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Bob Gormley, *District Manager*



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## COMMUNITY BOARD No. 2, MANHATTAN

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Greenwich Village \* Little Italy \* SoHo \* NoHo \* Hudson Square \* Chinatown \* Gansevoort Market

### FULL BOARD MINUTES

**DATE:** January 19, 2012  
**TIME:** 6:00 P.M.  
**PLACE:** P.S. 41, 116 W. 11<sup>th</sup> Street, Auditorium

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Anita Brandt, William Bray, Sigrid Burton, Richard Caccappolo, Heather Campbell, Denise Collins, Terri Cude, Maria Passanante Derr, Doris Diether, Roberty Ely, Joshua Frost, Elizabeth Gilmore, Alison Greenberg, Sasha Greene, David Gruber, Jo Hamilton, Anne Hearn, Brad Hoylman, Chair, Community Board #2, Manhattan (CB#2, Man.), Susan Kent, Evan Lederman, Raymond Lee, Edward Ma, Jason Mansfield, Alexander Meadows, Florent Morellet, Lois Rakoff, David Reck, Robert Riccobono, Robin Rothstein, Rocio Sanz, Maury Schott, Arthur Z. Schwartz, Shirley Secunda, Richard Stewart, Sean Sweeney, Antony Wong

**BOARD MEMBERS EXCUSED:** Susanna Aaron, Lisa Cannistraci, Sheelah Feinberg, Gideon Gil, Arthur Kriemelman, Jane McCarthy, Alison McGonigle-Nelson, Judy Paul, Chenault Spence, Elaine Young

**BOARD MEMBERS ABSENT:** Wendy Schlazer

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

**GUESTS:** Katie Smith, Congressman Jerrold Nadler's office; Robert Atterbury, Senator Tom Duane's office; Mary Cooley, Jordan Levine, Senator Daniel Squadron's office; Jessica Silver, Man. Borough President Scott Stringer's office; Sarah Malloy-Good, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Allie Nudelman, Council Speaker Christine Quinn's office; Victoria Hervas, Council Member Rosie Mendez's office; Matt Viggiano, Council Member Margaret Chin's office; Pete Davies, Jamie Johnson, Amanda Weiner, Regina Cornwell, Renee Monroe, James Gentile, Fred Steinacker, Roger Francis, Luis Pichardo, Andrew Alden, Gilbert Reid, Shane Wilson, Paul O'Connor, Dennis Lee, Rebecca Lynch, John Drew, Ernie Castellan, Alicia Hurley, Susan Wittenberg, Susan Haskell, Howard Negrin, L. Rose, Andrea Swan, Colleen Simeral, Ann Bader, Susan Cusick, Hallie Franks, David Rosenberg, Jeff & Antoinette Rowland, Rhoma Mostel, Ronna Texidor, Barbara Cahn Howard Bader, Ann Pettibone, Laurianna Zулnaga, Milton Davis, Ernest Davis, Patrick Deer, Gerald Matthews, Anthony DiMarco, Edmon Carey, Juanita Yorborough, Taysia Strond, Terell Johnson, Charles Lama, Jr., Antonio Simms, A. Kareic, Simon De Castro, Chad Strachan, Silas Quinonez, Richard Basini, Alex Gonzalez, Barbara Menkes, C. Menkes, Rio Sakairi, Jihn, Carl Rosenstein, Kate Mester, Alexandra Richards, Jennifer, Vitagliano, Christopher, David Ludden, Carol Wilson, Joseph Mandeas, Sal Savarese, John Drew, Barbara Taub, Ellen Recnick, Alec Pruchnicki, Peter Rea, Sara Jones,

**GUESTS (continued):** Marna Lawrence, Sue Taylorson, Elaine Hudson, Robin Goldberg, Amy Kantrown, Patrick Dolan, Laura Scharf, Janice Quinn, Anthony Cololmbini, L.N. Roderas, Carol Reiss, Deborah Steinglass, Rafiq Bhatta, Mary Johnson, Barbara Quart, Leonard Quart, Constance Dondure, Suzy Goren, Scott Dwyer, Louis Terracio, Marilyn Stults, Stephen Michael Rondell, Christine Iu, Steve Chara, Allen Horlal, Rosemarie Castoro, Judy Magida, Edy Selman, Elizabeth Dean, Aubrey Lees, Rachel Yenmollinez, Zelda Wirtschaffer, P. Karant, Marc Brown, Beth Gottlieb, Marianne Edrawrds, Olga Vidov, Ralph Tramontana, Loren Wolfe, Linda Alter, Vicky Contino, Robert Woodworth, Paul Edwards, Edwin An, Maha Eltobgy, Arnaldo Ramos, Adrian Clerk, L. Krasny Brown, Gerd Grieninger, Diana Bernstein, Sybil H. Kossack, Peter Vanderlieth, John Kruth, Antoinette Evans, Minerva Durham, Jed Schwartz, Sara Johnson, Barry Rice, Jefferson Williams, Gilbert Covington, George Kraft, Peter Prince, Michael S. Kenney, John Ellis, Gammy Miller, Ken Kimerling, Richard Oliver, Gary Anderson, Amrinder Kang, Bari Kang, Deborah Spilliatie, Barbara Devaney, Tom Haeseller, Jeff Murphy, Anthony Joyce, Mark McRae, Brian Perssley, Jesse Nieto, Oscar Castillo, Lauro Rivera, Albino Mendez, Andrew Hollweek, Oyetola Ogedengbe, Joseph Welsh, Bobby Egan, Nina Hernandez, Muzzy Rosenblatt, Macy Ann Chiasson, Coral Dawson, Victor Shoup, David Hayes, Jennifer Falk, Lillian Zalta, Marguerite Sharkey, Marty Tessler, Michael Patrick Summers, Gillian Sharkey, Carol Greitzer, Robin Siegal, Teresa John, Amanda Davis, Antoinette Janecki, Jeff Goodwin, Larry Maslon, Miriam Kaplan, Glen Milstein, Milton Polske, Lynne Brown, Tom Gray, Larry Cohn, Alyson Betta, Mary Brabeck, Mary Schmidt Campbell, William Higgins, James Cruis Shank, Sean Kinney, Henry Stimler, Zach Chodorow, Ellen Levin, Colin Higgins, L. Nicolas Ronderos

**MEETING SUMMARY**

Meeting Date –January 19, 2012  
 Board Members Present – 39  
 Board Members Excused–10  
 Board Members Absent – 1

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

Milton Polski spoke.

#### Musicians in Washington Square Park

Colin Higgins spoke in favor of musicians in the park. Ellen Levin spoke in favor of their 1<sup>st</sup> amendment rights.

#### The New Acting Company

Stephen Michael Rondell spoke in favor of the company.

#### Neighborhood

David Ludden spoke against the devastation of the neighborhood.

#### Sidewalks

Jihn Miller spoke against sidewalk congestion.

#### Light and Air

Glen Milstein spoke against construction on Mercer Street.

### **Landmarks & Public Aesthetics**

#### 487 Hudson Street (St. Luke's School) App. to construct an addition on a portion of the playground

Barry Rice spoke in favor of the school addition at 487 Hudson Street.

### **Land Use and Business Development Items**

#### 286 Spring Street, a/k/a 290 Hudson Street (The Jazz Gallery)

Deborah Steinglass, from the Jazz Gallery, and Gammy Miller, spoke regarding the re-zoning proposal.

John Ellis and Ken Kimerling spoke against the proposal.

#### NYU Core Proposal (NYU 2031) Campus Expansion Plan

Lynne Brown, Muzzy Rosenblatt, Patrick Dolan, Mary Brabeck, Dennis Lee, Tom Gray, Carol Reiss, Jennifer Falk, and Janice Quinn spoke in favor of the proposed expansion plan.

Alyson Bettas, Mary Schmidt Campbell, Susan Haskell, Pat Donald Andrew Hollweek, Lillian Zalta, Marguerite Sharkey, Michael Patrick Summers, Lillian Sharkey, Leonard Quart, Jed Schwartz, Scott Dwyer, Louis Terracio, and L. Nicolas Ronderos spoke regarding the NYU proposal for expansion of their campus.

Carl Rosenstein, Carrol Greitzer, Beth Gottlieb, Robin Siegel, Nina Hernandez, Connie Dondure, Teresa John, Susan Goren, Howard Negron, Allen Horland, Barbara Quart, Pete Davies, Amanda Davis, Jeff Rowland, Antoinette Janecki, Jeff Goodwin, Larry Maslon, Rhonda Mester, Miriam Kaplan, Annette Evans, Gary Anderson, Judy Magida, Edy Selman, Ernest Davis, Marty Tessler, Mary Johnson, and Amanda Weiner spoke against the proposed NYU expansion project.

## **SLA Licensing Items**

Toby's Public House II, Inc., 86 Kenmare St.

Christine Iu, the proprietor, spoke in favor of the proposed beer and wine application.

Minerva Durham spoke against the application.

3 Howard Partners, LLC, TBD, 3 Howard St.

Zach Chodorow, Henry Stimler, Sean Kinney, James C. Shank, Larry Cohn, Jennifer Vitagliano, Christopher Gale, Anthony Colombini, Alexandra Richards, and Kate Mester, spoke in favor of the proposed liquor license.

## **Street Activity & Film Permit**

Mulberry Street Mall Extension

Marna Lawrence spoke against the proposed Mulberry Mall extension to Kenmare Street.

Caffe Momo, LLC, 150-152 W. 10<sup>th</sup> St.

Olga Vidov, the applicant, spoke in favor of the proposed beer and wine license.

