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



**Antony Wong**, Treasurer  
**Valerie De La Rosa**, Secretary  
**Amy Brenna**, 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 20, 2020  
**TIME:** 6:30 P.M.  
**PLACE:** Scholastic Building, 130 Mercer Street, Auditorium

**BOARD MEMBERS PRESENT:** Susanna Aaron, Keen Berger, Carter Booth (Chair), Katy Bordonaro, Anita Brandt, Amy Brenna, Richard Caccappolo, Ritu Chattree, Tom Connor, Valerie De La Rosa, Doris Diether, Robert Ely, Mar Fitzgerald, Cormac Flynn, Joseph Gallagher, Wayne Kawadler, Susan Kent, Jeanine Kiely, Patricia Laraia, Michael Levine, Janet Liff, Edward Ma, Matthew Metzger, Daniel Miller, Brian Pape, Donna Raftery, Lois Rakoff, Robin Rothstein, Sandy Russo, Rocio Sanz, Scott Sartiano, Shirley Secunda, Frederica Sigel, Georgia Silvera Seamans, Shirley Smith, Susan Wittenberg, Antony Wong, Adam Zeldin

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Susan Gammie, Jonathan Geballe, David Gruber, Cathy Sullivan

**BOARD MEMBERS ABSENT:** Erik Coler, Maud Maron

**BOARD MEMBERS PRESENT/ARRIVED LATE:** Coral Dawson, Bo Riccobono, Kristin Shea, Chenault Spence

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

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

**GUESTS:** Jacob Priley, Senator Brad Hoylman's office; Eliana Cohen, Senator Brian Kavanagh's office; Luke Wolf, NYC Comptroller Scott Stringer's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Shivani Gonzalez, Assembly Member Yuh-Line Niou's office; Jordan Feiner, Council Speaker Corey Johnson's office; Irak Cehonski, Council Member Carlina Rivera's office; Anthony Drummond, Council Member Margaret Chin's office; Christopher Marte, Joaquin Cutler, Jan Lee, Darlene Lutz, Jane Carey, Dave Colon, Julia Tack, Anna Quinn, Pete Davies, Anne Mitcheltree, Morgan Tanacea, Sheri Lagin, Brandon Zwagerman, Ronnie Wolf, Jack Lei, William Benesh, Teddy Gonzalez, Owen Li, Yong Feng Liu, J. Nedler, Dave Crenshaw, Dillon Bonnell, Duncan Abdelnar, B. Miller

### **MEETING SUMMARY**

Meeting Date – February 20, 2020  
Board Members Present – 41  
Board Members Absent With Notification – 4  
Board Members Absent - 2  
Board Members Present/Arrived Late - 4  
Board Members Present/Left Early – 0

## **I. SUMMARY AND INDEX**

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Affordable Housing

Anne Mitcheltree spoke in favor of affordable housing.

#### Proposed New Correctional Facility in Chinatown

Christopher Marte and Jan Lee spoke against the proposal.

#### Neighborhood 360 Fellows Program

Brandon Zwagerman, from the SoHo Broadway Initiative made this announcement regarding the Small Business Services' new program.

#### Whitney Museum of American Art

Jane Carey updated everyone regarding upcoming events.

#### Renovations of Lasker Pool & Ice Rink in Central Park

Jeannine Kiely spoke in support of maintaining and/or expanding Lasker Pool and Ice Rink.

### **Parks/Waterfront**

#### Discussion of Proposal to Rename JJ Walker Ballfield for Ray Pagan

Dave Crenshaw spoke regarding the renaming of the ballfield.

Sheri Lagin spoke against the renaming.

### **SLA Licensing Items**

Okinii Village Habachi Corp., 216 Thompson St. 10012 (Upgrade to On Premise Liquor License)

Teddy Gonzelez, representing the applicants, Owen Li and Yong Feng Liu, the applicants, all spoke in favor of the proposed upgrade to a full liquor license.

Merse Group, LLC d/b/a Merse, 446 W. 14<sup>th</sup> St.-Night Club/Lounge/Catering Facility/Private Events, DJ

Dillon Bonnell and Duncan Abdelnar, the applicants, spoke in favor of the proposed establishment.

### **1. ADOPTION OF AGENDA**

### **III. ELECTED OFFICIALS PRESENT AND REPORTING**

Jacob Priley, Senator Brad Hoylman's office

Eliana Cohen, Senator Brian Kavanagh's office;

Shivani Gonzalez, Assembly Member Yuh-Line Niou's office

Luke Wolf, NYC Comptroller Scott Stringer's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Jordan Feiner, Council Speaker Corey Johnson's office

Anthony Drummond, 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**

**Resolution regarding CB2, Manhattan’s support for The New York Studio School’s pursuit of a grant from the Cynthia Woods Mitchell Fund to restore a portion of the School’s historic Whitney Studio space.**

**Whereas,** The New York Studio School (NYSS) is open seven days a week and runs exhibitions throughout the year, and

**Whereas,** NYSS has been located on Eighth Street in a group of mid-century landmarked buildings since the 1960’s at what had been the original Whitney Museum of American Art, and

**Whereas,** the NYSS buildings were designated as a National Historic Landmark in 1989, and

**Whereas,** NYSS focuses on artists who have not yet been seen enough in New York City with works on paper that a typical commercial gallery may not present, and

**Whereas,** NYSS offers a range of programs, including a two-year MFA program, a three-year certificate program, the Marathon Program, weekend classes, and a critically acclaimed lecture series that is free and open to the public during the semester, and

**Whereas,** NYSS brings in approximately 8,000 guests annually, and

**Whereas,** 51 full-time students are currently enrolled and 300 additional students attend the night/weekend classes and Marathon courses annually, and

**Whereas,** the Whitney Studio was named a National Treasure by the National Trust, is on the World Monument’s Watch list, and was designated as a National Historic Landmark in 1992, and

**Whereas,** the Whitney Studio was the patron and sculptor Gertrude Vanderbilt Whitney’s private salon, and contains a fireplace decorated by artist Robert Winthrop Chanler and,

**Whereas,** the Whitney Studio Tours serve approximately 400-500 guests annually, and the studio is also used for board meetings, student critiques and public events, and

**Whereas,** the Whitney Studio is the site for NYSS’s annual Spring Benefit Event (free and open to the public) dinners following the Evening Lecture Series (twice a week during the semester), weekly critiques, Board of Trustee Meetings, receptions, outside rentals, etc. and attracts approximately 200-250 guests annually, and

**Whereas,** NYSS needs to weatherproof the Whitney Studio’s seven windows, which are currently covered in plastic to keep out the cold and drafts, which present a danger to the interior of the space and its historic and artistic contents, and

**Whereas,** weatherproofing the windows will also allow the space to be warm and welcoming and to reduce NYSS’s carbon footprint, and

**Whereas**, NYSS is applying for a grant from the Cynthia Woods Mitchell Fund for historic interiors to fund this much-needed renovation, and

**Whereas**, NYSS expects the total cost for fixing the Whitney Studio's windows will cost approximately \$30,000, as they need to be custom-made, and

**Whereas**, NYSS is seeking the Fund's maximum grant amount of \$15,000, which will require a match that NYSS will raise through its board members, and

**Whereas**, NYSS previously received a \$30,000 grant from this same Fund and were able to redo floors, paint walls, and update the lighting system, and

**Whereas**, NYSS has also previously been awarded grants by the NEA, various other funding organizations, receives general donations, and has also received some funding from the City,

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly supports New York Studio School's request and urges the Cynthia Woods Mitchell Fund to provide the School with the maximum funding they are seeking.

VOTE: Unanimous, with 41 Board Members in favor.

### **LANDMARKS AND PUBLIC AESTHETICS**

1. **6 Greene St.**- Application is to establish a Master Plan for a painted sign.

#### **Whereas:**

1. The proposed master plan appears to conform with all LPC requirements and is consistent with previously approved plans in the district; and
2. The requirement that the sign be no taller than 75' above curb level and the applicant's desire to get approval for as big a sign as possible, results in a sign that appears too low; now:

**Therefore, be it resolved** that CB2, Man. recommends **approval** of the application provided that the height of the sign space be reduced in order to provide a uniform margin along the front and bottom of the proposed sign and that the master plan otherwise conforms to landmarks regulations governing painted signs for the area.

Vote: Unanimous, with 41 Board members in favor.

2. **16 Leroy St.** – Application is to restore the front facade and to reconfigure an existing rear extension with a new terrace, install skylights and solar panel on the roof, and install exterior lighting.

#### **Whereas:**

A. The front facade is to be restored with certain changes to paint color of the masonry, woodwork and lighting fixture, none of which were reviewed since the front façade was not included in the presentation; and

- B. The property presents an unusual situation for a row house in Greenwich Village in that the lot immediately behind it to the east is a vacant lot and the entire rear facade above a lot line fence is totally visible from Carmine Street; and
- C. A non-historic, undistinguished rear extension is to be removed; and
- D. The proposed 7' rear extension to the cellar, basement and parlor floor with oversize arched windows at the parlor floor, a landing with metal stairs from the parlor floor to the garden and an out of scale, tall blank expanse of brick above the arched windows is completely visible from a public thoroughfare above the lot line fence and is partly visible through the fence; and
- E. The arched windows are not in the style of the building and their placement destroys the three-window rhythm of the original facade and; and
- F. The ground floor pilasters are not in the style of the building; and
- G. There is a skylight that is not visible; and
- H. On the sloped rear roof of this historic house are highly visible solar panels that cover the entire sloped rear roof (15' x 20'), are of a reflective material and completely visible from a public thoroughfare; and
- I. The board fully supports the use of solar panels as a conservation measure, however their installation in a landmarked district must be done in the most unobtrusive manner possible with both careful placement and choice of materials to ensure that they have minimal impact on the historic character of the district; and
- J. The panels, as proposed in a reflective material and fully covering the visible rear roof of the building, do harm to the character of the building and to the district; now

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

- A. That the front facade restoration be **approved** provided that LPC review the paint colors and the lighting fixture to ensure that they are suitable to the building; and
- B. **Approval** of the demolition of the existing extension and the size of the proposed extension; and
- C. **Denial** of the facade of the extension with respect to the ground floor pilasters, parlor floor windows and the expanse of unrelieved brick above the parlor windows; and
- D. **Denial** of the solar panels as currently proposed, with the recommendation that they be located where they are not visible from a public thoroughfare and /or that the applicant research and propose alternative panels that are designed to be in harmony with historic buildings and the area.

Vote: Unanimous, with 41 Board members in favor.

**3. 196 6<sup>th</sup> Ave., PH**– Application is to renovate a visible greenhouse structure on the South Eastern façade and replace and update greenhouse windows and to construct a pergola.

**Whereas:**

- A. The existing minimally visible greenhouse is to be replaced by one of similar design with a reduced slope of the roof that conforms to code and is fitted with energy conserving windows; and
- B. A pergola (9'-8" x 16' x 8'-10.5" high) that was represented by the applicant as being of a plain, undistinguished design located to the north of the greenhouse is fully visible from a public thoroughfare; and
- C. Insufficient visual information regarding the pergola was provided; now

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

- A. That the modifications to the greenhouse structure be **approved**; and
- B. That the pergola be **denied** and that the applicant return to the Board with more detailed drawings and/or renderings of the structure in order that it may make a recommendation to the Commission.

Vote: Unanimous, with 41 Board members in favor.

**4. 61-63 Crosby St.** – Application is to install new, cast stone drip moldings above each of the 18 street-facing windows on floors 2-4 of the building.

**Whereas:**

- A. The building owners are completing a facade restoration in connection with an application for a 74 - 711 (change of use); and
- B. The new window moldings are modeled after a poor quality photograph of the building and similar buildings in the area; and
- C. The moldings will match the restored facade in color and texture and give the appearance of original material; now

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

Vote: Unanimous, with 41 Board members in favor.

**5. 40 Crosby St. aka 478 Broadway** - Application is to modify storefront infill, replace windows, restore cast iron surround and metal shutters.

**Whereas:**

- A. The Crosby Street facade is the original service entrance for the building with its principal facade on Broadway and has some of the same cast iron detail as the Broadway facade; and
- B. The cast iron elements are retained and new wooden double doors provide an accessible entrance, with a transom in the north bay, plain glass window with transom in the central bay, and open and closed shutters with a grill transom in the south bay -closed due to the elevator shaft within; and
- C. Existing shutters will be fixed in the open, recessed position and newly fabricated replicas in wood will replace the missing sections; and
- D. New shutters recessed in new pockets are to be installed in the north and center bays behind the cast iron columns; and
- E. A member of the public expressed that proper egress for the residential occupants must be maintained and that the owner is required to contact certain government agencies (regarding the residential occupants) to provide notice about proposed changes; and
- F. Members expressed concern that the necessary preliminary steps concerning the changes to the building that affect the residential use had not been approved prior to making this landmarks application

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

- A. **Approval** of the application for the infill and cast-iron column restoration; and
- B. That **approval** be conditioned on compliance with all governing agencies including the Zoning Resolution and Department of Buildings regulations affecting this work.

Vote: Unanimous, with 41 Board members in favor.

6. **71 Jane St.** - Application is to demolish the existing building's rear wall, construct a 3-½ story rear extension, construct a rear deck at the 4<sup>th</sup> floor, alter the rear yard's existing grade, and remove rooftop HVAC equipment and metal chimney.

**Whereas:**

- A. The non-historic undistinguished rear extension and the extant original rear facade are to be demolished; and
- B. The proposed 10' deep extension is three floors high and similar in depth to other buildings in the row, however the applicant made no representation that the comparable extensions cited were approved by the Commission; and
- C. The extension presents a bulky appearance and leaves the top floor facade partly obscured; and
- D. The windows are of an undistinguished modern design with no historical reference, the design, size and configuration of the windows appear random and the applicant explained them as being placed according to the interior layout without apparent consideration of the exterior appearance; and
- E. The roof of the exterior is a terrace with an oddly modern style curved corner structure to accommodate a bathtub and is without sensitivity to the design of this historic building and the area; and
- F. The existing 10' deep excavation at the basement level is to be extended an additional 20' for a total of 42' and does not require underpinning; now

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

- A. **Denial** of the demolition of the entire extant historic rear façade; and
- B. **Denial** of the bulky extension with odd features and windows that are non-historic and placement that are not respectful of design of the building and the area; and
- C. **Approval** of the garden excavation.

