

Tobi Bergman, *Chair*
Terri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

FULL BOARD MINUTES

DATE: May 21, 2015
TIME: 6:30 P.M.
PLACE: Scholastic Building, 557 Broadway, Auditorium

BOARD MEMBERS PRESENT: Daniel Ballen, Keen Berger, Tobi Bergman, Chair; Carter Booth, Anita Brandt, Richard Caccappolo, Denise Collins, Tom Connor, Terri Cude, Coral Dawson, Maria Passanante Derr, Doris Diether, Robert Ely, Joshua Frost, Susan Gammie, Jonathan Geballe, Robin Goldberg, David Gruber, Susan Kent, Jeannine Kiely, Edward Ma, Maud Maron, Daniel Miller, Lois Rakoff, Robert Riccobono, Rocio Sanz, Maury Schott, Shirley Secunda, Kristin Shea, Federica Sigel, Shirley Smith, Chenault Spence, Sean Sweeney, Shannon Tyree, Antony Wong, Robert Woodworth, Elaine Young

BOARD MEMBERS ABSENT WITH NOTIFICATION: Susanna Aaron, Katy Bordonaro, William Bray, Lisa Cannistraci, Ritu Chattree, Cristy Dwyer, Sasha Greene, Sandy Russo, Susan Wittenberg

BOARD MEMBERS ABSENT: Alexander Meadows, Robin Rothstein, Richard Stewart

BOARD MEMBERS PRESENT/ARRIVED LATE: None

BOARD MEMBERS PRESENT/LEFT EARLY: None

BOARD STAFF PRESENT: Bob Gormley, District Manager; Florence Arenas, Community Coordinator; and Julio Mora Community Associate

GUESTS: Robert Atterbury, Congressman Jerrold Nadler's office; Tara Klein, Senator Brad Hoylman's office; Melissa Gindin, Senator Daniel Squadron's office; Patricia Ceccarelli and Morris Chan, Manhattan Borough President Gale Brewer's office; Charles Anderson, Assembly Member Deborah Glick's office, NYC Comptroller Scott Stringer, Crystal Feng, NYC Comptroller Scott Stringer's office; Adam Chen, Public Advocate Letitia James' office; Margaret Bangs, Council Member Corey Johnson's office; Matt Viggiano, Council Member Rosie Mendez's office; Sam Spokony, Council Member Margaret Chin's office; Giovanni Tognozzi, Michael Kelly, Darlene Lutz, Ian Magerkurth, Frank Fornino, Roberta Spalter, Nancy Pasley, Prem Chaffrol, Eleanor Bullord, Dimitri Liberis, Brandon Sanchez, Michael Beam, Jeffrey LeFrancois

MEETING SUMMARY

Meeting Date – May 21, 2015

Board Members Present – 38

Board Members Absent - 4

Board Members Absent With Notification - 8

Board Members Present/Arrived Late - 4

Board Members Present/Left Early –

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	2
ELECTED OFFICIALS' REPORTS	2
ADOPTION OF MINUTES	3
EXECUTIVE SESSION	3
STANDING COMMITTEE REPORTS	3
LANDMARKS AND PUBLIC AESTHETICS	3
LAND USE & BUSINESS DEVELOPMENT	8
SIDEWALKS/STREET ACTIVITIES	10
SLA LICENSING	17
TRAFFIC AND TRANSPORTATION	48

II. PUBLIC SESSION

Non-Agenda Items

MPIA

Jeffrey LeFrancois updated everyone on the association's activities.

Washington Square Music Festival

Lois Rakoff announced the upcoming musical festival and other free events in Washington Square Park.

Landmarks & Public Aesthetics Items

9 Vandam St.

Brandon Sanchez, representing the applicant, spoke in favor of the proposal for the rear yard extension.

Michael Beam and Nancy Pasley spoke against the rear yard extension.

SLA Licensing Items

Bar Giacosa Corp., d/b/a IL Pittino, 268-270 6th Ave.

Michael Kelly, representing the applicant, and Giovanni Tognozzi, the applicant, spoke in favor of the proposed beer and wine.

Hudson Gastropub LLC, d/b/a The Hudson Division, 131 Christopher St.

Dimitri Liberis, the applicant, spoke in favor of the proposed on-premise liquor license.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congressman Jerrold Nadler's office

Tara Klein, Senator Brad Hoylman's office

Melissa Gindin, Senator Daniel Squadron's office

NYC Comptroller Scott Stringer

Patricia Ceccarelli and Morris Chan, Manhattan Borough President Gale Brewer's office

Charles Anderson, Assembly Member Deborah Glick's office

Margaret Bangs, Council Member Corey Johnson's office

Sam Spokony, Council Member Margaret Chin's office

Matt Viggiano, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Distribution of April minutes

VI. EXECUTIVE SESSION

1. **Chair's Report** Tobi Bergman reported.

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

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1 - LPC Item: 9 Vandam Street, Charlton-King-Vandam Historic District A Federal style rowhouse built in 1829-30. Resubmission of previous application with modifications to the rear yard extension and reduction in size. Also, move excavation away from neighbor.

Whereas, this original application was heard by CB2, Man. previously and the resolution at that time stated that CB2, Man. recommended approval of the work on the front of the façade, but

CB2, Man. recommended denial of so massive a rear extension, and was concerned about the replacing so much soil with impremeable material which could negatively impact the water table, drainage, run off, and aquifer of the area which is in a flood plain, and also

CB2, Man. had requested that LPC mandate an angle of repose in the cellar excavation so that the excavation would not endanger the foundation of the adjacent Federal building, and

Whereas, the changes to the building's bulk seems acceptable with the 3rd floor pulled back 3', reducing the amount of the bulk from 39% to 29% over the permitted, but

Whereas, CB2, Man. still has concerns about the excavation and work in the rear yard since this building formerly had no cellar and will be excavated to 18' deep and the rear yard excavated a similar amount to accommodate a swimming pool, with only 3' of space between the cellar and the adjoining properties and only 1' of space between the rear yard and the adjoining properties on either side, and

Whereas, CB2, Man. still has concerns about the impact on the water table, drainage, run-off, and aquifer by the replacement of so much soil with impermeable material for site in a flood plain.

Therefore, CB2, Man. recommends approval of the changes to the bulk of the building by the reduction of the 3rd floor, but still recommends denial of the proposed excavation because of danger to adjoining properties and the adjoining area.

Vote: Unanimous, with 38 Board members in favor.

2 - LPC Item: 131-135 Prince Street, Application to add glass window metal signage and alter hanging signage on both storefronts.

Whereas, the glass transoms above the store windows are not original, but a close approximation to the original, and

Whereas the signage, presently on the store windows would be replaced with decorative metal lettering attached to the transoms with steel brackets and the current hanging bracket signs replaced with new bracket signs extending from the masonry columns on either side of the main entrance, and

Whereas, the brackets signs are acceptable, but the metal lettering signs attached to the glass transom are not appropriate and the precedence shown to validate them we did not feel were valid,

Therefore, CB2, Man. recommends approval of the bracket signs proposed, but recommends denial of the signs attached to the glass transoms.

Vote: Unanimous, with 38 Board members in favor.

3 - LPC Item: 35 Crosby Street, Application is for exterior restoration including reconstruction of brick masonry, portion of street façade in kind to match historic configuration.

Whereas, the application is to restore this 1850 building by a major reconstruction including replacing the windows with 2 over 2 windows, restoring the window lintels, and replacing the 5th floor windows in the appropriate style, and

Whereas, the existing wooden cornice which is in good condition will be reused rather than replaced.

Therefore, CB2, Man. recommends approval of this application for 35 Crosby Street.

Vote: Unanimous, with 38 Board members in favor.

4 - LPC Violation Item: 199 Lafayette Street, aka 195-205 Lafayette Street, Art work installed without permits.

This application was laid over until the next meeting because the applicant's presentation was not complete enough to be voted on.

5 - 355 Bleecker Street –Greenwich Village Historic District 17-0185 –Block 620, Lot 44, Zoned C16. A row house built in 1829/1830. Application is to legalize window replacement and storefront alterations performed without Landmarks Preservation Commission permits

Whereas, the historic bulkhead has been removed and replaced with a lower 14 inch high bulkhead; and

Whereas, the historic wooden window frames have been replaced with aluminum; and

Whereas, the historic stone sign band has been covered with aluminum; and

Whereas, these alterations were performed without Landmarks Preservation Commission permits which are required for such work in a Historic District; therefore

Be it resolved that CB2, Man. recommends denial of the application unless the aluminum frames are covered with wood trim and the covering is removed from the sign band.

Vote: Unanimous, with 38 Board members in favor.

6 - 289 Bleecker Street Greenwich Village Historic District 17-0606 –Block 590, Lot 53, Zoned C2-6. A vernacular building built c.1870-80. Application is to modify the storefront

Whereas, the present condition is an historically sensitive, contemporary infill which is in keeping with the neighborhood with fixed windows; and

Whereas, the proposal is to replace the two large fixed windows with four full length folding doors that would open a large portion of the infill to create a void; and

Whereas, the open doors would present no façade, no street wall at all for a large portion of the infill, would permit noise to spill into the neighborhood and would invite sidewalk seating on an already congested street corner; and

Whereas, a neighbor spoke against the project on account of noise and congestion and a representative of the Central Village Block Association represented that the Association is on record as opposing similar proposals in the neighborhood; therefore

Be it resolved that CB2, Man. recommends denial of this application.

Vote: Unanimous, with 38 Board members in favor.

7 - 30 Jane Street -Greenwich Village Historic District 16-9427 –Block 615, Lot 62, Zoned R6. A stable building built in 1870. Application is to install a marquee.

Whereas, the present condition is an exceptional, pristine, sensitive contemporary adaptive use of a stable building incorporating a large, unique inner forecourt; and

Whereas, the proposal is for contemporary style overhang in steel, 4' square with recessed letters on the sides and situated over the residential entrance door; and

Whereas, the overhang is proposed to be attached into the stone lintel, thereby causing harm to historic fabric; and

Whereas, the removal of the awning would result in unacceptable patching or unacceptable replacement of historic fabric; therefore

Be it resolved that CB2, Man. recommends denial of the application.

Vote: Unanimous, with 38 Board members in favor.

8 - 475 6th Avenue, aka 475-485 6th Avenue and 100-114 West 12th Street Greenwich Village Historic District. 16-7516 Block 607, Lot 38, Zoned C17, R6. An apartment building designed by Horace Ginsbern & Associates and built in 1956. Application is to establish a Master Plan governing the future installation of storefront signage and lighting

Whereas, the proposal is for two or three 24 inch high acrylic faced signs with interior lighting and one or two 18” high non-illuminated signs on a raceway along the length of the 7’-10” spandrel area on the 6th Avenue façade; and

Whereas, the signage for the two prior tenants was one logo sign centered in the same area; and

Whereas, the design of the signs is large, brash, inappropriate to the district and overwhelms the façade; and

Whereas, the signs’ details will be proposed by the tenants and therefore the generic presentation gives no assurance about the final appearance; and

Whereas, a master plan for signage must present a design that can be reasonably envisioned as it will appear when implemented; and

Whereas, the number and, size, and arrangement of the signs according to the proposal is so variable that it does not constitute a master plan but rather presents a menu of possibilities, none of which is acceptable; and

Whereas, this proposal does harm and cause retrogression to the gradual improvement of commercial properties along 6th Avenue in the district; therefore

Be it resolved that CB2, Man. recommends denial of this application.

Vote: Unanimous, with 38 Board members in favor.

9 - 837 Washington Street Application is to propose addition of new exterior signage on the 2nd floor in addendum to changes to the storefront fenestration along Washington and 13th Streets for the Building.

Whereas, the proposal is for 2’ 2” brushed stainless steel letters with reflected light shining onto the masonry on the upper spandrel of the base building, and

Whereas, the infill is to be reconfigured with two entrances to the retail space and signs, 8” high with brushed stainless steel letters, and

Whereas, the alterations to the infill design enhances the simple design of the building; therefore

Be it resolved that CB2, Man. recommends approval of the application.

Vote: Unanimous, with 38 Board members in favor.

10 - 170 Sullivan Street -MacDougal Sullivan Gardens Historic District170150 –Block 526, Lot 74, Zoned R7-2. A row house built in 1844 and redesigned in the neo-Federal style by Hyde and Joannes in the 1920's. Application is to paint the building.

Whereas, the near-black color proposed is in keeping with other houses in this exceptional enclave and the color lies well with the adjoining houses; therefore

Be it resolved that CB2, Man. recommends approval of the application.

Vote: Unanimous, with 38 Board members in favor.

11 - 400 West Broadway - SoHo-Cast Iron Historic District Extension 17-0121 – Block 488, Lot 22, Zoned M1-5A. An Italianate style store building designed by William Jose and built in 1870-71, and altered in the late 20th century. Application is to install a new storefront infill and signage.

Whereas, the present ground floor design compromises the integrity of the building; and

Whereas, the proposal is to expose the cast iron columns and spandrel, introduce an inventive back painted glass with gold leaf in the transom and as a decorative element on the columns, and cover the bulkhead in delicately cut sheet metal and recess the doorway; and

Whereas, the columns and trim are to be painted black; and

Whereas, the design respects the integrity of the building with a contemporary design;

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

Vote: Unanimous, with 38 Board members in favor.