## **III. ADOPTION OF AGENDA**

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

Katie Smith, Congressman Jerrold Nadler's office

Robert Atterbury, Senator Tom Duane's office

Mary Cooley, Jordan Levine, Senator Daniel Squadron's office;

John Ricker, NYC Comptroller's office;

Jessica Silver, Man. Borough President Scott Stringer's office

Sarah Malloy-Good, Assembly Member Deborah Glick's office

Allie Nudelman, Council Speaker Christine Quinn's office

Matt Viggiano, Council Member Margaret Chin's office;

Victoria Hervas, Council Member Rosie Mendez's office,

## **V. ADOPTION OF MINUTES**

Adoption of November 2011 minutes and distribution of December 2011 minutes.

## **VI. EXECUTIVE SESSION**

1.**Chair's Report** Brad Hoylman reported

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

## STANDING COMMITTEE REPORTS

### LANDMARKS AND PUBLIC AESTHETICS

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

**1 - LPC Item: 5 - 715 Broadway** – NoHo Historic District. A Renaissance Revival style store and office building designed by Robert Maynicke and built in 1894-96. Application is to relocate a flagpole and install a stretch banner.

**Whereas**, the applicant knew there is a Master Plan for this building. So the applicant should have utilized the Master Plan, due to the greater layer of oversight such a Plan provides in an historic district; and

**Whereas**, the applicant failed to convince us of the need for dual identifying signage: one banner identifying the university and then others for the various academic departments. Wouldn't a single banner be able to dually serve those functions?; and,

**Whereas**, the stretch banners obscure the architecture of the piers; and, furthermore, they are installed incorrectly, being secured in the masonry instead of the hairline mortar joints; and

**Whereas**, the applicant requests that the main flag be placed above the cornice. However, granting that request would obscure that element's decorative details; and

**Whereas**, the proposed signage is not only excessive, but unnecessary; and,

**Whereas**, why the applicant needs such excessive signage to identify a school building makes no sense to us whatsoever.

Can the students not find their class without huge stretch banners to assist them?

Can the freshmen not be provided a map?

Cannot the students simply be instructed to go to Broadway and then proceed to the building that has "715" marked on the door?

Is that so difficult? Must handsome buildings in the historic district be plastered with stretch banners to assist directionally-challenged freshmen?;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of this application.

Vote: Unanimous, with 39 Board members in favor.

**2 - LPC Item:6 - 726 Broadway** – NoHo Historic District A neo-Classical style garage, factory and warehouse building built in 1917-19, designed by Wm. Steele and Sons Co. Application is to install three stretch banners and a sign.

**Whereas**, removing one of the canopies would enhance the building and the district; but

**Whereas**, the sum of the flags requested would obscure the landmark-protected facade; and

**Whereas**, we offer the same arguments against this proposal for numerous signs on 726 Broadway that we did for a similar application across the street at 715 Broadway; namely, the number of signs requested are excessive, unnecessary and an insult to the intelligence of the students and their ability to find their way about town; and

**Whereas**, although many Broadway structures can reasonably accommodate a large banner in scale with a large building, the community board and the Commission rarely permit individual banners for the numerous businesses in a building. The general rule is: one building, one banner. It would be chaotic to give every business or department in a building permission to hang its own banner on the façade. Yet what this applicant is requesting would give precedent for other buildings to request multiple banners; now

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval for removing one of the canopies, but strongly recommends denial of the request for so many banners. One banner is sufficient.

Vote: Unanimous, with 39 Board members in favor.

**3 - LPC Item:7 - 306 Bowery** (Bleecker/Houston)– NoHo Historic District

A Federal style house built in 1820. Application is to construct a rear yard addition. Zoned C6-1

**Whereas**, this application does not require destruction of historical fabric; now

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 39 Board members in favor.

**4 - LPC Item:8 - 628 Broadway** (Houston/Bleecker)– NoHo Historic District An office building with Orientalized ornament, designed by H.J. Schwarzmann & Co. and built in 1882-83. Application is to install storefront infill.

**Whereas**, the proposed color scheme integrates well with the rest of the building; and

**Whereas**, the applicant promised the landmarks committee orally that the base will be limestone, not the painted concrete that was on the drawing shown us; but

**Whereas**, although the existing three banner are grandfathered, they are very excessive and hide the decorative elements. So we urge the applicant to simplify the look by reducing the number of banners, which would enhance the storefront's appeal and thus could actually draw in more customers, to the benefit of the applicant; and

**Whereas**, the two new doors proposed are acceptable; and

**Whereas**, the addition of horizontal mullions on the display window are an improvement; now

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends general approval of this application; but,

**FURTHER BE IT RESOLVED** that CB#2, Man. recommends that the Commission be sure to get a guarantee that the base will be limestone, as well as perhaps an acknowledgement from the applicant that the beautiful façade being proposed would be further enhanced by a reduction in the number of banners.

Vote: Unanimous, with 39 Board members in favor.

**5 - LPC Item:9 - 128 West 13th Street (6<sup>th</sup>/7<sup>th</sup>)**– Greenwich Village Historic District. A Renaissance Revival style apartment building designed by Bernstein & Bernstein and built in 1910. Application is to legalize painting the facade in non-compliance with Landmarks Preservation Commission permits

**Whereas**, we understand the conundrum this applicant is in; but

**Whereas**, we do have a responsibility to respect the building; now

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of this application; but,

**FURTHER BE IT RESOLVED** that CB#2, Man. recommends that the applicant need not remove the coating, but repaint the façade (the trim, lintels, sills and base) in a shade that closely resembles the natural color of limestone

Vote: Unanimous, with 39 Board members in favor.

**6 - LPC Item:10 - 35 West 11th Street (5<sup>th</sup>/6<sup>th</sup>)**– Greenwich Village Historic District  
A modified rowhouse built in 1849-50. Application is to paint the facade and replace the windows

**Whereas**, the applicant should restore the parlor windows further by extending them down to their original floor-level; and

**Whereas**, the parlor windows should be 6/9 as the application calls for, but the lights should be concomitantly proportioned for the taller opening that we have proposed; and

**Whereas**, the color proposed is harmonious with this style of building; and

**Whereas**, the proposed basement-window replacements are acceptable and we are OK with the replacement grills; now

**Therefore, be it resolved** that CB#2, Man. recommends approval of the color scheme, the basement windows and grills; but

**Further, be it resolved** that CB#2, Man. recommends that the parlor windows be lengthened and that the lights be appropriately proportioned in scale.

Vote: Unanimous, with 39 Board members in favor.

**7 - LPC Item: 11 - 135 7th Avenue South, aka 163 West 10th Street** – Greenwich Village Historic District A Victorian Gothic style apartment building designed by Charles Guentzer and built in 1866. Application is to construct an addition. Zoned C2-6

**Whereas**, we feel it is alright to fill in the empty gap, as proposed; but

**Whereas**, the rear façade has what appears to be a vintage bay window and arched door; now

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

**Further, be it resolved** that CB#2, Man. requests the Commission to investigate how historic may be the bay window and the arched door in the rear, since we would be reluctant to see historic elements destroyed.

Vote: Unanimous, with 39 Board members in favor.

**8 - LPC Item: 12 - 145 West 10th Street** (Greenwich/Waverly)– Greenwich Village Historic District  
An Italian Renaissance Revival style apartment house built in 1901. Application is to alter areaway window openings.

**Whereas**, we understand and approve of the change to the façade that the applicant requests, which is likely being done to accommodate a future retail tenant in the basement space; but

**Whereas**, we foresee at some point in the future that a commercial tenant might request business signage; and

**Whereas**, this residential building never had signage; now

**Therefore, be it resolved** that CB#2, Man. recommends approval of this application, but subject to an absolute prohibition in perpetuity on any signage.

Vote: Unanimous, with 39 Board members in favor.

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

**9 - LPC Item:9 - 487 Hudson Street** (St. Luke’s School) – Greenwich Village H.D. A school building designed by Thomas M. Bell and built in the early 1950's with an adjacent playground. Application is to construct an addition on a portion of the playground. Zoned R6

**Whereas**, three neighbors spoke in support of the application; and

**Whereas**, this is an attractive modernist building, well done in design and scale, but would look better in a more open campus or a different neighborhood; and

**Whereas**, it is not contextual with the historic district

- in its modular construction method (we were not given a satisfactory explanation why this method was being used)
- in fenestration (we have an expectation of more openings in the masonry)
- in materials (the pre-fabricated panels are of inappropriate texture) and
- in appearance (the canopy is a bit aggressive); and

**Whereas**, oddly, the building relates more to the abutting fence than the historic district;

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

Vote: Passed, with 36 Board members in favor, 2 in opposition (K. Berger, A. Hearn) and 1 abstention (D. Diether).

**10 - LPC Item:11 - 208 West 13th Street** (Varick/Eighth – GLBT Center)– Greenwich Village Historic District  
An Italianate style school building built between 1869 and 1899. Application is to replace doors

**Whereas**, the proposal will open up and bring in more daylight to the interior space; and

**Whereas**, the design makes this community building cheerful and inviting; now



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

Vote: Unanimous, with 39 Board members in favor.

**11 - LPC Item:12 - 32 Morton Street** – Greenwich Village Historic District. A utilitarian building designed by Hobart B. Upjohn and built in 1920. Application is to enlarge window openings

**Whereas** the Landmarks Preservation Commission's publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

**Whereas** the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; now

**Therefore, be it resolved** that CB#2, Man. recommends denial of this application in the absence of this important step in the review process.

Vote: Unanimous, with 39 Board members in favor.

**12 - LPC Item:13 - 47 West 8th Street (5<sup>th</sup>/6<sup>th</sup>)**– Greenwich Village Historic District. A Greek Revival style rowhouse built in 1845 and altered in the early 20<sup>th</sup> Century to accommodate stores at the first two floors. Application is to legalize facade alterations without Landmarks Preservation Commission permits and install new storefront infill.