Vote: Passed, with 40 Board members in favor, and 1 abstention (J. Liff).

**PARKS/ WATERFRONT**

1. **A Resolution Regarding the Proposed Design of the Interim Renovation of Mercer Playground**

**Whereas:**

- 1. A proposed design for the interim renovation of Mercer Playground, which is located on Mercer St. between Bleecker and West 3rd Streets, was presented to our committee by Ricardo Hinkle, Senior Landscape Architect for the NYC Department of Parks & Recreation (DPR), on behalf of DPR and NYU; and
- 2. NYU pledged funding the NYC park as part of its Core Plan which was agreed upon as part of NYU's development projects in the area; and
- 3. The current budget for the Mercer Playground renovation is \$385,000; \$350,000 for construction costs and \$35,000 to design, some or all of which has already been spent; and
- 4. The proposed design was based on comments and discussion captured during a March 27, 2019, s coping session that was run by DPR and attended by 70+ local residents who provided input on their desires for the redesigned space; and



5. The designs presented focus on re-structuring the central play area and do not include redesign of the sections on the north or south ends of that central area; and
6. The stated goals of the design are to make the park more inviting by using color to bring it to life; protecting the existing trees and canopy; implementing new, more welcoming, 4 ft wide gates within the (rarely opened) 17 ft gates required by the NYFD fire code for truck access; resurfacing the play space; re-grading the play space to eliminate puddling; and including colorful geometric shapes painted on the ground which would be used to delineate areas for street games and a bike / scooter path; and new fences and gates; and
7. Though appreciative of Mr. Hinkle’s efforts, most of the committee and the local residents were disappointed by the proposed design; and
8. Issues raised included:
  - a) concerns with the proximity of the bike path to the proposed game areas, and
  - b) the design of the benches, proposed and existing (with no dividers) which could allow people to sleep on them, increasing the risk of homeless encampments developing, and
  - c) specific colors chosen for re-painting the wall (“red is not calming”), and
9. The overriding disappointment was the limited scope of the renovation, specifically the lack of inclusion of the sections on both ends of the central space – the passive area to the south and the sprinkler area to the north - spaces that have been cited as locations that have driven quality-of-life complaints; there was concern that piecemeal renovation would undermine the opportunity for improving the playground overall; and
10. DPR explained that the limited budget for the renovation project limits the scope of the redesign to include to just the central play area section, and limits what can be done within that section; and
11. Community members asked about obtaining additional funding from elected officials, and if private donations were secured, whether they could be accepted in order to expand the budget and the scope; and
12. A request was made for a breakdown of how the existing budget is being allocated in the design; and
13. The opinions of our committee and other attendees conveyed hope that the central play space renovation design could be improved and implemented while, in parallel, efforts to find additional budget to expand the scope are undertaken.

**Therefore, Be it Resolved that CB2, Man.:**

1. Appreciates the funding provided by NYU and the efforts of the NYC Department of Parks and Recreation to renovate the central play area of Mercer Playground; and
2. Requests that the proposed and presented design be updated to reflect the recommendations and concerns expressed at this meeting; and
3. Requests details on how the existing \$350K construction budget is planned to be allocated; and
4. Requests implementation of an updated design, notwithstanding the concern that the scope is more limited than desired; and
5. Requests that, in parallel to the forward progress of implementing this plan, the NYC Parks Department in conjunction with NYU develop a master plan be designed for the entire playground - including the adjoining passive area to the south and sprinkler area to the north and keyed access to the adjacent Key Park – while efforts to secure additional funding to expand the budget are undertaken.

VOTE: Unanimous, with 41 Board Members in favor.

**2. Resolution in Support of the Proposal to Honor Raymond “Ray” Pagan at James J. Walker Park**

**Whereas:**

1. Raymond “Ray” Pagan, a legendarily influential coach and mentor in lower Manhattan and beyond, worked as a director for more than 39 years (1976 to 2015) at Tony Dapolito Recreation Center at Clarkson St. and Seventh Ave. South, next to James J Walker Park; and
2. Mr. Pagan coached a great many boys’ and girls’ teams in several different sports, both in the Rec Center and on the ballfield; and
3. Mr. Pagan passed away September 26, 2017; and
4. Some members of the community who played for, worked with, and organized alongside Mr. Pagan have made a proposal to honor him and his legacy; and
5. Their request to the Department of Parks and Recreation is to name the field within James J Walker Park in Mr. Pagan’s honor and mark it with a sign or plaque; and
6. Some members of our community have expressed concern that the park itself not be renamed; and
7. The name of the park would remain James J. Walker Park, and this proposal would name only the ballfield, with the title “Ray Pagan Field at James J Walker Park”; and
8. Several attendees at our meeting passionately conveyed their support for the proposal and explained Mr. Pagan’s impact on their lives and on our community; and
9. Council Member Carlina Rivera has submitted a letter in support for the application to honor Mr. Pagan; and
10. DPR informed us that the Parks Department Commissioner will would weigh this proposal and would consider community support in the decision process.

**Therefore, Be it Resolved that CB2, Man.:**

2. Thanks the community members who have brought this proposal to our attention; and
3. Appreciates the stories, memories, and recollections that conveyed Mr. Pagan’s impact and influence; and
4. Supports this effort to honor the legacy of Ray Pagan; and
5. Appreciates consideration of this proposal by the Commissioner of the NYC Department of Parks & Recreation.

VOTE: Passed, with 40 Board Members in favor and 1 in opposition (R. Sanz).

**QUALITY OF LIFE**

1. **New Application to Department of Consumer Affairs for Newsstand at Northeast Corner of 7<sup>th</sup> Ave. & West 11<sup>th</sup> St., (in front of 133 W. 11<sup>th</sup> St.) (13442-2019-ANWS)—Applicant Mohammad Ibrahim**

**Whereas**, the applicant was notified and failed to appear before the committee on this application; and

**Whereas**, no member of the public appeared to express support for or opposition to this application; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of the application for a **newsstand at the Northeast corner of 7<sup>th</sup> Avenue South and West 11<sup>th</sup> Street (in front of 133 W. 11<sup>th</sup> Street) (13442-2019-ANWS) Applicant Mohammad Ibrahim.**

Vote: Unanimous, with 41 Board Members in favor.

**New application for revocable consent to operate an unenclosed sidewalk café for:**

**2. GC SHL, LLC d/b/a The Standard Highline, 848 Washington Street with 24 tables and 76 chairs (668-2020-ASWC)**

**Whereas**, this establishment appeared before Community Board 2 in May 2019, at which time CB2 recommended approval for this application but the application lapsed and the applicant had to restart the application process; and

**Whereas**, this establishment, The Standard Grill, is a full-service restaurant and bar serving modern American food, and is located in the ground floor of The Standard Hotel directly below the highline and has been in operation for many years; and

**Whereas**, this sidewalk café has been in continuous operation since 2010 and has routinely been recommended for approval by CB2 and there was a change in ownership which required a new sidewalk café permit application; and

**Whereas**, the applicant will continue to offer full-service waitstaff who will deliver all food and drink to patrons at their seats and the applicant has an SLA OP license which is inclusive of this sidewalk cafe; and

**Whereas**, the applicant stated that the hotel is continuously staffed and that the sidewalk café is open for breakfast, lunch, and dinner from 8 AM-Midnight, Sunday – Thursday and 8 AM-1 AM, Friday and Saturday; and

**Whereas**, the applicant received approval from the Department of Consumer Affairs to leave the sidewalk café furniture in place overnight; and

**Whereas**, the applicant stated that the sidewalk café is under constant watch of the hotel’s security team; and

**Whereas**, the applicant confirmed that all tables and chairs would be stored off-premises, off-season, and that there would be no amplified sound within the sidewalk cafe; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **GC Shl, LLC, d/b/a The Standard Highline, 848 Washington St. with 24 tables & 76 chairs (668-2020-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 41 Board Members in favor.

**3. CEKAJ Corp., d/b/a Amici Ristorante, 165 Mulberry Street between Broome and Grand Streets with 3 tables and 6 chairs (672-2020-ASWC)**

**Whereas**, this establishment, a full-service family-style Italian restaurant and bar, is located on the ground floor of a mixed-use building in the Special Little Italy District; and

**Whereas**, this sidewalk café has been in continuous operation for many years and the establishment is under new ownership and management and CB2, Man. recommended approval for an on-premises liquor license in March 2019; and

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

**Whereas**, the applicant stipulated with the CB2, Man. SLA committee that the sidewalk café operates no later than 10PM Sunday-Thursday and 11PM Friday & Saturday; and

**Whereas**, the applicant confirmed that all tables and chairs would be stored inside the restaurant overnight and would be stored off-premises during the off-season, and that there would be no amplified sound within the sidewalk cafe; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **CEKAJ Corp., d/b/a Amici Ristorante, 165 Mulberry Street with 3 tables and 6 chairs (672-2020-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 41 Board Members in favor.

**4. Dig Food Group., d/b/a 232 Bleecker, 232 Bleecker Street at Carmine Street with 6 tables and 18 chairs (918-2020-ASWC)**

**Whereas**, this establishment, 232 Bleecker, is a full-service restaurant serving American cuisine, and is located in the ground floor of a mixed-use, six-story building that was the former home of Trattoria Spaghetti; and

**Whereas**, Trattoria Spaghetti operated a larger sidewalk café at this location for many years with 14 tables and 28 chairs; and

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

**Whereas**, the applicant stipulated with the CB2 SLA committee in June 2019 that the sidewalk café operates no later than 10PM Sunday-Thursday and 11PM Friday & Saturday; and

**Whereas**, the applicant confirmed that all tables and chairs would be stored inside the restaurant overnight and would be stored off-premises during the off-season, and that there would be no amplified

sound within the sidewalk café and that all planters would be moved against the building's façade when the café is not in use; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of the application for revocable consent to operate an unenclosed sidewalk café for **Dig Food Group., d/b/a 232 Bleecker, 232 Bleecker Street with 6 tables and 18 chairs (918-2020-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 41 Board Members in favor.

## **Street Activities**

### **5. Friday-Sunday, February 28-March 1, 2020 – Spotify Black History Month Pop-Up Event (Matte Projects): Wooster St. between Prince St. and Spring St. [*partial sidewalk closure – west side; curb lane on 2/28/20 only*]**

**Whereas**, the applicant is planning a pop-event for one weekend at a storefront on this block and will offer a walk-through experience highlighting Black musicians; and

**Whereas**, the applicant wishes to use the public sidewalk outside of the location to queue expectant attendees who will be welcomed to the event on a first-come, first serve basis; and

**Whereas**, the applicant stated that no products will be sold at the event but that there would be celebrity branded merchandise give-a-ways every two hours during the weekend and that Spotify would announce these free giveaways using its social media accounts (Spotify Twitter followers: 3.3 million, Spotify Instagram followers: 4.8 million); and

**Whereas**, the applicant stated that a two-person security team would be on premises to monitor the queue and to keep a portion of the sidewalk free for pedestrians; and

**Whereas**, Spotify has no storefront or offices on this block and is using this space solely for this one weekend event and members of the Committee were concerned that the applicant is not incentivized to be a good neighbor during this event because of the short-term nature of the event; and

**Whereas**, in July 2019 Adidas conducted a product launch out of a pop-up storefront at Bowery and Rivington, selling sneakers for 99 cents, that descended into chaos and an NYPD spokesperson told Business Insider that two people were assaulted at the event and taken to the hospital; and

**Whereas**, limited-quantity give-a-ways and product launches have wreaked havoc in SoHo over the past several years and certain companies have opted to use line-control apps that restrict the amount of people who will show up for a product launch; and

**Whereas**, Spotify is not using any sort of line control technology for this event and cannot be sure of how many people will respond to their social media posts announcing the free merchandise give-a-ways; and

**Whereas**, a sidewalk and curb lane closure for a temporary tenant of a storefront on this block is not in the best interest of the community; and

**Whereas**, this application is part of an ever-increasing trend to commercially exploit SoHo with a bombardment of requests to use public space for private commercial use while SoHo residents and neighboring, long-term businesses receive nothing in exchange but crowds, noise, garbage, altercations, congestion, and the like; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of **Spotify Black History Month Pop Up Event (Matte Projects): Wooster St. between Prince St. and Spring St. [partial sidewalk closure – west side; curb lane on 2/28/20 only]** from **February 28-March 1, 2020**.

Vote: Unanimous, with 41 Board members in favor.

**6. Saturday-Sunday, March 7-8, 2020 – Intermix Voting Booth (AWESTRUCK Marketing Group): Prince St. between Mercer St. and Greene St. (directly in front of 98 Prince St.) [partial sidewalk closure – south side only]**

**Whereas**, the applicant is applying for a partial sidewalk closure in front of its Intermix storefront to place a mock voting booth that measures 4 feet wide x 5 feet long x 8 feet tall; and

**Whereas**, in addition to the booth, the applicant wishes to reserve public sidewalk space to queue expectant customers who wish to enter the booth; and

**Whereas**, the applicant stated that there was room in the storefront for this booth but that Intermix wanted to increase visibility for this booth by placing it directly on the public sidewalk; and

**Whereas**, this block of SoHo experiences hordes of pedestrians, bicyclists, and traffic and is a block from the Prince Street subway station entrance/exit; and

**Whereas**, this application is part of an ever-increasing trend to commercially exploit SoHo with a bombardment of requests to use public space for private commercial use while SoHo residents and neighboring, long-term businesses receive nothing in exchange but crowds, noise, garbage, altercations, congestion, and the like; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of **Intermix Voting Booth (AWESTRUCK Marketing Group): Prince St. between Mercer St. and Greene St. (directly in front of 98 Prince St.) [partial sidewalk closure – south side only]** from **March 7-8, 2020**.

Vote: Unanimous, with 41 Board members in favor.