12 - A resolution opposing New York City Council Intro 775, which imposes constraints on the Landmarks Preservation Commission process for review of proposals for individual landmarks, interior landmarks, open areas and historic districts and imposes a 5-year prohibition of further consideration for proposals when review and action are not completed in the allotted time.

Whereas,

1. Proposals for landmark designation should be carefully researched and deliberated with due consideration of the views of Community Boards, interested organizations, and the public;
2. In order to lessen the likelihood of destruction or improper alteration of a proposed property or area, we encourage the LPC to consider the worthiness of any potential or proposed landmark and to calendar it (if so determined) with urgent dispatch.
3. The time between the calendaring of a potential landmark and definitive action by the Commission should be as brief as possible, while ensuring that there is sufficient time for research and deliberations;
4. The existing backlog of proposals before the Commission should be considered with dispatch;
5. The proposed bill places unnecessary and punitive time restraints on the process for determining the consideration of a proposed property for designation and will create unnecessary burdens and pressure on limited LPC staff and members of the Commission and would replace careful deliberation with a decision based on meeting an arbitrary deadline and the pressure to make a decision in the face of losing any opportunity to reconsider the proposed property within five years;

6. Over 90 percent of proposals to the LPC are concluded within two years, therefore there is no pressing need for the proposed schedule of action nor for the five year hiatus provided for in the proposed bill;
7. The five-year limit on reconsidering serves no useful purpose and invites destruction or alteration of possible worthy properties while they are ineligible for reconsideration;

Therefore be it resolved that CB2, Man., after a careful examination and extensive deliberation, opposes City Council Intro 775.

Vote: Unanimous, with 38 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

1. 80 Fifth Avenue (BSA Application #59-15-BZ) is located on the southwest corner of 14th Street and this application is for a special permit to legalize and re-establish an expired special permit for an existing physical culture establishment pursuant to NYC Zoning resolution Section 73-36.

Whereas:

1. Lucille Roberts initially took possession of the space in 1992 and was granted a special permit on November 13, 1996 for a term of six years with the following conditions:

- a. That there shall be no change of ownership or operating control of the PCE without prior application to and approval from the board;
- b. That this special permit shall be limited to a term of then six years to expire on November 13, 2002.
- c. That the hours of operation shall be limited to Monday through Friday, 6am to 11pm, Saturday and Sunday 7am to 9pm.

2) On February 3, 2004, the resolution was reopened and amended, permitting an extension of term for an additional ten years retroactively, from November 13, 2002 to November 13, 2012.

3) Lucille Roberts is now making a concerted effort to bring all of its NYC clubs up to date with the necessary approvals and extend the special permit.

4) The application meets the findings of both NYC ZR Sections 73-03 and 73-36 for another ten-year extension.

Therefore be it resolved that:

CB2, Man. recommends approval of this application and urges the applicant to stay more abreast of future deadlines.

Vote: Unanimous, with 38 Board members in favor.

2. 38-50 Cooper Square (BSA #14-10-BZ and #15-BSA-185M) on west side of Cooper Square just south of East 7th St. is the Grace Church High School building. The two applications presented are 1) for the extension of time to complete construction work approved by the 2010 Special Permit, and 2) for a variance to permit an increase in the extent of the existing noncompliance with regards to rear yard regulations.

Whereas:

- 1) This application is a request to extend the 2010 Special Permit to allow additional time for construction;
- 2) The building's rear yard, original to its construction, has a noncompliant rear yard extension above the second floor. This application proposes additional volume (not addition FAR) to the noncompliant rear yard extension to permit the appropriate ceiling heights for a gymnasium;
- 3) The requested roof modification has been approved by LPC, is set back from the front facade and will not substantially alter the views from the public way or from the adjacent buildings;

Therefore be it resolved that:

CB2, Man. recommends approval of both applications.

Vote: Unanimous, with 38 Board members in favor.

3. 74-76 8th Avenue (CEQR 15-BSA-164M and BSA #39-15-BZ) located on the southeast corner of 14th Street and is an application dated March 3, 2015 requesting bulk variances with respect to floor area ratio and setbacks for a commercial building containing Use Group 6 offices with Use Group 6 retail on the first floor in a C6-2A zoning district.

Whereas:

1. The property is located on the southeast corner of 8th Avenue and West 14th St. with frontage on 8th Avenue of 46 feet and frontage on West 14th St. of 80 feet, for a total lot area of 3,680 feet.
2. The site is located in a C6-2A zoning district where commercial uses are as-of-right, the FAR is 6.0, allowed height is 120 feet and setbacks of 10 feet are required along both 8th Avenue and West 14th St.
3. The owner wishes to demolish three existing buildings (two of which though not protected do have some historic value) to construct a new 12-story Use Group 6 office building with ground floor Use Group 6 retail that would contain 37,166zsf with an FAR of 10.1, setbacks of 25 feet on 8th Avenue and 3 feet on West 14th Street, and an allowed height of 120’.
4. The height of the proposed building is in scale with its surroundings, but the applicant had no designs, renderings or materials on hand with which the committee might gauge the appropriateness of the building with respect to neighborhood character or assess the effect of the requested setback variance.
5. The small size of the lot plus the applicant’s assertion that the site sits directly over the 8th Avenue subway tunnel, which occupies 1,310 square feet or 36% of the site, do constitute significant practical difficulties.
6. Given the number of other properties so encumbered, an increase of 66% FAR seems unlikely to constitute the minimum variance increase.
7. Granting such a considerable increase could have significant implications for future applicants.
8. There was some discussion of alternate, less expensive construction methods, which would result in less of an increase in FAR.
9. The applicant has not explored whether a variance to build a residential building with a smaller courtyard or no courtyard would allow for a reasonable return and possibly no FAR variance or a lesser FAR variance. (Compare the adjacent 122-136 Greenwich Avenue residential building, which applied for and received variances for height and setbacks—but not FAR—on the basis of the subway tunnel.)
10. Calculating a reasonable rate of return based on the owner’s overly-modest projected rents of \$60 per square foot for a building in a neighborhood that is rapidly becoming known as a high-tech hub (see Google, Apple, Chelsea Market, etc. nearby) seems likely to produce an unrealistic calculation of the minimum variance necessary to afford relief.

11. CB2, Man. received emails from three residents of 61 Jane Street and one local resident spoke at the meeting. All four requested that the application be denied because they felt the subway tunnel was not a unique hardship.

Therefore be it resolved:

1. CB2 recommends approval of this application with the following conditions:
2. CB2 does not object to a minimum variance to increase the floor area, but the proposed increase in FAR to 10.1 seems unlikely to constitute the minimum.
3. The actual design and materials of the building should have been provided to the community board and should be part of BSA's final decision as to the building's impact on neighborhood character.
4. The BSA should consider asking the applicant to show a residential alternative (including affordable housing) with bulk variances in order to determine whether the commercial office use offers the best minimum variance.
5. CB2 asks that the BSA apply its considerable resources and expertise to thoroughly question each of the applicant's assumptions with respect to comparable rents, construction methods, and the minimum variance in FAR needed to provide a reasonable rate of return.

Vote: Unanimous, with 38 Board members in favor.

SIDEWALKS/STREET ACTIVITIES

1. App. For Renewal to operate an unenclosed sidewalk café for:

14 Spring Street Café LLC d/b/a Rintintin, 14 Spring St., with 2 tables & 8 chairs (1469471-DCA)

Whereas, the application came late to the agenda and so even though the area was posted, and community groups notified, no community members appeared to testify in opposition; but

Whereas, the CB2, Man. office received two e-mails complaining about the noise emanating from this establishment and had been told many times by a CB2, Man. member and resident of Spring Street that this was a problem location and that the sidewalk café was often open beyond permissible hours; and

Whereas, CB2 District Manager Bob Gormley told the applicant that he had personally witnessed loud music emanating from the establishment approximately one year ago and had filed a complaint with the 5th Precinct; and

Whereas, the District Manager had been told by the 5th Precinct's commanding officer that officers had gone to the establishment to speak with the owner about repeated noise complaints; and

Whereas, even though the owner assured the committee that he no longer allowed the windows and doors to remain open when playing amplified music, community board members offered testimony to the contrary.

THEREFORE, BE IT RESOLVED, that CB2, Man. recommends **DENIAL** of an application for a RENEWAL revocable consent to operate an unenclosed sidewalk café for: **14 Spring Street Café LLC d/b/a Rintintin, 14 Spring St., with 2 tables & 8 chairs (1469471-DCA), with 2 tables & 8 chairs (2005254- DCA).**

VOTE: Unanimous with 38 Board Members in favor.

2. **New App. for revocable consent to operate an unenclosed sidewalk café for:**

Mirtos Restaurant, Inc. d/b/a Village Den Restaurant, 225 W. 12th St. with 8 tables & 16 chairs (3991-2015-ASWC)

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

Whereas, the application was for a corporate change regarding its sidewalk café license, but will essentially remain under the same owners; and

Whereas, this restaurant has been operating with no issues for many years.

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Mirtos Restaurant, Inc. d/b/a Village Den Restaurant, 225 West 12th St. with 8 tables & 16 chairs (3991-2015-ASWC).**

VOTE: Unanimous with 38 Board Members in favor.

3. **New App. for revocable consent to operate an unenclosed sidewalk café for:**

86 St AA LLC d/b/a SoHo Room, 203 Spring St., with 8 tables & 16 chairs (4441-2015-ASWC);

Whereas, the area was posted, community groups notified, restaurant owner Louis Raiolo appeared to present the application; and four area residents appeared to complain about the establishment's operation and oppose the sidewalk café application; and

Whereas, the owner stated that his sidewalk café would cease operation at 11 p.m. on Friday and Saturday and 10 p.m. Sunday through Thursday as per an agreement with his landlord; and

Whereas, the three tables to the south of the door do not comply with sidewalk café requirements because of the existing tree pit fence and installing a flush grate is not feasible because of the size of the tree and the tree root system that extends above the level of the sidewalk; and

Whereas, applicant agreed to reduce the size of the sidewalk café to five tables and ten chairs by removing the three tables and six chairs at the southern end of the sidewalk café;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for **86 St AA LLC d/b/a SoHo Room, 203 Spring St., with 5 tables & 10 chairs (4441-2015-ASWC)** contingent on the submission of the amended sidewalk café plan.

VOTE: Unanimous with 38 Board Members in favor.

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

Nourish New York LLC, d/b/a Nourish Kitchen and Table, 95 Greenwich Ave., with 3 tables & 6 chairs (4323-2015-ASWC)

Whereas, the area was posted, community groups notified and there were no community members present regarding this application and the presentation was made by the principal, Marisa Lippert, along with her representative, Michael Kelly; and

Whereas, the committee raised concerns about the clearance from the bicycle rack to the nearest table; and

Whereas, this applicant agreed to address this concern by “stacking” the three tables adjacent to the entry door and to use the 3’ door width as the wait service aisle.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Nourish New York LLC, d/b/a Nourish Kitchen and Table, 95 Greenwich Ave., with 3 tables & 6 chairs (4323-2015-ASWC).**

VOTE: Unanimous with 38 Board Members in favor.

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

Culinary Concepts Hospitality Group LLC, d/b/a Spice Market, 29 9th Ave., with 13 tables & 26 chairs (4502-2015-ASWC)

Whereas, the area was posted, community groups were notified, no community members were present, and the application was presented by one of its principals, Danilda Ruiz; and

Whereas, the applicant stated that the sidewalk café has been in operation for several years and that there are no planned changes to the operation; and

Whereas, the applicant explained that this is considered a new application rather than a renewal because there have been changes to the corporate membership.

THEREFORE BE IT RESOLVED, that CB2, Man. recommends an **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café on **Culinary Concepts Hospitality Group LLC, d/b/a Spice Market, 29 9th Ave., with 13 tables & 26 chairs (4502-2015-ASWC).**

VOTE: Unanimous with 38 Board Members in favor.

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

Margherita Corporation, d/b/a Margherita, 197 Grand St., with 4 tables & 8 chairs (4612-2015-ASWC)

Whereas, the area was posted, community groups notified and there were no community members present regarding this application and the presentation was made by the principal, Giuseppe Delli Carpini, and his representative, Michael Kelly; and

Whereas, the owner assured the committee that there were no benches or planters opposite his sidewalk café and, if there were, he would have them removed; and

Whereas, the sidewalk café will close at 11:00 p.m. during the week and at 12 midnight on the weekends, as per an agreement made with CB2 when appearing before CB2's SLA Licensing Committee;

THEREFORE, BE IT RESOLVED, that CB2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Margherita Corporation, d/b/a Margherita, 197 Grand St., with 4 tables & 8 chairs (4612-2015-ASWC).**

VOTE: Unanimous with 38 Board Members in favor.

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

Genuine Grand St NYC LLC, d/b/a Genuine Roadside, 191 Grand St., with 15 tables & 30 chairs (4437-2015-ASWC)

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the application was presented by the owner, Dan Rafalin; and

Whereas, the owner assured the committee that there were no benches or planters opposite his sidewalk café and, if there were, he would have them removed; and

Whereas, the owner also owns two other restaurants in Community Board 2, Public and Saxon & Parole;

THEREFORE, BE IT RESOLVED, that CB2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Genuine Grand St NYC LLC, d/b/a Genuine Roadside, 191 Grand St., with 15 tables & 30 chairs (4437-2015-ASWC)**

VOTE: Unanimous with 38 Board Members in favor.