**Whereas**, even within the eclectic West 8<sup>th</sup> streetscape, this design manages to aggressively stand out and draw attention to itself; and

**Whereas**, the storefront resembles an English castle with its small door and arched lintel, tiny windows, and rusticated façade (at least the ersatz ivy is gone); and

**Whereas**, the existing punched window openings are inappropriate for the historic district; and

**Whereas**, the proposal calls for adding expansive glazing across the second-floor fenestration, of which we approve; but retains small windows on the ground floor, imparting an incongruity between floors; and

**Whereas**, warnings from the applicant that removal of the existing ground-floor masonry would harm the building, would be very expensive, and would necessitate a sidewalk shed were not convincing enough to persuade us not to recommend the need to restore the façade to something more appropriate to the district; now

**Therefore, be it resolved** that CB#2, Man. recommends denial of this application with the exception of the change to the second-floor fenestration.

Vote: Unanimous, with 39 Board members in favor.

**13 - LPC Item:14 - 396 Bleeker Street (Perry/11<sup>th</sup>)**- Greenwich Village Historic District. A townhouse built in 1852-53. Application is to install storefronts. Zoned C1-6

**Whereas**, we appreciate their returning to the original ground-floor configuration that is so consistent within an historic retail strip like Bleeker Street; and

**Whereas**, we have no objection to the steel doors and bay windows; but the treatment of the brick is questionable; and

**Whereas**, on this stretch of Bleecker Street, elements like the proposed brick piers are not to be seen. Rather, thin masonry piers or else historically-inspired cast-iron or steel columns are very common; and

**Whereas**, a lot of brick is proposed for below the bay window. Having a brick base only adds to the monotony of so much brick. A different type of masonry should be used for the base, one more harmonious to the neighborhood; now

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

**Further, be it resolved** that CB#2, Man. recommends re-working the balance of masonry with glazing in order to add a more authentic appearance to the storefront.

Vote: Unanimous, with 39 Board members in favor.

**14 - LPC Item:15 - 275 Bleecker Street (Jane/Cornelia)- Greenwich Village Historic District Extension II** A Federal/ Italianate style rowhouse built c.1818 and altered in 1876. Application is to legalize the re-cladding of the base of the building without Landmarks Preservation Commission permits.

**Whereas**, the prior wooden façade was more discreet, less flashy. This proposal is more aggressive, distracting, out-of-keeping with the neighborhood, and characteristic of mall architecture; now

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

Vote: Unanimous, with 39 Board members in favor.

**15 - LPC Item:16 - 640 Broadway, aka 172 Crosby Street and 60-74 Bleecker Street – NoHo Historic District.** A Classical Revival style store, loft, and office building designed by DeLemos and Cordes, and built in 1896-97. Application is to amend a Master Plan governing the future installation of storefront infill.

**Whereas**, this is a beautiful restoration of a beautiful building; and

**Whereas**, extending the fire-escape baskets on the upper floors will not detract from the building; and

**Whereas**, the restoration of the cornice and brackets, as well as the store's bay window are an improvement, as will be the memorializing of the existing configuration of the storefront infill on Crosby Street; and

**Whereas**, as much as we like most of the proposed changes, we do note that it is a shame that the Broadway corner storefront does not extend eastward a bit further on Bleecker, to give the storefront added grace, style and proportion, as well as to replicate the original storefront that was extant in the old photographs; and

**Whereas**, although we usually reject applications for retro canopies without precedent on Broadway buildings, in this instance we feel that a canopy similar to the historical canopy shown in the photos would really be an improvement to the building and to the district, and strongly urge the applicant to consider including a canopy in the amended Master Plan; now

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

**Further, be it resolved** that CB#2, Man. recommends requesting the applicant and the Commission to support extending the storefront a bit eastward on Bleecker Street and installing a canopy on the Broadway storefront

Vote: Unanimous, with 39 Board members in favor.

### **LAND USE AND BUSINESS DEVELOPMENT**

**286 Spring Street, a/k/a 290 Hudson Street (Block 579, Lot 5) Board of Standards and Appeals application on behalf of Hudson Spring Partners, LP, pursuant to Section 72-21 of the Zoning Resolution to request a variance of the use regulations of ZR Section 42-10 to allow the conversion of floors 2-6 from office to residential use (one loft unit on each floor). There would be no change in floor area. The ground floor would continue to be occupied by a Use Group 6 eating and drinking establishment or other conforming retail use. Located in an M1-6 manufacturing zoning district.**

**WHEREAS**, The area was posted and there was no opposition to this application, and,

**WHEREAS**, In 1999 CB#2, Man. recommended approval of the application noting the unique difficulties of being located on top of the Holland Tunnel that prevent the building from being built to the full FAR, the shape of the building that produces a narrow width and lot line windows, and the excess office space in the surrounding area, and

**WHEREAS**, The conversions of large industrial buildings to market rate office space has continued making the commercial usage of this building more difficult, and

**WHEREAS**, The Jazz Gallery is a tenant on the second floor of this building, providing an extraordinary and irreplaceable asset to the community, and providing a unique incubator for many of the best young musicians in one of the best traditions of our district, a different kind of venue from the clubs that are often inaccessible to them, and

**WHEREAS**, the Jazz Gallery will have a very difficult time finding suitable replacement space, which is a strong and reasonable argument in favor of the retention of this class of commercial space in the district; and

**WHEREAS**, There would be no change in floor area as a result of this application;

**THEREFORE BE IT RESOLVED**, that CB#2, Man. approval of this Board of Standards and Appeals application on behalf of Hudson Spring Partners, LP, pursuant to Section 72-21 of the Zoning Resolution to request a variance of the use regulations of ZR Section 42-10 to allow the conversion of floors 2-6 from office to residential use (one loft unit on each floor) except as noted below. There would be no change in floor area. The ground floor would continue to be occupied by a Use Group 6 eating and drinking establishment or other conforming retail use. Located in an M1-6 manufacturing zoning district; and

**THEREFORE BE IT FURTHER RESOLVED** that CB#2, Man. Favors retaining the second floor space occupied by The Jazz Gallery as a commercial space so that this valuable resource is not forced out, and CB#2, Man. urges the applicant to make its best effort to reach an agreement at a rent appropriate to this class of commercial space for a sufficient term of years to allow this non-profit tenant to fund its future.

Vote: Unanimous, with 39 Board members in favor.

## **PARKS, RECREATION & OPEN SPACE**

### **A Resolution Opposing Enforcement Restricting Performances in Washington Square Park**

#### **Whereas**

1. Parks Enforcement has recently issued summonses to musicians and other performers in Washington Square Park; and
2. this new restrictive policy was initiated without discussion with CB#2, Man. or prior notice to performers; and
3. the policy is contrary to park traditions and to promises made by Parks during the design period for reconstruction of the park; and  
Whereas the summonses stifled activities that are popular among many park users and community residents and were harmful to the artists; and
4. CB#2, Man. had not received complaints regarding performances in the park; and
5. the summonses were issued as enforcement of new park rules pertaining to sales of expressive materials and other charges such as blocking paths and view of monuments; and
6. when these rules were presented to CB#2, Man. last year there was no mention of their potential use with regard to performers; and
7. CB#2, Man. passed a resolution against these rules as overly restrictive and unnecessary; and
8. in Washington Square, the required distances from monuments and benches, clearances on paths, and restrictions on lawns, appear to leave no legal locations for performances for sale of expressive materials; and
9. CB#2, Man. believes the application of the rules to performers are inappropriate in that performers are not vendors because anyone is free to watch the performances whether they contribute or not, and
10. 25 performers, park users, and residents spoke at a public Speak Out organized by CB#2, Man. in support of the performers; and

#### **Therefore it is resolved that**

1. CB2 expresses its consternation regarding the issuance of summonses to performers and requests that all summonses that have been issued be dismissed; and
2. CB2 requests a statement of Parks policy regarding future enforcement initiatives or any other restrictions related to performers or other expressive activities in CB2 be referred to CB2 prior to their enactment ; and
3. CB2 requests reconsideration and replacement of current rules pertaining to artists selling their works and other expressive activities in Parks; and
4. CB2 requests the use of great care in the formulation of any rules, policies, and enforcement initiatives regulating First Amendment rights in Parks, with the broadest possible public discussion to assure that such regulation does not exceed what is required to provide for safe enjoyment of the parks.

Vote: Unanimous, with 39 Board members in favor.

**SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

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

**1. ABG Standard Operator, LLC d/b/a The Standard Grill, 848 Washington St. (btw Little W 12 St & W 13 St), with 26 tables & 84 seats, DCA# 1309290**

Block:645; Lot:11            Lot Frontage:206.5'; Lot Depth:200            Year Built:2006  
Number of Buildings:1    Number of Floors:19            Residential Units:0; Total # of Units:1  
Zoning:M1-5

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant’s representative, Michael Kelly, was present, and

**Whereas**, this café has been operated for two years with no substantial issues, and

**Whereas**, the committee noted there are planters, benches and small tables with cigarette butt ‘pots’ left on the sidewalk when the café is not in operation, and Mr. Kelly committed to speaking to the applicant to ensure these remain as close to the façade as possible,

**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 **ABG Standard Operator, LLC d/b/a The Standard Grill, 848 Washington St. (btw Little W 12 St & W 13 St), with 26 tables & 84 seats, DCA# 1309290**

VOTE: Unanimous, with 39 Board members in favor.