**7. Wednesday, March 25, 2020 – Annual Triangle Shirtwaist Fire Commemoration (Sidney Hillman Foundation): 1) Greene St. between West 4<sup>th</sup> St. and Waverly Pl.; 2) Washington Pl. between Washington Square East and Mercer St. [full street closure]**

**Whereas**, the applicant, the Sidney Hillman Foundation, is presenting this annual commemoration of the 1911 workplace fire that took the lives of 146 young immigrant workers; and

**Whereas**, the event permit starts with set-up at 8 AM, the event will take place between 11 AM and 2 PM and break down of the event will be completed by 5 PM; and

**Whereas**, the commemoration includes an FDNY truck raising a ladder to the top floor of the building where the tragedy occurred along with the recitation of the names of those who perished and a song sung by a labor council choir; and

**Whereas**, the applicant will set up an FDNY fire safety educational tent, a press box, and a small stage with amplified sound for speeches by elected officials and labor leaders; and

**Whereas**, there is an emergency lane reserved on Washington Place to allow for the movement of emergency vehicles; and

**Whereas**, CB2, Man. recommended approval for this event on these blocks in 2017, 2018, and 2019; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the **Annual Triangle Shirtwaist Fire Commemoration (Sidney Hillman Foundation): 1) Greene St. between West 4<sup>th</sup> St. and Waverly Pl.; 2) Washington Pl. between Washington Square East and Mercer St. [full street closure]** on March 25, 2020.

Vote: Unanimous, with 41 Board members in favor.

**8. Sunday, May 3, 2020 – Little West 12th St. Pop-Up (Stonewall Democratic Club): Little West 12th St. between 9th Ave. and Washington St. [full street closure]**

**Whereas**, the applicant, a Citywide LGBTQ political club founded in 1987, hopes to host a pop-up street festival at this location; and

**Whereas**, the pop-up festival will offer specialty food vendors and artisanal crafts; and

**Whereas**, the applicant hosted this same festival on this block last year with no complaints or issues; and

**Whereas**, set-up for the festival will begin at 8 AM, the festival will operate from 10 AM-6 PM, and breakdown will be complete by 8 PM; and

**Whereas**, Stonewall Democratic Club uses the funds from this event to host political rallies, hold monthly meetings, and to collaborate with other LGBTQ organizations like the Transgender Legal Defense and Education Fund and to offer scholarships for LGBTQ-identifying CUNY students; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of — **Little West 12th St. Pop-Up (Stonewall Democratic Club): Little West 12th St. between 9th Ave. and Washington St. [full street closure]** on May 3, 2020.

Vote: Unanimous, with 41 Board members in favor.

**9. Saturday, May 16, 2020 – Village Fair and Expo (STONEWALL Rebellion Veterans Association): Broadway between Waverly Pl. and East 14th St. [full street closure]**

**Whereas**, this event was recommended for denial by Community Board 2 in 2019, 2018, 2017, and for many years prior, yet has received approval by the Street Activity Permits Office (SAPO) year after year; and

**Whereas**, the applicant appeared and stated that there was no substantial change to the sponsoring organization from years past and the applicant did not indicate that any other LGBTQ organizations

within the community would be invited to participate in this event nor did the applicant indicate how any of the surplus proceeds from this event would be used to benefit the community; and

**Whereas**, this event has historically been held on University Place between Waverly Place and West 14<sup>th</sup> Street, and the applicant was advised by SAPO to apply for this location on Broadway instead; and

**Whereas**, the Committee has serious concerns about the location of this multi-street festival on Broadway between 14<sup>th</sup> Street and Waverly Place because of the recently enacted busway on 14<sup>th</sup> Street; and

**Whereas**, drivers trying to turn onto Broadway from 14<sup>th</sup> Street in order to avoid being ticketed by the busway regulations would be prohibited from doing so while this street festival is in operation and the applicant had no information on how this issue would be resolved; and

**Whereas**, this application is for a traditional Mardi Gras Productions-produced street fair with typical vendors selling sausages, socks, t-shirts, and the like; and

**Whereas**, placing multi-street festivals on main thoroughfares like Broadway on busy spring weekends is not prudent; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of — **Village Fair and Expo (STONEWALL Rebellion Veterans Association): Broadway between Waverly Pl. and East 14th St. [full street closure]** on May 16, 2020.

Vote: Unanimous, with 41 Board members in favor.

**10. Fridays, Saturdays, Sundays, May 22-September 7, 2020 — Little Italy Pedestrian Mall (Little Italy Merchants Association): 1) Mulberry Street between Canal and Broome Sts. 2) Hester Street between Mott and Baxter Sts. [sidewalk and full street closure-both sides]**

**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-10 PM; and

**Whereas**, all participating business owners are in full support of the event and none appeared before the committee in opposition; and

**Whereas**, a member of the public appeared to express opposition to this application because of the lack of residential car access on the street; and

**Whereas**, the applicant stated that it places an information sheet in every building on the street with contact information in order to allow residents to have access to their cars and buildings during the pedestrian mall; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of **Little Italy Pedestrian Mall (Little Italy Merchants Association): 1) Mulberry Street between Canal and Broome Sts. 2) Hester Street between Mott and Baxter Sts. [sidewalk and full street closure-both sides]** from May 22-September 7, 2020.

Vote: Unanimous, with 41 Board members in favor.



**September 14-28, 2020 — 94th Annual Feast of San Gennaro—1) Mulberry St. between Canal and East Houston Sts. 2) Grand St. between Mott and Center Sts. 3) Hester St. between Mott and Center Sts. [full street closures]**

**Whereas**, the Feast will operate as it has for 93 years; and

**Whereas**, the applicant was asked if it was necessary that individual game and food vendors required their own amplified sound to attract customers, since this is a captive audience, and the applicant stated that the possibility of banning the amplified sound would be considered; and

**Whereas**, this year and last year the applicant was asked why the City-required paint markings made by festival organizers lasted so long after the event had occurred and the applicant explained that all spray paint markings are made in compliance with City regulation in order to signal fire hydrant and siamese connection locations; and

**Whereas**, last year this Committee suggested there were vendors like Green Street Media, that offer “permanent temporary paint” that can be washed off after the feast is over; and

**Whereas**, the applicant stated it did not try to procure “permanent temporary paint” for last year’s event but would consider it this year; and

**Whereas**, two neighboring residents appeared at the meeting with grievances about this event that have persisted for many years concerning noise, trash, grease and paint-stained sidewalks, congestion, and the like; and

**Whereas**, the Board urges the event organizers to address the following longstanding quality of life issues that impact the neighboring residents and businesses during and after the event:

1. paint markings on sidewalks and streets that remain for months after the event is over; and
2. grease stained sidewalks that require power washing to clean; and
3. individual vendors using amplified sound to attract festival-goers; and
4. trash buildup at intersections while the event is ongoing; and
5. the placement of multiple porta-potties outside of DeSalvio Playground which creates an enduring stench during the day and after the event is over; and
6. tree-pits being damaged by vendors building over them or too close to them.

**Whereas**, the San Gennaro Festival is the most famous American-Italian festival in New York City and it began in September 1926 when immigrants from Naples gathered on Mulberry Street to celebrate the Patron Saint of Naples; and

**Whereas**, the festival organizers should strive to protect this tradition by producing the festival in a way that has the least amount of negative impact on neighboring residents and businesses; now

**Therefore Be It Resolved** that CB, 2 Man. recommends approval of the **94th Annual Feast of San Gennaro—1) Mulberry St. between Canal and East Houston Sts. 2) Grand St. between Mott and Center Sts. 3) Hester St. between Mott and Center Sts. [full street closures]** from September 14-28, 2019.

Vote: Unanimous, with 41 Board members in favor.

**FYI/Street Activity Renewals:**

1. 5/8/20 – Strawberry Festival (NYU Student Activities): LaGuardia Pl. between Washington Square South and West 3rd St.
2. 5/8/20 – E-Waste Collection (Meatpacking District BID): West 14th St. between 8th Ave. and Hudson St. [curb lane only – south side]
3. 5/14/20 – Hudson Park Library Oregon Trail Summer Reading Kick-Off: Leroy St. between 7th Ave. South and Hudson St. [full street closure]
4. 6/7/20 – Portuguese SoHo (Arte Institute): Sullivan St. between Spring St. and Prince St. [full street closure]
5. 9/19/20 – Washington Square Arch Fair (6th Police Precinct Explorers): Washington Square North between University Pl. and Fifth Ave. [full street closure]
6. 10/3/20 - 12th Annual Marco Polo Festival (Two Bridges Neighborhood Council): Grand St. between Mulberry St. and Mott St. [full street closure]

**Whereas**, no member of the community called out these renewal applications for a public hearing and no member of the public appeared to oppose or support these applications.

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

Vote: Unanimous, with 41 Board members in favor.

## **SLA LICENSING**

### **SLA 1**

**1. 1 Tyger, LLC d/b/a TBD, 1 Howard Street, NY, NY 10013 (New OP–Restaurant with sidewalk café)**

**i. Whereas**, the Applicants and their Attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new on-premise liquor license to operate a Southeast Asian Restaurant serving lunch and dinner in a commercial two story building (circa 1915) on the corner of Howard and Centre Streets; and

**ii. Whereas**, the storefront premise was previously licensed and operated as Nickel & Diner, a full service restaurant since 2017, but before that was operated for years as the Lunch Box Buffet 5 Combinations serving Chinese food with communal seating but which closed by 11 PM and did not operate with a liquor license; and

**iii. Whereas**, the subject premises appears to be located the corner building is located also within 200 feet' of a building used exclusively as a Buddhist Temple , The American Society of Buddhist Studies located at 214 Centre Street and the entry doors indicated by the applicant for the proposed renovated premises presented to CB2, Man. at this meeting seem to be in violation of the 200 ft. rule; the applicant and their representative were unaware of the existence of the Buddhist Temple, which has been the subject

of past correspondence from CB2, Man. to the SLA on Howard Street; (1) The applicant's premises is located on the Ground floor of 1 Howard St., which is a corner location on the Southwest Corner of Howard and Centre Streets with an entry door indicated on diagrams presented to CB2, Man. at this meeting located at the corner of Centre St. and Howard St. and a second entry door on Howard St. (2) The Buddhist Temple, The American Society of Buddhist Studies, is located at 214 Centre Street which is on the East side of Centre Street to the North of the subject premises and appears to be located within 200 feet (3) CB2, Man. has been made aware that the entire building at 214 Centre Street is used exclusively by the American Society of Buddhist Studies including a rectory in the upper floors for Buddhist Nuns (4) The Certificate of Occupancy for 214 Centre Street clearly shows the allowable uses in the building which includes on the 1<sup>st</sup> Floor Temple (Buddhist) and accessory offices, in the Cellar accessory kitchen and dining room, 2<sup>nd</sup> Floor Accessory Offices and 3<sup>rd</sup> to 5<sup>th</sup> Floor accessory rectory staff dwelling; and

**iv. Whereas,** the 3,000 sq. ft. ground floor interior premises has one main entrance which is now anticipated to be located further South on Centre Street due to the location of the Buddhist Temple, with one accessible entrance located on the corner of Howard and Centre Streets but will not be used for patron ingress/egress, and two bathrooms, the provided diagram at this meeting will be superseded by a revised diagram which will be provided to CB2, Man. prior to the CB2 February 2020 Full Board meeting ; and,

**v. Whereas,** the interior premises has 17 tables and 36 seats, 6 banquettes with 24 seats and one bar with 10 seats for a total of 70 seats, the Applicant agreeing to reduce these patron seat numbers so as to not exceed 74 persons including staff, which is his obligation as the Letter of No Objection from the NYC Buildings Dept. dated April 19, 2017 prohibits a greater occupancy; and

**vi. Whereas,** the hours of operation will be from 12:00 PM to 12:00 a.m. Sunday through Wednesday and from 12:00 PM to 1:00 a.m. Thursday through Saturday, with the stated method of operation as a restaurant; there will be no TVs and music will be quiet ambient background only; and

**vii. Whereas,** the premises will include a licensed sidewalk café with 6 tables and 24 seats which will close no later than 10:00 p.m. Sunday–Thursday and 11:00 p.m. Friday and Saturday, all tables and chairs will be removed and there will be no patrons in the sidewalk café thereafter; and

**viii. Whereas,** the Applicant will be installing operable doors and windows along Centre and Howard Streets and agreed to close all doors and windows by 9:00 p.m. each night; and

**ix. Whereas,** there was opposition to this application, those in opposition writing correspondence and appearing, voicing concerns regarding the added noise from the restaurant operating with open facades running along both Howard and Centre Streets and late night operations proposed, the opposition living across the street and exposed to the sidewalk café and open facades from the restaurant; and,

**x. Whereas,** the Applicant executed and had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the SLA On-Premise Liquor License, with those stipulations with respect to the premises, as follows:

1. Premises will operate and be advertised as a full service Southeast Asian Restaurant.
2. The interior hours of operation will be from 12:00 p.m. to 12:00 a.m. Sunday through Wednesday and 12:00 p.m. to 1:00 a.m. Friday and Saturday. No patrons will remain after stated closing times.
3. The premises, or any portion of the premises, will not operate as a lounge, tavern or sports bar.
4. Will not have televisions.

5. Will not operate a backyard garden or any outdoor area for the service of alcohol, other than a DCA permitted sidewalk cafe.
6. Will operate a licensed sidewalk café with 6 tables and 24 seats no later than 10:00 p.m. Sunday through Thursday and no later than 11:00 p.m. Friday and Saturday. There will be no patrons left in the sidewalk café after closing.
7. Will close all doors and windows by 9:00 p.m. every evening, all tables and chairs will be removed at closing and there will be no patrons in the sidewalk café thereafter.
8. Will play quiet, ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
10. Will not offer unlimited drink, or unlimited food and drink specials (including no “boozy brunches”), nor will it sell 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 and beer products.
12. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

**xi. Whereas**, this application being subject to the 500 ft. rule and the public interest standard, this location having been licensed previously, albeit only for a short time period, the stipulations agreed upon, assuming such compliance by the Applicant in the future, to close the open facades by 9 PM every night and for operating hours for the interior restaurant and sidewalk café being reasonable and sufficiently consistent with a full service restaurant at this location; and

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of the new On Premise Liquor License for **1 Tyger, LLC d/b/a The Tyger, 1 Howard St, NY, NY 10013** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On Premise Liquor License and that the licensed premises is not in violation of the 200 ft. rule as outlined above..

