entrance/exit for patrons.
11. Will comply with all NYC Landmark Preservation Commission Regulations and all NYC Department of Consumer Affairs regulations. Will not deviate from any approved sidewalk café plans and will not have sidewalk benches.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes, metal barricades or security guards.
17. Applicant is aware of the sensitive nature of the use of the MacDougal St. façade in particular for sidewalk café use and with respect to any operable French Doors and patron ingress and egress in the establishment and will take all steps to minimize impacts to the degree possible with respect to residential tenants on MacDougal St. and will address all complaints promptly.
18. Applicant will not install more than one “bay” of French Doors along MacDougal St. in the area closest to the corner and one “bay” of French Doors on Prince St.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant on-premise liquor license for **Prinkipas, LLC, 210 6th Ave. 10012** **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 On-Premise Liquor 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:

14. Little Wisco, LLC, d/b/a Fedora, 239 W. 4th St. 10014 (OP Alteration – Add backyard garden to licensed premise)

i. Whereas, the Applicant and his Attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for an alteration of its existing Restaurant On Premise liquor license to extend its licensed premises to an adjacent rear yard, open to the elements, for eating and drinking purposes on a seasonal basis; and,

ii. Whereas, there has never been eating and drinking at the premises in the rear yard, the applicant not presenting any permits, Letter of No Objection or certificate of occupancy that provided for such use and/or occupancy in the rear yard, the Letter of No Objection presented being for the interior premises only; and.

iii. Whereas, the rear yard in question is surrounded by residential apartments and dwellings, many of whom sent letters and still others appeared in opposition to the application, having bedrooms and living quarters that would be exposed to the commercial uses proposed; and.

iv. Whereas, those in opposition presented evidence on social media sites that the Applicant was advertising and operating his restaurant with a secret dining room in his cellar or subbasement space in derogation of his agreed upon method of operation; and,

v. Whereas, after being presented with such opposition and being confronted with the unauthorized use of the secret dining space, the Applicant requested **to withdraw** this application from further consideration with the NYSLA;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed alteration application seeking to extend or add a rear outdoor garden space to the Applicant’s existing on premise liquor license for **Little Wisco, LLC, d/b/a Fedora, 239 W. 4th St. 10014**.

Vote: Unanimous, with 34 Board members in in favor.

15. Siren Retail Corporation, d/b/a Starbucks Reserve, 155 W. 11th St. 10011 (OP – Bar/Tavern) (laid over)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee Meeting on February 7, 2019 the Applicant requested **to layover** this application to March/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Siren Retail Corporation, d/b/a Starbucks Reserve, 155 W. 11th St. 10011** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

16. Moonblu, Inc. d/b/a Seabird, 361 6th Ave. 10014 (RW – failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2019 the Applicant failed to appear for its application;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Moonblu, Inc. d/b/a Seabird, 361 6th Ave. 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.

17. Corp. to be formed by Tsion Bensusan, 396 Ave. of the Americas 10011 (OP – Live Music, DJs and Rooftop Venue)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2019 the Applicant requested to layover this application to March/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Corp. to be formed by Tsion Bensusan, 396 Ave. of the Americas 10011** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

18. 114 Christopher St., LLC d/b/a Pending, 114 Christopher St. 10014 (RW – withdrawn)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee Meeting on February 7th, 2019 the Applicant requested to withdraw this application for a new restaurant wine license from further consideration with the NYSLA and failed to appear;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed liquor license, corporate change, alteration, transfer or other application for **114 Christopher St., LLC d/b/a Pending, 114 Christopher 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.

19. Gadberry Pizza, Inc, d/b/a Bleecker Street Pizza, 69-71 7th Ave. So. (RW – Expanding to adjacent building and adding sidewalk café to license)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2019 the Applicant **failed to appear** for this application from further consideration and did not appear before CB2 SLA Licensing Committee;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Gadberry Pizza, Inc, d/b/a Bleecker Street Pizza, 69-71 7th Ave. So.** **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.

20. 324 Spring Hospitality, LLC, d/b/a Empire Lodge, 324 Spring St. 10013 (OP – failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2019 the Applicant **failed to appear** for this application from further consideration and did not appear before CB2 SLA Licensing Committee;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **324 Spring Hospitality, LLC, d/b/a Empire Lodge, 324 Spring 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 members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of a Street Seat in front of 169 Thompson St.