**2. Smithfield Associates, LLC d/b/a Pastis, 9-19 Ninth Ave. (NW corner Little W 12 St), with 42 tables & 108 seats, DCA# 1186742**

Block:645; Lot:49            Lot Frontage:129'; Lot Depth:125            Year Built:1920  
Number of Buildings:1;    Number of Floors:2            Residential Units:0; Total # of Units:3  
Zoning:M1-5            Landmark Building: Yes            Historic District: Gansevoort Market

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant’s representative, Michael Kelly, was present, and

**Whereas**, this café has been operated by this applicant for many years, and

**Whereas**, there was a discrepancy in seat count with the existing print and the previous renewal showing 104 seats while the applicant’s original handwritten renewal paperwork was visibly changed to 108 seats, a change Mr. Kelly could not explain but committed to resolving with DCA, and

**Whereas**, the committee noted there is roughly twice as much Little W 12 St seating shown on the print than is typically set up and Mr. Kelly confirmed the applicant uses this only on rare occasions, and at the committee’s request committed to ensuring that seating is not being ‘repurposed’ on the 9th Ave side of the café, and

**Whereas**, there is also a sidewalk grate within the 9th Ave side of the café which is not shown on the print and could impact the café design and Mr. Kelly committed to providing the purpose of the grating, and

**Whereas**, despite previous warnings this café is often opened for business on Sunday well before noon and the committee has noted the café heavily committed, with patrons finishing meals, as early as 10:45 am, and

**Whereas**, the committee also notes that the sidewalk is not cleared by moving the planters/railings and furniture up against the building outside allowed café hours,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Smithfield Associates, LLC d/b/a Pastis, 9-19 Ninth Ave. (NW corner Little W 12 St), with 42 tables & 108 seats, DCA# 1186742**

**UNLESS the applicant signs a binding agreement with the City Council addressing the following:**

- **The sidewalk café will not be opened on Sunday before noon**
- **The sidewalk café railings, planters and furniture will be moved against the façade each night at those times when the café is not in operation**
- **The discrepancy between the seating count on the print and application is resolved**
- **The legality of the sidewalk grate within the 9th Ave side of the café is established**

VOTE: Unanimous, with 39 Board members in favor.

**3. Il Buco Corp., 47 Bond St. (btw Lafayette St & Bowery), with 2 tables & 12 seats, DCA# 1109238**

Block:529; Lot:7506      Lot Frontage:25'; Lot Depth:84.67      Year Built:1900  
Number of Buildings:1;      Number of Floors: 5Residential Units:4; Total # of Units:5  
Zoning:M1-5B      Landmark Building: Yes      Historic District: NoHo Historic District Extension

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's General Manager was present, and

**Whereas**, this café has been operated for many years with no recent substantial issues,

**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 **Il Buco Corp., 47 Bond St. (btw Lafayette St & Bowery), with 2 tables & 12 seats, DCA# 1109238**

VOTE: Unanimous, with 39 Board members in favor.

**4. Spunto, Inc., 65 Carmine St. (btw 7 Ave S & Bedford St), with 14 tables & 28 seats, DCA# 1325458**

Block:582; Lot:42      Lot Frontage:25'; Lot Depth:78.67      Year Built:1910(estimated)  
Number of Buildings:1;      Number of Floors:5      Residential Units:14;  
Total # of Units:15      Zoning: C2-6

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was not present, and

**Whereas**, while the café is not currently set up for the winter, the committee noted the applicant appears to be using picnic tables in the café which have not been approved nor shown on their approved plan, and

**Whereas**, applicants are required to appear before the Community Board once every two years as part of their café renewal process, and the applicant neither appeared nor requested this application be laid over,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Spunto, Inc., 65 Carmine St. (btw 7 Ave S & Bedford St), with 14 tables & 28 seats, DCA# 1325458**

**UNLESS the applicant appears before the committee as required in the renewal process**

VOTE: Unanimous, with 39 Board members in favor.

**5. New Organico, Inc., 89 7th Ave. South (btw Barrow St & Grove St), with 14 tables & 30 seats, DCA# 1308502**

Block:591; Lot:33	Lot Frontage:25'; Lot Depth:89	Year Built:1910(estimated)
Number of Buildings:1;	Number of Floors:5	Residential Units:14;
Total # of Units:16	Zoning: C4-5	Landmark Building: Yes
Historic District: Greenwich Village		

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

**Whereas**, this café has been operated by this applicant for many years with no substantial issues, and

**Whereas**, the committee noted on a recent inspection when the restaurant was closed that there were planters, benches and two chairs left on the sidewalk extending about 6 ft from the facade, and the applicant committed to making sure these are pushed as close to the façade as possible,

**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 **New Organico, Inc., 89 7th Ave. South (btw Barrow St & Grove St), with 14 tables & 30 seats, DCA# 1308502**

VOTE: Unanimous, with 39 Board members in favor.

**6. Il Commendatore Restaurant, Inc. d/b/a Casa Bella, 127 Mulberry St. (SW corner Hester St), with 11 tables & 21 seats, DCA# 1189682**

Block:206; Lot:16	Lot Frontage:50.08'; Lot Depth:57.25	Year Built:1910(estimated)
Number of Buildings:1;	Number of Floors:6	Residential Units:20;
Total # of Units:22	Zoning:C6-2G	

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

**Whereas**, this café is approved to be sited entirely on an existing – and grandfathered – platform which has been in place for many years and is bordered by a low wall separating the raised area from the rest of the sidewalk, and

**Whereas**, no seating is approved for the public sidewalk on the street side of the platform/wall nor around the corner on Hester St, and

**Whereas**, this café has been operated by this applicant for many years with consistent issues, and

**Whereas**, two members of the community contacted the CB#2, Man. office to register their strong objection to the renewal of this sidewalk café due to the applicant's consistent over seating of the café, and each provided photos from different dates of illegal seating by the establishment on Hester St., and

**Whereas**, the committee and CB2 staff have witnessed and photographed on numerous occasions illegal seating both on the street side of the wall on Mulberry St and on Hester St. in addition to over seating on the platform itself, and

**Whereas**, the applicant has been cited by DCA for over seating at least three times in the last few years, most recently in June 2011, and

**Whereas**, while the committee is extremely reluctant to recommend an outright denial on any café application, this applicant appears to have no intention of operating within the parameters of their license, despite multiple citations from DCA and attempts by the Community Board to encourage compliance,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Il Commendatore Restaurant, Inc. d/b/a Casa Bella, 127 Mulberry St. (SW corner Hester St), with 11 tables & 21 seats, DCA# 1189682**

VOTE: Unanimous, with 39 Board members in favor.

**7. 110 Varick St. Corp. d/b/a Amelia's Restaurant Coffee Shop, 110 Varick St. (NE corner Broome St), with 12 tables & 24 seats, DCA# 1312498**

Block:491; Lot:1                      Lot Frontage:48.17'; Lot Depth:65.25                      Year Built:1925(estimated)  
Number of Buildings:1;    Number of Floors:6 Residential Units:20;                      Total # of Units:25  
Zoning:M1-6

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

**Whereas**, this café has been operated by this applicant for many years with no substantial issues,

**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 **110 Varick St. Corp. d/b/a Amelia's Restaurant Coffee Shop, 110 Varick St. (NE corner Broome St), with 12 tables & 24 seats, DCA# 1312498**

VOTE: Unanimous, with 39 Board members in favor.

**8. Cornelia Street Café, Inc. d/b/a Cornelia Street Café, 29 Cornelia St. (btw Blecker St & W 4 St), with 6 tables & 14 seats, DCA# 0786740**

Block:590; Lot:45                      Lot Frontage:42.17'; Lot Depth:97.5                      Year Built:1910(estimated)  
Number of Buildings:1;    Number of Floors:6 Residential Units:28;                      Total # of Units:30  
Zoning:R6                      Landmark Building: Yes    Historic District: Greenwich Village Historic Dist.  
Ext. II

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

**Whereas**, this café has been operated by this applicant for many years with few substantial issues, and



**Whereas**, the committee received one letter from a resident on the block complaining of the café seating sometimes being expanded and crowds of waiting patrons blocking the sidewalk, and

**Whereas**, the committee also noted the prominent use of a sandwich board sign and the applicant committed to improve control of both seating numbers and the sign location, and

**Whereas**, the committee has also noted the crowding on this narrow sidewalk, and asked the applicant to instruct the restaurant's staff to better maintain access to the public sidewalk by requesting waiting patrons to stand near the building façade on either side of the café and the applicant agreed to do so,

**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 **Cornelia Street Café, Inc. d/b/a Cornelia Street Café, 29 Cornelia St. (btw Bleecker St & W 4 St), with 6 tables & 14 seats, DCA# 0786740**

**CONDITIONAL UPON the applicant satisfactorily addressing the sidewalk crowding as noted in Whereas clauses 4 & 5 above**

VOTE: Unanimous, with 39 Board members in favor.

**9. 10 Downing, LLC, d/b/a 10 Downing, 10 Downing St. aka 263 6 Ave. SW corner 6 Ave), with 28 tables & 59 seats, DCA# 1260889**

Block:527; Lot:27	Lot Frontage:157.67'; Lot Depth:284.83	Year Built:1940(estimated)
Number of Buildings:1;	Number of Floors:7 Residential Units:127;	Total # of Units:137
Zoning:R7-2R6;	Commercial Overlay:C15	Landmark Building: Yes
Historic District: Greenwich Village Historic Dist. Ext. II		

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

**Whereas**, this café has been operated by this applicant for many years with no substantial issues, and

**Whereas**, the committee noted this renewal is for the number of tables and chairs approved under a modification request heard by CB2 in May 2011 wherein the original 18 tables and 36 seats were approved to be increased to the current 28 tables and 59 seats,

**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 **10 Downing, LLC, d/b/a 10 Downing, 10 Downing St. aka 263 6 Ave. SW corner 6 Ave), with 28 tables & 59 seats, DCA# 1260889**

VOTE: Unanimous, with 39 Board members in favor.

## **SLA LICENSING**

**1. Tacombi NYC, LLC d/b/a Fonda Nolita Tacombi, 267 Elizabeth St., NYC 10012 (upgrade)**

**Whereas**, the applicant appeared before the committee for an upgrade from a Beer and Wine to a Full OP license; and,

**Whereas**, this application is for an authentic Mexican restaurant in a unique modern setting; and,

**Whereas**, this application is for an upgrade to a new Full On Premise license, in a commercial building (block 1-508 / lot 28) on Elizabeth Street between Houston and Prince Street for a 2,250 s.f. restaurant which has 12 tables and 48 seats and 1 bar with no seats and a food counter for take out services, there will be no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 62 persons; and,

**Whereas**, the SLA should be clear that there is one (1) stand up bar at this location and that the SLA should reflect this on their application; and,

**Whereas**, the applicant stated the hours of operation are Sunday through Wednesday from 8:00 a.m. to 12:00 a.m. and Thursday through Saturday from 8:00 a.m. to 1:00 a.m.; and,

**Whereas**, the applicant presented a petition with approximately 5,000 signatures in support of this application; and,

**Whereas**, the applicant originally appeared in front of CB#2, Man. in December 2009 for a Beer and Wine application at which time CB#2, Man. recommended denial to the SLA, the applicant reappeared in June 2010 for a beer and wine license at which time CB#2, Man. also recommended denial again, the applicant subsequently reappeared in March 2011 at which time CB#2, Man. recommended approval provided the applicant adhere to the executed stipulations with both the local neighborhood association and CB#2, Man.; and,

**Whereas**, prior to the issuance of a Beer and Wine license to this applicant, this location was never previously licensed; and,

**Whereas**, the applicant agreed to continue following stipulations they had already executed with CB#2, Man. when CB#2, Man. recommended approval for their Beer and Wine License:

1. The hours of operation will be Sunday through Wednesday from 8:00 a.m. to 12:00 a.m. and Thursday through Saturday from 8:00 a.m. to 1:00 a.m. and there will be no change in the future.
2. The Operator will close all doors at 8:00 p.m., 7 days a week.
3. The Operator will continue to serve food from a full menu up until 1 hour before closing.
4. The Operator will make available contact information for the neighborhood.

**Whereas**, this applicant has only had a Beer and Wine license since August 24<sup>th</sup>, 2011 (5 months) and CB#2, Man. does not believe that this is enough time to justify an upgrade to a Full OP at a location that had never been licensed by the SLA before, in particular since they have not operated for a full summer under their current method of operation which incorporates doors in front of their establishment which results in an almost open façade when all their doors are open; and,

**Whereas**, this space is basically a garage that is wide open to the street and does not look like a restaurant, a new concept that may not be appropriate in NYC, until it is tested through operating with their current beer and wine license through multiple seasons; and,

**Whereas**, the applicant stated that they were applying for a full on-premise license solely because they intend to serve only 4 specific liquor based drinks and there was no intention to serve other drinks or have a full bar; and,

**Whereas**, CB#2, Man. does not feel that desire to serve only 4 specific liquor drinks rises to meet any aspect of the public interest; and,

**Whereas**, there are over 30 licensed premises within 500 ft of this establishment;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends the **denial** of the Full OP License for **Tacombi NYC, LLC d/b/a Fonda Nolita Tacombi, 267 Elizabeth St., NYC 10012.**

Vote: Unanimous, with 39 Board members in favor.

**2. CD Restaurant Enterprises, Inc. d/b/a Florio's Restaurant, 192 Grand St., NYC 10013 (corporate transfer)**

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

**Whereas**, there are no changes to this Italian restaurant except for the transfer of ownership to two new principles; and

**Whereas**, this application is for the transfer of a Full OP license for a full service restaurant in a mixed-use building on Grand Street between Mulberry and Mott Street (block #471 / lot # 57) for a total of 2,200 s.f. with 20 tables with 60 seats and 1 bar with 11 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are Sunday through Thursday from 11:00 a.m. to 12:00 a.m. and Friday and Saturday from 11:00 a.m. to 1:00 a.m., there will be a sidewalk café but no backyard garden; music will be quiet background only: and,

**Whereas**, there was no community opposition or support regarding this application; and,

**Whereas**, the two new owners have no previous experience in running a restaurant and CB2 has concerns regarding their lack of experience; and,

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

1. Hours of operation are Sunday through Thursday from 11:00 a.m. to 12:00 a.m. and Friday and Saturday from 11:00 a.m. to 1:00 a.m.
2. No outside promoters are third party events.
3. All doors and windows are to be closed by 10:00 p.m.
4. No more than 11 seats at the bar.
5. This application does not include a sidewalk café or other outdoor area and the Applicant agrees to come back to CB2 to get approval for an alteration to the SLA license to cover a sidewalk café should they chose to apply for one.
6. Restaurant is closed and goes dark at agreed closing times.

**Whereas**, CB#2, Man. request that the SLA conduct a 500 ft. rule hearing;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the transfer of the Full OP license for **CD Restaurant Enterprises, Inc. d/b/a Florio's Restaurant, 192 Grand St., NYC 10013** unless all stipulations agreed to in the 7th Whereas clause in this resolution are incorporated into the "Method of Operation".

Vote: Unanimous, with 39 Board members in favor.

### **3. ALN Restaurant Inc., d/b/a Giovanna's, 128 Mulberry St., NYC (sidewalk café)**

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

**Whereas**, this application is for an alteration to the existing license to include a sidewalk café in a mixed use building on the corner of Mulberry Street and Hester Street (Block # 205 and Lot # 15), with a 2,500 s.f. restaurant which has a total of 30 tables and 60 seats and 1 bar with no seats. This will now include a sidewalk café with 13 tables and 26 seats. There will be no back yard garden, music will be background only and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant states that the hours of operation are Sunday through Saturday from 9:00 a.m. to 12:00 a.m. (7 days a week); and,

**Whereas**, the applicant agreed to the following stipulations:

1. There will be no tables or chairs or any service on Hester Street including during the Mulberry Mall.
2. Operator will not vary from presented sidewalk café layout.
3. The Operator will ensure that there will be no obstruction to pedestrian path.

**Whereas**, CB#2, Man.'s Sidewalk Committee and Board approved this sidewalk café; and,

**Whereas**, no one appeared in opposition of this applicant;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the alteration for **ALN Restaurant Inc., d/b/a Giovanna's, 128 Mulberry St., NYC** unless all stipulations agreed to in the 4th Whereas clause in this resolution are incorporated into the "Method of Operation".

Vote: Unanimous, with 39 Board members in favor.

### **4. Toby's Public House II, Inc., 86 Kenmare St., NYC 10012 (Beer and Wine)**

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

**Whereas**, this application is for a new Beer and Wine license for a restaurant in a mixed-use building on Kenmare Street between Mulberry and Cleveland Place (block #481 / lot # 32) for a total of 2,200 s.f. with 12 tables with 28 seats and 1 bar with 9 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are Sunday through Wednesday from 12:00 p.m. to 12:00 a.m. and Thursday through Saturday from 12:00 p.m. to 1:00 a.m., there will be no sidewalk café and no backyard garden; music will be quiet background only; and,

**Whereas**, this applicant originally appeared before CB#2, Man. with a request for a Full On Premise License and also a 4:00 a.m. closing and was recommended for denial to the SLA by CB#2, Man. and the SLA subsequently denied the full on-premise license; and,

**Whereas**, previous applicants in this location and immediate area have listed from 16 to over 30 licensed locations within 500 Ft of this location (though the 500 Ft rule is not applicable to this Beer and Wine application); and,

**Whereas**, there has been strong community opposition to this application and 9 people attended and spoke against this application; and,

**Whereas**, the community submitted a petition against this application with 84 signatures of which 26 are from the same building representing 22 of the 27 apartments in the building, 22 are from the building across the street and 15 from the adjacent building; and,

**Whereas**, the community clearly stated that they were opposed to any license at this location and cited overwhelming saturation in this neighborhood; and

**Whereas**, the applicant has attempt extensive outreach to the community and has amended the hours of operation; and,

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

1. Hours of operation are Sunday through Wednesday from 12:00 p.m. to 12:00 a.m. and Thursday through Saturday from 12:00 p.m. to 1:00 a.m.
2. All garbage will be collected before midnight or after 8 a.m.
3. No food or other deliveries before 8 a.m.
4. Applicant agrees that their license is non-transferable without prior written consent from CB#2, Man. and the SLA.
5. All soundproofing completed and filed with Department of Buildings.
6. Signage requesting customers to not smoke in front of location and to respect the neighbors by keeping noise down will be posted outside.
7. Operator agrees to keep the sidewalks clear and clean up to 6 inches into the street.
8. Operator agrees to maintain quarterly meetings with any interested parties during the first year of operations. General Manager will be contact person during hours of operation and can be contacted by phone or email in case of complaint or emergency.
9. Air conditioners and cooking vents will be properly installed and up to code by D.O.B. standards or better.
10. Operator will cooperate with the neighbors of 86 Kenmare and take all reasonable steps to continue the quality of life on that block.
11. Operator agrees to appear before CB#2, Man.'s SLA committee at any time per their request.
12. Will offer stroller locks for outdoor parking and indoor and also have canine hitches attached to building.
13. All doors and windows will be closed no later than 9:00 p.m.
14. Operator agrees to NOT participate if the Mulberry Mall becomes extended.