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

Rohart, Inc., d/b/a Clarkson Restaurant, 225 Varick St., with 12 tables & 28 chairs (5704-2015 ASWC)

Whereas, the area was posted, community groups notified; and the application was presented by the owner, George Forgeois and his representative, Michael Kelly; and

Whereas, the committee noted that the owner had been operating an illegal, unlicensed sidewalk café prior to obtaining a sidewalk café license and revocable consent from the Department of Consumer Affairs; and

Whereas, the committee noted that the illegal sidewalk café also contained a foosball table and a petanqué court, both of which would be violations of sidewalk cafes rules; and

Whereas, the owner was reminded that the entrance to the second restaurant, La Gauloise, violated the 200-foot rule because it was within 200 feet of the entrance to City-As-School High School; and

Whereas, the violation of the 200-foot rule would make service at the four westernmost tables illegal; and

Whereas, the owner agreed to relocate those four tables to Varick Street; and

Whereas, the owner's representative told the committee he would measure the distance between the entrance to the school and the remaining tables on Clarkson Street, to ensure that their location complied with the 200-foot rule.

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **DENIAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Rohart, Inc., d/b/a Clarkson Restaurant, 225 Varick St., with 12 tables & 28 chairs (5704-2015- ASWC)**, UNLESS the applicant submits revised plans to the Department of Consumer Affairs and Community Board 2 showing the relocation of the westernmost tables to Varick Street and it is established that the tables remaining on Clarkson Street are in compliance with the 200-foot rule and the café is operated exactly in the way it is laid out in the approved plan.

VOTE: Passed, with 25 Board Members in favor, 11 Board Members in opposition(E. Young, D. Miller, S. Tyree, R. Ely, R. Goldberg, C. Booth, S. Gammie, M. Schott, L. Rakoff, A. Wong, S. Kent) and 2 abstentions (S. Secunda, K. Berger).

FYI Renewals:

9. Renewal Applications For Sidewalk Cafés (Unenclosed & Enclosed):

Whereas, the renewals below were posted on the CB2, Man. website and there were no community members requesting these applications be heard, and

Whereas, these cafés have been operated for at least 2 years by these applicants and the Board has not been notified of any issues with their operation.

- Da Silvano Corp., d/b/a Da Silvano, 260 Ave. of Americas, Front, with 26 tables & 55 chairs (1187717-DCA)
- 164 Mulberry St. Corp., d/b/a Da Nico Restaurant, 164 Mulberry St., with 4 tables & 8 chairs (0949447-DCA)
- Caliente Cab Rest. Co., Inc., d/b/a Caliente Cab Co., 61 7th Ave. S., with 42 tables & 84 chairs (0670525-DCA)
- Nilo Inc. & Viola Consulting LLC, d/b/a Mezzogiorno Assoc., 195 Spring St., with 11 tables & 22 chairs (0832737-DCA)
- Cowgirl Inc., d/b/a Cowgirl and Bar K, 519 Hudson St., with 11 tables & 22 chairs (0919917-DCA)

- ASC, Inc., d/b/a La Nonna, 134 Mulberry St., with 6 tables & 12 chairs (1208521-DCA)
- Gadberry Pizza Inc., d/b/a Bleecker Street Pizza, 69 7th Ave. S., with 3 tables & 6 chairs (1183527-DCA)
- Eli-Lilla, Inc., 385 Broome St., with 9 tables & 22 chairs (1388457-DCA)
- Apicio LLC, d/b/a Tertulia, 359 Avenue of Americas, with 5 tables & 10 chairs (1414241-DCA)
- GMT New York LLC, d/b/a GMT Tavern, 142 Bleecker St., with 24 tables & 51 chairs (1382861-DCA)
- St. Jude Enterprises LLC, d/b/a Benito One, 174 Mulberry St., with 4 tables & 8 chairs (1394721-DCA)
- Francis Louis LLC, d/b/a Frankie's 570 Spuntino, 570 Hudson St., with 11 tables & 31 chairs (1387557-DCA)
- Karavas Food Ltd, d/b/a Karavas Place Tavern, 164 W. 4th St., with 10 tables & 21 chairs (1001562-DCA)
- Greenwich Village Bistro Ltd., d/b/a Greenwich Village Bistro, 13 Carmine St. Front A, with 9 tables and 18 chairs (1030835-DCA)
- Macelleria Restaurant, Inc., d/b/a Macelleria, 48 Gansevoort St., with 9 tables & 18 chairs (1188887-DCA)
- D.E.L., Inc., d/b/a Alexandra, 455 Hudson St., with 10 tables 20 chairs (1192285-DCA)
- Red Mulberry Ltd., d/b/a Sambuca's, 105 Mulberry St., with 10 tables & 20 chairs (1158751-DCA)
- Kings 55 Group, Inc., d/b/a Le Philosophe, 55 Bond St., with 7 tables 14 chairs (1470765-DCA)
- Andikiana Corp., 490 Laguardia Pl., with 16 tables & 32 chairs (0941701-DCA)
- Piacere Enterprises, LLC, d/b/a Piacere, 351 Broome St., with 8 tables & 24 chairs (1458267-DCA)

THEREFORE BE IT RESOLVED that CB 2, Man. recommends **APPROVAL** of the above referenced **RENEWAL** applications for revocable consents to operate unenclosed and enclosed sidewalk cafés.

VOTE: Unanimous with 38 Board Members in favor.

Applications for Street Activities Permits:

Whereas, CB2, Man. attempts to determine within its ability that each sponsor is a community-based, not-for-profit organization, association, or the like, which has an indigenous relationship to the specific street, community or both, and

Whereas, community groups were notified and the applicants were present regarding the first two applications below, and

Whereas, the remaining items – noted as **FYI – Renewals** below – have been held for 3 or more years, and after the items were published on the CB2 Calendar of Meetings, no members of the community requested a public hearing be held regarding them, so CB2 Man. has no issue with these applications,

10. 6/18/15 Hudson Park Library Summer Reading Kick-Off Block Party, Leroy Street between 7th Avenue South and Hudson Street

Whereas,

- a. The application was presented by Miranda Murray, the Director of the Hudson Park Library; and

- b. the purpose of the event is to encourage summer reading for children, with the target ages between three and eleven years; and
- c. the event would take place from 3:00 p.m. until 5:00 p.m. and there would be amplified sound from 3:30 p.m. until 4:30 p.m.; and
- d. the application proposes using the sidewalk in front of the library and the adjacent parking lanes, but requests a street closure to ensure the safety of the children; and
- e. the committee expressed concerns for the safety of the children due to heavy rush hour traffic on 7th Avenue South; and
- f. the committee suggested that the library reach out to the Parks Department to inquire about the feasibility of using the adjacent playground as a possible alternative for the event; and
- g. the committee recognized that the event had great merit and was deserving of support.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of this event on **Leroy Street aka St. Luke’s Place, between 7th Avenue South and Hudson Street.**

Vote: Unanimous, with 38 Board members in favor.

11. 6/20/15 NYC Exotics Night Car Show (1) 9th Avenue between West 13th Street and West 14th Street and (2) 9th Avenue between West 13th Street and Little West 12th Street

Whereas,

- a. The application was presented by Gary Singh and Katarina Delnew; and
- b. the applicant stated his organization was from Bethlehem, Pennsylvania and had no connection to Community District 2; and
- c. the applicant stated that the event was a “benefit,” but could offer the names of no local organizations that would derive a benefit from it; and
- d. the applicant demonstrated a poor familiarity with his own application, stating that he thought both streets would be closed to vehicular traffic, whereas the application called for closing curb lanes only; and
- e. Any Tse, a representative from the Meatpacking Improvement Association (MPIA), stated that she had solicited opinions from local businesses about the event and received no complaints and so the MPIA did not oppose it; and
- f. the CB2 office received nine e-mails opposing this application.

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends **DENIAL** of this event on **(1) 9th Avenue between West 13th Street and West 14th Street and (2) 9th Avenue between West 13th Street and Little West 12th Street.**

Vote: Unanimous, with 38 Board members in favor.

FYI Renewals:

- **8/1/15** – Lt Joseph Petrosino Lodge Annual block party, 113 Baxter St. between Canal St. and Hester St.
- **10/3/15** – Bedford Downing Block Association Sidewalks Sale, Downing St. between 6 Ave. and Bedford St.

- **10/4/15** – 6th Police Precinct Explorers Single Block Festival, Washington Square North between University Place and 5th Ave.

Vote: Unanimous, with 38 Board members in favor.

SLA LICENSING

1. Genuine Grand ST NYC LLC d/b/a Genuine Roadside 191 Grand Street 10019 (Alteration to Add Sidewalk Café to existing On Premise Liquor License, SN1284554, Exp. 3/2017).

Whereas, the applicant appeared before CB2, Manhattan’s SLA Licensing Committee seeking an alteration to an existing on premise license to serve alcohol at a sidewalk café located on the public sidewalk directly in front of the premises; and

Whereas, the existing license is fairly new, the applicant originally appearing before CB2, Man. in December/2014 seeking its on premise license in a previously licensed (Italian restaurant known as Novella) location, and CB2, Man. recommended approval of the license subject to a stipulations agreement which remains in place and the current plan is to continue to operate the same restaurant with the same method of operation that currently exists in a 2,428 s.f. storefront premises (1,080 s.f. ground floor and 1,348 s.f. basement) in a 6-story, mixed-use building (circa 1939) at the corner of Grand and Mulberry Streets; and

Whereas, there will continue be one entrance for patrons, two bathrooms, there will be 19 tables with 64 seats, 2 bars with 11 seats for a total of 75 seats inside; the sidewalk café will operate with hours of operation from Sunday through Tuesday until 10 PM, Wednesdays and Thursdays until 11 PM and on Fridays and Saturdays until 12 AM; and

Whereas, the hours of operation for the interior premises will continue to be from 9 AM to 12 AM Sunday through Tuesday, from 9 AM to 1 AM on Wednesdays and from 9 AM to 2 am Thursday through Saturday, there will no TVs, music with be background only, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and,

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

1. Premises will be advertised and operated as a full service restaurant with a full service kitchen.
2. Will operate from 9 AM to 12 AM Sunday through Tuesday, from 9 AM to 1 AM on Wednesdays and from 9 AM to 2 am Thursday through Saturday.
3. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
4. Food will be served at all times.
5. Will operate only one business at the premises using only one d/b/a name.
6. Occupancy will be no greater than 75 patrons.
7. The sidewalk café will operate with hours of operation from Sunday through Tuesday until 10 PM, Wednesdays and Thursdays until 11 PM and on Fridays and Saturdays until 12 AM.
8. There will be no TVs and premises will not operate as a Sports Bar.
9. Will close all doors and windows at all times.
10. There will be one entrance/exit for patrons.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to an existing OP license to **Genuine Grand St., LLC d/b/a Genuine Roadside, 191 Grand St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” for the OP License.

Vote: Unanimous, with 38 Board members in favor.

2. Tava Café, LLC d/b/a Balzem, 202 Mott Street 10012 (Alteration to Add Sidewalk Café to existing Beer Wine License, SN1276835 Exp. 3/2016).

Whereas, the applicant appeared before CB2, Manhattan’s SLA Licensing Committee seeking an alteration to an existing Beer and Wine license to serve alcohol at a sidewalk café located on the public sidewalk directly in front of the premises; and

Whereas, the applicant originally appeared before CB2, Man. seeking its existing Beer and Wine license in a previously licensed (Pan American, BW but only since Nov./2011) location back in January/2014 and CB2 Man. recommended its approval of the Beer Wine license subject to a stipulations agreement that currently remains in place and the plan is to continue to operate the restaurant with the same method of operation in a 1,400 S.F. interior storefront premises, with 1,000 S.F. on the first floor for dining and kitchen and 400 S.F. in the basement for storage, and there will continue to be 17 tables and 46 seats, one bar with 10 seats for a proposed occupancy of 56; and,

Whereas, the interior hours of operation will continue to be from 10 AM to 12 AM from Sunday through Wednesday and from 10 AM until 1 AM Thursday through Saturday, music will be from ipod/cd’s at background levels only, the sidewalk café will close every night at 9PM, there will no TVs and all doors and windows will be closed at 9 pm every night except for patron egress and ingress through the main front door; and

Whereas, there were concerns voiced at Committee that after the applicant originally appeared before CB, 2 Man. he failed to acknowledge and withheld his plan to demolished the existing storefront to the premises in 2014, and thereafter installed floor to ceiling accordion doors along the entire exterior façade, thereby failing to properly notify and inform CB2 Man. or the SLA with this significant change his method of operation and that he had further been leaving his door open to the sidewalk later than 9 PM during the night as he has previously agreed; and

Whereas, there were additional concerns that the sidewalk café was being permitted and operated over existing metal basement doors embedded into the sidewalk also used to operate the business; and

Whereas, the applicant currently operates with candles and exterior lights wrapped around a tree on the public sidewalk creating concerns with safety and the applicant agreed to remove those items from the public sidewalk at the request of the Committee; and

Whereas, in light of these concerns the applicant again executed a stipulation agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA beer and wine license as follows:

1. Interior hours of operation will be from 10 am to Midnight Sunday through Wednesday and 10 am to 1 am Thursday through Saturday.
2. Music will be from ipod/cd’s at quiet background levels inside the restaurant only.