Whereas a Street Seat has been requested in front of 169 Thompson St. that the NYC Dept. of Transportation (DOT) has reviewed and confirmed that it meets all requirements; and

Whereas 169 Thompson St. (btw. Bleecker and W. Houston Sts.) is the site of Summers Cafe, serving fresh fruits, juices, coffees, baked goods, sandwiches and salads, largely frequented by the block's residents and neighborhood people; and

Whereas Summers will manage and maintain the Street Seat, including movable tables and chairs (both setting them up and storing them daily), planters and other amenities, which will be open for full public use during hours of operation, not only just to Summer's patrons; and

Whereas the Street Seat will be installed on a platform in the roadbed along the curb line that will be flush with the sidewalk; it will be 20 ft. long and 6 ft. wide, and framed by wheel stop bars, flexible delineators and other safety features to ensure protection from traffic and parked motor vehicles, as per DOT requirements (and that DOT will install); and

Whereas no alcohol or smoking will be allowed, and signage will be prominently placed to announce these prohibitions and that the facility is open to the public; and

Whereas the Street Seat will be installed from March until December; its hours will be 8:00 am to 5:00 pm; and

Whereas Summers' proprietor lives on the Thompson St. block in question, and has indicated his commitment to making the Street Seat a pleasant place for his neighbors and to complying with all requirements. He will be responsible for the cost of fabricating, installing, furnishing and maintaining the Street Seat and may be reimbursed to some degree by a DOT grant of up to \$12,000 in the first year of operation; and

Whereas a petition supporting the proposed Street Seat at 169 Thompson was submitted with over 100 signatures, all but a very few from Thompson St. itself and the surrounding neighborhood, along with several letters from local residents affirming the Street Seats' importance to them in bringing the community together and providing an opportunity for them to meet old friends and make new ones, to pause and relax in a pleasant and welcoming environment, and to have a public space where they can gather, and attesting to their confidence that the proprietor will create and responsibly maintain a safe and comfortable space to enjoy; a large number of the block's residents also came in person to express their support.

Therefore be it resolved that CB2, Man. fully supports the installation and operation of the proposed Street Seat in front of 169 Thompson St.

Vote: Unanimous, with 34 Board Members in favor.

2. Resolution commenting on NYC Council Intro 1264 proposing legalization of throttle-powered E-Bikes and capping their speed at 20 mph and Intro 1265 proposing the creation of a city-run program to provide the necessary resources for low-income workers (i.e. workers whose incomes don't exceed 200% of the federal poverty line) to make their throttle bikes legal in accordance with Intro 1264.

Whereas NYC Council **Intro 1264** would legalize throttle-powered E-Bikes (Class 2) (electric), that run without the need for pedaling, with a capped maximum speed of 20 mph; and

Whereas throttle-powered Class 2 E-Bikes are set to travel up to 28 mph, but have been observed to go beyond that, with riders able to ramp up speeds by bypassing those set by the manufacturer, as opposed to the legalized Class 1 pedal-assisted E-Bikes whose electric motor kicks in only when pedaling, with a typical maximum speed of 15-20 mph; and

Whereas the higher the speed, the greater the potential for severe injuries or even fatalities to both pedestrians and bicyclists. At CB2, Man.'s Traffic and Transportation Committee's 02/07/19 public hearing, a frequent pedal-assisted E-Bike user affirmed that even 15-20 mph are substantially high and risky speeds, and other bicyclists agreed that 12 mph is sufficient to achieve a swift enough but safe momentum on NYC's crowded streets and bike paths where speeds rarely can reach beyond 10-12 mph. A 12 mph limit also gives a necessary five seconds to react safely to pedestrian and other movements and avoid collisions (which higher speeds do not); and

Whereas food delivery workers are the prime users of Class 2 throttle-operated E-Bikes, which enable them to do their jobs speedily and meet customer demands, and CB2, Man. is sympathetic to their needs as well as to the need to provide equitable wages and other increased wage support to them; and

Whereas CB2, Man. recognizes that it's necessary to establish a balance between the need to support delivery workers' essential transportation and the need to protect pedestrians and regular bicyclists from motorized vehicles with heavier tires, frames and motors than regular bikes that travel at dangerous speeds, which describes throttle-powered Class 2 E-Bikes; and

Whereas CB2, Man. appreciates the environmental benefits, such as toxic emissions reduction and energy conservation, as well as the potential for reducing street congestion, that non-automotive modes can bring. At the same time, a large turnout at the 02/07/19 hearing expressed safety concerns about collisions with throttle-operated E-Bikes affecting not only pedestrians but regular bicyclists, with particular concern for seniors, the disabled, children, parents pushing strollers, people with walkers and with shopping carts; and

Whereas the NYPD doesn't record statistics on crashes specific to E-Bikes, thus hard data on their safety is lacking in NYC, but personal accounts (at community council and community board meetings and in the media, both verbal and written) and studies across the U.S. show a significant amount of knockdowns and injuries with them; international studies report E-Bike- caused deaths in the Netherlands, Switzerland and Israel; and

Whereas the relative silence of these electric powered vehicles results in people not being aware of their approach; there also are complaints about their lack of visibility at night, because they often don't have lights or have insufficient ones; and