**Whereas**, the applicant has acted in a manner over time that has appeared to create situations where members of the public would not be able to provide public testimony by scheduling appearances and then canceling them and by pursuing licenses with the state while simultaneously stating that they were still meeting with the community and were not yet prepared to appear before the SLA; and,

**Whereas**, members of the community stated at CB#2, Man.'s SLA Committee meeting that the applicant mischaracterized their positions and conversations to others; and,

**Whereas**, the applicant has continued to pursue this location despite overwhelming opposition from the community from the initial community outreach and subsequent outreach which has met unwavering community opposition and now because they have continued pursuing this location and have built out a space without having received a liquor license and have placed both themselves and the community in an untenable position due to poor business decisions; and.

**Whereas**, the applicant states that this location will be similar to Toby's Public House in Brooklyn, and yet in the same breath states this will not be a sports bar despite the fact that Toby's Public House in Brooklyn advertises sports on their website, displays the ESPN calendar on their website, the majority of postings on social media involve viewing sports at the location and they have super bowl pools which they conduct on the premises; and,

**Whereas**, the applicant states that they will have 4 tv's as a safety net for those who come in alone and the intention of the tv's is not to create a sports bar climate; and,

**Whereas**, even though the SLA issued a Beer and Wine license to a previous applicant at this location on 1/29/2010 over the objections of CB#2, Man. and previous to that the space was not licensed and was a dry cleaners;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the Beer and Wine license for **Toby's Public House II, Inc., 86 Kenmare St., NYC 10012 (Beer and Wine)**.

Vote: Unanimous, with 39 Board members in favor.

#### **5. EB2 Gourmet, Inc. d/b/a Turkiss 104 MacDougal St., NYC**

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

**Whereas**, this application is for a new Beer and Wine license for a Turkish restaurant in a mixed-use building on MacDougal Street between Bleecker and 3rd Street (block #540 / lot # 1) for a total of 730 s.f. with 3 tables with 10 seats and no bar, 1 take-out window and a maximum legal capacity of 30 persons; and

**Whereas**, the applicant stated the hours of operation are Sunday through Thursday from 10:00 a.m. to 12:00 a.m. and Friday and Saturday from 10:00 a.m. to 4:00 a.m., there will be no sidewalk café and no backyard garden; music will be background only; and,

**Whereas**, the local neighborhood association B.A.M.R.A. (Bleecker Area Merchants' and Residents' Association) agreed to support the Beer and Wine license if there were no take-out window; and,

**Whereas**, the applicant insists that the take-out window is an integral part of their operation and was also why the previous operator was able to survive for the last 2 -3 decades; and,

**Whereas**, CB#2, Man. does not support any Full OP or Beer and Wine with a take-out window and have denied these kind of windows at all other establishments when a liquor license is involved, particularly in a late-night alcohol saturated areas such as this area where take out windows only serve to continue a light night party atmosphere and keep late night revelers on the street at late hours in a residential community and encourage noise and other quality of life issues well beyond what any reasonable person would consider acceptable; and,

**Whereas**, CB#2, Man. has concerns regarding sidewalk congestion from these take-out windows on already crowded sidewalks, especially in a location where DCA would not approve a sidewalk café; and,

**Whereas**, the applicants have no experience operating an establishment with any type of SLA license and this is of great concern given that the applicant wants to operate until 4am on the weekends in an area that is over saturated beyond even the most conservative observation of what an oversaturated area would be in the most densely licensed areas of New York State; and,

**Whereas**, this location has never been licensed before by the SLA for any type of license;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the Beer and Wine license for **EB2 Gourmet, Inc. d/b/a Turkiss 104 MacDougal St., NYC.**

Vote: Unanimous, with 39 Board members in favor.

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

**6. Jamele A. Hamad Esq. d/b/a Andalus NYC, 59 Fifth Avenue, NYC 10003 (New Full OP)**

**Whereas**, the applicant has requested a layover of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license for **Jamele A. Hamad Esq. d/b/a Andalus NYC, 59 Fifth Avenue, NYC 10003 (New Full OP)** until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

**7. Alberto Benenati & Yves Jadot or Corp, to be formed, TBD, 17 E. 13th St., NYC**

**Whereas**, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license for **Alberto Benenati & Yves Jadot or Corp, to be formed, TBD, 17 E. 13th St., NYC** until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

**8. Hersha Hospitality Trust d/b/a Hyatt, 76 E. 13th St., NYC 10003 (hotel)**

**Whereas**, the applicant has requested a layover of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to **Hersha Hospitality Trust d/b/a Hyatt, 76 E. 13th St., NYC 10003 (hotel)** 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 39 Board members in favor.

**9. 132 4th Avenue Restaurant, LLC, TBD, 132 4th Ave., NYC 10003 (restaurant in hotel)**

**Whereas**, the applicant has requested a layover of the application to CB2 SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to **132 4th Avenue Restaurant, LLC, TBD, 132 4th Ave., NYC 10003** 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 39 Board members in favor.

**10. Michael Sinensky and Sean McGarr, 159 Bleecker St., NYC 10012**

**Whereas**, the applicant has withdrawn the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to **Michael Sinensky and Sean McGarr, 159 Bleecker St., NYC 10012** 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 39 Board members in favor.

**11. Hemant Phul on behalf an entity to be determined d/b/a TBD, 192 Bleecker St, NYC 10012**

**Whereas**, the applicant has requested a layover of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to **Hemant Phul on behalf an entity to be determined d/b/a TBD, 192 Bleecker St, NYC 10012** 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 39 Board members in favor.

**12. B&Y Restaurant Group, LLC, d/b/a Jezebel, 323 West Broadway, NYC 10013**

**Whereas**, the applicant has requested a layover of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to **B&Y Restaurant Group, LLC, d/b/a Jezebel, 323 West Broadway, NYC 10013** 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 39 Board members in favor.



**13. Pop Underground, LLC d/b/a Pop Burger, 41 E. 11th St., NYC 10003**

**Whereas**, the applicant has requested a layover of the application to CB2 SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to **Pop Underground, LLC d/b/a Pop Burger, 41 E. 11th St., NYC 10003** 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 39 Board members in favor.

**14. 153 Elizabeth Hotel, LLC & Blue Bell Restaurant Manager, 153 Elizabeth St. aka 40 Kenmare St., NYC 10012**

**Whereas**, the applicant has withdrawn from consideration of the application to CB2 SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license for **153 Elizabeth Hotel, LLC & Blue Bell Restaurant Manager, 153 Elizabeth St. aka 40 Kenmare St., NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

**15. Blue Bell Restaurant, LLC, 153 Elizabeth St. aka 40 Kenmare St., NYC (Additional Space)**

**Whereas**, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license for **Blue Bell restaurant, LLC, 153 Elizabeth St. aka 40 Kenmare St., NYC (Additional Space)** until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

**16. McBren Corp. d/b/a Triona's, 237 Sullivan St., NYC 10012**

**Whereas**, the applicant has requested a layover of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to **McBren Corp. d/b/a Triona's, 237 Sullivan St., NYC 10012** 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 39 Board members in favor.

**17. New Restart, Inc., d/b/a Mambo Italiano, 145-147 Mulberry St., NYC 10013**

**Whereas**, the applicant has requested a layover of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to New Restart, Inc., d/b/a Mambo Italiano, 145-147 Mulberry St., NYC 10013 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 39 Board members in favor.

**18. VAP Union Square, LLC, 113 University Pl., NYC 10003**

**Whereas**, the applicant has requested a layover of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to VAP Union Square, LLC, 113 University Pl., NYC 10003 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 39 Board members in favor.

**19. Mottsu Cuisine, Inc., d/b/a Mottsu, 285 Mott St., NYC 10012**

**Whereas**, the applicant has requested a layover of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of any proposed liquor license to Mottsu Cuisine, Inc., d/b/a Mottsu, 285 Mott St., NYC 10012 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 39 Board members in favor.

**20. Chipsy LLC, d/b/a Chipsy, 99 Macdougall St., NYC 10012**

**Whereas**, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license for Blue Bell restaurant, LLC, 153 Elizabeth St. aka 40 Kenmare St., NYC (Additional Space) until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

**21. Thunder Jacksons, 169 Bleecker St., NYC**

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing or withdrew their application from CB#2, Man.; and,

**Whereas**, this application is for the renewal of their Full On-Premise liquor license to be heard by the SLA in 30 days (the month of February 2012); and,

**Whereas**, the Bleecker Area Merchants' and Residents' Association (BAMRA) specifically requested this operator to appear before the CB#2, Man. SLA committee to discuss complaints that have been continuing for the past few years; and,

**Whereas**, these complaints have been the following:

1. Regularly exceeding its legal capacity of 62 patrons, especially on Friday and Saturday nights and during sports events.
2. The bar's large windows on both Bleecker and Sullivan Streets are kept open at all hours with music blasting, in all but the worst weather.
3. Piles of litter and vomit are frequently seen on the sidewalks outside the bar.
4. The location is sometimes so over crowded with patrons that pedestrians are forced to walk in the street.

**Whereas**, these conditions are unacceptable in a residential neighborhood that is already crowded with bars and restaurants; and,

**Whereas**, there are many bars and restaurants who are good neighbors and should not have their own patrons disturbed by this operator; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of the renewal of the proposed liquor license to Thunder Jacksons, 169 Bleecker St., NYC and requests that the SLA send this applicant back to CB2 before renewing any license, should this application proceed directly to the SLA, in order that this important step to work out community issues, not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**22. Caffe Momo, LLC, 150-152 W. 10th St., NYC – SLA Serial # 1259050**

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

**Whereas**, this application is for a beer and wine license in a previously unlicensed location for a small Italian café and restaurant serving a light menu comprised of Italian fare consistent with the menu presented to CB#2, Man. for an approx. 400 sq. ft. premise located on the first floor of a five story mixed use building located on the corner of West 10<sup>th</sup> St. and Waverly place with 8 tables and 16 seats, 1 bar with 6 seats for a total of 22 seats and a maximum legal capacity of 40 as described on the Certificate of Occupancy, there will be no tv's, music will be quiet background only from ipod/cd's, there will be no promoted events, scheduled events, no outside promoters, no private parties; and,

**Whereas**, the applicant stated that the hours of operation are Sunday from 8 a.m. to 10 p.m., Monday-Wednesday from 7 a.m. to 10 p.m., Thursday-Friday from 7 a.m. to 11 p.m. and Saturday from 8 a.m. to 11 p.m.; and,

**Whereas**, the applicant executed a stipulations agreement with CB#2, Man. to attach to the method of operation for their current license issued by the SLA on December 15, 2011, Serial # 1259050 stating that:

1. The applicant agrees that the hours of operation of the premise would never be extended beyond the hours listed on the CB#2, Man. SLA Licensing questionnaire, which are Sunday from 8 a.m. to 10 p.m., Monday-Wednesday from 7 a.m. to 10 p.m., Thursday-Friday from 7 a.m. to 11 p.m. and Saturday from 8 a.m. to 11 p.m.
2. The applicant agrees to never seek to upgrade the license beyond a restaurant wine license.
3. The applicant agrees that all trash pickups would not occur between 12 a.m. and 8 a.m.
4. The applicant agrees that music will be quiet ambient background music.
5. The applicant agrees that all doors and windows will be closed by 9 p.m.

**Whereas**, no residents appeared in opposition, however, CB#2, Man. received 16 letters in opposition, including a significant number of correspondence indicating that this is the 8<sup>th</sup> establishment to be licensed *on this block*, which is a residential non-avenue block within Greenwich Village, many of those licenses having been granted recently, and that granting this license or any others is unacceptable to many of the residents of this block; and,

**Whereas**, the applicant submitted a petition in favor with 165 signatures, of which approximately 20 were from the immediate neighborhood and 6 letters in favor; and,

**Whereas**, the applicant originally notified CB#2, Man. of their intent to file for a beer and wine license sometime in July 2011 and was asked to appear at CB#2, Man.'s SLA Licensing committee in August 2011; and,

**Whereas**, the applicant chose not to appear at CB#2, Man.'s August SLA Licensing Committees meeting despite the attempts of one of the Chair's of the committee to directly reach out to the applicant and request that they appear or layover their hearing date to the following month; and

**Whereas**, the SLA choose to instead issue a restaurant wine license Serial # 1259050 on December 15, 2011; and,

**Whereas**, CB#2, Man. sent the following resolution to the SLA on September 30, 2011:

**Olga Vidov, d/b/a Momo Caffè, Inc. 150 W. 10<sup>th</sup> St. NYC**

**Whereas**, the applicant did not appear before the committee nor requested a layover of consideration of the application to the next hearing; and,

**Whereas**, this application is for a Beer and Wine license; and,

**Whereas**, the immediate residential block is currently oversaturated with more than 8 liquor licensed establishments; and,

**Whereas**, this committee recognizes that this neighborhood is quickly becoming a popular site for nightlife establishments and recommend that any new liquor license application is properly vetted by the block association and CB#2, Man.; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of a Beer and Wine license **Olga Vidov, d/b/a Momo Caffè, Inc. 150 W. 10<sup>th</sup> St. until the applicant has presented their application in front of the CB#2, Man. SLA Licensing Committee; and requests that the SLA send this applicant back to CB#2, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 40 Board members in favor.

**Whereas**, CB#2 Man. feels that an important step of the liquor license review process was overlooked by the SLA by not requiring the applicant to at least present their application to CB#2, Man. **PRIOR** to the SLA reviewing this application and issuing a license so that CB#2, Man. would have been able to provide input to the SLA on the application, the experience of the applicants, on direct community input to CB#2, Man. and on the effect that the granting of this license would have on the immediate community;

**THEREFORE BE IT RESOLVED** that CB#2, Man. requests that the SLA attach the stipulations listed above in the 4<sup>th</sup> “whereas” clause that the applicant agreed to with CB2 Manhattan through an executed signed and notarized stipulations agreement to their existing restaurant wine license, Serial # 1259050.

Vote: Unanimous, with 39 Board members in favor.

### **23. 26 Bond Street Retail, LLC d/b/a The Smile, 26 Bond St., NYC 10012 - SLA Serial # 1222062**

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

**Whereas**, this application is for an upgrade and alteration for the 1<sup>st</sup> floor and basement of a 5 story mixed use commercial and residential building for a 2,100 sq ft premise (1,200 sq ft first floor and 900 sq ft basement) located on Bond Street between Bowery and Lafayette St. for a “café/restaurant serving American fare to neighborhood customers” with 15 tables and 46 seats, 1 small service bar with no seats, and one food counter table with 6 seats for a total of 52 seats; and,

**Whereas**, the applicant stated that the alteration to the current restaurant wine license includes a reduction in hours by 2 hours of the closing time, an upgrade to a full on premise license, a change in the method of operation from mixed retail dry goods/restaurant use to full restaurant/café use and an increase in the number of tables and seats; and,

**Whereas**, the applicant stated the hours of operation are from 8 a.m. to 12 a.m. seven days a week, kitchen will be open until closing, music will be quiet ambient background music, there will be no tv’s, there is not a sit down bar, only a small service bar, there is no seating or patron access in the basement, there was a mix of retail dry goods sales and café in the past, but that was ended about 1 ½ years ago and is now fully restaurant/café use, there are two benches in an outdoor vestibule abutting the front door which is six steps down from the street level that will be removed each night at 9 p.m., there will be no food or beverage service to the benches in the outdoor vestibule area, there will not be a sidewalk café, food service will always reflect the menu submitted and be similar to that menu; and,

**Whereas**, the applicant has previously appeared in front of CB#2, Man. several times both for the original application for a restaurant wine license, for a renewal of the same license and for an application for an on-premise license at which times they did not receive support from CB#2, Man.; and,

**Whereas**, the applicant executed a CB#2, Man. Stipulations form stating that:

1. The applicant agrees that the hours of operation will be from 8 a.m. to 12 a.m. (midnight) seven (7) days a week.
2. The applicant agrees that the kitchen will be open until the premise closes each evening.
3. The applicant agrees that there will be no tv's or sit down bar.
4. The applicant agrees that there will be no open windows or doors.
5. The applicant agrees that there will be no seating below the first floor i.e. No patron seating in the basement.
6. The applicant agrees that there will be no live music and all music will be quiet ambient background only.
7. The applicant agrees that the two benches that are located outside the interior of the premise, but on private property, will be removed from the exterior by 9 p.m. seven (7) days a week.
8. The applicant agrees that there are no exterior locations included within the licensed premise, specifically in front of the premise where there are two benches, and that there will be no food, drink or alcohol service in any areas outside of the interior of the premise.
9. The applicant agrees that all garbage that is not composted will stored in sealed containers when placed outside the premise for pick-up.
10. The applicant agrees that they will not apply for a sidewalk café.

**Whereas**, the applicant submitted a petition in support with 27 signatures from residents who live on the same block; and,

**Whereas**, a local resident appeared to state that if it were not for 3 plus years of operating an establishment that reflects NoHo, with a nice local clientele, with responsible operators who have done what they said they would do, who have amended their method of operation to reflect an operation that is neighborhood friendly, who have proactively agreed to stipulations that are neighborhood friendly, the community would be adamantly against this application, but instead because the applicants have been a positive addition to the neighborhood there is limited opposition to upgrading the license to a full on-premise license and more importantly support for the applicants from immediate neighbors and she further stated that as a caretaker of the neighborhood she was in favor of granting this request and that this was an example of how the neighborhood reviews each individual application and request; and

**Whereas**, two letters were received in opposition; and,

**Whereas**, there are in the vicinity of 35 license establishments within 500 feet; and,

**Whereas**, CB#2, Man. recognizes the length that this applicant has gone to in order to receive community support and recognizes that the applicant has fulfilled the requests from CB#2, Man. and from members of the community and takes those steps into strong consideration in its recommendation in this greatly oversaturated neighborhood;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **denial** of an On Premise liquor license for **26 Bond Street Retail, LLC d/b/a The Smile, 26 Bond St., NYC 10012 - SLA Serial # 1222062 - unless** the statements the applicant has presented to CB#2, Man. and above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6<sup>th</sup> "whereas" clause above are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

**24. 3 Howard Partners, LLC, TBD, 3 Howard St., NYC 10013**

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

**Whereas**, this application is for a new on-premise license for the first floor and basement of a 2 story building for a 4,692 square foot premise with 2,346 square feet on the ground floor and 2,346 square feet in the basement for storage located on Howard St. between Lafayette St. and Center St. for a “casual dining establishment serving modern Chinese cuisine” with 17 tables and 57 seats and 1 stand up bar with 8 seats for a total of 65 seats; and,

**Whereas**, the applicant stated that the hours of operation would be Sunday to Thursday from 11 a.m. to 12 a.m. and Friday – Saturday from 11 a.m. to 1 a.m., the applicant represented that the intent of this establishment was to “change the perception of Chinese food”, that they would serve small, medium and large plates, that their business plan required starting the operation with a full on premise liquor license and hours later than other surrounding Chinese restaurants, that their focus on going above and beyond regarding rat abatement was a reason to grant the license over an adverse history at the location and adverse history with one of the principles, and that they had not reached an agreement with a chef yet; and

**Whereas**, this location has an adverse history with CB#2, Man. and has been the subject of correspondence to the SLA regarding illegal conduct, operation outside of the method of operation, operation of an illegal cabaret and the premise has been closed by the NYPD for illegal operation while operating under the previous licensee GFS, Inc., d/b/a Jobee (see attached correspondence regarding GFS, Inc., d/b/a Jobee from May and June 2011); and,