3. The sidewalk café will close by 9 PM every night.
4. There will no TVs.
5. All Doors and windows will be closed by 9 pm every night except for patron egress and ingress through the entrance doorway in the middle of the café and not through the accordion doors.
6. There will be no A-Frame signage or benches placed on the sidewalk in front of the premises at any time.
7. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
8. The applicant will not operate a disco, nightclub or seek a DCA Cabaret License.
9. The premises will operate as a full service restaurant at all times.
10. No candles.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the beer and wine license for **Tava Café, LLC d/b/a Balzem, 202 Mott Street 10012** **unless** the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant are incorporated into the “Method of Operation” on the beer and wine license.

Vote: Passed, with 24 Board members in favor, and 14 in opposition (K. Berger, D. Diether, J. Frost, S. Gammie, J. Geballe, R. Goldberg, E. Ma, D. Miller, L. Rakoff, R. Rothstein, C. Spence, S. Sweeney, S. Tyree, E. Young).

3. Soho Grand Hotel, 310 West Broadway 10013 (existing hotel OP license seeking alteration to modify and extend its existing licensed premises to include 5,479 sf ground floor side yard area)

Whereas, the applicant appeared before CB2’s SLA committee in April/2015 and agreed to adjourn and lay over its application to May/2015 to clarify its permits to occupy, use and operate its adjacent exterior premises for eating and drinking as it proposes/seeks; and

Whereas, the applicant operates a 16-story hotel (circa 1996) on West Broadway between Canal and Grand Streets and is seeking to alter its existing OP license (#1023301 exp. June 30, 2015) currently limited to the interior of the premises on the second floor, to 1) add and extend the licensed premises to an exterior 5,479 SF side yard located on the adjacent south side of the Hotel but also extending from West Broadway to Thompson Street and all the way to Canal via adjacent vacant lots; and

Whereas, members of CB2 Man.’s SLA Committee also appeared at and toured the interior and exterior spaces the Hotel seeks to add to its existing license; and

Whereas, when CB2, Man. originally recommended to approve the Hotel’s existing license in May/1996, the resolution recommending approval did so on the pretext that “there is every indication that it will be a benefit to this community to have liquor available to the hotel’s guests on site, so that they need not go out[side] at night and add to problems caused by the over-proliferation of bars and restaurants in the immediate area of the hotel”; and

Whereas, despite not having a permit or license to operate an eating and drinking establishment in the exterior side yard, and despite not having or ever being issued a On-Premise liquor license from the NYS Liquor Authority to serve alcohol to patrons in the exterior side yard, the Hotel nonetheless admitted to improperly and illegally operating and advertising the entire 5,479 SF adjacent outdoor side yard area as a full service Bar known as “Gilligans” and before that operated another Bar known as “The Yard” with one stand up bar and additional service bars, entertainment level music, DJs and large parties causing noise and negatively impacting the area and its adjacent residential neighbors for years; and

Whereas, the Hotel has previously appeared before CB2, Man. on two separate occasions in April/2014 and then again in May/2014 with a similar application seeking to alter its existing license to operate in the same exterior south side yard/lot space adjacent to the Hotel but was never able to produce any documentation or demonstrate, in any coherent manner, that its proposed use of the outdoor side yard was legal and permitted for eating and drinking, and that its Special Permit originally issued to the Hotel in 1997 limited retail eating and drinking within the building on the second floor and did not extend to the exterior portions of the Hotel premises, resulting in an unanimous decision by CB#2 Manhattan to recommend denial of the previous alteration application; and

Whereas, the existing Certificates of Occupancy filed and posted by the NYC Dept. of Buildings does not permit eating and drinking to any outdoor area adjacent to the Hotel, including the proposed side lot/yard; and

Whereas, the Hotel did file an “alteration 1” application to the NYC Dept. of Buildings, the type 1 alteration being an application to change the use, occupancy or egress of the premises, in February/2014 to “convert existing accessory open space of Hotel to accessory eating and drinking area”, but that application was thereafter disapproved by the NYC Dept. of Buildings in January/2015 (NYC BIS Job No. 121912396); and

Whereas, when the Hotel was questioned in April/2015 whether it had any writings or could produce any permits establishing that its proposed use of the outdoor side yard was legal and permitted for eating and drinking, it produced a lawyer who stated that he had spoken to City Planning and that they had indicated to him that the Hotel could use of the outdoor space “as of right” but failed to produce any writings or documentation from City Planning or the Department of Building in support of such an assertion; and

Whereas, after agreeing to adjourn and layover its application the Hotel though its attorneys provided the email correspondence from City Planning which did not necessarily object to the Hotel’s proposed use of the adjacent side yard but deferred to the NYC Department of Buildings to either approve or disapprove the Hotel’s use of the side yard lot for accessory occupancy and use by the Hotel for eating and drinking; and

Whereas, the Hotel agreed not to use the side yard of the Hotel for eating or drinking until it had first obtained the necessary certificate of occupancy from the NYC Department of Buildings that specifically granted permission for this purpose; and

Whereas, residents living in the buildings directly adjacent to the adjacent to the exterior on the southeastern side of the exterior yard of the Hotel appeared in opposition to the Hotel’s application citing concerns with music, crowds and were very upset when they learned that the Hotel’s prior uses and operation of the exterior side yard was without permits and without a liquor license for many years despite their countless complaints directly to the Hotel’s management, as well as the Hotel’s failure to prohibit use by patrons to smoke, congregate and drink on an exterior covered landing until 2:00 AM approximately 20-30 feet from their bedroom windows; and

Whereas, in response to these resident concerns the applicant executed a stipulation agreement with CB2, Man. with regard to its uses and method of operation for the exterior side yard that the Hotel and its counsel agreed would be attached and incorporated in to their method of operation on their existing On Premise license as follows:

1. The Hotel will not permit staff or patrons to enter or exit the exterior doors located in the Club Room leading to a covered second floor landing and covered staircase on the south side of the Hotel except for emergency egress and will not permit patrons on the exterior landing itself.
2. The Hotel has presented an amended diagram (Exhibit "A" to Agreement) for the use of side yard that designates the location of all tables, one service station and one stand-up only bar, the stand-up bar being located on the far western side of the yard to ameliorate noise impacts on neighbors located on the eastern side of the yard, there will be 19 tables with 4 seats, an additional 9 tables with 2 seats and 10 seats at the stand-up bar, for a total of 104 seats.
3. There will only be table service of alcohol to patrons who are seated at a table or seated at the bar to prevent crowds of patrons from congregating in one location and there will only be food service from the interior Hotel to the outdoor tables located in the side yard.
4. There will be no music or speakers installed outside at any time.
5. There will be no service of alcohol on the eastern side of the yard as designated in the Hotel's amended diagram (annexed to stipulation agreement with the Hotel) from the entrance gate on West Broadway up and until the Host Station and the Hotel will continue to maintain and not remove the cover over the eastern side of the yard.
6. The exterior gate and entrance/exit on West Broadway will not be open until Noon on Sundays and will be closed every night at 10 PM, the side yard will close Sunday through Thursday at 10 PM and the side yard will close on Fridays and Saturday nights at 11 PM, all business will cease, no loitering, no smoking, there will be no patrons remaining after closing and the lights will be turned off within a reasonable time after closing.
7. There will be two bathrooms installed on the interior ground floor level to accommodate all patrons to the side yard.
8. The Hotel will not use or operate in any manner as an eating and drinking establishment in the side yard until it has obtained the proper certificate of occupancy from the New York City Department of Buildings which specifically demonstrates its proposed use is legal and permitted in the side yard.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the alteration application of the existing On Premise license to extend service to the above-referenced outdoor side yard for **Soho Grand Hotel, 310 West Broadway 10013** unless the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant are incorporated into the "Method of Operation" on the beer and wine license.

Vote: Unanimous, with 38 Board members in favor.

4. Genmark LLC d/b/a Gansevoort Market 52 Gansevoort Street (New Beer & Wine application, previously unlicensed location).

Whereas, the applicant presented before CB2 Man. for a Beer Wine license and currently operates a gourmet food hall and farmer's market with artisanal baked goods with multiple vendors and a separate seating area café in a large 11,500 warehouse space (basement 500 s.f., first floor 7,900 s.f. and second floor 3,100 s.f.) in a two-story landmark building located on Gansevoort Street between Washington and Greenwich Streets; and

Whereas, the premises has been vacant for many years and has a certificate of occupancy for occupancy and use as a Market and the applicant states that the space was last used as a market over 30 years ago; and

Whereas, there are four entrances, two bathrooms, there are 8 tables with 52 seats, 1 bar with 10 seats 3 stools at a food counter for a total number of seats in the premises at 65 but where there will be other food counters throughout the premises at the various food vendors (up to 26 separate food vendors), the hours of operation will be from noon to 12 AM (Midnight) seven days a week, there will no TVs, no sidewalk café, music will be quiet, background only, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and

Whereas, the current occupancy being sought by applicant is for a letter on no objection from the NYC Department of Buildings for an occupancy no greater than 74 patrons but a Public Assembly will still be required in light of the numbers of patrons visiting the market will be much greater and the applicant agreed it would be inappropriate to issue a license until a place of assembly permit with appropriate occupancy numbers is issued; and

Whereas, the applicant currently has one and a half years left on its original lease to operate the premises as a Market; and

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

1. Premises will be advertised and operated as a gourmet food hall and farmer's market with artisanal baked goods with multiple vendors only.
2. Will operate from 9 AM to 12 AM every day seven days a week.
3. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
4. There will be no TVs and no portion of the premises will operate as a Sports Bar, Tavern or Beer Garden.
5. Will close all doors and windows by 10 PM every night.
6. A Place of Assembly permit with appropriate occupancy must be obtained before any Beer Wine license is issued.
7. A new lease for which duration is longer than 2 years (as required by SLA) will be obtained before license is issued.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Beer and Wine license to **Genmark LLC d/b/a Gansevoort Market 52 Gansevoort Street** unless the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" for the OP License.

Vote: Unanimous, with 38 Board members in favor.

5. Romagna Corp. d/b/a t/b/a, 182 Bleecker St. 10012 (New BW, previously licensed location).

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for a new beer and wine license to operate a family style Italian restaurant and Pizzeria with a full service kitchen within a historic district at 182 Bleecker Street between Sullivan and McDougal Streets in a mixed-use building (Circa 1900); and

Whereas, this location was not previously licensed for the service of alcohol before 2014 and the prior operator (Susanna) sought to operate with a Beer and Wine license only and further agreed to never seek a full OP license at this particular location; and

Whereas, before Susanna the storefront premises was previously occupied by a Red Mango and the Currywurst establishment but without any beer and wine or OP license; and

Whereas, the storefront premises has a letter of no objection (LNO) from the Department of Buildings dated October 31, 2013 for an eating and drinking establishment, use group 6 for an occupancy of no more than 74 but the LNO is limited to the interior premises and does not extend to the exterior rear yard where the applicant proposes to operate with its BW license; and

Whereas, the interior space is 1,435 SF, with only 785 SF on the first floor and 650 SF in the basement but the basement will not be used for eating and drinking, the applicant produced an interior seating diagram showing 13 tables with 31 seats, one bar with 6 seats for a total number of interior patron seats at 37, there is only one bathroom, there will be no TVs and music will be background only; and

Whereas, the applicant also seeks to operate and serve beer/wine in the backyard garden and produced a diagram showing 14 tables and 28 seats in the exterior space but as previously stated herein, does not have any permit, letter of no objection and certificate of occupancy that permits eating and drinking in the exterior rear yard; and

Whereas, the rear yard area is also surrounded by residential buildings and adjacent communal rear yards belonging to the MacDougal-Sullivan Gardens Historic District and any future use of the rear yard for eating and drinking or the service of alcohol will result in a significant impact and infringement on neighbors with an increase in noise levels during daytime, evening and nighttime hours where no such infringement previously existed; and

Whereas, regardless the applicant specifically agreed not to operate the exterior rear garden for eating and drinking or to serve beer and wine in the rear yard without first obtaining the proper permits, LNO or certificate of occupancy which allow for eating and drinking in the rear yard; and

Whereas, the hours of operation for the Restaurant will be from 10 AM to Midnight seven days per week and the premises will operate as a full service restaurant but there will be no sidewalk café, music will be background only within the interior only, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and; and

Whereas, assuming the applicant obtains the necessary permits to use the rear yard, the applicant further agreed to limit its use of the rear yard space by operating no later than, and ceasing all business in the rear yard, lights out at 10 PM every night, there will no music in the rear yard at any time, no bars, no French or accordion doors will be installed and to close all doors and windows by 10 PM every evening; and

Whereas the applicant did meet with the Blecker Area Merchants' & Residents' Association ("BAMRA"); and

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

1. The premises will be advertised and operated as a full service Italian restaurant.

2. The hours of operation for the interior restaurant will be 10 AM to Midnight seven days per week.
3. Will not operate the exterior rear garden for eating and drinking or to serve beer and wine without first obtaining the proper permits, LNO or certificate of occupancy from the NYC Dept. of Building which specifically mentions and allows use and occupancy for eating and drinking in the rear yard.
4. The backyard garden will close at 10 PM, will cease all business operations, lights will be turned off and no patrons/staff will be permitted to remain every night, seven days per week and there will be no music, no bars and no parties in the rear yard.
5. There will be no sidewalk café.
6. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 10 PM every night.
7. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
8. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Beer and Wine license to **Romagna Corp. d/b/a t/b/a, 182 Bleecker St. 10012** **unless** the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Beer and Wine License.

Vote: Unanimous, with 38 Board members in favor.

6. Bar Giacosa Corp., d/b/a IL Pittino, 270 6th Ave. 10014 (BW Application, previously unlicensed location)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for a new beer and wine license to operate a Italian Restaurant in a historic district at 270 6th Avenue between Houston and Bleecker Streets in a seven story mixed-use building (Circa 1900); and

Whereas, this storefront location was never operated for eating and drinking, was not previously licensed for the service of alcohol and previously operated for many years as a hair salon (Yana Herbal Beauty Salon, est. 1994) and is located immediately adjacent to the main entrance to the The Little Red School House, a K-8 grammar school; and

Whereas, there is no certificate of occupancy, the building is zoned for Residential and applicant has failed to provide a letter of no objection from the NYC Building Dept. for eating and drinking at the storefront premises; and

Whereas, the interior space will have to be gutted and a kitchen with mechanical systems installed, the interior storefront space being only 381 SF on the first floor storefront with an additional 100 SF basement, there will be 9 interior tables with 18 seats, 1 stand up bar with 9 seats for a total number of interior patron seats at 27, there will be one bathroom, there will be no TVs, music will be background only and the hours of operation for the Restaurant will be from 12 PM to Midnight seven days per week; and

Whereas, the applicant also seeks to operate a sidewalk café with 6 tables and 12 seats; and

Whereas, the applicant already operates an Italian restaurant called Bar Pitti located next door at 268 6th Avenue within two separate storefronts and accordion doors that permit the entire front façade of the restaurant to open out to the sidewalk and further operates with a large sidewalk café with 25 tables and 50 seats; and

Whereas, there are concerns with the lack of any permit to operate the storefront for eating and drinking, that the diagram submitted did not identify or outline a full service kitchen or how certain mechanical systems could be installed for a full service kitchen, that the premises have never been used for eating or drinking or previously licensed for the service of alcohol, that the storefront premises is located immediately next door to the main entrance to a grammar school, that the applicant currently operates an Italian Restaurant in the same building which already occupies two storefronts with an expansive outdoor sidewalk operation, and that currently there is also a second significantly sized restaurant located adjacent to the existing Italian restaurant in the same building occupying an additional three storefronts, for a total of five of six existing storefronts being used for eating and drinking, each with extensive sidewalk café operations; and

Whereas, there are additional concerns regarding the proposed sidewalk café being located over or immediately adjacent to Little Red Square Park, a New York City Public Park located directly in front of the premises; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to **Bar Giacosa Corp., d/b/a IL Pittino, 270 6th Ave. 10014** on its application seeking an BW license; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered, the SLA measure and determine that the proposed sidewalk café does not encroach or improperly infringe upon the public park known as Little Red Square; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB#2, Man, respectfully requests that this item be Calendared to appear before the Full Board of the SLA.

Vote: Unanimous, with 38 Board members in favor.

7. 13 Sullivan Gents LLC, d/b/a 142 Sullivan, 142 Sullivan St. 10012 (BW, previously licensed location)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for a new beer and wine license to operate a "quiet neighborhood sitting room where patrons can gather with friends or come to study or work during the day" in a small 600 SF storefront (300 SF first floor and 300 SF basement) with one entrance/exit, one bathroom located on a narrow street in a historic district in the north storefront of 142 Sullivan Street between Houston and Prince Streets in a mixed use building (Circa 1900); and

Whereas, residents who live on the same block and who live directly across from the storefront premises appeared and wrote letters in opposition to the license application, voicing significant concerns about noise, music, late night operations and crowds on the sidewalk that previously existed at these same premises when it was operated as the Room; while also outlining their concerns as to the proliferation and over-saturation of liquor licenses on this particular block, which prior to 2009 only had one such licensed

premises whereas now in 2015 there are six such licensed premises, with additional notices currently received for additional applications, with a significant increase in noise levels with late night hours that did not previously exist; and

Whereas, there were additional concerns voiced that the two applicants (John Mills-Pierre and Bryan Joffe) had a partnership with a third party (Thomas Desimone) who currently operates RBBTs, a café located in the southern storefront of the same building at 142 Sullivan, to combine the two storefronts in some form; and

Whereas, the two applicants affirmatively stated that they will be the only two owners of 13 Gents, LLC and that they would be the only two persons on the license, that they reside on the same block, that they have no desire to operate with late night hours like “The Room” previously did and assured CB2, Man. SLA Committee that they would be good neighbors to the other residents living immediately adjacent and across the street from the storefront premises; and

Whereas, in light of the concerns of its existing neighbors, the applicants also agreed to hours of operation from 1 PM to 11 PM Sunday through Thursday and from 1 PM to 12 AM (Midnight) on Fridays and Saturdays, there will be 7 tables with 24 seats, one bar with 4 seats for a total number of interior patron seats at 28, there is only one bathroom, there will be no TVs and music will be background only; and

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

1. The hours of operation will be from 1 PM to 11 PM Sunday through Thursday and from 1 PM to 12 AM (Midnight) on Fridays and Saturdays.
2. There will be no sidewalk café.
3. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 9 PM every night.
4. Music will be quiet, background level inside the restaurant and there will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged
5. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Beer and Wine license to **13 Sullivan Gents LLC, d/b/a 142 Sullivan, 142 Sullivan St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Beer and Wine License.

Vote: Unanimous, with 38 Board members in favor.

8. Black and Tan Restaurant Group LLC d/b/a Lock, Stock & Barrel, 167 Bleecker St. 10012 (seeking transfer from existing OP license, Pasta & Potatoes, Inc. d/b/a Village Lantern Lic. # 1024128)

Whereas, the existing owner has not been directly involved in the day to day operations of the existing business for many years and now seeks to transfer the current license to her three children, who have for the most part, been directly involved in the business operation known as the Village Lantern for many years; and

Whereas, the existing business operates until 4AM every night, seven days a week and is located in a 5,000 SF (2,500 basement/2,500 ground floor) space in a five-story mixed-use building in a landmarked building (circa 1900) in a historic, landmarked neighborhood on Bleecker Street between Thompson and Sullivan Streets; and

Whereas, for close to a decade the existing business operation has been a persistent source of noise and noisy crowds, particularly late at night but also during the day when sporting events occur, blasting music through its open doors out to the public sidewalk and for years has been *operating a comedy club in the basement without any alteration to the existing license which does not include the basement as part of their diagramed premise for patrons*; and,

Whereas, the use of the basement for patrons at these premises is highly questionable in that there are currently no permits issued by the New York City Department of Buildings for any basement usage other than for storage and the existing letter of no objection for eating drinking use is limited to the ground floor only for 74 or less patrons; and

Whereas, based on previous testimony and members of the community who appeared and sent correspondence and observation by members of the Committee the following complaints were noted as follows:

1. Entertainment level music and noise emanating from the premises on some late afternoon and early evening hours from DJ's, Live Music or Sports Programming on 10 TV's in violation of NYC Noise Code Laws and Ordinances, particularly on weekends and also particularly in warm weather months because the large accordion doors which front the premises remain open.

2. Contrary to existing stipulations, the large accordion doors and windows which front the premises are not closed on a regular basis resulting in entertainment level music and noise emanating from the premises from DJ's, Live Music or Sports Programming on 10 large flat screen TV's in violation of NYC Noise Code Laws and Ordinances after 11 pm, particularly on weekends in violation of NYC Noise Code Laws and Ordinances and also particularly in warm weather months.

3. The Licensee appears to regularly violate Department of Buildings and other codes as they relate to Occupancy in excess of 74 persons resulting in unsafe conditions, which may be a threat to public safety, particularly on weekends.

4. The Licensee does not possess a Place of Assembly Permit allowing occupancy above 74 persons but the Licensee allows more than 74 persons into the premises on many weekend evenings.

5. The Licensee operates an illegal comedy club in the basement and the comedy club is advertised online and by "barkers" on the street steering customers into the basement, which is contrary to approved uses by the NYC Buildings Department in that patron occupancy is not legally allowed in the basement.

6. The Licensee has an unauthorized bar and illegally serves liquor to patrons and allows patrons to consume alcohol in the basement of the premises.

7. The Licensee has illegally extended their licensed premises into the basement and added an additional standup bar without filing the proper documentation or notice with CB#2, Man. or the Liquor Authority.

Whereas, the existing licensee and applicants herein, who admit to operating the premises for many years without the direct involvement of the current licensee, have a long documented history of quality of life complaints with CB2, Man. which the applicants have repeatedly promised to resolve in the past but never has, resulting in three license denial recommendations to the SLA from CB2 Man. (April/2012 renewal, February/2014 license transfer and April/2014 renewal); and

Whereas, even though this establishment is one of the most significant contributors to excessive noise along the Bleecker Street Corridor with over 55 On Premise liquor licenses within 500 feet of this particular establishment, the applicants, who are current and/or former members of Bleecker Area Merchants' & Residents' Association ("BAMRA"), refuse to acknowledge the on-going problems with the establishment, deny there are issues, fail to provide any recommendations to resolve the noise problems and instead question whether they have to close their doors during the day, evening or at night when entertainment level music is blasting out of the premises onto the public sidewalk;

Whereas, multiple videos undertaken in the last 15 days of the application were presented to CB2 Man.'s SLA Committee demonstrating the open accordion doors late at night with entertainment level music emitting from the establishment out onto the public sidewalk and with barkers on the public sidewalk in front of the premises advertising certain entertainment being provided within the premises; and

Whereas, the applicants also presented a Security Manager in support of its transfer application who claimed that he is present during day time and night time hours in front of the premises to prevent noise and crowds from gathering in front of the Establishment but is seen in one of the videos running into the establishment so that he would not be seen on the video; and

Whereas, as current and/or former members of BAMRA it was felt that the applicants should be taking much greater responsibility for their prior actions within their own neighborhood, that they should not only be working with the surrounding neighborhood and residents to alleviate and to ameliorate the on-going problems at this establishment but should also be shutting its exterior doors at all times, preventing crowds and barkers from gathering on or about the public sidewalk in front of the premises and instead setting an example for other businesses to follow in a mixed use neighborhood already over-saturated with late night bars and entertainment establishments; and

Whereas, in CB2 Manhattan's original resolution in regards to the initial application of the current licensee dated June 29th, 1997 it states in part:

Whereas, nine feet of French doors kept open in clement weather and a DJ booth (as well as occasional live music) raise the issue of potentially loud noise impacting the street. During considerable discussion, the applicant assured CB2-Man. that it installed soundproofing, will keep the music level down so as not to disturb the residents, and has been and will be responsive to neighbor's complaints; and"

Whereas, when the existing licensee last appeared before CB2 Man. on December 22, 2005, the licensee and her family agreed that "no changes would be made to the current operation" and that "music would be background only";

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Black & Tan Restaurant Group LLC d/b/a Lock, Stock & Barrel, 167 Bleecker St. 10012** on its application seeking to transfer the existing on-premise liquor license.

Vote: Unanimous, with 38 Board members in favor.

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

9. Indorama Inc., d/b/a Mirch Masala, 95 MacDougal St. 10012 (failed to appear)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 12th, 2015 the principal/applicant failed to appear before CB2, Man. for consideration regarding its application; and,

Whereas, this application is for a Beer Wine license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Indorama Inc., d/b/a Mirch Masala, 95 MacDougal 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 38 Board members in favor.

10. Doshermanos, LLC, 95 MacDougal St. Store B 10012 (withdrawn by attorney)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 12th, 2015 the principal/applicant requested to withdraw this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for a Beer Wine license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Doshermanos, LLC, 95 MacDougal 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 38 Board members in favor.

11. An Entity to be Formed by Daniel La Vain, 144 Sullivan St. 10012 (failed to appear)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 12th, 2015 the principal/applicant did not appear before CB2 for consideration regarding its application; and,

Whereas, this application is for a Beer/Wine license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **An Entity to be Formed by Daniel La Vain, 144 Sullivan 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 38 Board members in favor.

12. Greek Natural Foods, d/b/a Greecologies, 379 Broome St. 10013 (RW laid over at request of attorney)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 12th, 2015, the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for an alteration of an existing Beer Wine license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Greek Natural Foods, d/b/a Greecologies, 379 Broome St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

13. Lihou LLC, 160-162 Prince St. 10012 (on-premise, laid over at request of attorney)

Whereas, in the afternoon just prior to this month's CB2 SLA Licensing Committee meeting on May 12th, 2015, the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, despite the last second cancelation by the applicant there were over 30 residents living in or around 160-162 Prince Street who appeared in opposition to this application for an On Premise license and CB2 Man. previously received numerous letters and correspondence opposing this application;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Lihou LLC, 160-162 Prince St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

14. 406 Broome St. Rest. Inc., d/b/a Brinkley's, 162 Prince St. 10016 (on-premise) (Removal of OP to new location) (withdrawn by attorney)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 12th, 2015, the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for a removal of an existing On Premises license to a new location;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed removal to the On Premise license to **406 Broome St. Rest. Inc., d/b/a Brinkley's, 162 Prince St. 10016** 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 38 Board members in favor.

15. Piacere Enterprises LLC, 351 Broome St. 10013 (upgrade from RW) (attorney requested layover)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 12th, 2015 the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for an On Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Piacere Enterprises LLC, 351 Broome St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

16. Elmer Kennedy LLC, 86 Kenmare St. 10012 (on-premise, withdrawn at request of applicant and attorney)

Whereas, immediately after this month's CB2 SLA Licensing Committee meeting on May 12th, 2015, the principal/applicant requested to withdraw this application from any further consideration by CB2 Man. and indicated that it will be serve CB2 Man. with a new 30 day notice for a Beer and Wine license application at the same premises in June/2015; and,

Whereas, residents living in or around 86 Kenmare Street appeared in opposition to this application for an On Premise license and CB2 Man. previously received numerous letters and correspondence opposing this application; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed On Premise license to **Elmer Kennedy LLC, 86 Kenmare St. 10012** should this application proceed directly to the SLA.

Vote: Unanimous, with 38 Board members in favor.

17. 74 8th Ave., Inc., d/b/a North Village Deli Emporium, 78 8th Ave. 10011 (New Eating Place Beer)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new eating place beer license for a previously licensed location pursuant to a purchase of assets for a traditional NY Deli/Grocery/Salad Bar with Patron seating; and,

Whereas, this application is for a eating place beer license located in a 2-story commercial use building located on the ground floor and 2nd floor for patrons (non-patron accessory use in the basement) on 14th St. between 7th Ave. and 8th Ave. for a roughly 5,520 sq. ft. premise (1,840 sq. ft. ground floor and 1,840 sq. ft. 2nd floor for patron use and 1,840 sq. ft. basement for accessory non-patron use only) with 29 tables and 58 seats and no standup or service bars, for a total of 58 interior seats, there is no sidewalk café, there are no other outdoor areas for patrons and no rooftop or rear yard for patron use or benches on the sidewalk, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be 24 hours a day 7 days a week with alcohol sales taking place within the legal hours of sale, the 2nd floor seating area will be closed from midnight to 6am, there will be no music, all doors and windows will be closed at 10 pm except for patron ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the Eating Place Beer license stating that:

1. The premises will be advertised and operated as a traditional NY Deli/Grocery/Salad Bar with Patron seating.
2. The hours of operation will be 24 hours a day, 7 days a week, with alcohol sales taking place within the legal hours of sale.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, rooftop area, or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play no music.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. All doors and windows will be closed at 10pm except for patron ingress and egress.
10. There will be no patron use of the basement.
11. There will be no sidewalk café.
12. The 2nd floor seating area will be closed each day from 12am (midnight) to 6am with no patrons remaining on the 2nd floor between those hours. A smaller seating area on the ground floor will remain available 24 hour a day.

Whereas, there are currently approximately 14 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Eating Place Beer license for **74 8th Ave., Inc. d/b/a North Village Deli Emporium, 78 8th Ave. 10011** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Eating Place Beer License.

Vote: Unanimous, with 38 Board members in favor.

18. MCD Hospitality LLC, d/b/a Le Baratin 26 Greenwich Ave. 10011 (RW SN1269263 – Renewal)

Whereas, the 3 Principals appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present a renewal application that was placed on CB2’s Agenda at the request of members of the community based on complaints; and,

Whereas, the applicant had originally appeared in December/2012 before CB2, Man. and entered into a detailed stipulations agreement which was subsequently incorporated into the “method of operation” for their Restaurant Wine license SN#1269263; and

Whereas, complete details regarding the “method of operation” are encapsulated in the December/2012 Stipulations agreement and in CB2’s December 2012 resolution regarding this application; and,

Whereas, a number of letters in opposition to the renewal of this license were submitted outlining similar complaints and a resident who lives across the street appeared in opposition indicating that she represented the interests of others living in the same building but who could not appear; and,

Whereas, some of the reasons put forth for opposing the renewal of this license are: **(1)** Sidewalk congestion and crowding as a result of patrons waiting to enter, loitering after exiting and smoking and a general lack of management by restaurant staff (violation of stipulations), **(2)** Music volumes at levels higher than background level which is occasionally audible outside the establishment (violation of stipulations), **(3)** Doors remaining propped open during the day and evening allowing music and patron noise to be heard outside the establishment (violation of stipulations), **(4)** issues and complaints not resolved by Principals despite reaching out to them directly at various times of the course of over 1 year, **(5)** Complaints regarding the unresponsiveness, unprofessional attitude and general lack of interest of Principals to be good neighbors, **(6)** issues are predominately occurring on weekends after 10 pm until 1 am and during various specific sporting or cultural events; and,

Whereas, the complaints are documented in the form of photographs, videos, and detailed emails, copies of which were provided to CB2’s SLA Licensing Committee and the dates of these span over 1 year; and,

Whereas, 4 members of the public spoke in support of the Licensee and a number of letters were provided in support by area residents, with 1 exception, most of those speaking and writing in support did not live on the immediate block or directly across the street; and,

Whereas, after a discussion of the complaints, a pointed reminder that a bit more professional tone in responding to complaints might help de-escalate interactions, and some thoughts from the Principals on some resolutions to the various issues, the Licensee agreed to make a more concerted effort to adhere to the existing stipulations and work with its neighbors to protect the quality of life for local residents as they relate to noise, and agreed to have a staff member outside monitoring the sidewalk area after 11 pm on Thursday, Friday and Saturday nights until closing to help prevent crowds from forming on the public sidewalk; and,

Whereas, as a sign of good faith and cooperation, the Licensee agreed to execute additional stipulations with CB2, in addition to any existing stipulations with CB2, that they agreed they would submit to the SLA as a condition of the renewal and agreed would be additionally attached and incorporated in to the existing method of operation on the restaurant wine stating that:

1. All existing stipulations will remain in effect and will be adhered to.

2. Licensee will have a staff member outside after 11pm monitoring sidewalk area on Thursday, Friday and Saturday evenings until closing.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the renewal of the existing restaurant wine license SN1269263 for **MCD Hospitality LLC, d/b/a Le Baratin 26 Greenwich Ave. 10011** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the existing SLA Restaurant Wine License.

Vote: Unanimous, with 38 Board members in favor.

19. CGM LLNR, LLC, d/b/a Asia de Cuba, 415 Lafayette Street (New OP)

Whereas, this application is for a new restaurant on-premise liquor license for a currently licensed premise for a currently operating “upscale restaurant/cocktail lounge specializing in gourmet Cuban food and specialty cocktails” to reflect a new corporate identity and structure; and,

Whereas, this application is for a new On Premise license in a mixed-use building, located on Lafayette St. between 4th Street and Astor Place (Block #544 / lot #11), for a 7,000 sq. ft. premise (4,000 on ground floor and 3,000 in cellar), there will be 38 tables 160 seats and 2 bars with 20 seats; there is no sidewalk café and no backyard for patron use, and the maximum occupancy is 251 people; and,

Whereas, the hours of operation for the premises will continue to be Sunday to Saturday from 11:00 a.m. to 4:00 a.m.; music will be background only, there will be no d.j., no promoted events, no scheduled performances or cover fees, there will be no TV’s; and,

Whereas, there will continue to be private parties and ropes and barricades will be used on occasion; and

Whereas, 2 of the 3 principals of the applying entity have been principals on previous licenses at this location for more than a decade and all 3 of the principals have extensive experience and have all held multiple licenses within CB2, Man. in addition to being principals on other licenses in New York City and other states; and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the SLA On-Premise Restaurant license stating that:

1. The premises will be advertised and operated as an upscale restaurant/cocktail lounge specializing in gourmet Cuban food and specialty cocktails.
2. The hours of operation will be Sunday to Saturday from 11:00 a.m. to 4:00 a.m.
3. The premises will not operate as a tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, rooftop area, or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.

9. The Premises will have background music only.
10. Licensee will manage traffic issues as needed.
11. Security will be present as needed.

Whereas, there are currently approximately 10 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License for **CGM LLNR, LLC, d/b/a Asia de Cuba, 415 Lafayette Street** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 38 Board members in favor.

20. Chef’s Club NY, Inc. d/b/a Chefs Club by Food & Wine, 275 Mulberry St. 10012 (OP – Corp Change, SN#1275184)

Whereas, the applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a “corporate change” to the existing License (SN#1275184) which is a fine dining restaurant with an open kitchen and showcases menus of rotating guest chefs; and,

Whereas, the “corporate change” instant application is to reflect that “an intermediate entity has been added to the corporate structure; one of the members, who did not take an active role in the operation of the business, is gifting his interest to his niece, who will also not take an active role in the operation of the business; Stephanie DeBaets is the person authorized to make management and corporate decisions and that authority will continue”; and,

Whereas, Licensee originally appeared before CB2, Man. in November/2013 and the Licensee entered into a series of Stipulations with CB2 that the Licensee agreed would be incorporated into the “Method of Operation” on their SLA Restaurant On-Premises Liquor License at that time; and,

Whereas, the Licensee executed a additional stipulations agreement in May/2015 with CB2, Man. that they agreed to submit to the SLA along with their current “Corporate Change” application and agreed would be additionally attached and incorporated in to the method of operation on the restaurant on-premise liquor license SN#1275184 stating that:

1. All existing stipulations will remain in effect.
2. The May 2015 presentation to CB2, Man. is only for a “Corporate Change” as presented.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Corporate Change application for the Existing On-Premise Liquor License SN#1275184 for **Chef’s Club NY Inc., d/b/a Chefs Club by Food & Wine, 275 Mulberry St. 10012** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are further incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 38 Board members in favor.

21. COS206, LLC d/b/a Costata, 206 Spring St. 10012 (Corporate Change Application and Alteration Application OP SN#1269024)

Whereas, the applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present 2 applications to the Liquor Authority; (1) an application to the Liquor Authority for a "corporate change" to the existing Licensee, SN#1269024 and (2) an alteration application to the existing License SN#1269024; and,

Whereas, the restaurant "Costata (which means rib eye in Italian) is a contemporary steak concept; the menu features an extensive selection of dry aged meat, innovative raw seafood crudos, house made pastas, and modern takes on traditional steakhouse appetizers"; and,

Whereas, the "corporate change" application will reflect a change in COS206, LLC from the current ownership structure which is for Ahmass Fakahany with 60% interest and Michael White with 40% interest to COS206, LLC having Altamarea Group, LLC ("AG") with 100% interest, with Ahmass Fakahany having 70% interest in AG and Michael White having 30% interest in AG; and,

Whereas, the "alteration" application will reflect (1) replacing three 6-person tables in the middle of the ground floor with four 4-person tables as indicated in provided diagrams and (2) extending the stand-up bar on the ground floor by approximately 4 ft 8 in and adding a return of about 6 ft. 6in., which will provide 4 additional bar stools for a total of 11 bar stools; and,

Whereas, Licensee originally appeared before CB2, Man. in January/2013 and the Licensee entered into a series of Stipulations with CB2 that the Licensee agreed would be incorporated into the "Method of Operation" on their SLA Restaurant On-Premises Liquor License at that time; and,

Whereas, the Licensee executed an additional stipulations agreement with CB2 in May/2015 that they agreed to submit to the SLA along with their current "Corporate Change" and "Alteration" applications and agreed would be additionally attached and incorporated in to the method of operation on the current restaurant on-premise liquor license SN#1269024 stating that:

1. All existing stipulations will remain in effect.
2. There is a Corporate Change as presented in May/2015 to CB2 Manhattan.
3. The alteration application is only for a modification to the seating diagram and bar diagram only as presented to CB2, Man. in May/2015.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Corporate Change application and Alteration Application for the Existing On-Premise Liquor License SN#1269024 for **COS206 LLC, d/b/a Costata, 206 Spring St. 10012** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are further incorporated into the "Method of Operation" on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 38 Board members in favor.

22. Adoro Lei LLC d/b/a Adoro Lei, 287 Hudson St. 10013 (OP Alteration SN#1274447 - Add SWC)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an "alteration" application to the Liquor Authority for their existing Restaurant On-Premise Liquor License SN#1274447 to add a NYC Department of Consumer Affairs Licensed Sidewalk Café consisting of 7 tables and 14 seats to the Licensed Premises; and,

Whereas, the restaurant Adoro Lei is an “Italian American restaurant focusing on Neapolitan pizza and shared plates”; and,

Whereas, the “alteration” application will reflect the addition of a NYC Department of Consumer Affairs Licensed Sidewalk Café consisting of 7 tables and 14 seats NYC to the premises as presented to CB2’s SLA Licensing Committee and indicated in provided diagrams and plans; and,

Whereas, Licensee originally appeared before CB2, Man. in October/2013 and the Licensee entered into a series of Stipulations with CB2 that the Licensee agreed would be incorporated into the “Method of Operation” on their SLA Restaurant On-Premises Liquor License at that time; and,

Whereas, the Licensee executed an additional stipulations agreement with CB2, Man. in May/2015 that they agreed to submit to the SLA along with their current “Alteration” application and agreed that they would be additionally attached and incorporated in to the method of operation on the current restaurant on-premise liquor license SN#1274447 stating that:

1. Will install a Department of Consumer Affairs/New York City Landmarks Commission approved retractable awning.
2. Will extend retractable awning by 9pm until closing each night.
3. All existing stipulations from October/2013 will remain in effect except for addition of sidewalk cafe.
4. Will operate sidewalk café only in licensed seating configuration and during permitted hours of operation.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Alteration Application for the existing Restaurant On-Premise Liquor License SN#1274447 for **Adoro Lei LLC d/b/a Adoro Lei, 287 Hudson St. 10013** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are further incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 38 Board members in favor.