Whereas motorized vehicles, including throttle-operated Class 2 E-Bikes, do not belong on bike lanes either on NYC's jam-packed streets or on the Hudson River Greenway. The Greenway is excessively crowded with regular bicyclists and pedestrians, including children biking at leisure or on their way to school, all whose safety is further compromised by anti-terrorist bollards there that compel bicyclists to pedal through the narrow spaces between them; and

Whereas NY State requires all non-human-powered vehicles to register with the Dept. of Motor Vehicles, however, motorized, throttle-operated E-Bikes, which have neither a license nor a vehicle identification number (VIN), cannot be registered with no way to identify them; and

Whereas increased and appropriate enforcement and fines are needed to regulate vehicles using the wrong lanes, going the wrong way on one-way streets, using the sidewalk, going through red lights and other infractions, all already illegal but often ignored; and

Whereas bicycle enforcement (of E-Bikes and otherwise) is typically sporadic and unevenly applied, with bike riders sometimes unfairly penalized and abusively treated; and

Whereas NYC Council **Intro 1265** would establish a citywide program to enable low-income workers with income not exceeding 200% of the federal poverty line (i.e., delivery workers using throttle-operated E-Bikes) to convert their E-Bikes to Class 1 pedal-assist E-Bikes by providing financial and other assistance to accomplish this, thus allowing them to become legal; and

Whereas both education and enforcement are called for to advance the goals of Intro 1265, education to inform delivery workers of this opportunity to make their E-Bikes legal and safer, and enforcement to ensure that these workers take advantage of the opportunity; and

Whereas education is also needed to provide clarity about the rules of the road and to emphasize their importance to users of both motorized and non-motorized vehicles in order to ensure as much safety as possible; and

Therefore be it resolved that CB2, Man. is opposed to legalization of throttle-operated Class 2 E-Bikes and recommends requiring governors on pedal-assist Class 1 E-Bikes to be set at 12 mph; and

Be it further resolved that CB2, Man. also recommends setting a speed limit of 12 mph for all vehicles using bike lanes, including those in the Hudson River Park; and

Be it further resolved that CB2, Man. supports setting up a program to provide financial and other assistance to disadvantaged low-income workers that helps them convert their throttle-operated E-Bikes to Class 1 pedal-assist E-Bikes, as per Intro 1265. CB2, Man. also encourages inclusion of provisions for educating potential program beneficiaries about its availability and the rules of the road as well as provisions for ensuring that the program is widely used, e.g. through penalties and/or rewards; and

Be it further resolved that CB2, Man. advises that an increased wages bill for delivery workers along with provision for delivery charges be introduced in follow-up to Intro 1265; and

Be it further resolved that CB2, Man. favors strengthening street safety rules by including requirements in the legislation for increased summonses, fines and enforcement for all vehicles that use the wrong lanes, go the wrong way on one-way streets, use the sidewalk, go through red lights and other such infractions as well as by including stricter penalties for E-Bikes not using bike bells or lights or using insufficient lighting, with a possible provision for pedal-activated lights; and

Be it further resolved that CB2, Man. urges that enforcement requirements also include fines for the delivery service operators, whether it be the restaurant owner or a third party contractor like Amazon, and not just for their employees or the individual contractors they employ; and

Be it further resolved that CB2, Man. strongly advocates providing for the establishment of a NYC Two-Wheel Enforcement Unit to oversee regulation of all two-wheeled and other alternative vehicles, collect fines, establish rules, and run a bicycle-patrol force, geared to the particular nature and needs of such vehicles; and

Be it further resolved that CB2, Man. supports requiring a license and registration for any motorized vehicle going over 15 mph and a VIN for all bike share and other non-motorized vehicles; and

Be it finally resolved that CB2, Man. encourages incorporating a strong educational program into requirements for the use and regulation of E-Bikes and other small motorized vehicles (as well as non-motorized vehicles) that teaches the importance of street safety and the rules that need to be followed to achieve it.

Vote: Passed, with 33 Board Members in favor, and 1 in opposition. (S. Russo).

3. Resolution commenting on NYC Council Intro 1250 proposing legalization of E-Scooters with a capped speed of 15 mph and Intro 1266 proposing creation of a pilot program for shared E-Scooters.