Vote: Unanimous, with 41 Board members in favor.

**2. 54 East Entertainment, Inc., d/b/a Karaoke BoHo, 54 E. 13<sup>th</sup> Street, NY, NY 10003**  
(Alteration to existing On-Premise Liquor License)

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for an alteration of an existing on-premise liquor license to operate a karaoke bar and Mexican restaurant on three floors in a seven story mixed-use building on 13<sup>th</sup> Street between University Place and Broadway (Block #564 and Lot #11; and

**ii. Whereas**, the location is 7,000 sq. ft. with approximately 2,300 sq. ft. per floor, with the basement floor currently having a kitchen, restrooms and karaoke rooms with an occupancy of 19 persons, the 1<sup>st</sup> floor having restrooms, a bar and karaoke rooms with an occupancy of 25 persons and the 2<sup>nd</sup> floor having two restrooms and 12 karaoke rooms with an occupancy of approximately 75 persons; and

**iii. Whereas,** the Applicant’s proposed alterations to the establishment is to remove all karaoke rooms from the 1<sup>st</sup> floor and basement, use the basement for food prep, storage and office use only with no patron use, add table seating for a dining room on the 1<sup>st</sup> floor in addition to bar seating and add a service bar to the 2<sup>nd</sup> floor while reducing the number of karaoke rooms to 9; and

**iv. Whereas,** occupancy on the 1<sup>st</sup> floor will be 37 tables with 74 seats and 1 bar with 9 seats and 3 restrooms, occupancy on the 2<sup>nd</sup> floor will be approximately 60 persons in 9 karaoke rooms; and

**v. Whereas,** the Applicant’s agreed upon hours of operation are 11:30 a.m. to 12:30 a.m. Sunday–Wednesday and 11:30 a.m. to 2:30 a.m. Thursday–Saturday; there will be no DJs, no live music, no promoted events; and,

**vi. Whereas,** music will be quiet background music only in the restaurant and karaoke at entertainment sound levels will only be permitted in the designated karaoke rooms; and

**vii. Whereas,** the Applicant met with his residential neighbors, who appeared to voice their concerns regarding the soundproofing of an existing HVAC system, the Applicant in good faith agreeing to make such changes so that the mechanical systems were not intrusive to the surrounding residences at a rear courtyard; and,

**viii. Whereas,** the Applicant executed and had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the Full On-Premise Liquor License, with those stipulations with respect to the premises, as follows:

1. Premise will be advertised and operated as a Casual Mexican Restaurant with Karaoke rooms
2. The hours of operation will be 11:30 a.m. to 12:30 a.m. Sunday–Wednesday and 11:30 a.m. to 2:30 a.m. Thursday–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 casual Mexican restaurant on the main floor and karaoke rooms on the 2<sup>nd</sup> floor 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 have no more than 13 television(s) no larger than 50" (there will be no projectors)
6. Will not operate a backyard garden or any outdoor area for commercial purposes (including licensed sidewalk café).
7. Will NOT operate a sidewalk café
8. Will play quiet ambient recorded background music only in the restaurant and karaoke in the karaoke rooms only. No music or karaoke will be audible in any adjacent residences anytime.
9. Will close all doors & windows at all times.
10. Will not install or have French doors, operable windows, or open façades.
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/door staff.
17. No patrons allowed in basement—basement will not be used as a private dining area.
18. The doors to the karaoke rooms will be partly transparent.
19. HVAC will be soundproofed so as not to be heard in surrounding residences.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application of an existing on-premise liquor license for **54 East Entertainment, Inc., d/b/a Karaoke BoHo, 54 E. 13<sup>th</sup> Street, NY, NY 10003** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-premise License.

Vote: Unanimous, with 41 Board members in favor.

### **3. Elcacto 13 Corp. d/b/a TBD, 54 E. 13<sup>th</sup> Street, NY, NY 10003 (Transfer of Existing OP)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for a transfer of an existing On-premise liquor license to operate a karaoke bar and casual Mexican restaurant on three floors in a seven story mixed-use building on 13<sup>th</sup> Street between University Place and Broadway (Block #564 and Lot #11; and

**ii. Whereas**, the location is 7,000 sq. ft. with approximately 2,300 sq. ft. per floor; the basement will be used for food preparation and storage; the 1<sup>st</sup> floor will have 37 tables and 74 seats and 1 bar with 9 seats for a total of 83 seats and three restrooms; the 2<sup>nd</sup> floor will have 9 karaoke with occupancy of approximately 60 persons and will have two restrooms, there is a dumb waiter on the 1<sup>st</sup> and 2<sup>nd</sup> floors for food service; and

**iii. Whereas**, the Applicant’s agreed upon hours of operation are 11:30 a.m. to 12:30 a.m. Sunday–Wednesday and 11:30 a.m. to 2:30 a.m. Thursday–Saturday; there will be no DJs, no live music, no promoted events, music will be quiet background music only in the restaurant and karaoke will only be permitted in the designated karaoke rooms; and

**iv. Whereas**, the Applicant met with his residential neighbors, who appeared to voice their concerns regarding the soundproofing of an existing HVAC system, the Applicant in good faith agreeing to make such changes so that the mechanical systems were not intrusive to the surrounding residences at a rear courtyard; and,

**v. Whereas**, the Applicant executed and had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the Full On-Premise Liquor License, with those stipulations with respect to the premises, as follows:

1. Premise will be advertised and operated as a Casual Mexican Restaurant with Karaoke rooms
2. The hours of operation will be 11:30 a.m. to 12:30 a.m. Sunday–Wednesday and 11:30 a.m. to 2:30 a.m. Thursday–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 casual Mexican restaurant on the main floor and karaoke rooms on the 2<sup>nd</sup> floor 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 have no more than 13 television(s) no larger than 50" (there will be no projectors)
6. Will not operate a backyard garden or any outdoor area for commercial purposes (including licensed sidewalk café).
7. Will NOT operate a sidewalk café
8. Will play quiet ambient recorded background music only in the restaurant and karaoke in the karaoke rooms only. No music or karaoke will be audible in any adjacent residences anytime.
9. Will close all doors & windows at all times.
10. Will not install or have French doors, operable windows, or open façades.
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/door staff.
17. No patrons allowed in basement—basement will not be used as a private dining area.
18. The doors to the karaoke rooms will be partly transparent.
19. Will ensure that HVAC has been soundproofed so as not to be heard in surrounding residences.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of the transfer application of an existing on-premise liquor license for **Elcacto 13 Corp. d/b/a TBD, 54 E. 13<sup>th</sup> Street, NY, NY 10003** unless the statements presented by the Applicant are accurate and complete, and that the above- stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-premise License.

Vote: Unanimous, with 41 Board members in favor.

**4. 151 Bleecker, LLC d/b/a Red Lion, 151 Bleecker Street, NY, NY 10012** (Alteration to existing On Premise license – Bar/Tavern)

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for an alteration to an On-Premise Liquor License (SN 1237991) to add a service

bar on ground floor and to continue to operate their bar/restaurant with live music located in a mixed-use, 6-story building on Bleecker Street between Thompson St. and LaGuardia Place in Greenwich Village; and

**ii. Whereas**, the premises is approximately 4,035 sq. ft. with 1,700 sq. ft in the basement used for storage and utilities and 2,335 sq. ft on the ground floor used as a restaurant with 26 tables and 87 seats and one bar with 17 seats; and

**iii. Whereas**, legal capacity of the premises is 172 persons, and existing hours of operation are 11:00 a.m. to 4:00 a.m. Monday–Friday and 9:00 a.m. to 4:00 a.m. Saturday and Sunday; and

**iv. Whereas**, the licensed premises will operate with a full service kitchen until midnight nightly, there is a sidewalk café which will close at 11:00 p.m. each night (all tables and chairs will be removed at this hour and no patrons will remain in the sidewalk café), there are no operable doors, windows or open facades to the premises and no other exterior operators other than the existing sidewalk cafe; and

**v. Whereas**, the Applicant executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the Method of Operation of the Full On-Premise Liquor License, with those stipulations with respect to the premises, as follows:

1. Premise will be advertised and operated as a bar/restaurant with live musical performance.
2. The hours of operation will be 11:00 a.m. to 4:00 a.m. Monday–Friday and 9:00 a.m. to 4:00 a.m. Saturday and Sunday.
3. Will operate a full service restaurant with the full menu available until midnight each night.
4. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
5. Will operate a sidewalk café no later than 11:00 p.m. each night. There will be no patrons left in the sidewalk cafe after closing.
6. Will close all doors & windows at all times.
7. Will not install or have French doors, operable windows, or open façades.
8. Will not make changes to the existing façade except to change signage or awning.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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 appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will not have: Dancing, velvet ropes or metal barricades.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application of an existing on-premise liquor license for **151 Bleecker LLC d/b/a Red Lion, 151 Bleecker Street, NY, NY 10012** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-premise License.

Vote: Unanimous, with 41 Board members in favor.

**5. Mari Makan, LLC d/b/a Wayan, 20 Spring Street, NY, NY 10012** (Alteration to Method of Operation)

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an alteration application to extend its hours of operation by one hour while continuing to



operate a family style full service Indonesian-influenced restaurant specializing in spicy sauces in a storefront premises of a six-story residential (circa 1900) building at Spring Street between Mott and Mulberry Streets in the Nolita section of Manhattan; and,

**ii. Whereas**, the interior premises is approximately 3,500 sq. ft. (ground floor 2,000 sq. ft. and basement 1,500 sq. ft) with the basement premises being used for storage and ancillary purposes only; the ground floor operates as the restaurant with 14 tables and 49 seats, one bar with 8 seats for a total patron seating capacity of 57, there being 2 bathrooms and no TVs; and

**iii. Whereas**, the applicant is a well-known restaurateur who appeared before CB2 to request a one-hour extension of closing hours nightly; and the Applicant has been operating at this location for over two years with no known complaints; and

**iv. Whereas**, the hours of operation will be Sunday from 10:30 a.m. to 11:00 p.m., Monday from 8:00 a.m. to 11:00 p.m., Tuesday–Thursday from 8:00 a.m. to 12:00 a.m., and Friday–Saturday from 10:30 a.m. to 1:00 a.m.; and

**iv. Whereas**, the method of operation will continue to be that of a full-service restaurant specializing in Indonesian food with the goal of serving the local neighborhood; and

**v. Whereas**, the Applicant executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the Method of Operation of the Full On-Premise Liquor License, with those stipulations with respect to the premises, as follows:

1. Premise will be advertised and operated as a bar/restaurant with live musical performance.
2. The hours of operation will be 11:00 a.m. to 4:00 a.m. Monday–Friday and 9:00 a.m. to 4:00 a.m. Saturday and Sunday.
3. Will operate a full service restaurant with the full menu available until midnight each night.
4. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
5. Will operate a sidewalk café no later than 11:00 p.m. each night. There will be no patrons left in the sidewalk cafe after closing.
6. Will close all doors & windows at all times.
7. Will not install or have French doors, operable windows, or open façades.
8. Will not make changes to the existing façade except to change signage or awning.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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 appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will not have: Dancing, velvet ropes or metal barricades.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application of an existing on-premise liquor license for **Mari Makan, LLC d/b/a Wayan, 20 Spring Street, NY, NY 10012** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-premise License.

Vote: Unanimous, with 41 Board members in favor.

**6. Okinii Village Hibachi Corp. d/b/a Okinii Village Hibachi, 216 Thompson St. 10012 (New OP License)**

**i. Whereas**, the applicant and applicant's representative appeared before Community Board 2, Manhattan's SLA 2 Licensing committee to present an application to the Liquor Authority for a new On Premises license to continue to operate a Japanese Sushi Restaurant; and,

**ii. Whereas**, since 2015 the licensed premises have been operated as a restaurant serving Japanese food with a restaurant wine license, and when the applicant originally applied to CB2, Man. for such license in 2015, he agreed, after meeting with the local merchants' and residents' association (BAMRA), not to upgrade that license to an on premise license subject to the 500 foot rule in light of the existing, over-saturation of liquor licenses in the immediate area; and,

**iii. Whereas**, despite such prior agreement, this application seeks not only a transfer of ownership to the previous manager, but also to upgrade the existing restaurant wine license to on premise license, the licensed premises being located in a mixed-use building on the ground floor on Thompson St. between Bleecker St and West 3<sup>rd</sup> St. in Greenwich Village; and

**iv. Whereas**, the storefront premises is roughly 2,500 sq. ft premise with 19 tables and 54 seats and 1 sushi counter with 6 seats (not a stand up bar) for a total of 62 interior seats, there is no sidewalk café and there are no other outdoor areas for patrons; there is an existing Certificate of Occupancy; and,

**v. Whereas**, the hours of operation and method operation will remain the same, the existing hours of operation being from 11am to 12am (midnight) 7 days a week, music is background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors and windows are closed at all times except for patron ingress and egress, there are no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no TV's visible from the street; and,

**vi. Whereas**, there were objections voiced by residents living in the area and immediate block regarding the application for the on premise license, subject to the 500 ft. rule, the location having never held such a license, the restaurant wine license being more appropriate for the existing storefront restaurant with a large take-out component mid-block on a narrow roadway on a predominantly residential street, the surrounding area already being greatly saturated with licensed premises and late night drinking establishments, there already being 78 existing on premise liquor licenses within 750 feet of the subject premises, 7 additional pending on premise licenses within this same area, as well as 4 additional beer and wine licenses within similarly small storefronts on the same block that may also seek conversion to on premise in the immediate future, this application not satisfying the public interest standard required by the 500 ft. rule;

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** for **Okinii Village Hibachi Corp. d/b/a Okinii Village Hibachi, 216 Thompson St. 10012** on its application seeking a new OP license.

**THEREFORE, BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB2 respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and,

**THEREFORE, BE IT FURTHER RESOLVED** that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing because the premises has never been licensed for the service of alcohol at any point in the past.

Vote: Passed, with 28 Board members in favor, and 13 in opposition (T. Connor, V. De La Rosa, D. Diether, J. Gallagher, W. Kawadler, P. Laraia, M. Metzger, S. Russo, Rocio Sanz, S. Sartiano, G. Silvera Seamans, C. Spence, A. Zeldin).

**7. Andreas WV LLC, d/b/a Da Andrea. 35 W. 13th Street (New OP License)**

**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 upgrade of an existing beer and wine license currently held by Andreas WV LLC d/b/a Da Andrea to continue to operate a restaurant offering Italian cuisine in a C6-2M zoned six story, 1930 commercial building on 13th Street between Fifth and Sixth Avenues (Block #577/Lot #19) in Greenwich Village; and

**ii. Whereas,** the restaurant will operate under the same ownership and will operate a full service neighborhood Italian restaurant, with a ground-floor level of approximately 1,800 sq. ft., a mezzanine level (storage and office space, employee lockers, mechanicals) of approximately 700 sq. ft., and an unenclosed sidewalk cafe of approximately 168 sq. ft.; the interior space will have 22 tables with 62 seats and one (1) stand-up bar with four (4) seats, and the sidewalk cafe will have eight (8) tables and 16 seats, for a total of 82 seats in the premises; and

**iii. Whereas,** the Applicant’s agreed-to interior hours of operation are 9:00 AM to 1:00 AM seven (7) days a week, with sidewalk cafe hours of 10 AM to 10 PM Sunday, 9:00 AM to 10:00 PM Monday through Thursday and 9 AM to 11 PM Friday and Saturday; music will be quiet background only; there will be no DJs, no promoted events, no live music or scheduled performances, except for unamplified live soft jazz music which will be permitted only during weekend brunch service provided that all doors and windows are closed during such performance, there will be no cover fees and no TVs; and

**iv. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the restaurant on premise license, with those stipulations as follows:

1. Premise will be advertised and operated as a full-service restaurant, specifically a neighborhood Italian restaurant with the kitchen open and full menu items available until closing time every night.
2. The restaurant’s interior hours of operation are 9:00 AM to 1:00 AM seven (7) days a week, with sidewalk cafe hours of 10 AM to 10 PM Sunday, 9:00 AM to 10:00 PM Monday through Thursday and 9 AM to 11 PM Friday and Saturday. Premises and sidewalk café will be open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate with the kitchen open and the full menu 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 permit dancing.
7. Will not operate a backyard garden or any outdoor area for commercial purposes, except for the existing unenclosed sidewalk café.

8. Music will be quiet, ambient recorded background music only, except for the unamplified live soft jazz music permitted during brunch service on the weekends from 12 PM to 3 PM.
9. Will close all doors & windows by 9 PM every night (except only for patron egress) and when live performance is occurring on the weekends.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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 and beer products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. Will not have dancing, DJs, live music or scheduled performances (except as permitted above), promoted events, any event where cover fee is charged, velvet ropes or metal barricades, security personnel or a doorman.

**v. Whereas**, this application being subject to the 500 ft. rule and public interest standard, this storefront location located midblock, operating with a restaurant wine license and never previously with an on premise license, there being only one other licensed premise on this particular block, known as the Jade Hotel located immediately across the street, and no other restaurants, there being 4 on premise licensed locations within a 500 ft. radius of the subject premises and 18 within 750 feet of the subject premises; and,

**vi. Whereas**, a number of residential neighbors living in the immediate area of the Restaurant appeared in support of the instant application, indicating that the restaurant is frequented by those living in the immediate area, providing affordable prices and closing by a reasonable hour, with the agreed upon stipulations, assuming they will continue to be followed by the Applicant, being reasonable for the operations proposed at this location, with this being the only restaurant located on the block;

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of a new on premise to **Andreas WV LLC, d/b/a Da Andrea. 35 W. 13th Street 10011** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On Premise License.

Vote: Unanimous, with 41 Board members in favor.

**8. The James Hotel Leaseco LLC, Highgate Hotels LP and 530 Lounge LLC 23-27 Grand Street 10013** (Alteration and Change in Method of Operation for Existing Hotel)

**i. Whereas**, the Applicants and their Attorney appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for alterations to the interior and exterior portions of an existing Hotel and to increase its late night hours of operation in multiple interior and exterior portions of the Hotel, the Hotel being a stand-alone 18-story building built in 2010 and located/facing Grand and Thompson Streets, as well as Sixth Avenue in Soho; and,

**ii. Whereas**, the Applicants seek (1) to convert their existing restaurant on the cellar level to an event space to permit entertainment music levels, DJs, live music and dancing (all of which currently are not permitted), (2) to revoke and remove section 5(ii) of its prior MOU agreement with the surrounding Community Group to enable guests/patrons of the Hotel to enter on Grand Street currently prohibited in the prior MOU Agreement, an agreement which served to prevent impacts by the Hotel on Grand Street

where there is a significant residential presence, (3) to extend its late-night hours of operation for their bar (known as Jimmy's Rooftop Lounge) with ancillary exterior rooftop terrace and pool area until 2 AM Sunday through Thursday and until 3 AM on Fridays and Saturdays, (4) to add an exterior service bar to the rooftop bar, (5) to extend its late night hours of operation for certain exterior terraces located on multiple lower level terraces of the Hotel (known as the Treehouse) until 2 AM Sunday through Saturday, (6) to extend its late-night hours of operation on its large ground floor terrace from 11 PM to 12 AM and to add a retractable roof to the terrace, (7) to extend its late-night hours in its existing cellar (currently operated as a full-service restaurant closing by 12 AM during the week and 1 AM on the weekends but as previously stated is being converted into an event space with DJs and live performance) until 2 AM Sunday through Saturday and (8) to revoke and remove MOU stipulation No. 10 from its prior MOU Agreement which currently prohibits advertising signage so that the Hotel can in the future install billboard advertisements on its property; and,

**iii. Whereas**, the Applicants and Attorney under the name "Jensen 27 Grand, LLC" had previously appeared in November 2016 before CB2 for a similar application but with hours of operation until 4AM for all areas of the Hotel, with DJs, Dancing, Live Music and Music in Outdoor areas etc. for which CB2,

Man. had recommended denial, for which the 500-ft. hearing report recommended denial and as a result, the Members of the NYS Liquor Authority denied those applications at the August 16<sup>th</sup>, 2017 SLA Full Board Meeting; and,

**iv. Whereas**, the existing Hotel license for which the current Applicants seek to alter and change is governed by an extensive set of stipulations executed by the Hotel with a Community Group and with CB2, Man. in March 2013 that were incorporated into the Hotel's "method of operation" on its current liquor license; the current Hotel licensee having agreed to abide by such pre-existing stipulations and the pre-existing existing MOU upon license transfer application from October/2017, the current license (SN#1306380) being governed by the same stipulations which were agreed to in January 2010 and March 2010 when the Hotel was first licensed as a part of an agreement for the issuance of the liquor license; at the time the hotel was built in 2010, there was significant opposition and the stipulations agreement which was entered into in 2010 and 2013 represented what those in opposition felt was very generous terms in which the hotel could operate and generate a sufficient return while still maintaining a balance of Quality of Life, the building of the high rise Hotel with so many exterior terraces and outdoor venues dwarfing the surrounding residential building stock creating a significant impact on the existing local community; and,

**v. Whereas**, by way of history, a portion of this location prior to building and completion of the Hotel in 2010 was the location of the Moondance Diner (Dancing in the Moonlight, Inc.) which had a restaurant wine license SN# 10292851; and,

**vi. Whereas**, below are two previous resolutions passed by CB2, Man. in January and March 2010 referencing the Hotel's method of operation as currently licensed:

*At its Full Board meeting on January 21, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:*

**7. BCRE Grand Hotel, BCRE Grand Restaurant and BCRE Grand Bar, 23-31 Grand Street (Thompson and 6<sup>th</sup> Avenue), NYC**

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

*Whereas, this application is for On Premise licenses for an upscale Hotel Lobby Bar, Cellar Floor Restaurant and Rooftop Bar collectively 5,600 s.f. (Hotel Bar is 1,000 s.f., Ground Floor Restaurant is 2,400 s.f. and Rooftop Bar is 2,200 s.f) on Grand Street between Thompson and 6h Avenue; and,*

*Whereas, this application is for 20 table seats with a maximum legal capacity of 50 persons for the Hotel Lobby Bar; and 85 table seats, 1 bar with 12 bar seats and a maximum legal capacity of 92 persons for the Cellar Floor Restaurant; and 50 table seats, 1 bar with 15 bar seats and a maximum legal capacity of 150 persons for the Rooftop Bar; and,*

*Whereas, the applicant stated the hours of operation are 7:00 a.m. – 12:00 a.m. Sunday – Wednesday and 7:00 a.m. – 1:00 a.m. Thursday – Saturday for the Hotel Lobby Bar and Cellar Restaurant; and 7:00 a.m. – 1:00 a.m. Sunday – Wednesday and 7:00 a.m. – 2:00 a.m. Thursday – Saturday for the Rooftop Bar; there will not be a sidewalk café application and no backyard*

*garden; music will be background and live only for the Cellar Floor Restaurant; and music will be background only in the Rooftop Bar and played exclusively in the enclosed area; and music will be background and DJ only for the Hotel Lobby Bar, and,*

*Whereas, the applicant has reached out to members of the community prior to presenting this application; and,*

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

- 1. The applicant has agreed to no amplified music of any kind in any of the outdoor areas.*
- 2. The applicant has agreed that during evening hours the restaurant exit will be on 6<sup>th</sup> Avenue; and the applicant will direct its customers to this exit.*
- 3. The applicant has agreed to have a taxi line on 6<sup>th</sup> Avenue to reduce traffic on Grand Street.*
- 4. The applicant has agreed to conduct sound tests on the Rooftop Bar.*
- 5. The applicant has agreed to community outreach measures including but not limited to hosting a monthly meeting with nearby residents.*
- 6. The applicant has agreed to not have any advertisement signs on the Hotel.*
- 7. The applicant has agreed to have food service available during all hours of operation.*
- 8. The applicant has agreed to not seek or apply for a Cabaret License.*
- 9. The applicant has agreed to arrange a discussion with acoustical consultants to address soundproofing for the neighboring building.*

*Whereas, the applicant has agreed to abide by the regulations associated with all New York City Departments and safety organizations and will obtain all required certificates, permits and related documents; and,*

*Whereas, several members of the community appeared to express their willingness to work with the applicant under the proposed operating guidelines; and,*

*Whereas, the applicant has executed an agreement with the community, and that agreement is attached;*

***THEREFORE, BE IT RESOLVED*** that CB#2, Man. recommends denial to the proposed On Premise license for ***BCRE Grand Hotel, BCRE Grand Restaurant and BCRE Grand Bar, 23- 31 Grand Street*** unless the conditions agreed to by applicant relating to the sixth and seventh “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

*Vote: Passed, with 35 Board members in favor and 2 in opposition (D. Diether, I. Dutton).*

**AND**

*At its Full Board meeting on March 18th, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:*

**3. BCRE Grand Café, LLC, d/b/a TBD, 25 Grand St. (Thompson and 6<sup>th</sup> Avenue), NYC** *Whereas, the applicant appeared before the committee; and,*

*Whereas, this application is for On Premise license for a 3,100 s.f. (700 s.f. interior and 2,400 s.f. exterior) Plaza Café in an upscale Hotel on Grand Street between Thompson and 6<sup>th</sup> Avenue with 130 table seats, 1 bar with 30 bar seats and a maximum legal capacity of 191 (60 persons interior and 131 persons exterior); and,*

*Whereas, the applicant stated the hours of operation for the proposed Plaza Café Lower Terrace are Sunday - Wednesday from 7:00 a.m. – 12:00 a.m. and Thursday – Saturday from 7:00 a.m. – 1:00 a.m.; and the hours of operation for the proposed Plaza Café Upper Terrace are Seven Days a Week from 7:00 a.m. – 11:00 p.m.; there will not be a sidewalk café application but will include a backyard garden; music will be background for the interior space only and no amplified music of any kind for the exterior spaces; and,*

*Whereas, the applicant has reached out to members of the community prior to presenting this application; and,*

*Whereas, the applicant has agreed to all the stipulations in the fully executed Memorandum of Understanding with members of the community and attached herein; and,*

*Whereas, the applicant has agreed to abide by the regulations associated with all New York City Departments and safety organizations and will obtain all required certificates, permits and related documents; and,*

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

**THEREFORE BE IT RESOLVED** *that CB#2, Man. recommends denial to the proposed On Premise license for BCRE Grand Café, LLC, d/b/a TBD, 25 Grand St. unless the conditions agreed to by applicant relating to the fifth and sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.*

*Vote: Passed, with 37 Board members in favor, and 1 in opposition (D. Diether).*

**vii. Whereas,** the previously existing method of operation listed was memorialized in stipulations agreements with CB2, Man. dated 3/14/2013 and again on October 27, 2017; and,

**viii. Whereas,** members of the Community appeared in opposition to this application, including a member of the original Community Group, there being complaints recently made that the Hotel was operating with live music and DJs on the ground floor exterior terrace in derogation of their existing stipulations, the exterior space being operated as the Gitano Jungle Room, also operating the restaurant in the cellar space (now requested to be converted into an event space), those appearing stating that the Hotel has not respected or adhered to the existing stipulations, the existing stipulations for the Hotel not permitting music of any kind in any exterior locations, that originally before the Hotel started operating

there were significant concerns that outdoor music would come in the future, with dancing, and later hours of operation now being confronted; the representative of the local Community Group stating that the original terms were very generous and represented a good faith agreement between the parties, that the current application is the same or similar extension/expansion of late-night hours on multiple sections of the Hotel's exterior previously denied by the NYSLA; for the current application addressed by this resolution, the Applicant stated in very clear terms in Oct 2017 that this would not be the case and that they would adhere to all stipulations and representations as outlined in this resolution; and,

**ix. Whereas**, when confronted with the complaints of exterior music at entertainment levels on the exterior terrace of the Hotel, the Applicants did not deny that this had occurred indicating instead that Hotel's new operators would be taking over the terrace space and would abide by its prior agreements in the future; and,

**x. Whereas**, while CB2, Man. has no objections to adding a retractable rooftop to the exterior ground floor terrace or interior conversion of restaurant to event space, CB2, Man. feels strongly that the existing exterior hours of operation for the Hotel, and existing MOU should remain in place and not be altered or changed in any manner, that no exterior bars or service bars should be permitted anywhere at the Hotel, that operations on the exterior terraces and rooftop terrace until 12 AM, 2 AM and 3 AM are totally inappropriate and entirely inconsistent with other Hotel operations within CB2's Community, for good and reasonable reasons, that the original stipulations and agreements were extremely generous and beneficial to the Hotel from the outset, and that instead if the interior hours are expanded at all, the existing exterior hours on the rooftop and other terraces should be reduced to no later than 11 PM, with no music permitted at any time on the exterior, with all doors and windows to such exterior spaces being closed at all times except for patron egress, and the Hotel should not be permitted to alter their current egress into the cellar event space on Grand Street as that will have a significant impact on the existing community, there having been changes that have narrowed Grand Street since the inception of the hotel by inclusion of a new protected bike lane; and

**xi. Whereas**, in addition to the existing MOU, the Hotel's existing stipulations are currently as follows:

1. The Hotel will operate 24 hours a day/7 days a week.
2. The 17<sup>th</sup> floor rooftop level bar will operate Monday to Wednesday from 5PM to 1AM, Thursday to Saturday from 3PM to 2AM and Sunday from 3PM to 1AM.
3. The basement cellar restaurant will operate Sunday to Wednesday from 7AM to 12AM and Thursday to Saturday from 7AM to 1AM.
4. The ground floor interior bar will operate Sunday to Wednesday from 7AM to 12AM and Thursday to Saturday from 7AM to 1AM.
5. The exterior terrace attached to the ground floor restaurant will operate from 7AM to 11PM 7 days a week. No patrons will remain after the indicated closing times with the service of alcohol commencing no earlier than 10AM in any of the above areas.
6. The other exterior lower terraces (known as the Tree House) will close by 12 AM Sunday through Wednesday and by 1 AM Thursday through Saturday.
7. There will be no outdoor music of any kind.
8. There will be no DJs or live music and music volumes within the interior Hotel will be at background levels only.
9. All doors will remain closed at all times when not in active use.
10. There will be no use of the entrance doors to Hotel as agreed to in MOU.



**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** for **The James Hotel Leaseco LLC, Highgate Hotels LP and 530 Lounge, LLC 23-27 Grand Street 10013** on its application seeking an alteration and change in method of operation for its existing Hotel OP license.

**THEREFORE, BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA.

Vote: Unanimous, with 41 Board members in favor.

***THE FOLLOWING ARE RESOLUTIONS FOR ALL APPLICANTS THAT WERE***

***LAI D OVER, WITHDRAWN, OR DID NOT APPEAR BEFORE THEIR REQUESTED HEARING:***

**9. Selina Operations LES, LLC d/b/a Selina, 138 Bowery, NY, NY 10013** (OP – Hotel | New hotel, previously unlicensed location, outdoor rooftop restaurant, 2<sup>nd</sup> floor rear terrace, rooms with balconies and basement space open until 4 AM with DJs, live music and performances)

**Whereas**, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on February 4, 2020 the Applicant requested to **layover** this application to March/2020 and 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-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Selina Operations LES, LLC d/b/a Selina, 138 Bowery 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 41 Board members in favor.

**10. Caffè Napoli, Inc., d/b/a N/A, 191 Hester Street aka 130 Mulberry Street, NY, NY 10013**(New OP – no show/failed to appear)

**Whereas**, at CB2, Manhattan’s SLA Licensing Committee Meeting on February 4, 2020 the Applicant **failed to appear** and did not provide any guidance as to the reasons for such failure to appear;

**THEREFORE, BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Caffè Napoli, Inc., d/b/a N/A, 191 Hester Street aka 130 Mulberry Street 10013** until the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

**11. Ambleside Partners, LLC d/b/a Gospel, 281 Lafayette St. 10012** (OP-Lounge) (alteration adding service bar in basement)

**Whereas**, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on February 4, 2020 the Applicant requested **to layover** this application to March/2020 and 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-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Ambleside Partners, LLC d/b/a Gospel, 281 Lafayette St. 10012** until the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

**12. Bowery Tea House, Inc., 134 Bowery 10013** (Previously unlicensed location, Withdrawn)

**Whereas**, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on February 4, 2020 the Applicant requested **to withdraw** this application from further consideration at this time and did not appear on this application;

**THEREFORE, BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Bowery Tea House, Inc., 134 Bowery 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 41 Board members in favor.

**SLA 2**

**13. 11 Carmine Tacos, LLC d/b/a Dos Toros, 11 Carmine St. 10014** (Tavern Wine – Corporate Change)

**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 corporate change of ownership to an existing Restaurant Wine License (SN 1254722) to reflect a change in ownership resulting from the purchase of an equity interest by a private investor; the Applicant will continue to operate a fast-casual restaurant serving Mexican fare in a R7-2 zoned five-story, mixed-use building constructed in 1900 on Carmine St. between Sixth Ave. and Bleecker St. (Block #589/Lot #46) and is located in the Greenwich Village Historic District; and

**ii. Whereas**, while there will be a change in the principals' percentage of ownership in the Applicant, their names will remain on the license and there will be no change in the operation of the restaurant, which will continue to serve lunch and dinner in a licensed interior premises with five (5) tables with 14 seats, six (6) counter seats, and one (1) stand up bar with no (0) seats for a total of 20 interior seats; there is a sidewalk cafe of approximately 104 sq. ft.; the premises has one (1) entrance, two (2) exits, and two (2) bathrooms; and

**iii. Whereas**, the Applicant's agreed-to hours of operation are 11:30 AM to 10:00 PM seven (7) days a week; music will be quiet background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

**iv. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the "Method of Operation" of the Restaurant Wine License, with those stipulations as follows:

1. 1. The premises will be advertised and operated as a full-service fast-casual restaurant serving Mexican fare.
2. 2 The hours of operation will be from 11:30 AM to 10:00 PM seven (7) days a week with the kitchen open and a full menu available until closing every night.
3. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. There will be no televisions.
5. The Applicant will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk cafe).
6. It will not operate a sidewalk cafe later than 10:00 PM (with all tables and chairs to be removed at this hour).
7. It will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
8. It will close all doors and windows by 10:00 PM every night.
9. It will not make any changes to the existing façade except to change the signage or awning.
10. It will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. It will not have unlimited drink or unlimited food & drink specials; it will not have "boozy brunches" or serve pitchers of beer.
12. There will be no bottle service or the sale of alcohol in bottle form, except for the sale of beer and wine products.
13. It will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel
14. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a corporate change to the existing Restaurant Wine License (SN 1254722) in the name of **11 Carmine Tacos LLC, d/b/a Dos Tacos, 11 Carmine Street 10014** unless the statements presented by the Applicant are accurate and complete and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

**14. Bagatelle Café 1, LLC, Hotel Gansevoort Group, LLC and WSA Gansevoort Group, LLC 10014** (Hotel—Alteration to Main Lobby Adding Tavern Wine License for Café with outdoor seating)

**i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present multiple applications to alter the existing lobby of the Hotel (SN#1146037) and to add a new Tavern Wine license to operate a patisserie/café in a portion of the newly renovated ground floor lobby with outdoor seating within a thirteen story (c.2003) building on Ninth Avenue between Little West 12<sup>th</sup> and 13<sup>th</sup> Streets in the historic Meatpacking District; and,

**ii. Whereas**, the Applicant has operated the existing Hotel Gansevoort, including rooftop Plunge bar, ground floor restaurant with exterior bar and Provocateur nightclub generating numerous complaints and problems over the years caused by amplified music, the use of exterior speakers, mechanical rooftop and excessively large crowds, those complaints and problems having been reviewed in the past by this Community Board resulting in certain remedial measures in 2012

[http://www.nyc.gov/html/mancb2/downloads/pdf/monthly\\_cb2\\_resolutions/february\\_2012/02february\\_2012\\_sla.pdf](http://www.nyc.gov/html/mancb2/downloads/pdf/monthly_cb2_resolutions/february_2012/02february_2012_sla.pdf) which helped but never resolved the noise disturbances from those living in and around the Hotel; and,

**iii. Whereas**, one of the new partners with Hotel Gansevoort in this Tavern Wine license is a principal of the neighboring licensed premises known as “Bagatelle”, an all-day brunch venue serving “boozy brunches” with loud music, establishing a constant weekend problem since at least 2013 immediately adjacent to the Hotel; and

**iv. Whereas**, many of the patrons that leave the weekend “boozy brunches” at Bagatelle during which bottles of champagne are served currently go directly to the Gansevoort Hotel Rooftop Bar *Be on Top*, of which Bagatelle is the operator, and there are concerns that they will now just go one door down to the new ground floor space; and

**v. Whereas**, because of these on-going problems, neighbors sent in correspondence and others appeared in opposition to this application; and,

**vi. Whereas**, this application seeks to add a roughly 825 sq. ft. café adjacent to a newly designed lobby for the Hotel, with 1 bar with 7 seats, 6 tables and 36 seats and 5 counter/window seats near the entrance for a total interior seating for 48 patrons, the café will also have outdoor seating within a roughly 200 sq. ft. space immediately in front of the café with 10 tables and 20 patron seats, the exterior café being within the property line for the hotel and not encroaching upon the public sidewalk, the café will not have operable facades or French doors and there will be no exterior speakers and no exterior TVs; and

**vii. Whereas**, the café’s hours of operation for the interior café will be from 7:00 AM to 12:00 PM Sunday through Saturday and the hours of operation for the exterior café will be from 7:00 AM to 10:00 PM Sunday through Saturday, all interior music shall be quiet recorded background only, all doors and windows will be closed at all times, there will be no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, no TV’s, velvet ropes, metal barricades or security personnel; and

**viii. Whereas**, the Applicant also plans to alter and make additional renovations to the existing Hotel, including the Provocateur nightclub space and ground floor restaurant, and anticipates serving additional notices on CB2, Man. in the future for such alterations to these existing licenses, and further stated and

agreed in good faith to work with the Community to ameliorate the on-going noise disturbances that have continued to affect the quality of life for those living near to the Hotel; and

**ix. Whereas**, the Applicant has executed and has had notarized an updated Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the Tavern Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a patisserie cafe.
2. The interior hours of operation will be 7:00 AM to 12:00 PM Sunday through Saturdays.
3. The exterior hours of operation will be 7:00 AM to 10:00 PM Sunday through Saturdays.
4. There will be no exterior speakers or music.
5. Will not install French doors, operable windows, or open façades.
6. 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.
7. There will be no TVs.
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
10. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
11. The premises will not permit dancing.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the applications for alteration and new Tavern Wine to **Bagatelle Café 1, LLC, Hotel Gansevoort Group, LLC and WSA Gansevoort Group, LLC 10014** unless the statements the Applicant has presented are accurate and complete and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the Method of Operation on the SLA Tavern Wine License.

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

**15. Courtyard Management Corp. & Soho Hotel, LLC, 181 Varick St.** (Hotel—transfer of ground floor Tavern Wine license)

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for the transfer to it of an existing Tavern Wine License (SN 1247138) currently in the name of Courtyard Management Corp. & 181 Varick St., LLC to enable the Applicant to operate a bar/tavern serving beer and wine and light fare on the ground floor of its hotel located in an M1-6 zoned 20-story, commercial building constructed in 2010 on Varick St. between King and Charlton Sts. (Block #580/Lot #63); and

**ii. Whereas**, the Applicant has operated a hotel at this location for ten (10) years and has previously operated an eating and drinking establishment in a portion of the hotel’s ground floor, and aside from a change in the footprint of the bar/tavern within the hotel’s ground floor and some changes to the menu, the establishment will continue to serve beer & wine and prepared light fare in a licensed premises of

approximately 2400 sq. ft. comprised of 14 tables with 42 seats, one (1) stand-up bar with no (0) seats, and a quick-serve counter from which patrons can purchase food; the premises has one (1) entrance, one (1) exit, and one (1) bathroom; and

**iii. Whereas,** the Applicant’s agreed-to hours of operation are 5:00 PM to 2:00 AM seven (7) days a week; music will be quiet background only; there will be no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, and no more than five (5) televisions; and

**iv. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the “Method of Operation” of the Tavern Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a hotel with a ground-floor tavern.
2. The hours of operation will be from 5:00 PM to 2:00 AM seven (7) days a week with less than full-service kitchen but with food service available during all hours of operation.
3. The premises will have no more than five (5) televisions.
4. The Applicant will not operate a backyard garden or any outdoor area for commercial purposes, including a licensed sidewalk cafe.
5. A sidewalk cafe is not included in this application, and the Applicant will not have a sidewalk cafe now or in the future.
6. It will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
7. It will keep all doors and windows closed at all times.
8. It will not install or have French doors, operable windows or open façades.
9. It will not make any changes to the existing façade except to change the signage or awning.
10. It will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. It will not have unlimited drink or unlimited food & drink specials; it will not have “boozy brunches” or serve pitchers of beer.
12. There will be no bottle service or the sale of alcohol in bottle form, except for the sale of beer and wine products.
13. It will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel
14. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a transfer of an existing Tavern Wine License (SN 1247138) to **Courtyard Management Corp. & Soho Hotel LLC, d/b/a New York Manhattan/Soho Courtyard by Marriott, 181 Varick Street 10014** unless the statements presented by the Applicant are accurate and complete and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Unanimous, with 41 Board members in favor.

**16. Entity to be formed by Sage Fuchs, Michael Fuchs and Peter Cassell, d/b/a Keepsake, 301 W. 4<sup>th</sup> St. 10014 (aka 42 Bank St.) (New Tavern Wine – previously unlicensed location)**

**i. Whereas,** the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Tavern Wine license to operate "a quaint café-styled bar with high end beverage program focusing on sake, natural wine and craft beer" in a ground floor storefront and basement premises located in a three-story townhouse (Circa 1910) at the corner of West 4<sup>th</sup> St. and Bank St., the building being located in the Landmarked Greenwich Village Historic District within a residentially zoned (R6) area, the subject premises having never held a liquor license or operated for eating and drinking purposes; and,

**ii. Whereas,** the storefront premise has previously operated for years as a high-end clothing/accessories retail store, the Applicants are seeking to purchase the entire building and open up the licensed premises, via renovation, a new kitchen with convection appliances is planned, there is one patron entrance at the corner of the building on West 4<sup>th</sup> Street, there is an existing sidewalk hatch to the basement on Bank Street near the residential entrance, also on Bank Street, to the same building, there are no operable windows to the premises proposed to be licensed on both West 4<sup>th</sup> and Bank Streets, there is no exterior areas for the service of alcohol and no sidewalk cafe; and,

**iii. Whereas,** the premises to be licensed is roughly 1,050 sq. ft premise (basement sq. ft. not provided, no patrons or cooking in basement), the proposed occupancy is 50, no letter of no objection (LNO) from the NYC DOB was presented, there will be 8 tables and 30 seats, and 1 stand up bar with 10 additional seats for total of 40 seats; there is no sidewalk café, no other outdoor areas for patrons and no operable doors or windows, the applicant did not provide/present a Letter of No Objection (LNO) from the NYC DOB or Certificate of Occupancy permitting eating and drinking at the premises proposed to be licensed; and

**iv. Whereas,** the hours of operation will be Monday through Friday from 5PM to 12AM and Saturdays/Sundays from 12 PM to 12AM, all patrons will be cleared and no patrons will remain after stated closing times, music will be quiet background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times as stipulated, there will be no outdoor areas for the service of alcohol, no D.J.s, no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

**v. Whereas,** the Applicant provided a petition in support of the Application but no outreach or signatures were obtained by the residential townhouses immediately adjacent to the premises proposed to be licensed, the immediate area or across the street and no one appeared in support of the application; and,

**vi. Whereas,** a member of the West Village Resident's Association appeared in opposition to this application, concerns being voiced about adding yet another licensed premise for eating/drinking in this residentially zoned area, the area being surrounded by residential buildings, there already being two licensed premises located directly across the street with identical methods of operations (Wine Bars with convection kitchens for lite dishes/ menu) to complement liquor services, there being no public interest in adding another liquor license on the residential block with narrow streets and sidewalks, the opposition

explaining that the area is already fully saturated with licensed premises, the impact of this license being no different than one for on premise, this application for Tavern Wine being made to avoid and evade the public interest standard set for the in the 500 foot rule; and,

**vii. Whereas,** the Applicant stated it would not seek to upgrade this license to an on-premise license in the future but according to its Attorney such an agreement was unenforceable, anyone seeking a license at these premises after the Applicant also not be subject to such an agreement; and,

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

1. Premise will be advertised and operated as a “café style bar”.
2. The hours of operation will be Monday to Friday from 5PM to 12AM and Saturdays/Sundays from 12PM to 12AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a nightclub or sports bar or allow any portion of premises to be operated in that manner.
4. Will not seek upgrade to on premise license at location.
5. The premise will not have televisions.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at all times.
10. There will be no operable windows or open facades.
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. Will not change the front façade.

**ix. Whereas,** there are 7 licensed premises within one block of the premises proposed to be licensed, approximately 33 On Premise Liquor Licenses within 750 ft. and 6 additional pending licenses within that same area;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a new Tavern Wine for an **Entity to be formed by Sage Fuchs, Michael Fuchs and Peter Cassell, d/b/a Keepsake, 301 W. 4<sup>th</sup> 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 Tavern Wine License.

Vote: Unanimous, with 41 Board members in favor.

**17. Sushi By Bou Meatpacking District, LLC d/b/a Sushi by Bou Meatpacking, 248 W. 14<sup>th</sup> St. 10011**  
(New OP—Restaurant in basement, Sports Bar on Ground Floor)

**i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a Full Liquor On-Premise license to operate a Japanese style sports bar on the ground floor and Omakase sushi restaurant in the basement within a mixed use, five-story building (built in 1900) on W. 14<sup>th</sup> St. between 7<sup>th</sup> and 8<sup>th</sup> Avenues in Greenwich Village; and,

**ii. Whereas,** the 4,478 sq. ft. premises (2,478 sq. ft. ground floor and 2,000 sq. ft. basement) was licensed as the Black Tap Restaurant (specializing in hamburgers and shakes) from 11/2016 to 11/2018; and,



**iii. Whereas**, the two-story premise will operate with one full service kitchen and will serve a full menu during all hours of operation; on the ground floor there is 1 bar with 15 seats, 24 tables with 80 seats and in the basement there will be 1 bar with 10 seats, 16 tables with 55 seats for a total patron seating occupancy of 160, there will be 2 entrances, one leading to the basement and a second leading to the ground floor, but both floors will operate together via interior stairway, with 2 exits with 6 bathrooms; and,

**iv. Whereas**, music in the basement restaurant will be background only but entertainment levels in the sport bar will be permitted, albeit without dancing, all windows will be fixed and there will be no French doors or operable facades installed to the premises, there are existing double doors (exterior and vestibule) at the front for the ground floor sports bar, both of which will be closed at all times except for patron egress, with the licensee using sound limiters within the premises and having personnel at the door monitoring the doors during late night hours to prevent sound from emanating through walls or out from the licensed premises to the exterior sidewalk, there being no outdoor areas for the service of alcohol and no sidewalk café; and,

**v. Whereas**, the applicant's agreed upon hours of operation will be Sunday from 12 PM to 12 AM, Monday through Wednesday, 5 PM to 12 AM, Thursday 5 PM to 1 AM, Fridays from 5 PM to 2 AM, and Saturdays from 12 PM to 2 AM; and,

**vi. Whereas**, the applicant signed and notarized a stipulations agreement with CB2, Man. which he agreed would be attached and incorporated into the method of operation on the on-premise license stating the following:

1. The premises will be advertised and operated as Japanese style sports bar on the ground floor and Omakase sushi restaurant in the basement.
2. The hours of operation will be Sunday from 12 PM to 12 AM, Monday through Wednesday, 5 PM to 12 AM, Thursday 5 PM to 1 AM, Friday, 5 PM to 2 AM, and Saturday from 12 PM to 2 AM
3. The two-story premises will operate together with one full-service kitchen open and with full menu items available until closing every night.
4. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a sidewalk cafe now or in the future.
5. Sound limiters will be used at all times and double doors (exterior and vestibule) will be closed at all times except for patron egress (no music will be audible in any adjacent residences at any time).
6. There will be patron lines on the sidewalk at any time.
7. Will not alter front façade to premises to install French doors, operable windows, or open façades.
8. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches".
9. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
10. Will not make changes to the existing facade except to change signage or awning
11. The premises will not have dancing, promoted events, any event where a cover fee is charged or any scheduled performances, velvet ropes or metal barricades.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will appear before CB2 Manhattan prior to submitting any changes to any stipulations agreed to herein.

**vii. Whereas**, there was opposition to this application, those appearing and those writing correspondence in opposition voicing concerns regarding the potential noise impacts and liquor license saturation in the immediate area; and,

**viii. Whereas**, this application being subject to the 500 ft. rule, subject to the public interest standard, this location having been licensed previously, the stipulations and agreed to, noise-reduction remediation efforts being reasonable and significant for the operations proposed at this location, dancing being prohibited, the hours of operation not being consistent with a nightclub, as well as the Applicant’s experience in operating similar businesses in the past;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the new On-Premise license for **Sushi By Bou Meatpacking District, LLC d/b/a Sushi by Bou Meatpacking, 248 W. 14<sup>th</sup> St. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On Premise License.

Vote: Unanimous, with 41 Board members in favor.

**18. Merse Group, LLC, d/b/a Merse, 446 W. 14<sup>th</sup> St.** (New OP – Lounge & Special Event Space with live DJs; previously unlicensed location)

**i. Whereas**, the Applicants and their Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a Full Liquor On-Premise license to operate an Event Space/Venue and Lounge within the basement of a three story, commercial use building (built in 1936) on W. 14<sup>th</sup> St. under the Highline between Washington Street and 10<sup>th</sup> Avenue in the Meatpacking District; and,

**ii. Whereas**, the below grade 3,900 sq. ft. premises is without windows, has previously not operated for eating and drinking or been licensed for the service of alcohol, the first floor premises within the same building having been occupied by Ethos Labs d/b/a Gin Lane and operated with temporary license as a pop up business during the summer of 2018, a certificate of occupancy (5/12/2017) was presented (Use Group 6) with a description of use for the cellar being “storage rooms, switch gear room, boiler room, gas meter room”; and,

**iii. Whereas**, premises will be advertised as a versatile lounge, and operated with entertainment level music, live music, DJs and movable furniture that will also operate as an Event Space/Venue, without a full service kitchen, providing an alternative to the standard nightclubs in the area, the proposed patron occupancy will be 220, with one bar with 10 seats and 19 tables with 88 seats for a total patron seating of 98, there will be 1 entrance and 3 exits with 4 bathrooms, no TVs, all windows will be fixed and there will be no French doors installed, no outdoor areas for the service of alcohol and no sidewalk café; and,

**iv. Whereas**, the applicant’s agreed upon hours of operation will be Sunday through Saturday from 12 PM to 2 AM; and,

**v. Whereas**, the Applicant also seeks to operate with dancing in the future but dancing is currently not permitted at the premises proposed to be licensed (Use Group 6), the applicant agreeing that dancing will not occur until a new certificate of occupancy (Use Group 12) is issued for the licensed basement premises; and,

**vi. Whereas,** the Applicant signed and notarized a stipulations agreement with CB2, Man. which he agreed would be attached and incorporated into the method of operation on the on-premise license stating the following:

1. The premises will be advertised and operated as a lounge and Event Space/Venue.
2. The hours of operation will be Sunday through Saturday from 12 PM to 2 AM (no patrons after closing time).
3. The premises will not operate as a nightclub or sports bar or allow any portion of the premises to be operated in such a manner.
4. There will be no TVs.
5. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a sidewalk cafe.
6. No music will be audible in any adjacent residences anytime.
7. Will not install French doors, operable windows, or open façades.
8. Will close all doors and windows at all times.
9. Will not make changes to the existing facade except to change signage or awning
10. The premises will not have dancing, any event where a cover fee is charged or any scheduled performances, velvet ropes or metal barricades.
11. Promoted events prohibited except by invite only with intimate acoustical performance or album listing event.
12. The premises will not permit dancing until a new certificate of occupancy (use group 12) is issued for licensed basement premises and filed with CB2 Man. and NYSLA for this purpose.
13. Will use message service, as needed, to prevent crowds from gathering/waiting to enter on sidewalk.
14. Will have plan and work with Community in future, as needed, to control vehicular traffic at licensed location.
15. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
16. Will appear before CB2 Manhattan prior to submitting any changes to any stipulations agreed to herein.

**vii. Whereas,** there was opposition to this application, those appearing and those writing correspondence in opposition voicing concerns that this location having never previously been licensed for the service of alcohol, there already being a significant saturation of existing nightclubs and late night drinking establishments in the immediate area over the last 15 years, the hours of operation until 2 AM adding to late night traffic in the area, the specific area impacted already overburdened with black cars, taxis and other for-hire vehicles, honking and late night revelry from those visiting the existing late night establishments within the Meatpacking District; and,

**viii. Whereas,** concerns were also voiced regarding dancing at the premises, dancing currently being prohibited without a change being made to the existing certificate of occupancy, and despite the Applicant's assurances that the premises will not operate as a nightclub, the prospect of dancing at the premises with DJs and moveable furniture being consistent with a licensed premises that will ultimately turn into another night club in the area, the opposition submitting that it was not in the public interest of adding another nightclub in this particular area where there have been, for years, on-going complaints stemming from an escalation of late-night noise due to adding such late-night establishments in this particular area; and,

**ix. Whereas,** this application being subject to the 500 ft. rule, subject to the public interest standard, this basement location having not been licensed previously, the stipulations and agreed to stipulations, assuming

they are followed by the Applicant, being reasonable and significant for the operations proposed at this location, the location being located under the Highline not immediately adjacent to any known residence, dancing being prohibited until a proper certificate of occupancy having been filed, with hours of operation not being consistent with a nightclub;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the new On Premise license for **Merse Group, LLC, d/b/a Merse, 446 W. 14<sup>th</sup> St.** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On Premise License.

Vote: Passed, with 34 Board members in favor, and 7 in opposition (R. Chattree, V. De La Rosa, D. Diether, R. Ely, B. Riccobono, C. Spence, A. Wong).

**19. RLA 95 7<sup>th</sup> Avenue South Corp. d/b/a TBD, 95 7<sup>th</sup> Ave. South 10014** (New OP – Restaurant With Enclosed sidewalk cafe)

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new On Premise license to operate a “family friendly neighborhood restaurant that will serve affordable Mexican cuisine” in a ground floor storefront roughly 1,530 sq. ft. located within a two-story building (circa 1900) on Seventh Avenue South between Barrow and Grove Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

**ii. Whereas**, the ground storefront premises to be licensed was previously operated and licensed as Zucca Trattoria, Inc. d/b/a Taqueria Mez-A (lic.#1223197) by Besim Kujuj, the location and the licensee being the subject of multiple disciplinary proceedings by the NYSLA in 2017 and again in 2019, resulting in the license at these premises being very recently revoked for deceptive practices, Mr. Bejuj and Zucca Trattoria, Inc. d/b/a Taqueria Mez-A also being the subject of numerous complaints for installing speakers within the enclosed sidewalk café, illegally selling alcohol on the rooftop of the building without permits or a license to do so, and leaving the windows to the licensed premises in an open position late at night while playing music at entertainment levels, all in derogation of the licensee’s agreed upon method of operation as a full-service restaurant; and

**iii. Whereas**, the Applicant Ruki Ajdari, who is purchasing the assets of the existing restaurant from Mr. Kujuj, has also been the subject of multiple disciplinary proceedings and adverse findings by the NYSLA, Mr. Ajdari being the licensee and operator of 122-124 Irvington Corp. d/b/a La Caverna Bar & Lounge, the NYSLA imposing fines to Applicant for repeatedly failing to comply with maximum occupancy, operating an unlicensed cabaret, and noise, and a resolution from Community Board #3, Man. <http://www.nyc.gov/html/mancb3/downloads/minutes/minutes2017-11.pdf> detailing how Mr. Ajdari originally presented an application in 2002 for a full-service Italian restaurant which he thereafter transformed, without permission or alteration of the existing license, into a nightclub operating until 4:00 AM with DJs and dancing, repeatedly exceeding the maximum occupancy of the premises of 330 patrons, with wait lines on the sidewalk, triggering complaints of late-night noise, traffic and congestion, the local community and Community Board #3, Man. identifying the licensee’s history of violations and disingenuous bait and switch transformation from Italian Restaurant into unwieldy nightclub; and,

**iv. Whereas**, when questioned about the current method of operation of the La Caverna Bar & Lounge, he and his counsel insisted he was operating a Mexican restaurant even though it was conceded that it

operates until 4AM every night and even though it continues to be advertised as a late-night bar & lounge; and

**v. Whereas**, when the Applicant originally appeared before CB, 2 Man. in December 2019 he sought to operate on the ground floor and rooftop with live performance in the form of Mariachi bands even though the certificate of occupancy for 95 7<sup>th</sup> Ave. South did not permit eating and drinking on the rooftop, the rooftop at these premises having never previously been licensed for the service of alcohol but previously operated in an illegal fashion by the prior licensee at these premises, causing complaints, the existing premises also having an enclosed sidewalk café with operable windows on three sides, and the Applicant was not willing to remove the speakers illegally installed in the sidewalk café, the existing premises and sidewalk café not being appropriate, built or designed to prevent the proposed musical performance at entertainment levels on the interior or exterior; and

**vi. Whereas**, after strenuous objections were raised by the Community regarding the rooftop, the operators checked history and operations at 122-124 Irvington Corp. d/b/a La Caverna Bar & Lounge, the late-night hours proposed in that December/2019 application, the Applicant withdrew that application and requested reconsideration without rooftop and live musical performance; and

**vii. Whereas**, the applicant seeks hours of operation from 11 AM to 12 AM Sunday through Wednesday, from 11 AM to 1 AM on Thursdays and from 11 AM to 2 AM on Fridays and Saturdays, including the interior premises and enclosed sidewalk café, with 28 tables with 84 patron seats, 1 stand up bar with 8 additional seats for a total patron occupancy of 102; and

**viii. Whereas**, the exterior façade and windows of the enclosed sidewalk café have recently been completely altered, with lite colored brick exterior and installation of new windows, the sidewalk café being heated, with electricity and speakers installed and not separated from the interior premises, the Applicant acknowledging such changes having been made at the premises but not being able to produce any permits for such alterations with NYC DOB or NYC Landmarking agencies; and

**ix. Whereas**, there was significant opposition voiced to the initial application from the local residents living in the immediate area, including the Seventh Avenue South Alliance and West Village Residents Association, whose opposition remained unwavering upon reconsideration, who again appeared and wrote correspondence in opposition, voicing concerns regarding the previously unlicensed rooftop use and occupancy proposed, there being higher residential buildings immediately adjacent to the rooftop which will be greatly affected by such use, the improperly built sidewalk enclosure on public property and installation and inappropriate use of speakers in the sidewalk café, there being no exterior wall between the interior premises and the sidewalk café, the recent illegal changes to the exterior façade being without permit and illegally done, the significant history of problems and disciplinary proceedings including license revocation at the subject premises to be licensed, the Applicant's disciplinary history, the perceived connection between Mr. Kujuj and Mr. Ajdari, and the Applicant Mr. Ajdari's history of transgressions in CB3, Man., calling into question the Applicant's trustworthiness or credible in the instant application; and

**x. Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that public interest and public convenience is served from the addition of this license in area already greatly saturated with late night drinking establishments with liquor licenses, there being 77 on premise liquor licenses within 750 feet of the premises and 11 additional pending on premise licenses before the NYSLA, all those appearing, including multiple block associations, being opposed to this application, the Applicant having a questionable licensing history as well as questionable history with CB3 Manhattan, the instant premises to be licensed also having a checked licensing history, this particular on premise application not

satisfying the public interest standard, the immediate area already greatly saturated with late night eating and drinking establishments;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial for **LA 95 7<sup>th</sup> Avenue South Corp. d/b/a TBD, 95 7<sup>th</sup> Ave. South 10014** on its application seeking a new OP license; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB2 respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and,

**THEREFORE BE IT FURTHER RESOLVED** that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing because the premises has never been licensed for the service of alcohol at any point in the past.

Vote: Unanimous, with 41 Board members in favor.

**20. Petno Restaurant, Inc., d/b/a Gaetana’s, 549 Greenwich St. 10013** (New OP-Restaurant

**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 family-style Italian restaurant/pizzeria in an M1-6 zoned 6-story, mixed-use building constructed in 1920 on the southeast corner of Greenwich and Charlton Sts. (Block #597/Lot #45); and

**ii. Whereas**, for the past 17 years the Applicant has operated a family-style Italian restaurant/pizzeria under the name Gaetana’s at 143 Christopher St., but due to the need for significant repairs to the building at this location the Applicant wishes to move its business to a new, nearby location where it can continue operation of its restaurant; and

**iii. Whereas**, aside from this move to Greenwich St., to a location that has been previously licensed for over 35 years, there will be no change in the nature or operation of the restaurant, which will continue to serve lunch and dinner in a licensed ground floor premises of approximately 1,300 sq. ft. with 12 tables with 49 seats and one (1) stand up bar with 13 seats, for a total of 62 interior seats, and a basement with approximately 900 sq. ft. (to which there will be no patron access), for a total of approximately 2,200 sq. ft.; there is a sidewalk cafe of approximately 120 sq. ft. with five (5) tables and 10 seats; the premises has two (2) entrances, two (2) exits, and three (3) bathrooms; and

**iv. Whereas**, the Applicant’s agreed-to hours of operation are 4:00 PM to 10:30 PM on Mondays and Tuesdays and 12:00 PM to 10:30 PM Wednesdays through Sundays; music will be quiet background only; there will be no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

**v. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the “Method of Operation” of the Restaurant Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a family-style Italian restaurant/pizzeria.
2. The hours of operation will be from 4:00 PM to 10:30 PM on Mondays and Tuesdays and from 12:00 PM to 10:30 PM Wednesdays through Sundays, with the kitchen open and a full menu available until closing every night.
3. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. There will be no televisions.
5. The Applicant will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk cafe).
6. It will not operate a sidewalk cafe later than 10:00 PM (with all tables and chairs to be removed at this hour).
7. It will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
8. It will close all doors and windows by 10:00 PM every night.
9. It will not make any changes to the existing façade except to change the signage or awning.
10. It will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. It will not have unlimited drink or unlimited food & drink specials; it will not have “boozy brunches” or serve pitchers of beer.
12. There will be no bottle service or the sale of alcohol in bottle form, except for the sale of beer and wine products.
13. It will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel
14. It will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a new On-Premise License to **Petno Restaurant Inc., d/b/a Gaetana’s, 549 Greenwich Street 10013** **unless** the statements presented by the Applicant are accurate and complete and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 41 Board members in favor.

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

**21. 143 Perry, LLC d/b/a The Otheroom, 143 Perry St. 10014** (Transfer of Bar/Tavern with sidewalk cafe) (laid over)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 6<sup>th</sup>, 2020 the Applicant requested **to layover** this application to March/2020 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 **143 Perry, LLC d/b/a The Otheroom, 143 Perry 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 41 Board members in favor.

**22. Sabiangboon8, Inc., d/b/a Pinto Garden, 117 W. 10<sup>th</sup> St. 10011** (OP Restaurant with exterior back yard garden – No Show/failed to appear)

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 6, 2020 the Applicant **failed to appear** regarding this application and provided no information as to its failure to appear;

**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 **Sabiangboon8, Inc., d/b/a Pinto Garden, 117 W. 10<sup>th</sup> 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 41 Board members in favor.

**23. Cornucopia Cruise Line NY, LLC, d/b/a Sundancer, Pier 40, 353 West St. 10014** (Vessel/Boat/Ship) (laid over)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 6<sup>th</sup>, 2020 the Applicant requested **to layover** this application to March 2020 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 **Cornucopia Cruise Line NY, LLC, d/b/a Sundancer, Pier 40, 353 West 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 41 Board members in favor.

**24. Cornucopia Cruise Line NY, LLC, d/b/a Destiny, Pier 40, 353 West St. 10014** (Vessel/Boat/Ship) (laid over)



**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 6<sup>th</sup>, 2020 the Applicant requested **to layover** this application to March/2020 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 **Cornucopia Cruise Line NY, LLC, d/b/a Destiny, Pier 40, 353 West 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 41 Board members in favor.

**25. Cornucopia Cruise Line NY, LLC, d/b/a Horizons, Pier 40, 353 West St. 10014**  
(Vessel/Boat/Ship) (laid over)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 6<sup>th</sup>, 2020 the Applicant requested **to layover** this application to March/2020 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 **Cornucopia Cruise Line NY, LLC, d/b/a Horizons, Pier 40, 353 West 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 41 Board members in favor.

**26. Cornucopia Cruise Line NY, LLC, d/b/a Majesty, Pier 40, 353 West St. 10014**  
(Vessel/Boat/Ship) (laid over)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 6<sup>th</sup>, 2020 the Applicant requested **to layover** this application to March/2020 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 **Cornucopia Cruise Line NY, LLC, d/b/a Majesty, Pier 40, 353 West 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 41 Board members in favor.

**27. Cornucopia Cruise Line NY, LLC, d/b/a Princess, Pier 40, 353 West St. 10014 (Vessel/Boat/Ship) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 6<sup>th</sup>, 2020 the Applicant requested **to layover** this application to March/2020 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 **Cornucopia Cruise Line NY, LLC, d/b/a Princess, Pier 40, 353 West 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 41 Board members in favor.

**28. Cornucopia Cruise Line NY, LLC, d/b/a Star of America, Pier 40, 353 West St. 10014 (Vessel/Boat/Ship) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 6<sup>th</sup>, 2020 the Applicant requested **to layover** this application to March/2020 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 **Cornucopia Cruise Line NY, LLC, d/b/a Star of America, Pier 40, 353 West 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 41 Board members in favor.

**TRAFFIC AND TRANSPORTATION**

**1. Resolution requesting a study, including test applications and evaluations, of curbside access for package deliveries by commercial vehicles, taxi and car service pick-up and drop-off, and loading and unloading of personal vehicles in Community Board 2 Manhattan, with selection of test areas based on community input.**

**Whereas**, the recent increase in e-commerce deliveries on residential streets as well as the growth in the number of for hire vehicles (FHV's) have led to additional demands on our streets and curb space:

- In NYC, from 2009 to 2017, deliveries to households tripled to 1.1 million per day.
- Currently, 15% of NYC households get at least one package per day, and 41% receive packages at least 2 times per week.
- Households now receive more packages than businesses.
- Private car owners, taxis and FHV's often can't drop off and pick up passengers and goods at the curb, forcing them to double park and hindering people from reaching the sidewalk safely from the street.; and

**Whereas** there is not enough available curb space to accommodate this growing demand, and loading and unloading often happens in travel lanes. This double parking leads to dangerous conditions for pedestrians and cyclists as well as to traffic congestion, which results in air and noise pollution, wasted fuel, more wear and tear on vehicles, *stress*, time costs to all drivers and delays for emergency vehicles; and

**Whereas** one loading zone not only prevents double parking but also can serve up to 100 households per day; and

**Whereas** with its sizable senior population and many disabled constituents who need safe curbside access to and from taxis, FHV's, access-a-ride and other vehicles, its growing number of families that need accessible space to load and unload all manner of equipment, including baby carriages and strollers, and a lack of such accommodations that would benefit all of the district's residents, along with its high volume of package deliveries by commercial vehicles, Community Board 2, Manhattan (CB2) both needs and would benefit from a community-wide opportunity for more curbside access for deliveries, drop-off/pickup, and loading/unloading, and more and better access to it; and

**Whereas** the NYC Department of Transportation (DOT) is currently conducting a pilot project to reduce double parking and other disruptive standing behaviors by providing curb space for such activities as package deliveries by commercial vehicles, taxi and car service pickup/drop-off, and active loading and unloading of personal vehicles at a few designated locations, e.g., in Manhattan on W. 15th and W. 16th Sts btw. 6th and 8th Aves. and on West End Ave. btw. W. 79th and W. 95th Sts., but these sites are solely selected by DOT rather than by the community; and

**Whereas** CB2, Man. has observed that communities are highly knowledgeable of conditions in their own locales as well as of what their needs are in relation to these conditions, and that when given the opportunity and encouragement to self-select improvements, they contribute positively and productively;

**Therefore be it resolved** that CB2, Man. requests that DOT conduct a study of curbside access in our district including test applications and analysis of added loading zones for goods and people, with selection of test areas based on community input with Community Board 2's coordination; and

**Be it further resolved** that CB2, Man. asks that DOT focus on locations identified by the community as being problematic; and

**Be it further resolved** that CB2, Man. urges DOT to also engage the community in evaluation of the test applications as the study progresses; and

**Be it finally resolved** that CB2, Man. requests that DOT return to CB2 within six (6) months after the study's start with an evaluation of the test applications and further ideas on how curbside regulations can be improved to address current demands for curb access, relieve congestion and make our streets safer for all road users, with recommendations for added curbside access in CB2.

Vote: Passed, with 37 Board Members in favor and 4 Board members in opposition (R. Sanz, K. Bordonaro, B. Ely, D. Raftery).

Respectfully submitted,

Valerie De La Rosa  
Secretary  
Community Board #2, Manhattan