23. Archbishop Fulton J. Sheen Center, Inc., d/b/a Sheen Center, 18 Bleecker St. 10012 (New RW)

Whereas, the applicant and senior staff members appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a beer and wine license for the recently opened Sheen Center located at 18 Bleecker St in April 2015; “The Sheen Center is a forum to highlight the true, the good, and the beautiful as they have been expressed throughout the ages. Cognizant of our creation in the image and likeness of God, the Sheen Center aspires to present the heights and depths of human expression in thought and culture, featuring humankind as fully alive. At the Sheen Center, we proclaim that life is worth living, especially when we seek to deepen, explore, challenge, and stimulate ourselves, Catholic and non-Catholic alike, intellectually, artistically, and spiritually”; and,

Whereas, this application is for portions of the building known as the Sheen Center located on the Southwest corner of Bleecker St. and Elizabeth St, the portions of the Sheen Center complex to be licensed encompasses 2 Theaters and an Art Gallery, as outlined in detail in the stipulations below, that will host live performances, film screenings, festivals, art shows and gallery related events and other gatherings that fit with the Sheen Center’s mission; there will be no outdoor areas for patrons or guests anywhere within the building and no benches on the sidewalk, there is an existing final Certificate of Occupancy; and,

Whereas, the applicant conducted extensive outreach efforts and met with members of the community, members of the public, members of the local neighborhood association and the local stakeholders organization and members of CB2, Manhattan; and,

Whereas, the applicant has already been operating the Sheen Center since the Summer of 2014 and there have been only a few complaints and steps have been taken to minimize the occurrence of similar future issues through adoption of best practices procedures; and,

Whereas, one of the local neighborhood stakeholder groups, The Noho Bowery Stakeholders submitted a petition in opposition with 68 signatures citing a number of concerns and requests for clarifications and the establishment of stipulations relating to the operation of the Sheen Center; a number of residents and residents representatives also spoke in opposition and stated reasons for objecting included increased noise from patrons entering and exiting the Sheen Center, that this is a quiet residential area with families, that there are already too many establishments dedicated exclusively to drinking in the immediate area, that loud disorderly patrons of the Sheen Center would disrupt quality of life for residents in surrounding buildings, that increased pedestrian congestion would overwhelm already over taxed sidewalks in the area and vehicles bringing patrons to the Sheen Center and picking up passengers after performances would further exacerbate known traffic issues during peak performance times and peak traffic times, and several specific incidents which occurred in the past year were raised for which there were complaints including a festival which occurred last year and a more recent incident concerning buses discharging, parking and idling and picking up patrons of the Sheen Center; and,

Whereas, the applicant, in response to a request from CB2, Man., agreed to lay this application over for 1 month in March 2015 and returned to CB2, Man. in April 2015 with a list of stipulations that they would adhere in response to concerns from local residents and stakeholder groups and CB2, Man; and,

Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the their beer & wine license stating that:

1. The licensed premises will consist of [1] The Loreto Theatre containing 293 seats (service area includes the lobby entrance area, main seating area, mezzanine, mezzanine lobby and Elizabeth St lobby/gallery) [2] the Black Box Theatre containing 80 seats (includes the main seating/performance area and separate dedicated lobby area) and [3] the art gallery in the Loreto Theatre Elizabeth St. Lobby. These areas are clearly delineated on diagrams presented to CB2, Manhattan.
2. The Sheen Center is normally open 7 days a week from 9am – 11pm for patrons in the various portions of the Sheen Center; many of the uses are in areas which will not permit service of beer or wine including rehearsal rooms. There may be occasional rehearsal or technical rehearsals outside those times that will not include the service of Beer & Wine. Beer & Wine Service will be limited as described below.
3. Events involving an audience are required to end by 11pm.
4. At no time will the Sheen Center utilize DJ's, allow patron dancing, utilize velvet ropes or other barricades to queue patrons or otherwise block areas of the sidewalk on the exterior of the building, use "red carpets" on the sidewalk or otherwise restrict access to the sidewalk surrounding the Sheen Center.
5. The Sheen Center will abide by all the regulations of the Department of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, Place of Assembly Permits and exterior signage, modifications and design.

6. The Sheen Center will assign at least one person (“Community Liaison”) who will be available to speak with local residents during normal weekday business hours concerning any matters related to compliance with the terms of these stipulations or other concerns of local residents
In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of these stipulations in the event emergency contact is required.
7. The Sheen Center will operate the venue in compliance with all NYC Noise Code standards, in particular as they pertain to any amplified sounds, non-amplified sounds, and HVAC or other mechanical system sounds that are audible in adjacent residential apartments or outside the premises.
8. Loading in and out of the Sheen Center for any event will occur only during the normal operating hours of 9am – 11pm. Full theatrical sets or large amounts of production equipment that require large trucks will not be allowed to load out past 9pm. The Sheen Center requires large load-outs to begin and end the following day of the last performance from 9am – 9pm, so as to avoid post-show load-outs. Smaller load-outs that are going into someone’s car or minivan will be allowed until the Sheen Center closes at 11pm. Under no circumstances will any load-out/in occur prior to 9am or past 11pm.
9. Contact Information - Administrative personnel staff are available via the Sheen Center’s main phone line during all open hours of operation and are able to put any caller with real-time complaints in touch directly to a senior staff member authorized to make decisions and rectify any ongoing situation. This person is stationed at the main operating entrance on Elizabeth St. This staff member will also log all complaints and provide senior management with all complaint information on an ongoing and timely basis. The phone number for the Sheen Center is 212-219-3132. Dial 0 to speak with the administrative staff on duty at anytime the Sheen Center is open.
10. Staffing at The Sheen Center - The Sheen Center is comprised of the following staff, which is subject to change. Executive Director: William Spencer Reilly, Executive Assistant: Mary Ann Randazzo, Director of Production and Operations: Benjamin Williams, Associate Director of Production: Aaron Mack, Freelance Production Personnel: Various positions as needed, Facilities Manager: Ray Cuddy, Full-Time Porter: Charles Oliver, Front of House Manager: Kyle Leacock, Other House Managers, Ushers, Concessions/Bar Staff, Box Office Staff, Administrative Front Desk Staff, Marketing Associate: Sean Leo, Programming Manager: Mandy Rinzel, Managing Director: Currently being filled, Director of Film, Television, and Mission Outreach: Currently being filled, GBCA Producing and Programming Consultants: Gary Bernstein and Jessica Bashline. It is anticipated that the Sheen Center will continue to have a full staff similar with similar positions to those outlined above running various components of the Sheen Center on an ongoing basis.
11. Beer and Wine Service Plans - The Sheen Center will have a total of 4 service stations: [1] Black Box Concessions Area [2] Loreto Theatre Bleecker Lobby [3] Loreto Theatre Mezzanine Lobby [4] Loreto Theatre Gallery Lobby. The Black Box concessions area [1], and the Loreto Theatre Bleecker Lobby [2] are both fixed service areas. The Loreto Theatre Mezzanine Lobby [3] and the Loreto Theatre Gallery Lobby [4] will consist of one mobile cart each. The mobile carts in areas [3] and [4] will have a fixed location when in use, and are only mobile for storage needs when not in use. All service areas are clearly designated on diagrams presented to CB2, Manhattan and do not include areas of the Sheen Center which are used for temporary housing, for rehearsal spaces, office space or other uses. All concessions staff responsible for overseeing or serving patrons beer and wine will be TIPS trained.

Beer and Wine Service Times – Service will only occur as follows:

Live Performances - 30 minutes prior to the beginning of a performance and during intermission, if there is an intermission, for no longer than 30 minutes. The service stations will be closed during any live performances and immediately following intermission and will not reopen after the live performance ends until the following event of there is one. All patrons will be ticketed or on a guest list.

Special Events/Fundraising Galas - The Sheen Center will occasionally hold post-show receptions during which wine and beer will be served. These receptions will not last longer than an hour past the performance, and patrons will not be served any beer or wine past the closing of the building (11pm). All patrons will leave the premises by 11:15pm. These post-show receptions will be limited to no more than 4 times per year. It is also anticipated that The Sheen Center will host fundraising galas quarterly. Beer and wine will be served at the galas. Galas will not serve beer or wine past midnight. All patrons will have exited the premises by 12:15am. Fundraising galas will be limited to no more than 4 times per year. CB2 and local community organizations will be notified of all such post-show receptions and galas no less than 10 ten days in advance of each occurrence.

Gallery Openings and events in the Loreto Theatre Gallery Lobby/Space [4] – Occasionally the Sheen Center will host a gallery opening for the presenting artist. Gallery openings normally occur between 5pm – 9pm and are by invitation only. Additionally, the Loreto Theatre Gallery Lobby/Space may be used by other groups for small receptions or gatherings. Beer and Wine service in the Loreto Theatre Gallery Lobby/Space will never occur outside the hours of 5pm to 9pm and all events will be by invitation only. At no time will any use of the Loreto Theatre Gallery Lobby/Space overlap with another event that is using the main Loreto Theatre Space, and as such, there will not be two events attempting to be served wine or beer at the same time at the same service station.

Film Screenings - The same procedure as a “Live Performance” will be followed (detailed above).

Festivals - The same procedure as detailed under “Live Performance” will be followed for festivals.

Matinees and Festivals Times - On matinee and festival days, no wine or beer will be served prior to 12:30pm. After 12:30 pm, wine and beer will only be served 30 minutes prior to each performance, and during intermission, if applicable. At the end of intermission, service will be suspended until the following use of the space or performance.

12. Customer/Community Complaint Procedure - Contact the Front Desk at 212-219-3132 x0. Depending on the nature of the complaint, the front desk will alert the appropriate manager on duty. All complaints, comments, concerns, actions taken and resolutions are logged at the end of each shift and are reviewed by the Director of Production and Operations daily. Appropriate follow-up action is taken if required. All incidents are recorded via a closed circuit camera system and are reviewed by the Director of Production and Operations.
13. Access to Various Parts of the Sheen Center - Only ticketed patrons are allowed access to the relevant theatres and areas. The Sheen Center Front of House staff is responsible for the monitoring and directing of patron movement. Guests that are residing on the 4th or 5th floors, renters of rehearsal studios, and groups in theatres during non-performance times do not have access to the areas where beer and wine are served and those areas are considered separate areas for the purposes of the Licensed Premises. All fire exits and egress paths are strictly adhered to and the separation of spaces throughout the building does not affect the egress paths used by anyone attempting to exit the building in the event of an emergency.
14. Sidewalks and Exiting - Sheen Center staff will make every attempt to keep the sidewalks surrounding the building clear and as quiet as possible. Following performances in the Loreto Theatre and the Black Box Theatre, a post-show announcement will remind patrons of the residential neighborhood and direct them to subways and appropriate locations to hail a cab.

Ushers will be stationed at the exits to help move people in and out of the building and answer any questions regarding directions, area restaurants/etc. as well as monitor congregating and noise levels on the street. As needed, 2 ushers may be assigned to patrol the exterior sidewalk in areas immediately adjacent to the Sheen Center. The Sheen Center staff will use best practices to make every effort to immediately respond to congregating or noisy patrons.

15. Buses and Vans discharging or loading visitors, patrons or guests of The Sheen Center, to the extent possible, will be reminded to comply with all New York City and New York State Laws and Regulations while loading and unloading passengers and will be requested to limit idling in compliance with NYC and NYS regulations and will be requested to park or layover only in legally permitted areas. The Sheen Center will also create an information handout sheet for bus and van drivers including information on where they may find legal parking/layover areas in the surrounding neighborhood. If requested, the Sheen Center will also designate a staff member to act as a liaison for bus and van drivers to facilitate pickups, drop offs and notifications that groups are ready for pickup. The Sheen Center will endeavor at all times to ensure that no travel lanes or bike lanes on Bleecker St. are obstructed at any time by buses or vans that are associated with drop-offs, pickups or loading or unloading at the Sheen Center and will discourage at all times any use of vans or buses on Elizabeth St to discharge or pickup passengers. The Sheen Center will as a policy ask that no buses, vans, trucks or any commercial vehicles affiliated in any way with the Sheen Center utilize any areas on Elizabeth Street between Houston and Bleecker St. due to the narrow width of the Street and narrow sightlines for pedestrian and bicyclist safety.
16. The Sheen Center, at the request of CB2, Manhattan will revisit any of the above stipulations as they relate to quality of life issues and will work with CB2, Manhattan to create additional best practices to mitigate any ongoing issues, specifically these issues most likely may relate to patron management outside the Sheen Center and vehicular traffic management outside the Sheen Center.
17. Any changes to the Method of Operation or other changes to beer and wine service or areas of service as indicated above and in materials submitted to CB2, Manhattan will require proper 30 day notice to CB2, Manhattan in conjunction with an alteration application to the Liquor Authority. CB2, Manhattan makes no representations as to any future actions and may choose not to recommend any alterations.

Whereas, there are currently approximately 24 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Beer and Wine License for **Archbishop Fulton J. Sheen Center, Inc., d/b/a Sheen Center, 18 Bleecker St. 10012** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Beer & Wine License.

Vote: Unanimous, with 38 Board members in favor.

24. La Gringa Christopher Street Corp., 82 Christopher St. 10014 (New RW)

Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a previously licensed restaurant wine location for a “small restaurant that serves great Mexican/American food to our community”; and,

Whereas, this application is for a new restaurant wine license located in a 5-story mixed-use building located on the ground floor (and basement for storage only) on Christopher St. between Bleecker St and 7th Ave South for a roughly 700 sq. ft. premise with 9 tables and 22 seats and 1 standup with no seats for a total of 22 interior seats, there will not be a sidewalk café because the premises is unable to have a sidewalk cafe, there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be Sunday to Wednesday from 12pm to 11pm and Thursday to Saturday from 12pm to 12am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed by 9pm except for patron ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

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

1. The premises will be advertised and operated as a small restaurant serving Mexican/American food.
2. The hours of operation will be Sunday to Wednesday from 12pm to 11pm and Thursday to Saturday from 12pm to 12am (Midnight). All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French Doors, Operable Windows or open facades and all doors and windows will be closed at 9pm except for patron ingress and egress.
10. The Premises will have background music only.
11. The door dampening system on rear door will be maintained so door cannot slam – rear door is for access to basement only – if another type of door is installed, a method to prevent the door from slamming will be utilized.
12. Employees will not be allowed to loiter or smoke in the rear outdoor service area (used only for access to the basement).

Whereas, the applicant provided a simple unspecific petition signed by a number of local residents and no one appeared in opposition; and,

Whereas, there are currently approximately 40 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **La Gringa Christopher Street Corp., 82 Christopher St. 10014** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 38 Board members in favor.

25. D & C Loop, Inc. d/b/a Sushi Para 88, 212 W. 14th St. 10011 (New RW)

Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a previously licensed location for traditional Japanese (sushi) style restaurant; and,

Whereas, this application is for a new restaurant wine license located in a 7 story mixed use building located on the ground floor on 14th St. between 7th Ave. and 8th Ave. for a roughly 2000 sq. ft. premise (1300 sq. ft. ground floor for patron use and 700 sq. ft. basement for storage only) with 6 tables and 38 seats and 1 standup bars with 12 seats for a total of 50 interior seats, there is no sidewalk café included with this application and the existing conditions are not favorable to a sidewalk café in the future, there are no other outdoor areas for patrons and no rear yard for patron use or benches on the sidewalk, there is an existing Letter of No Objection for Patrons on the 1st Floor only; and,

Whereas, the hours of operation will be from 11am to 12am (midnight) 7 days a week (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10 pm without exception except for patron ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV’s; and,

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

1. The premises will be advertised and operated as a traditional Japanese (sushi) style restaurant.
2. The hours of operation will be 11am to 12am (midnight) 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. All doors and windows will be closed at all times except for patron ingress and egress.
10. The premises will not operate a backyard garden for public, employee or private use.
11. The Premises will not promote, advertise or serve unlimited food with alcohol specials at the premises.

The premises will not sell pitchers of beer.

Whereas, there are currently approximately 18 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **D & C Loop Inc., d/b/a Sushi Para 88, 212 W. 14th St. 10011** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 38 Board members in favor.

26. Hudson Gastropub LLC, d/b/a The Hudson Division, 131 Christopher St. 10014 (New OP)

Whereas, the applicant appeared before CB2’s SLA Licensing committee to present an application for a new on-premise liquor license to operate a bar/restaurant in a ground floor storefront currently being operated as the Path Cafe; and,

Whereas, the premises is located in a 2-story mixed-use building located on Christopher St between Hudson St. and Greenwich St in an existing 746 sq. ft. space and the certificate of occupancy presented indicates residential use only is permitted in the building and is dated 2/24/2015; and,

Whereas, the existing premises has operated as an unpretentious café serving breakfast, salads and sandwiches for lunch/dinner with free wifi with an open mic for acoustical coffee style music for locals in a causal atmosphere until 11 pm during the week and 12 AM midnight on the weekends; and

Whereas, the current premises has operated with a beer and wine license for a little over one year, and prior to that in a similar fashion for the previous 5 years under different ownership and has never had an on-premise liquor license; and,

Whereas, the applicant explained that he plans to buy-out the current owner of the Path Café and that he could only generate a sufficient profit with an on premise liquor license until 1 AM during the week and 2 AM on the weekends and could not agree to operate with a Beer and Wine license; and

Whereas, there is currently no existing kitchen in the premises to support a full service restaurant, the rear portion of the premises will have to be gutted and a full service kitchen installed greatly reducing the interior of the premises in an already small space; and

Whereas, only rudimentary plans were presented and those plans failed to adequately describe how a kitchen could be constructed with plans or specifications provided indicating how venting, plumbing or other mechanicals could be installed in the rear of the premises, as presented, the plans provided being bare bones for a significant conversion of the use of this space; and,

Whereas, the interior plans call for 10 tables and 26 patron seats with a 12 seat bar being the dominant feature in the dining area and comprises approximately 1/3 of the seating; and,

Whereas, the hours of operation presented are Sunday to Thursday from 12pm to 1am and Friday and Saturday from 12pm to 2am, music will be background only and there will be no sidewalk café or TVs,

there are existing accordion doors across the façade and there is patron seating directly in front of the accordion doors; and,

Whereas, the principal who will be managing the premises is currently the “beverage manager” of Amber, a bar/restaurant located next door that primarily functions as a take out and delivery establishment with a large bar, multiple flat screen TVs and operate with a lounge-like atmosphere until 2am; he indicated that he was in charge of the “beverage program” at Amber; several of his current customers who reside in the area came to speak in favor; and,

Whereas, this area has seen a recent growth in on-premise liquor licenses and beer and wine restaurants and this type of concept, high end “curated” cocktails matched with dishes created from “locally sourced” foods with the addition of “playful” dishes is widely available and certainly not unique in this area, in fact some local establishments are even able to do this only with a restaurant wine license; and

Whereas, CB2, Man. requests that applicants widely reach out to local neighborhood and block associations to inform them that they will be applying for a new license and provides a list of these organizations on our website; the applicant did not reach out to local block associations and no correspondence was received from any block associations or from immediately adjacent residential tenants; and,

Whereas, there are currently 16 On Premise Liquor Licenses within 500 ft. of the premises, an unknown number of beer and wine licenses, two elementary schools and a church and the applicant has not established why the proposed bar/restaurant is in the public interest; and

Whereas, there are many other similar establishments that exist in and around the current location and this application for the current location is not unique, however, the Café that currently occupies this premises is unique, distinctive, contributes to surrounding community and provides a quintessential Greenwich Village atmosphere with acoustic live music in keeping with the history of this area;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to **Hudson Gastropub LLC, d/b/a The Hudson Division, 131 Christopher St. 10014** on its application seeking a new on-premise liquor license; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the Liquor Authority, CB#2, Man, respectfully requests that this item be Calendared to appear before the Full Board of the Authority.

Vote: Passed, with 32 Board members in favor, 5 in opposition (D. Ballen, T. Connor, R. Caccapolo, D. Diether, D. Miller), and 1 abstention (K. Berger).

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

27. Minerva Hospitality Grove Ltd., Minerva, 302-304 W. 4th St. 10014 (New RW)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 14th, 2015, the applicant’s representative and business manager, Matthew Paratore, agreed to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed and the principal, Chrysalis Coutino-Kinsella will be present; and

Whereas, this application is a resubmission of the initial application for a Restaurant Wine license that was previously presented before CB2, Man. in January/2015, but “while the initial Application was pending, but before its issuance, a Notice of Violation was served upon the applicant, on March 23, 2015, for sale of an alcoholic beverage upon the premises, when the applicant did not possess a liquor license” (Case 103908 & 104664); the Liquor Authority subsequently disapproved the pending January/2015 Application and the disciplinary proceeding in connection with the unlicensed sale is being addressed and the Liquor Authority rules permit a resubmission of a new application, which is the application currently before CB2, Man.;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for

Minerva Hospitality Grove Ltd., Minerva, 302-304 W. 4th 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 38 Board members in favor.

28. Dumpling 516 Hudson NY, Inc., 516 Hudson St. 10014 (New RW - Layover)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 14th, 2015, the applicant’s attorney requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Dumpling 516 Hudson NY, Inc., 516 Hudson St. 10014 until** the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

29. NYPiada, Inc., 15 8th Ave. 10014 (New RW - Withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 14th, 2015, the applicant’s attorney requested to **withdraw** this application for a new beer and wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **NYPiada, Inc., 15 8th Ave. 10014 until** the applicant has presented their application in front of CB2’s SLA Licensing

Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

30. Kasaka, Inc, d/b/a Kasaka, 220 W. 13th St. 10011 (New RW – Layover)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 14th, 2015, the applicant’s attorney requested to layover this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Kasaka, Inc, d/b/a Kasaka, 220 W. 13th 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 38 Board members in favor.

31. Prime 135 NYC LLC, d/b/a Prime 135, 135 7th Ave. S. 10014 (Layover- Upgrade from RW to OP)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on May 14th, 2015, the applicant’s attorney requested to layover this application for an upgrade from a restaurant wine license to a restaurant on-premise liquor license and they will resubmit and re-present the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed upgrade from a restaurant wine license to a restaurant on-premise liquor license, any new on premise liquor license, corporate change, class change, alteration, transfer or changes to any existing license for **Prime 135 NYC, LLC d/b/a Prime 135, 135 7th Ave. S. 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 38 Board members in favor.

32. 13 8th Ave. (TBD), 13 8th Ave. 10014 (New OP - Layover)

Whereas, prior to this months CB2, Manhattan’s SLA Licensing Committee Meeting on May 14th, 2015, the applicant’s attorney requested to layover this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **13 8th Ave. (TBD), 13 8th Ave. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

33. S.O. Farms Hospitality Group LLC, 16-18 King St. 10014 (New OP - Withdrawn)

Whereas, prior to this months CB2, Manhattan's SLA Licensing Committee Meeting on May 14th, 2015, the applicant's attorney requested to Withdraw this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **S.O. Farms Hospitality Group LLC, 16-18 King 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 38 Board members in favor.

TRAFFIC AND TRANSPORTATION

Resolution in support of Move NY plan for fair tolling and improved transit

Whereas the Move NY Fair Plan proposes actions to address New York's ailing transportation system, including:

- Tolls on the currently free East River Bridges (Brooklyn, Manhattan, Williamsburg and Queensboro/Ed Koch), to more equitably balance the costs of driving into the CBD by apportioning bridges and tunnels charges, and to lessen the incursion of excessive motor vehicular traffic into our congestion-filled neighborhoods and its harmful impacts (such as air pollution, unsafe streets, and noise disturbance) by removing the incentive for motorists (more than a million a day crossing in either direction) to crowd onto the free bridges to avoid paying passage (causing traffic jams and overloading local streets).
- Reduction of tolls on certain outer-borough crossings to more fairly share the toll burden and rationalize the current haphazard tolling system.
- Dedication of all moneys collected from the tolls (estimated to bring in \$1.5 billion in net revenue annually) to transportation improvements, with $\frac{3}{4}$ going to mass transit and $\frac{1}{4}$ to roads and bridges, to go directly to and be distributed by a Move NY Highway and Transit Authority.
- Electronic toll collection, to speed toll payments and facilitate traffic flow. ; and

Whereas the MTA has been severely underfunded for many years, with federal support decreasing dramatically, and with State and City support declining from 25% in the 1980s to about 6% today, resulting in deep service cuts and steep increases in fares as well as negligence in the system's upkeep;

currently the MTA faces a \$15.2 billion funding gap for its proposed 2015-2019 Capital Plan of \$32 billion; and

Whereas the Move NY plan promises to generate revenues that will restore service cuts such as bus service eliminated in 2010, incorporate new computerized technology that would enable more subway trains to be run per hour with increased on-time reliability, expand transit service to locations where it's lacking and/or where more is needed, add more countdown boxes, increase ADA accessibility, replace Metrocard with easier entry technology, add more ferry service, increase station rehabilitations, upgrade tracks and signals, and bring about myriad other needed improvements and modernization; and

Whereas to help cover MTA debt incurred, roadway tolls have increased several times in recent years, and are expected to increase to as much as \$50 by 2030 in the absence of relief, while road improvement and service is reduced; and

Whereas the Move NY plan promises to generate revenues and a more equitable toll structure to improve and maintain our road network and bridges, as well as our pedestrian and bicycle infrastructure, and that will offset the need for excessive toll increases; and

Whereas under the Move NY plan, it is estimated that 15% less vehicular traffic will be entering Manhattan each day with 100,000 fewer auto entries, translating to reduced air and noise pollution, more traffic safety, and more efficient traffic movement in our downtown localities that currently suffer grinding congestion and constant and chaotic vehicular flows (impacted communities in Brooklyn and Queens are also expected to benefit from traffic reductions). Gained traffic efficiencies also will help gain economic efficiencies; and

Whereas the Move NY plan provides for tolls being inextricably linked to public transit improvement; and

Whereas despite some concerns about the impacts on small businesses of higher tolls, with possible types of discounts discussed, the majority supported the plan, particularly because of the relief it would bring to our community that is overwhelmed by vehicular traffic causing unacceptable levels of air and noise pollution and dangerous traffic conditions, as well as because of the capital and service improvements it would bring to our public transit system; and

Whereas the Move NY plan includes a strong recommendation to eventually adapt the toll rates to a "time of day" or peak/off-peak" schedule; and

Whereas CB#2, Man. is already on record supporting and requesting legislation to allow MTA to impose tolls on the free East River Bridges which would be solely dedicated to reducing transit fares and restoring and enhancing service levels, outlined in CB2's November 18, 2010 resolution;

Therefore be it resolved that CB2, Man. supports the Move NY Fair Plan.

VOTE: Passed, with 34 Board Members in favor, and 4 in opposition (D. Collin, R. Goldberg, D. Ballen, and L. Rakoff)

Respectfully submitted, Keen Berger, Secretary,
Community Board #2, Manhattan