Whereas NYC Council Intro 1250 would legalize the operation of E-Scooters (small stand-up two-wheeled vehicles with handlebars, similar to children's scooters but powered by an electric motor), with a capped maximum speed of 15 mph; and

Whereas there are increasingly frequent reports where these vehicles currently operate of hazardous E-Scooter malfunctions, such as broken brakes, sticky or frozen accelerators, motors cut short, and wheels locking up, resulting in riders falling off the scooters and being injured as well as in collisions with and injuries to pedestrians. A recent *Consumer Reports* investigation revealed thousands of injuries related to E-Scooter use in the past year or so when E-Scooter ride-share fleets began operating in cities, including broken bones, fractures, blunt head trauma and even brain injuries; and

Whereas E-Scooter maintenance by operating companies is uneven at best, with so-called mechanics being largely freelancers, often with minimal training, while user education is limited to short in-app tutorials; and

Whereas until E-Scooter manufacturers work out and codify how to substantially address these operational and maintenance safety issues (for which they should be responsible), as well as liability concerns, actions to legalize them seem premature; and

Whereas E-Scooters are dockless, i.e. they can be left anywhere and often are, crowding up sidewalks and hindering street traffic; and

Whereas the sidewalks in CB2, Man. are filled with pedestrians whose safety and access demand priority in this predominantly walking environment (as they do in all of Manhattan's Central Business District and in the primarily pedestrian neighborhoods throughout NYC), and both sidewalk and street congestion are rampant; and

Whereas CB2, Man. bike-riding constituents, both pedal-assist E-Bike and regular ones, testified that even 15 mph speeds can be hazardous and not provide enough reaction time to safely stop for pedestrians; and

Whereas infrastructure for E-Scooters is non-existent In NYC, whether for parking or for moving, which can lead to their encroaching on sidewalks or in bike paths and dangerously obstructing pedestrian and bicycle passage; and

Whereas NYC Council **Intro 1266** would create a shared E-Scooter rental pilot program to evaluate the impact and need for E-Scooters, most likely conducted in neighborhoods underserved by transit, for a period of one to two years; and

Whereas CB2, Man. recognizes the potential benefits of E-Scooters as a mode of transportation that can help reduce pollution and save energy, and even perhaps, if their best usage and application can be worked out, lessen automobile congestion; and

Whereas CB2, Man. is aware that E-Scooters can be particularly useful in providing needed transport in transit deserts (i.e. areas which lack or are not well served by public transit or are outside the existing Citi Bike network), and can provide convenient access to public transit;

Therefore be it resolved that CB2, Man. appreciates the NYC City Council's taking the initiative to consider the use of E-Scooters as an alternative transportation option and to set up regulations for their legal use with the objective of introducing them through an organized, orderly and gradual process; and

Be it further resolved that CB2, Man. recommends that E-Scooter legalization be deferred until the scooters' manufacturers and operating companies resolve the safety flaws in their vehicles, work out safer, more reliable and consistent maintenance and inspection systems, devise and make available more comprehensive education and training programs for their users, and generally are able to comply with uniform and clearly laid out provisions for such actions (essential to establish as part of the regulatory structure) that safeguard users and non-users; and

Be it further resolved that CB2, Man. strongly opposes allowing E-Scooters to operate where sidewalk space for pedestrians and street space for bicycle lanes are already at a premium, such as in CB2, with its old, narrow streets that can't handle further incursions of diverse motorized vehicles; and

Be it further resolved that CB2, Man. favors limiting E-Scooter speeds to no more than 10 mph; and

Be it further resolved that CB2, Man. stresses that in conjunction with any E-Scooter program, provision must be made for setting aside specific parking for E-Scooters, most likely in parking lanes, where small areas could be blocked out within defined boundaries, with hardware to secure the vehicles; and

Be it further resolved that CB2, Man. notes that E-Scooters should travel in special lanes that need to be fashioned for small motorized vehicles (not bike lanes where they're incompatible, whether on streets or on the Hudson River Greenway); study is needed to determine an appropriate design and location; and

Be it further resolved that CB2, Man. understands the importance of teaching the rules of the road to all who use small motorized (and non-motorized) vehicles, including E-Scooter users, and suggests that a small vehicle education program be established that is requisite for allowing the use of such vehicles; and

Be it further resolved that CB2, Man. supports strengthening and increasing enforcement and raising fines for traffic violations by all vehicles, including E-Scooters. This would include stricter penalties for all vehicles that use the wrong lanes, go the wrong way on one-way streets, use the sidewalk, go through red lights and other such infractions. E-Scooters should be assigned a vehicle identification number (VIN) to be displayed in a clearly visible place to facilitate spotting violators; and

Be it finally resolved that CB2, Man. supports and sees the necessity for a shared E-Scooter rental pilot program to evaluate the impact and need for E-Scooters, and agrees that one should be conducted for a period of at least one to two years to produce significant data. CB2 would oppose siting an E-Scooter pilot study within CB2 where further sidewalk and street congestion cannot be accommodated without impeding pedestrian safety and access. CB2, Man. cannot speak for other communities' needs, but recognizes that these vehicles can provide a way to get from here to there in places where transit doesn't exist, especially for short trips, and can offer a convenient means to reach the nearest subway, train or bus station, i.e., in transit deserts which are viewed as priority candidates for the proposed pilot program.

Vote: Unanimous, with 34 Board Members in favor.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan