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## COMMUNITY BOARD No. 2, MANHATTAN

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### AMENDED FULL BOARD MINUTES

**DATE:** March 18, 2010  
**TIME:** 6:00 P.M.  
**PLACE:** St. Vincent's Hospital, 170 W. 12<sup>th</sup> St. Cronin Auditorium, 10<sup>th</sup> Floor

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Sigrid Burton, Lisa Cannistracci, Maria Passannante Derr, Doris Diether, Ian Dutton, Sheelah Feinberg, Elizabeth Gilmore, Alison Greenberg, David Gruber, Jo Hamilton, Chair, Community Board #2, Manhattan (CB#2, Man.), Anne Hearn, Brad Hoylman, Mary Johnson, Zella Jones, Susan Kent, Arthur Kriemelman, Raymond Lee, Edward Ma, Jane McCarthy, Lois Rakoff, David Reck, Robert Riccobono, Erin Roeder, Rocio Sanz, Wendy Schlazer, Maury Schott, Arthur Z. Schwartz, Shirley Secunda, Shirley H. Smith, James Solomon Richard Stewart, Sean Sweeney, Elaine Young, Jin Ren Zhang

**BOARD MEMBERS EXCUSED:** Harriet Fields, Edward Gold, Sasha Greene, Evan Lederman, Ke-Wei Ma, Jason Mansfield, Judy Paul, Carol Yankay

**BOARD MEMBERS ABSENT:** Makrand Bhoot, Renee Kaufman, Annie Washburn

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

**GUESTS:** Katie Smith, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Mary Cooley, Senator Daniel Squadron's office; Lolita Jackson, Mayor Michael Bloomberg's office; Sandy Myers, Man. Borough President Scott Stringer's office; Matt Borden, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Noah Isaacs, Council Speaker Christine Quinn's office; Lorna Nobile-Chin, Council Member Margaret Chin's office; Lisa Kaplan, Council Member Rosie Mendez's office; Kim Do, Bill Lipschutz, Terri Cude, Lee Gazelle, Kyung Bordes, Ellen V. Sufian, Carl Erman, Peter Bordes, Fia Hatsav, Denise Collins, Lillian Gould, Elizabeth Adam, Kam Wong, Pat Bates, Molly Linden, Adley Gartenstein, Stephen Piersanti, Damon Pablo, A.J. ietramonte, Cobi Levy, Marie Evans, John Evans, Chenault Spence, David Plate, J.. LeBlanc, Evette S. Katz, Oran Kierans, Marion Panas, Barbara Kwon, Tim Newtown, Dan Goldstein, Janet Capron, Kathleen Arffmann, E. Yule, Douglas Kepple, Joseph Ruscito,, Paul Bargetto, Vanessa Sperling, Sers Jonathan, Jed Schwartz, Blaine Bortnick, Adam Greene, Sid Chommar, Eve Cholmar, Jeff Brenner, Lee Schwartz, Tim Stevenson, Jamal Rayyio, Albert Bennett, Zack Winestine, John Shepard, Alvaro Salas, Edwin Rios, Bill Derrough, Gary parker, Renee Schoonbeek

### MEETING SUMMARY

Meeting Date –March 18, 2010  
Board Members Present – 38  
Board Members Excused–8  
Board Members Absent 3

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Edgar Allan Poe Event

Lois Rakoff made an announcement regarding the upcoming Poe Room event on April 21<sup>st</sup>.

#### Salmagundi Club

Tim Newton made an announcement regarding upcoming events.

#### New York University 2031

Gary Parker announced a series of upcoming events regarding NYU's 2031 plan.

#### Traffic Input Meeting

Renee Schoonbeek spoke regarding an upcoming Traffic Public Input meeting to be held on March 23<sup>rd</sup>.

#### Ohio Theater

Paul Barjetto made an announcement regarding the Ohio Theater.

#### Vending Issues

Lolita Jackson, from the Mayor's Community Affairs Unit, reported on vendor initiatives in the district.

### **SLA Licensing Items**

#### Corner Shop, LLC d/b/a Corner Shop Café/The Vault at Pfaff's, 643 Broadway, NYC

Oran Kierans spoke in favor of the proposed liquor licenses. Barbara Kwon, representing the applicant, spoke in favor of the proposed liquor licenses.

Sid and Eve Cholmar, both spoke against the proposed liquor licenses.

Bill Lipschultz, Jeff Brenner, Lee Schwartz, and Jed Schwartz, spoke regarding the applications.

Barcar New York, LLC, 27 Morton St., NYC

Adam Greene, the principal, spoke in favor of the application for an on-premise liquor license.  
Jamal Rayyio spoke in favor of the proposed liquor license.

Tim Stevenson, Albert Bennett, Fia Hatsav, Peter Bordes, and Douglas Kepple, spoke against the proposed liquor license.

CGM GH, LLC & Hotel Gansevoort Group, LLC d/b/a Hotel Gansevoort, 18 9<sup>th</sup> Ave., NYC

Zack Winestine spoke against the proposed alteration of the liquor license.

Spring Rest. Group, LLC d/b/a Gatsby's, 53 Spring St., NYC

Dan Goldstein, Kim Do, and Molly Linden, spoke against the renewal of the liquor license.

Mephisto Holdings, LLC, 285 W. 12<sup>th</sup> St., NYC

Cobi Levy, principal, spoke in favor of the proposed liquor license.

Blaine Bortnick spoke in favor of the proposed liquor license, provided the stipulations are agreed to.

Joseph Ruscito spoke in favor of the establishment closing at midnight, and against the establishment closing at 3 a.m.

Ellen Sufian, and Janet Capron spoke against the proposed liquor license.

Damon Pablo, Adley Gartenstein, and Stephen Piersanti, spoke in reference to the on-premise liquor license.

GMG Industries Inc., d/b/a Tresanti, 40-42 Thompson St., aka 5-15 Watts St., NYC

Bill Derrough, Carl Erman, and John Evans spoke against the proposed liquor license.

### **III. ADOPTION OF AGENDA**

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

Katie Smith, Congressman Jerrold Nadler's office

Crystal Gold-Pond, Senator Tom Duane's office

Mary Cooley, Senator Daniel Squadron's office;

Lolita Jackson, Mayor Michael Bloomberg's office;

John Ricker, NYC Comptroller's office;

Sandy Myers, Man. Borough President Scott Stringer's office

Matt Borden, Assembly Member Deborah Glick's office

Noah Isaacs, of Council Speaker Christine Quinn's office

Lorna Nobile-Chin, Council Member Margaret Chin's office;

**V. ADOPTION OF MINUTES**

Adoption of December 2009 and January 2010 minutes, and distribution of February minutes.

**VI. EXECUTIVE SESSION**

1. **Chair's Report** Jo Hamilton reported

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

**3. Community Board Resolution on Charter Revision**

Community Board 2, Manhattan, calls upon the 2010 charter revision commission to conduct a comprehensive review of the entire charter, meaningfully engage the public in its process, ensure that any question(s) placed on the ballot is clearly and concisely written, and conduct an extensive public education campaign about the ballot questions that voters will be asked to consider on Election Day.

**WHEREAS**, The last major charter revision commission (commission) which comprehensively examined the function and operation of city government was over twenty years ago with the 1989 commission; and

**WHEREAS**, Mayor Bloomberg's appointment of a commission presents the City with a unique opportunity to fully examine government operations and to discuss how best to improve our City; and

**WHEREAS**, In order for this commission to be successful, first and foremost it must meaningfully engage New Yorkers by conducting extensive outreach about the charter revision process to ensure they understand what it means and how they can participate; and

**WHEREAS**, Such outreach should use all available modes of communication – social networking media, civic, community and religious organizations, webcasting, video- and teleconferencing, and transcribing and posting all testimony and information about commission meetings and hearings online; and

**WHEREAS**, The commission should also conduct frequent public hearings in every corner of the City that encourage New Yorkers to provide their recommendations about their visions for New York and how to make government more responsive to their needs; and

**WHEREAS**, In addition to public hearings, the commission should also conduct open public meetings to allow it to observe the commission's deliberative process; and

**WHEREAS**, Once the commission completes its deliberative process and decides what Charter changes it would like to put before the voters, it should submit clear and concise ballot question(s) make it easy for voters to know what they are being asked to consider; and

**WHEREAS**, Finally, the commission with the assistance of elected officials, members of the civic, community and religious community, and the media must then conduct an extensive public education campaign about what voters will see on the ballot;

**NOW, THEREFORE BE IT RESOLVED**, That CB#2, Man. calls upon the 2010 Charter Revision Commission to conduct a comprehensive review of the entire charter, meaningfully engage the public in its process, ensure that any question(s) placed on the ballot is clearly and concisely written, and conduct an extensive public education campaign about the ballot questions that voters will see on Election Day.

Vote: Unanimous, with 38 Board members in favor.

## **STANDING COMMITTEE REPORTS**

### **ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH**

#### **Request to the United States Attorney General for Relocation of the Trial of Khalid Sheikh Mohammad**

**WHEREAS**, The New York Police Department (NYPD) recently announced that they estimate the trial of Khalid Sheikh Mohammed to cost over \$200 million a year in security for what is likely to be a multi-year trial, and

**WHEREAS**, The Federal Courthouse is situated in the middle of what is the fourth largest commercial business district in the country and a dense residential neighborhood, and

**WHEREAS**, The lower Manhattan community has already endured the arduous and painful task of rebuilding its neighborhood in the aftermath of September 11<sup>th</sup> as well as environmental hazards, street closures, the shuttering of businesses and security checkpoints, and

**WHEREAS**, Holding the trial downtown would force the community to endure additional psychological and financial hardship, and

**WHEREAS**, The trials are likely to require extremely burdensome security measures for months and even years, to expose Lower Manhattan to greater than usual terror threats, and to have a severe adverse effect on the ability of Lower Manhattan residents, workers, and local business people to live and conduct business in a secure community with adequate quality of life, and

**WHEREAS**, The magnitude of the estimated costs of security to protect the surrounding neighborhood around the federal courthouse suggests that the site in and of itself may not safe, and

**WHEREAS**, In an article published January 20<sup>th</sup>, 2010, the New York Daily News cited a speech by NYPD Commissioner Raymond Kelly, which indicated that security will include “a double-layer of security...[with] a ‘soft’ perimeter...established from Bowery to Broadway, and from Franklin St. to Canal St...manned by cops on foot, horseback, and patrol cars [and a] harder perimeter, which will include bomb squad cops and police snipers...set up in the blocks adjacent to the 500 Pearl St. courthouse” as well as “2,000 barriers and checkpoints that will restrict pedestrians and traffic...[and] unannounced vehicle stops”, and

**WHEREAS**, There exist numerous possible alternatives for a federal criminal trial within the Southern District of New York, which should be studied to determine if they are feasible, including but not limited to Governors Island, Stewart Air National Guard Base in Newburgh, the U.S. Military Academy at West Point, and the Bureau of Prisons jail complex at FCI Otisville, and

**WHEREAS**, A feasibility study of the sites should be conducted to examine safety, security, cost, and impact on the community of these and any other sites proposed, now

**WHEREAS**, the Manhattan Borough President has asked each community board to weigh in on this resolution,

**THEREFORE BE IT RESOLVED** that CB#2, Man. urges the Office of Attorney General Eric Holder, the U.S. Attorney's Office for the Southern District of New York, the U.S. Federal Marshals, and NYPD to conduct an immediate assessment of appropriate alternatives within the Southern judicial district including but not limited to Governors Island, Stewart Air National Guard Base in Newburgh, the U.S. Military Academy at West Point, and the Federal jail complex at FCI Otisville, and

**BE IT FURTHER RESOLVED** that CB#2, Man. requests that the Office of Attorney General Eric Holder arrange for a representative from his office to meet with representatives from the community to discuss this issue.

Vote: Unanimous, with 38 Board members in favor.

## **LANDMARKS AND PUBLIC AESTHETICS**

### **1<sup>ST</sup> LANDMARKS MEETING**

**Item 1- 501 Broadway, aka 72 Mercer Street** - SoHo –Cast Iron Historic District. A contemporary building designed by Robert Traboscia and Caterina Roiatti, TRA Studio and built in 2003. Application is to construct a rooftop addition and pergola. Zoned M-5B

**Whereas**, the materials proposed are in context with the district; but

**Whereas**, the structure will be fairly visible from Broome Street; and

**Whereas**, it would be better if the structure was less visible; and

**Whereas**, this is a real borderline case; it certainly pushes the envelope; and

**Whereas**, since there is still 1100 additional square-feet available for this proposed construction, it would have been better were this bulk utilized during the initial construction, not presented as an *ad hoc* add-on seven years later; but

**Whereas**, its visibility does not detract horrendously from the district; now

**Therefore, be it resolved** that CB#2, Man. reluctantly recommends approval of this application, if its visibility indeed cannot be further ameliorated.

Vote: Unanimous, with 38 Board members in favor.

**Item 2 - 56 Jane Street, aka 616-622 Hudson Street** – Greenwich Village H. D. Four houses built in 1852 and converted to an apartment house in the mid-twentieth century. Application is to replace windows.

**Whereas**, the existing windows are objectionable and this proposal for 6-over-6 windows is a great improvement; now

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

Vote: Unanimous, with 38 Board members in favor.

**Item 3 – 316 Bleecker Street (n.w. Grove) - Greenwich Village Historic District**

**Whereas**, the materials, style and symmetry add to the building; but

**Whereas**, there was agreement that the window panes would be better configured if the casement portion had six lights instead of the proposed eight; now

**Therefore, be it resolved** that CB#2, Man. recommends approval of this application, with the casement having six lights.

Vote: Unanimous, with 38 Board members in favor.

**2<sup>ND</sup> LANDMARKS MEETING**

**Item 1. 201 West 13<sup>th</sup> St. aka 42-46 Seventh Ave.** – Church of the Village (formerly Metropolitan Duane Church). Application is to alter the side entrance to provide barrier-free access & to construct an elevator bulkhead.

**Whereas**, this church has many programs which require access to the various floors by some persons who may be handicapped, and

**Whereas**, the proposed changes are purely for the purposes of accommodating these persons, and

**Whereas**, the proposed changes to the door on the 13th Street façade will actually make it more in keeping with the present 7<sup>th</sup> Avenue entrance in style and color, and

**Whereas**, the elimination of the steps on the 13th St. side will be accomplished with changes to the doorway surround in keeping with the current entrance, and

**Whereas**, the addition of the elevator in the building will in no way affect the sanctuary which, although not a landmarked interior, is an important part of the structure of the church, and

**Whereas**, the elevator bulkhead, although minimally visible from 7<sup>th</sup> Ave. will be clad in materials similar to the current façade of the building, thus reducing its impact on the sightlines,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of the two changes proposed for 201 West 13<sup>th</sup> St. aka 42-46 Seventh Avenue.

Vote: Unanimous, with 38 Board members in favor.

**SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

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

**1. Panini Resources, d/b/a Corsino, 637 Hudson St. btw Horatio and Gansevoort Sts., Manhattan Block:627 Lot:7501, Police Precinct:6, with 8 tables & 16 seats, DCA# 1345390.**

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant, Jason Denton, was present, and

**Whereas**, this lot has frontage of 39.33 feet with one buildings of four stories, built in 1999, with 3 residential units of a total 4 units in an area of Mixed Residential and Commercial Buildings; Zoning: C1-6, Zoning Map # 8B, in the Greenwich Village Historic District, and

**Whereas**, this applicant applied and was approved for an on-premise license to serve alcohol in September 2009, which did NOT include service in the planned Sidewalk Café and will have to submit an Alteration Application to the SLA to extend service to this café, and

**Whereas**, the plans submitted with this application did not match the details of the written application and show 8 tables and 24 seats, and

**Whereas**, the submitted plans incorrectly show a flush tree pit at the northeast of the sidewalk café area, where there is a tree pit surrounded by a decorative tree guard reducing pedestrian right of way at the Northeast to 6', and,

**Whereas**, the removal of two tables and 4 seats would bring this plan into compliance with Sidewalk Café regulations, in the near term, and the applicant is willing to do so, and

**Whereas**, the applicant may opt to secure permission from the Building Owner, GOLDIN MANAGEMENT INC. and the Parks Dept. to remove the decorative tree guard and install flush pavers as tree protection, but has opted not to do this at this time,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for Panini Resources, d/b/a Corsino**, 637 Hudson St. btw Horatio and Gansevoort Sts., Manhattan Block:627 Lot:7501, Police Precinct:6, **with 6 tables & 20 seats, DCA# 1345390, CONDITIONAL UPON the execution of a Change Order that specifies:**

Submission of amended sidewalk plan to show the reduction of tables to 6 and seats to 20 and correctly shows a clearance of 8 feet from the tree guard

Amendment of application **DCA# 1345390** to 6 tables and 20 seats

VOTE: Unanimous with 38 Board members in favor.

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

**2. 567 Hudson Street, Inc., d/b/a/ White Horse Tavern**, 563-567 Hudson St. btw Perry & West 11<sup>th</sup> Sts. Manhattan Block:633, Lot:52, Police Precinct:6, **with 24 tables & 48 seats, DCA# 0769952**

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant, Edward Brennan, was present, and

**Whereas**, this lot has frontage of 30 feet and depth of 50 feet with two buildings of three stories, built in 1910 (est), with 1 residential units of a total 2 units in an area of Mixed Residential and Commercial Buildings; Zoning: C1-6, Zoning Map # 12A, in the Greenwich Village Historic District, and

**Whereas**, the last application of February 2008 was for 29 tables and 86 seats, and the plans submitted with application, dated April 1986 show that configuration but the application for 2010 specifies fewer tables and seats, And,

**Whereas**, there are no complaints and DCA signs are present,



**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for 567 Hudson Street, Inc., d/b/a/ White Horse Tavern, 563-567 Hudson St. btw Perry & West 11<sup>th</sup> Sts. Manhattan Block:633, Lot:52, Police Precinct:6, , with 24 tables & 48 seats, DCA# 0769952, CONDITIONAL UPON the submission of corrected sidewalk café plans showing the placement of 24 tables and 48 seats.

VOTE: Unanimous , with 38 Board members in favor.

**3. Legendary Nightspots, Inc., d/b/a/ The Duplex**, 61 Christopher St. @ West 4<sup>th</sup> and 7<sup>th</sup> Ave. South, Manhattan Block:610, Lot:1, Police Precinct:6, with 18 tables & 36 seats, DCA# 1190534

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant's representative, James Martin, was present, and

**Whereas**, this lot has frontage of 90.58 feet on Christopher St and depth of 149 feet on Seventh Ave., South with seven buildings of one story, built in 1915 (est), with 23 residential units of a total 31 units in an area of Mixed Residential and Commercial Buildings; Zoning: C4-5R6, Zoning Map # 12A, in the Greenwich Village Historic District, and

**Whereas**, the applicant wishes to replace a removable railing with removable planters around the sidewalk café and produced drawings for a sidewalk plan including planters that complies with Sidewalk Regulations, and

**Whereas**, the applicant has agreed to replace the drawings provided with this application with the amended drawings, and

**Whereas**, there are no community complaints and DCA sign is displayed and there will be no auxiliary heating devices in the café,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. For **Legendary Nightspots, Inc., d/b/a/ The Duplex**, 61 Christopher St. @ West 4<sup>th</sup> and 7<sup>th</sup> Ave. South, Manhattan Block:610, Lot:1, Police Precinct:6, with 18 tables & 36 seats, DCA# 1190534, CONDITIONAL UPON the submission of corrected sidewalk café plans showing moveable planters instead of removable railings.

VOTE: Unanimous with 38 Board members in favor.

**4. Removal of pay phones on the north side of Canal St. (bet. Broadway & 6th Avenue)**  
**Resolution recommending the removal of the extra large pay phones located at 279, 325, 375, 415 and 336 Canal Street.**

**Whereas**, Canal Street is a vibrant and popular commercial and retail corridor, with a proliferation of both legal and illegal vending activities including food carts, over-sized sidewalk displays, vending tables, suitcase peddlers, and vending touts luring customers to vans and other sites to purchase counterfeit goods, all contributing to overly crowded sidewalks and general mayhem, forcing pedestrians off the sidewalk into the street and obstructing and endangering pedestrian access; and

**Whereas**, Canal Street is a major MTA-NYC Transit hub, which provides an indirect or direct link to every metropolitan transit line and is the only major thoroughfare in Manhattan lacking any cross-town public transportation, so, therefore, walking is the predominant mode to reach destinations along this corridor, therefore necessitating safe and unobstructed routes for pedestrian passage; and

**Whereas**, the extra large pay phone booths located at 279, 325, 375, 415 and 336 Canal Street take up an inordinate amount of public sidewalk, obstructing and impeding pedestrian traffic; and

**Whereas**, a business owner appeared before this committee testifying to the disruption of his business and lack of safety for his patrons produced by the presence of these phone booths inappropriate use; and

**Whereas**, the First Precinct has identified these pay phones as predominately used for illegal enterprises: they function as display racks, hiding places and places of business by illegal vendors and criminals engaged in illegal enterprise such as drug dealing; and

**Whereas**, the First Precinct has written a letter in support of removing the pay phone stations at 279, 325, 375, 415, and 336 Canal Street as they constitute a public nuisance; and

**Whereas**, 336 Canal St. is located in Manhattan Community Board #1 which will submit a separate resolution regarding this address, but CB#2 includes this address as a show of solidarity and as a matter of importance in substantiating the need for these removals, and

**Whereas**, the removal of these booths should not impact the public's access to phone service as several other small public phone stands are in the immediate area.

**Therefore be it resolved**, that CB#2, Man. strongly recommends that DOITT remove the extra large public phone booths at 279, 325, 375, and 415 Canal Street; and

**Be it further resolved** that, in the future, DOITT consult with the Community Board in any future consideration for the placement and location of these extra wide telephone booths.

VOTE: Unanimous with 38 Board members in favor.

## **SLA LICENSING**

**1. 675 Hudson Vault, LLC, d/b/a Vento Trattoria, 675 Hudson St. (14<sup>th</sup> Street and 9<sup>th</sup> Avenue), NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license for a restaurant located in 3,600 s.f. premise in a mixed use building located on Hudson Street between 14<sup>th</sup> Street and 9<sup>th</sup> Avenue with 162 table seats and 2 bars with 47 bar seats and a maximum legal capacity of 246 persons; **to shorten the existing bar by 5 feet in length and 1 foot in width; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are Sunday – Saturday 11:00 a.m. – 4:00 a.m.; there is currently a sidewalk café but no background garden; music is background/iPod only; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **675 Hudson Vault, LLC, d/b/a Vento Trattoria, 675 Hudson St.**

Vote: Passed, with 37 Board members in favor, and 1 recusal (W. Schlazer).

**2. Mephisto Holdings, LLC, 285 W. 12<sup>th</sup> St. (West 4<sup>th</sup> and 8<sup>th</sup> Avenue), NYC**

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

**Whereas**, this application is for an On Premise license in a mixed use building on West 12<sup>th</sup> between West 4<sup>th</sup> and 8<sup>th</sup> Avenue for a 2,500 s.f. Tapas restaurant with 80 table seats, 1 bar with 10 seats, and a maximum legal capacity of 120 persons; and,

**Whereas**, the applicant stated the hours of operation are Sunday - Thursday from 5:00 p.m. – 12:00 a.m., Friday and Saturday from 5:00 p.m. – 2:00 a.m.; there won't be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant is currently operating another successful restaurant in the West Village; and,

**Whereas**, the location has an adverse history previous and unrelated to this applicant; and, the Committee acknowledges that this applicant would be an improvement with its experience, professionalism and regard for its neighbors; and,

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

1. The applicant has agreed to obtain all required certificates, permits and related documents, including a revised Certificate of Occupancy and Public Assembly Permit. The applicant has agreed to operate as a full service restaurant only.
2. The applicant has agreed to operate the kitchen and have food items available up until 1 hour prior to closing.
3. The applicant has agreed to designate a staff member in front of the establishment to control pedestrian traffic in and out of the restaurant.
4. The applicant has agreed to the reduced hours of operation by closing at 12:00 a.m. Sunday – Thursday and 2:00 a.m. Friday and Saturday.

**Whereas**, the SLA Licensing Committee acknowledges that this block has been facing serious noise and overcrowding problems with the previous establishment (unrelated to this applicant) and, therefore urges the State Liquor Authority to incorporate these stipulations into their duly licensed method of operation, if granted; and,

**Whereas**, several members of the community appeared to express concerns stemming from the previous establishment; and, strongly requested that this Committee reduce the originally proposed hours of operation; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Mephisto Holdings, LLC, 285 W. 12<sup>th</sup> St.** unless those conditions agreed to by applicant relating to and outlined in the sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license; and,

**BE IT FURTHER RESOLVED** that CB#2, Man. recommends that the SLA conduct a 500-foot rule hearing with the applicant and members of the community to determine if licensing this establishment serves the public interest.

Vote: Unanimous, with 38 Board members in favor.

**3. BCRE Grand Café, LLC, d/b/a TBD, 25 Grand St. (Thompson and 6<sup>th</sup> Avenue), NYC**

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

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

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

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

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

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

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

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

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

**4. CGM GH, LLC & Hotel Gansevoort Group, LLC, 18 9<sup>th</sup> Avenue (West 13<sup>th</sup> and Little West 12<sup>th</sup>), NYC**

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

**Whereas**, this application is for an alteration to an On Premise license for a restaurant/cafe located in a 2,600 s.f. premise in an upscale Hotel located on 9<sup>th</sup> Avenue between Little West 12<sup>th</sup> and West 13<sup>th</sup> Streets with 106 table seats and 1 bar with 8 bar seats and a maximum legal capacity of 150 persons; and,

**Whereas**, the applicant stated the restaurant hours are Seven Days a Week from 7:00 a.m. – 4:00 a.m. for the interior space; and Sunday - Thursday from 7:00 a.m. – 12:00 a.m. and Friday and Saturday from 7:00 a.m. – 1:00 a.m. for the exterior space; music is background only; and,

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

1. The applicant has agreed to obtain all required certificates, permits and related documents, including a revised Certificate of Occupancy and Public Assembly Permit.
2. The applicant has agreed to not install French Doors facing the street.
3. The applicant has agreed to ambient music only for the exterior space and the sound/music will be terminated by 11:00 p.m. daily.
4. The applicant has agreed to place a service line barrier/separation along the perimeter of the exterior seating area facing 9<sup>th</sup> Avenue from Thursday through Saturday

**Whereas**, outdoor music in this location will create a disturbance; and

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed alteration to an existing On Premise license for **CGM GH, LLC & Hotel Gansevoort Group, LLC, 18 9<sup>th</sup> Avenue** unless those conditions agreed to by applicant relating to and outlined in the fourth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license; and

**Be it further resolved**, that CB#2, Man. opposes playing of any music in the outdoor area and requests that the SLA denies this license unless the applicant agrees to this stipulation.

Vote: Passed, with 35 Board members in favor, and 3 in opposition (D. Diether, I. Dutton, R. Stewart).

#### **5. Parlor Club NYC, LLC, d/b/a Parlor Club, 290 Hudson St. (Spring and Dominick), NYC**

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

**Whereas**, this application is for an On Premise license for an upscale restaurant in a mixed use building located on Hudson between Spring and Dominick Streets with 50 table seats, 1 bar with 11 bar seats and a maximum legal capacity of 148 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are Sunday - Wednesday from 12:00 p.m. – 2:00 a.m. and Thursday – Saturday from 12:00 p.m. – 4:00 a.m.; there won't be a sidewalk café application and no backyard garden; music will be background only; and,

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

1. The applicant has agreed to operate as a restaurant only.
2. The applicant has agreed to background music only while prohibiting D.J.'s and Live Music in the establishment.
3. The applicant has agreed to not use any third party promoters.

**Whereas**, the applicant had reached out to Friends of Hudson Square prior to re-appearing; and,

**Whereas**, a member of the Friends of Hudson Square appeared in support of the proposed establishment as long as the stipulations are incorporated into their Method of Operation; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Parlor Club NYC, LLC, d/b/a Parlor Club, 290 Hudson St.** unless all conditions agreed to by applicant relating to the fourth “whereas” clause are incorporated into the “Method of Operation” on the SLA On Premise license; and,

Vote: Unanimous, with 38 Board members in favor.

**6. Corner Shop, LLC d/b/a Corner Shop Café/The Vault at Pfaff’s, 643 Broadway (at Bleecker), NYC**

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

**Whereas**, this application is for On Premise licenses for a restaurant and lounge collectively 4,325 s.f. in a mixed use building located on the corner of Broadway and Bleecker with 110 table seats, 2 bars with 20 bar seats and a maximum legal capacity of 299 persons; and,

**Whereas**, the applicant stated the hours of operation for the RESTAURANT are Sunday from 10:00 a.m. – 10:00 p.m., Monday - Wednesday from 11:00 a.m. – 11:00 p.m., Thursday – Friday from 11:00 a.m. – 12:00 a.m. and Saturday 10:00 a.m. – 12:00 a.m., and the hours of operation for the LOUNGE are Sunday - Thursday from 6:00 p.m. – 12:00 a.m. and Friday and Saturday from 6:00 p.m. – 2:00 a.m.; there won’t be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the basement at this location has an adverse history previous and unrelated to this applicant; and, the Committee acknowledges that the proposed establishment would be an improvement; and,

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

1. The applicant has agreed to obtain all required certificates, permits and related documents, including a revised Certificate of Occupancy and Public Assembly Permit.
2. The applicant has agreed to background music only while prohibiting D.J.’s and Live Music in the establishment.
3. The applicant has agreed to not operate a nightclub in the basement lounge area and to never use velvet ropes in front of the establishment.
4. The applicant has agreed to not have a separate entrance on Bleecker Street for the basement lounge.
5. The applicant has agreed to close all French Doors by 10:00 p.m. daily.
6. The applicant has agreed to fully execute a Memorandum of Understanding with the residents at 77 Bleecker Street prior to opening the establishment.
7. The applicant has agreed to community outreach initiatives in order to establish good will with its neighbors for 6 months following its opening.

**Whereas**, several letters of support were issued to this committee; and several members of the community appeared in support as well; and,

**Whereas**, several members of the community appeared to express concerns with the proposed establishment; citing concerns with the basement lounge; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Corner Shop, LLC d/b/a Corner Shop Café/The Vault at Pfaffs, 643 Broadway** unless those conditions agreed to by applicant relating to and outlined in the fifth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license; and,

**BE IT FURTHER RESOLVED** that CB#2, Man. strongly recommends that the SLA conduct a 500-foot rule hearing with the applicant and members of the community to determine if licensing this establishment serves the public interest.

**PLEASE NOTE THAT THE ABOVE RESOLUTION WAS WITHDRAWN, AND THE APPLICANT WAS SENT BACK TO COMMITTEE.**

**7. GMG Industries Inc., d/b/a Tresanti, 40-42 Thompson St., aka 5-15 Watts St. (at Watts), NYC**

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

**Whereas**, this application is for an On Premise license in a commercial building on the corner of Thompson and Watts Streets for an Italian restaurant with 128 table seats, 1 bar with 10 bar seats, and a maximum legal capacity of 150 persons; and,

**Whereas**, the applicant has agreed to receive a Letter of No Objection or a revised Certificate of Occupancy and Public Assembly Permit from the New York City Department of Buildings prior to operating the restaurant; and,

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

1. The applicant has agreed to prohibit all use of the rear/side courtyard by customers and will not reconsider the use of the rear courtyard until after the establishment has been operating for a period of 2 years.
2. The applicant has agreed to close all French Windows by 10:00 p.m. daily
3. The applicant has agreed to no live or DJ music at all times.
4. The applicant has agreed to no third party promoters.
5. The applicant has agreed to operate as a full service, family oriented restaurant only.

**Whereas**, several members of the community appeared to express their concerns with the rear/side courtyard/outdoor seating; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **GMG Industries Inc., d/b/a Tresanti, 40-42 Thompson St., aka 5-15 Watts St.** unless the applicant agrees to a reduction of closing hours seven days a week at 12:00 a.m., and issues a revised stipulations agreement to this community board to reflect the reduced hours; and

**Be it further resolved**, that CB#2, Man. will provide the applicant the option to withdraw the application and reappear at the next SLA Licensing Committee meeting; and

**Be it further resolved**, that CB#2, Man. recommends denial of an On Premise license for **GMG Industries Inc., d/b/a Tresanti, 40-42 Thompson St., aka 5-15 Watts St.** unless all conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

**8. Sullivan’s Corner, LLC, 128 W. Houston St. (Thompson and Sullivan), NYC**

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

**Whereas**, this application is for a transfer of an existing On Premise license d/b/a XR Bar in a mixed use building on West Houston between Thompson and Sullivan Streets for a 1,400 s.f. bar with 20 table seats, 1 bar with 16 bar seats, and a maximum legal capacity of 75 persons; and,

**Whereas**, the applicant stated there are no plans to change the previously approved method of operation except the hours of operation; the applicant stated the new hours of operation are Sunday – Wednesday from 4:00 p.m. – 2:00 a.m. and Thursday - Saturday from 4:00 p.m. – 4:00 a.m.; there is no sidewalk café and no backyard garden; music is background only; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Sullivan’s Corner, LLC, 128 W. Houston St.** unless the condition agreed to by applicant relating to the hours in the third “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

**9. Barcar New York, LLC, 27 Morton St. (7<sup>th</sup> Avenue South and Bedford), NYC**

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

**Whereas**, this application is for an On Premise license in a mixed use building on Morton Street between 7<sup>th</sup> Avenue South and Bedford Street for a 400 s.f. restaurant with 18 table seats, 1 bar with 6 seats, and a maximum legal capacity of 30 persons; and,

**Whereas**, the applicant stated the hours of operation are Seven Days a Week from 10:00 a.m. – 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant is currently operating other successful restaurant establishments in the West Village and SoHo; and,

**Whereas**, a member of the community appeared in support of the proposed establishment; and,

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

**Whereas**, this Community Board has received a few email in opposition of the proposed establishment; citing noise, refuse and safety concerns; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **Barcar New York, LLC, 27 Morton St.**

**PLEASE NOTE THAT THE ABOVE RESOLUTION WAS WITHDRAWN, AND THE APPLICANT WAS SENT BACK TO COMMITTEE.**



**10. ABG Standard Operator, LLC d/b/a The Standard, 848 Washington St. (at W. 13<sup>th</sup> St.), NYC**

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

**Whereas**, this application is for an alteration to an On Premise license for a rooftop bar/restaurant located in 2,222 s.f. premise on the 19<sup>th</sup> Floor roof in an upscale Hotel d/b/a The Standard located on the corner of Washington and West 13<sup>th</sup> Street with 90 table seats and 1 SERVICE BAR with a maximum legal capacity of 185 persons; and,

**Whereas**, the applicant stated the restaurant hours are Seven Days a Week from 9:00 a.m. – 12:00 a.m.; no music will be played in the rooftop bar/restaurant; and,

**Whereas**, the applicant has reached out members of the community previous to this hearing to test the impact of noise emanating from the hotel rooftop; and,

**Whereas**, the applicant has a consistent track record with abiding to the Community Board and SLA stipulations/conditions at their other licensed establishments; and,

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

1. The applicant has agreed to obtain all required certificates, permits and related documents, including a revised Certificate of Occupancy and Public Assembly Permit.
2. The applicant has agreed to the reduced hours of operation by closing at 12:00 a.m. seven days a week.
3. The applicant has agreed to no music of any kind unless this Committee decides to re-evaluate their Method of Operations and only after they are in very good standing with members of the community AND this Community Board.
4. The applicant has agreed prohibit the use of outside promoters.
5. The applicant has agreed to have the entrance solely at West 13<sup>th</sup> Street.
6. The applicant has agreed to conduct additional sound tests with members of the community.

**Whereas**, several members appeared in opposition from the community; citing overcrowding issues along Washington Street; saturation concerns with licensed establishments in the Meatpacking District; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed alteration to an existing On Premise license for **ABG Standard Operator, LLC d/b/a The Standard, 848 Washington St.** unless those conditions agreed to by applicant relating to and outlined in the sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

**11. Lignoranti, LLC, 24 Prince St. (Mott and Elizabeth), NYC**

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

**Whereas**, this application is for a transfer of an existing On Premise license for a 1,900 s.f. Latin restaurant (with a 400 s.f. backyard garden) located in a mixed use building on Prince between Mott and Elizabeth Streets with 76 table seats and 1 bar with 16 bar seats; and a maximum legal capacity of 95 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are Seven Days a Week from 10:30 a.m. – 1:00 a.m. for the interior space and 10:30 a.m. – 12:00 a.m. for the exterior space; there won't be a sidewalk café application but include a backyard garden (35 outdoor table seats); music will be live (single instrument only) and background only; and,

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

1. The applicant has agreed to obtain all required certificates, permits and related documents, including a revised Certificate of Occupancy and Public Assembly Permit.
2. The applicant has agreed to operate as a full service restaurant only.
3. The applicant has agreed to not use third party promoters.
4. The applicant has agreed to not operate as a Nightclub/Disco.
5. The applicant has agreed to not seek a DCA Cabaret License.
6. The applicant has agreed to no music of any kind in the exterior garden.
7. The applicant has agreed to the reduced hours of operation by closing the interior space at 1:00 a.m. seven days a week and exterior space at 12:00 a.m. seven days a week.

**Whereas**, the applicant submitted a petition with over 87 signature in support; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Lignoranti, LLC, 24 Prince St.** unless those condition agreed to by applicant relating to and outlined in the fourth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

## **12. Innovation 2010 Inc., d/b/a In 2010, 15 Greenwich Ave. (West 10<sup>th</sup> and Christopher), NYC**

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

**Whereas**, this application is for a transfer of an existing On Premise license for a Chinese restaurant in a commercial building on Greenwich Avenue between West 10<sup>th</sup> and Christopher for a 1,500 s.f. bar/restaurant with 40 table seats, 1 bar with 10 bar seats and 5 table seats in the sidewalk café with a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated there are no plans to change the previously approved method of operation except the hours of operation; the applicant stated the new hours of operation are Sunday – Wednesday from 12:00 p.m. – 12:00 a.m. and Thursday - Saturday from 12:00 a.m. – 1:00 a.m.; there is a sidewalk café but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to operate the kitchen and have food items available until 1 hour prior to closing (food items will be available until 11:00 p.m. Sunday – Wednesday and 12:00 a.m. Thursday – Saturday); and,

**Whereas**, the applicant has agreed to no Karaoke and no dancing at the establishment; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Innovation 2010 Inc., d/b/a In 2010, 15 Greenwich Ave.** unless those conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

**13. Tokyo Oyster Inc, d/b/a Zen Kichi AND Moon Bay Corp d/b/a Sushi Restaurant, 150 Bowery Basement and 2<sup>nd</sup> Floor (at Broome), NYC**

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

**Whereas**, this resolution consists of 2 applications with 2 DBAs at 1 location; and,

**Whereas**, this application is for On Premise licenses for a Japanese restaurant collectively 12,000 s.f. (8,000 s.f. for Tokyo Oyster Inc, d/b/a Zen Kichi and 4,000 s.f. for Moon Bay Corp d/b/a Sushi Restaurant) in a commercial building located on the corner of Bowery and Broome; and,

**Whereas**, the application for Tokyo Oyster Inc, d/b/a Zen Kichi at the Basement and Ground Floor is for 213 table seats with 2 bars (1 service bar) with 12 bar seats and a maximum legal capacity of 240 persons; the stated the hours of operation are Seven Days a Week from 11:00 a.m. – 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; and,

**Whereas**, the application for Moon Bay Corp d/b/a Sushi Restaurant at the 2<sup>nd</sup> floor is for 170 table seats with 1 bar with 15 bar seats and 15 sushi bar seats and a maximum legal capacity of 200 persons; the stated the hours of operation are Sunday - Wednesday from 11:00 a.m. – 12:00 a.m. and Thursday – Saturday from 11:00 a.m. – 2:00 a.m.; there will be no sidewalk café application and no backyard garden; and,

**Whereas**, the SLA Licensing Committee acknowledges the good faith nature of the applicants and identified their successful track record in Brooklyn; and,

**Whereas**, the SLA Licensing Committee acknowledges that this neighborhood is saturated with On Premise licensed establishments; and expressed that converting and licensing this enormous (12,000 s.f.) commercial space does not serve the best interest of the public; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Tokyo Oyster Inc, d/b/a Zen Kichi AND Moon Bay Corp d/b/a Sushi Restaurant, 150 Bowery Basement and 2<sup>nd</sup> Floor.**

Vote: Unanimous, with 38 Board members in favor.

**14. Pink Teacup, LLC, 88 7<sup>th</sup> Ave. So. (Grove and Bleecker), NYC**

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

**Whereas**, this application is for an On Premise license in a mixed use building on 7<sup>th</sup> Avenue South between Grove and Bleecker Streets for a 2,000 s.f. restaurant with 80 table seats, 1 bar with 10 seats, and a maximum legal capacity of 90 persons; and,

**Whereas**, the applicant stated the hours of operation are Seven Days a Week from 10:00 a.m. – 2:00 a.m.; there will be a sidewalk café application but no backyard garden; music is live and background only; and,

**Whereas**, the applicant stated there are no plans to change the previous method of operation; and,

**Whereas**, the applicant is currently operating another successful establishment in the West Village; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **Pink Teacup, LLC, 88 7<sup>th</sup> Ave. So.**

Vote: Unanimous, with 38 Board members in favor.

**15. 525 Broome Street Corp. 525-527 Broome Street (Thompson and 6<sup>th</sup> Avenue), NYC**

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

**Whereas**, this application is for an On Premise license for a restaurant in a mixed use building located on Broome Street between Thompson and 6<sup>th</sup> Avenue with 109 table seats, 2 bars with 20 bar seats and a maximum legal capacity of 129 persons; and,

**Whereas**, the applicant stated the hours of operation for the restaurant are Monday – Thursday from 5:00 p.m. – 2:00 a.m., Friday from 5:00 p.m. – 3:00 a.m., Saturday from 11:00 a.m. – 3:00 a.m. and Sunday from 11:00 a.m. – 2:00 a.m.; there won't be a sidewalk café application and no backyard garden; music will be background only; and,

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

1. The applicant has agreed to not have DJs or Live Music at the establishment.
2. **Whereas**, the applicant has agreed to operate the kitchen and have food items available until 1 hour prior to closing (food items will be available until 1:00 a.m. Monday – Thursday and Sunday and 2:00 a.m. Friday and Saturday); and,
3. The applicant has agreed to operate under a strict set of conditions provided by the Condo Association at 525-527 Broome Street; and,

**Whereas**, several letters have been submitted in support of the applicant; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **525 Broome Street Corp. 525-527 Broome Street** unless those conditions agreed to by applicant relating to and outlined in the fourth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

**16. LLC to be formed, d/b/a TBD, 25 W. Houston St. (Mercer and Greene), NYC**

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

**Whereas**, this application is for an On Premise license for an American restaurant in a mixed use building located on West Houston between Mercer and Greene Streets with 54 table seats, 1 bar with 14 bar seats and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are Sunday - Wednesday from 12:00 p.m. – 12:00 a.m. and Thursday – Saturday from 12:00 p.m. – 1:30 a.m.; there won't be a sidewalk café application and no backyard garden; music will be background only; and,

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

1. The applicant has agreed to operate as a restaurant only and to not operate as a Nightclub/Disco.
2. The applicant has agreed to background music only while prohibiting D.J.'s and Live Music at the establishment.
3. The applicant has agreed to operate the restaurant until 12:00 a.m. Sunday – Wednesday and 1:30 a.m. Thursday – Saturday.
4. The applicant has agreed to keep the kitchen open and menu items available until 30 minutes prior to closing.

**Whereas**, the applicant had reached out to members of the community; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **LLC to be formed, d/b/a TBD, 25 W. Houston St.** unless all conditions agreed to by applicant relating to and outlined in the fourth “whereas” clause are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

#### **17. 150 RFT Varick Corp., 150 Varick St. (Van Dam and Barrett), NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license for a 7,400 s.f. nightclub located in a commercial building located on Varick between Van Dam and Barrett streets with 280 table seats 3 bars with no bar seats and a maximum legal capacity of 590 persons; **to incorporate a 2,000 s.f. basement space**; and,

**Whereas**, the applicant stated there are no plans to change the current method of operation, which was never approved by this Community Board; the applicant stated the hours are 6:00 p.m. – 4:00 a.m. seven days a week; there is no sidewalk café nor a backyard garden; music is D.J. and live only; and,

**Whereas**, the establishment d/b/a Greenhouse was recently shutdown due to a stabbing incident; and

**Whereas**, this Community Board has received several complaints with this establishment; and,

**Whereas**, the SLA Licensing Committee has strong concerns with noise and overcrowding issues at the establishment; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed alteration to On Premise license for **150 RFT Varick Corp., 150 Varick St.**

Vote: Unanimous, with 38 Board members in favor.

**18. Bar 13, Inc., 35 East 13<sup>th</sup> St. (at University Place), NYC**

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

**Whereas**, this application is for an alteration to an On Premise license for a rooftop bar located in 3,000 s.f. premise in a commercial building d/b/a Bar 13 located on the corner of East 13<sup>th</sup> Street and University Place with 84 table seats and 1 mobile bar with a maximum legal capacity of 320 persons; and

**Whereas**, the applicant stated the rooftop hours are Sunday – Wednesday from 6:00 p.m. – 12:00 a.m. and Thursday – Saturday from 6:00 p.m. – 2:00 a.m.; no music will be played in the rooftop bar; and,

**Whereas**, the applicant has agreed to obtain all required certificates, permits and related documents, including a revised Certificate of Occupancy and Public Assembly Permits for each floor; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed alteration to an existing On Premise license for **Bar 13, Inc., 35 East 13<sup>th</sup> St.** unless those conditions agreed to by applicant relating to the third (hours of operation) and fourth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

**19. Spring Rest. Group, LLC d/b/a Gatsby’s, 53 Spring St.**

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, this application is for renewal of an On Premise license for a 2,000 s.f. bar/restaurant in a mixed use building on Spring Street between Mulberry and Lafayette Streets with 88 table seats, 1 bar with 18 bar seats, and a maximum legal capacity of 125 persons; and,

**Whereas**, the applicant had been previously approved by this committee on March 2002 for an On Premise License for an Irish restaurant with background music only from tapes and cds and hours listed on the original “Establishment Questionnaire” in 2002 of Sun.-Thurs. from 11:00 a.m. to 1:00 a.m. and Fri.-Sat. from 11:00 a.m. -2:00 a.m.; and,

**Whereas**, the applicant had blatantly deceived this Community Board and the State Liquor Authority by operating a service bar as a stand up bar prior to receiving authorization from the SLA as outlined in a resolution from September 18, 2008 from CB2, a copy of which is also attached, which also addresses issues of hours of operation, music, DJs, overcrowding and other issues relating to operating contrary to the applicant’s Method of Operation; and,

**Whereas**, the applicant has violated their duly licensed method of operation as stated by the SLA on numerous occasions, particularly with DJs music at the establishment; and,

**Whereas**, the applicant has a history of issues and 311 complaints within the community arising from noise and overcrowding; and,

**Whereas**, several members of the community submitted written testimony opposing this application; citing vibrations and noise emanating from the loud bass of the music, loud and rowdy customers congregate in front of the building and a large exhaust fan placed directly beneath a residential unit; and

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly objects to the renewal of the On Premise license of **Spring Rest. Group, LLC d/b/a Gatsby's, 53 Spring St.** and calls on the State Liquor Authority to verify that the establishment is not operating in violation of its duly licensed Method of Operation.

Vote: Unanimous, with 38 Board members in favor.

**20. 33 W. 8<sup>th</sup> Street, LLC, 33 W. 8<sup>th</sup> St., NYC 10011**

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, this application is for an On Premise liquor license; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to **33 W. 8<sup>th</sup> Street, LLC, 33 W. 8<sup>th</sup> St., and requests that the SLA send this applicant back to CB2 should this application proceed 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.

**21. Housing Works Food Service Corp. d/b/a Housing Works Used Book Café, 126 Crosby St., NYC 10012**

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, this application is for an On Premise liquor license; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Housing Works Food Service Corp. d/b/a Housing Works Used Book Café, 126 Crosby St. and requests that the SLA send this applicant back to CB2 should this application proceed 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.

**22. Mikado Bistro Inc., d/b/a Mikado Bistro Inc., 525 6<sup>th</sup> Ave. NYC 10011**

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, this application is for an On Premise liquor license; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Mikado Bistro Inc., d/b/a Mikado Bistro Inc., 525 6<sup>th</sup> Ave. and requests that the SLA send this applicant back to CB2 should this application proceed 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

## **SOCIAL SERVICES AND EDUCATION**

### **Department of Education Ban on Bake Sales**

**Whereas**, The Department of Education, in June 2009, enacted a policy to ban all bake sales in City Schools, and

**Whereas**, bake sales are an important fundraising component of many schools, providing significant assistance to many extra curricula programs, that would otherwise not exist, and

**Whereas**, bake sales provide a vital social component, offering individuals an opportunity to share cultural heritage, sample family recipes, and show off individual skills, and

**Whereas**, bake sales offer a variety of educational experiences for students, and

**Whereas**, in the Fall of 2009 D.O.E. modified its policy to allow bake sales, on the condition that they only sell the pre-packaged products that are manufactured by D.O.E.'s contracted vendors, and which are currently available in school vending machines, such as Hydrox, Pop Tarts, Frito-Lay, Doritos, and Snapple, among others, all of which contain high fructose corn syrup and/or other unhealthy industrial food additives, and

**Whereas**, home bakers use healthier ingredients, having little or no access to industrial food additives, and

**Whereas**, under these new rules, there is little or no incentive for customers to buy products that are readily available elsewhere in the school building, every day, and which have no unique, personal appeal, and

**Whereas**, the key to making children and teenagers healthier is to educate them to make healthier choices, not to impose bans, and

**Whereas**, common sense dictates that there is no correlation between occasional bake sales, which have been a regular feature of school support since the early part of the 20<sup>th</sup> Century, and the threefold increase in childhood obesity in the United States that has occurred since the 1960s when schools began offering less healthy food options in lunch rooms and vending machines, and

**Whereas**, the main reasons cited for the increase in childhood obesity are:

- Less physical activity among youth
- More fast food, commercial foods and additives (such as corn syrup)
- Fewer home-cooked meals and less family time, and

**Whereas**, decreasing and preventing childhood obesity will also lead to a decrease in heart disease, diabetes, strokes, and many other serious health problems.



**Therefore Be It Resolved** that CB#2, Man. urges the Department of Education to repeal its ban on selling home baked foods at bake sales, and calls upon our elected officials to review this nonsensical D.O.E. policy and seek its repeal, and

**Be It Further Resolved** that CB#2, Man. supports efforts to increase school- based opportunities for physical activity among youth, and decrease their consumption of industrially prepared foods and beverages.

Vote: Unanimous, with 38 Board members in favor.

## **STREET ACTIVITY & FILM PERMITS**

### **1. Support of Various Street Fair Permit Applications (Renewals)**

**WHEREAS**, each of the street fair permit applications listed below were approved by CB#2, Man. last year and are up for renewal this year, or are single-block events not affected by the current moratorium on new multi-block events; and

**WHEREAS**, each of the renewal street fair permit applications listed below appear to not have changed in any material manner from last year; and

**WHEREAS**, each of the street fair permit applications listed below include a setup and breakdown time between 8:00 a.m. and 8:00 p.m.; and

**WHEREAS**, the sponsors of the street fair permit applications listed below appeared before the Committee to answer questions, and the Committee has determined in the exercise of its sound judgment that the sponsors meet the requirements of Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges, in that each such sponsor is a “community based, not-for-profit organization, association or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full responsibility for the conduct of the event”; and

**WHEREAS**, there is no community opposition to such applications from the public; now

**THEREFORE BE IT RESOLVED** that CB#2, Man. supports the street fair permit applications on the dates and at the locations listed below:

1. **5/1/10 – Grace Church School Annual Spring May Fair**, E. 10<sup>th</sup> bet. Broadway & Fourth Ave.

Vote: Passed, with 37 Board members in favor, and 1 abstention (T. Bergman).

2. **5/1/10 – P.S. 130 Manhattan**, Hester bet. Mulberry & Baxter St.

Vote: Passed, with 37 Board members in favor, and 1 abstention (T. Bergman).

3. **5/2/10 – NoHo NY District Management Association/Sidewalk only Farmers Market, (multi-day)**, Crosby St. bet. Bleecker St. & E. Houston St.

**THE ABOVE APPLICATION HAS BEEN WITHDRAWN BY THE APPLICANT.**

4. **5/15/10 – Christopher St. Block & Merchant Association, (multi-block)**, Christopher St. bet. 7<sup>th</sup> Ave. So. & Hudson St.

Vote: Passed, with 37 Board members in favor, and 1 abstention (T. Bergman).

5. **5/15/10 – West 11<sup>th</sup> Street Block Association**, W. 11<sup>th</sup> St. bet. 5<sup>th</sup> Ave. & 6<sup>th</sup> Ave.

Vote: Passed, with 37 Board members in favor, and 1 abstention (T. Bergman).

6. **5/16/10 – Urban Bear Weekend’s Bear Fair**, Little West 12<sup>th</sup> St. bet. Washington & West St.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (M. Johnson).

7. **6/5/10 – Jane St. Block Association**, Jane St. bet. 8<sup>th</sup> Ave. & Hudson St.

Vote: Passed, with 36 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (K. Berger).

8. **7/31/10 – Oversea Chinese Mission**, Hester St. bet. Elizabeth & Mott St.

Vote: Passed, with 37 Board members in favor, and 1 abstention (T. Bergman).

9. **8/28/10 – Washington Square Block Association, (multi-block)**, West 4<sup>th</sup> St. bet. 6<sup>th</sup> Ave. & La Guardia Pl.

Vote: Failed (denied), with 1 Board member in favor (E. Young) and 37 in opposition. **PLEASE SEE RESOLUTION BELOW.**

10. **9/26/10 – Global Impact Productions**, W.13<sup>th</sup> St. bet. 7<sup>th</sup> Ave. & Greenwich Ave

Vote: Passed, with 37 Board members in favor, and 1 abstention (T. Bergman).

11. **10/16/10 – Integral Yoga Annual Day for your Health**, 227 W. 13<sup>th</sup> St. bet. 7<sup>th</sup> Ave. & 8<sup>th</sup> Ave.

Vote: Passed, with 37 Board members in favor, and 1 abstention (T. Bergman).

2. **8/28/10 – Washington Square Block Association, (multi-block)**, West 4<sup>th</sup> St. bet. 6<sup>th</sup> Ave. & La Guardia Pl.

**Whereas**, it has not been determined that this organization is a fully functional block association; and

**Whereas**, there is no record of where and how the monies collected are distributed; and

**Whereas**, the applicant has not brought forward this information and/or his organization’s nexus or connection to the community;

Therefore, be it resolved, that CB#2, Man. denies the application.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (E. Young).

### 3. Holdovers to Next Committee Meeting

WHEREAS, the following applicants were scheduled and failed to appear before the Committee; now

THEREFORE BE IT RESOLVED, that CB#2, Man. holds over to next month the applications for the following:

1. **5/16/10 – San Lorenzo Ruiz/Filipino Apostolate**, Broome St. bet. Mott and Mulberry Sts.
2. **7/4/10 – San Lorenzo Ruiz/Filipino Apostolate**, Broome St. bet. Mott & Mulberry Sts.

Vote: Unanimous, with 38 Board members in favor.

### 4. Provisional Denials

WHEREAS, the following applicants were scheduled and failed to appear before the Committee for two consecutive months; now

THEREFORE BE IT RESOLVED, that CB 2, Man. denies the street fair permit applications on the dates and at the locations listed below unless the applicants appear before the Committee:

1. **6/27/10 – Heritage of Pride-Pride Fest Street Festival, (multi-block)**, Hudson St. bet. Bethune St. & W. 14<sup>th</sup> St.
2. **10/16/10 – TR Republican Club Washington Square Festival**, Waverly Pl. bet. Broadway & MacDougal St.

Vote: Unanimous, with 38 Board members in favor.

### NEW BUSINESS

#### 1. A resolution supporting the proposed design for reconstruction for Blecker Playground Comfort Station for ADA compliance

Whereas, the purpose of this projects to provide wheelchair accessibility to this facility, and

Whereas, ADA compliance for all park facilities and amenities including restrooms is a top CB#2, Man. priority, and

Whereas, Parks has agreed to changes in the design presented to the Parks Committee at its February, 2010, public hearing; and

Whereas, the areas in front of the restroom doors as now proposed will be level; and

Whereas, the turning radius in the stalls has been increased to comply with ADA requirements; and

**Whereas**, changes to the appearance of the building were approved by the CB#2, Man. Landmarks Committee and the New York City Landmarks Commission;

**Therefore, be it resolved** that CB#2, Man. supports the design for this project and looks forward to its swift completion, improving this facility for all its many users.

Vote: Unanimous, with 38 Board members in favor.

**AMENDMENT-PLEASE SEE ADDITION BELOW:**

**2. Article Submission- Inside a Divided Upper East Side Public School: whites in the front door, blacks in the back door."**

CB2 member Dr. Shirley Smith brought to the attention of the Board an article published in The Village Voice entitled "Inside a Divided Upper East Side Public School: whites in the front door, blacks in the back door." Dr. Smith distributed copies of the article to the board members. She stated that the subject matter of the article -- the de facto segregation of black and white students in a NYC public school -- was a subject that deserved attention by the Board. She requested that the topic be placed on the agenda for the following month. This was agreed to by the Chair.

**(Please see attached article).**

Respectfully submitted,

Susan Kent  
Secretary  
Community Board #2, Manhattan