**Whereas**, because of the lack of resources on the part of the SLA, the NYPD and other City Enforcement Agency’s, enforcement of any provisions regarding method of operation, noise, criminal activity or other illegal activities is limited and the community suffers the consequences of ongoing illegal activity until resources are available for enforcement; and,

**Whereas**, one of the principles applying for this license, Moshe Khoshkheraman, was a part of the previous operation while they were operating outside of their method of operation and allowing illegal activities at the location and was responsible for organizing the events or was a manager of the location during the events which occurred during the evening which were the subject of tremendous concern to CB#2, Man. and the community at large and he met along with the owner of GFS, Inc. d/b/a Jobee Restaurant with the Chair and Vice Chair of the Committee at the time of the meetings under the previous applicant in May and June 2011 as described in the resolutions from that time (identified as Mosle Khoshkeiman), and,

**Whereas**, CB#2, Man. does not feel that this entity should be able to hold a license at this establishment when one of the owners/principals on this application has previously demonstrated that they are willing to participate in a premise knowingly and willfully operating outside of the prescribed method of operation and against the law at the same premises when operated by a different licensee; and

**Whereas**, according to NYC Zoning Resolution 41-14, Use Group 6 Eating and Drinking Establishment are not permitted below the floor level of the second story unless permitted by the City Planning Commission, pursuant to Sections 42-141 or 74-781 in M1-5B Zoning and this location is located in an M1-5B Zoning and the applicant has not provided specific documents indicating that Use Group 6 Eating and Drinking are allowed at this premise, notwithstanding the fact that the SLA may have inadvertently licensed the previous licensee;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **denial** of an On Premise liquor license for **3 Howard Partners, LLC, TBD, 3 Howard St., NYC 10013**.

Vote: Unanimous, with 39 Board members in favor.

**25. Café Blossom, Inc., 41-43 Carmine St., NYC 10014**

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

**Whereas**, this location was previously only licensed for beer and wine; and,

**Whereas**, this application is for a new on premise license for the first floor of a 5 story mixed commercial/residential building for a 1,372 sq. foot premise (basement is for storage only) located on Carmine Street between Bleecker St. and Bedford St. for a “all vegan restaurant serving organic food & beverages including organic liquors, wines & beers” with 12 tables and 36 seats, 1 standup bar with 9 seats for a total of 45 seats; and,

**Whereas**, the applicant stated the hours of operation for the establishment are seven (7) days a week from 11 a.m. to 12 a.m., and the bar and kitchen will close one hour earlier at 11 p.m. and no new patrons will be admitted after 11 p.m., music will be quiet background only from ipod/cd’s, there will be no tv’s, the applicant will not have promoted events, scheduled performances, outside promoters, will not have events for which a cover fee is charged and will not have private parties, sound proofing will not be needed because the music will be to low to hear from outside; and,

**Whereas**, the establishment is in an R-6 zone, so it cannot apply for a sidewalk café; and

**Whereas**, this restaurant will be exclusively a vegan eating and drinking establishment, the applicant has three other locations all which hold restaurant wine licenses, one on the upper west side of Manhattan that he has been operating for 4 years, one in Chelsea that he has been operating for 6 years, and this location will be similar but will also offer an expanding ethos to include “farm to table cocktails”; and

**Whereas**, CB#2, Man. requests that the SLA review the information provided by the applicant as it relates to the “200 ft rule” in relation to the Church, Our Lady of Pompeii Parish, a Parish of the Roman Catholic Archdiocese of New York and the Rectory attached to the Church which are located on the same street as the applicant and on the same block and which the applicant states is 237 feet from the proposed on premise liquor license (this location previously held a beer and wine license); and

**Whereas**, the applicant has met with and executed a stipulations agreement with the local block association, the Carmine Street Block Association, the stipulations which are also included in a stipulations agreement with CB#2, Man. which are described in the next Whereas clause; and,

**Whereas**, the applicant has executed a CB#2, Man. stipulations agreement which states the following:

1. The applicant agrees that it will open at 11 a.m. every day



2. The applicant agrees that the kitchen and bar will close at 11 p.m. and will not permit new customers into the restaurant after 11 p.m.
3. The applicant agrees that the premise will fully close at 12 a.m.
4. The applicant agrees that the on-premise liquor license will be surrendered to the NY SLA upon sale of the restaurant.
5. The applicant agrees that music will be background only
6. The applicant agrees that all doors and windows will be closed at 9 p.m. Sunday-Thursday and by 10 p.m. Friday and Saturday

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **denial** of an On Premise liquor license for **Café Blossom, Inc., 41-43 Carmine St., NYC 10014** **unless** the statements the applicant has presented to CB2 and above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 9<sup>th</sup> “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

**26. 1032 Lexington Rest, Inc., TBD/Hessel & Horn, 168 Bowery, NYC 10013**

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

**Whereas**, this location has never been previously licensed for the sale on any type of alcohol; and,

**Whereas**, the application is for an on-premise liquor license for a “Scandinavian café-restaurant with a focus on healthy, sustainable menu items” in a 2,200 sq ft premise located on the first floor and accessory basement for storage with no patron access located in a 4 story mixed use commercial/residential building with 16 tables and 56 seats and 1 bar with 12 seats for a total of 68 seats, the maximum occupancy will be less than 75 after a letter of no objection is obtained from the NYC Dept. of Buildings; and,

**Whereas**, the applicant states that the hours of operation are Sunday from 10 a.m. to 1 a.m., Monday to Thursday from 11 a.m. to 1 a.m. and Fridays – Saturday from 10 a.m. to 2 a.m., kitchen would be open during all hours of operation serving full menu, music would be quiet ambient background only from cd’s/ipod, there will be no tv’s, no security guards, there will be windows that open, the applicant will soundproof the premise and use a professional sound engineer, there will be no promoted events, no scheduled performances, no outside promoters, no events that charge a cover, no private parties, there are no plans to manage vehicular traffic and crowd control, there will be no use of velvet ropes or movable barriers, there will in the future be an application for a sidewalk café with 32 seats; and,

**Whereas**, the applicant submitted 14 letters in support and a petition with 80 signatures, of almost all/ the majority are from existing patrons of their other establishment which is also licensed at 406 Broome St. d/b/a Brinkley’s & Southside Nightclub; and

**Whereas**, an active member of the community involved with several neighborhood groups was not contacted by the applicant nor were the neighborhood groups, members of the Committee who reside in the immediate area were not contacted nor did they hear about the application through postings etc. and there was no open house event or other outreach performed at the location; and,

**Whereas**, there are at least 22 licensed premises within 500 feet, many of which hold multiple licenses, are multiple floors and have large occupancies and in the immediate area including both the Kenmare and Bowery corridor; and,

**Whereas**, the Bowery and Kenmare St. corridors in immediate proximity to this location are over-saturated with liquor licenses and with licenses that have consistently been operating beyond their method of operation and in violation of city laws without any active enforcement from an over extended SLA and NYPD and other city agencies; and,

**Whereas**, there are several previously and/or currently licensed establishments which are available for lease/sale in the immediate area; and

**Whereas**, there is already a serious traffic condition in the area as a result of traffic volume from the major intersection of two arteries Kenmare Street and Bowery connecting the Williamsburg Bridge, the Holland Tunnel, the Manhattan and Brooklyn Bridges and traffic to points north (both avenues are truck routes also); and,

**Whereas**, members of the Committee feel that a business of this size and impact needs broad based community support from the whole community, not just their community of existing patrons given the number of existing licenses in the area, and there is major concern from members of the Committee that because previously unlicensed spaces continue to be licensed and previously licensed spaces continue to be licensed there are simply too many licenses in the immediate area, including failed businesses that continue to illegally operate beyond their legal method of operation, and the exacerbated traffic condition that is managed poorly cannot sustain even a small increase in traffic at peak restaurant hours, and there is even some concern that the applicants current establishment, in particular the basement space is part of the “method of operation drift” that is occurring in the neighborhood because it is operating as a nightclub when it was never originally represented to the community that way;

**THEREFORE BE IT RESOLVED**, that CB#2, Man. recommends denial of an On Premise liquor license for **1032 Lexington Rest, Inc., TBD/Hessel & Horn, 168 Bowery, NYC 10013**.

Vote: Unanimous, with 39 Board members in favor.

**27. Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle Mexican Grill, 625 Broadway, NYC 10012**

**Whereas**, a representative of the applicant appeared before the committee; and,

**Whereas**, the application is for an on-premise liquor license in a previously licensed location for a casual dining Mexican restaurant serving beer and margaritas in a 2,817 sq ft premise with food service and seating on the first floor and bathrooms, storage and trash room in the basement located in a 12 story commercial building, with 10 tables, 48 seats, no bar (service will be at the food counter), music will be background only from prerecorded music, there will be no promoted events, scheduled events, no outside promoters, no private parties; and

**Whereas**, the applicant stated that the hours of operation are from 11 a.m. to 11 p.m. seven days a week; and

**Whereas**, this location was previously part of a previously licensed premise which occupied the entire ground floor of this premise which is roughly twice the size that is presented by this applicant, and which has now become two separate licensed premises, with a separate entity occupying the western portion of the previous premise; and,

**Whereas**, even though the applicant is operating the location without serving alcohol, the applicant did not provide a certificate of occupancy or a letter of no objection from the NYC Department of Buildings indicating that the use of the space conforms to all NYC regulations;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise liquor license for **Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle Mexican Grill, 625 Broadway, NYC 10012** unless the applicant properly presents to CB#2, Man. and the SLA either a valid Certificate of Occupancy or a “Letter of no objection” issued by the NYC Dept. of Buildings.

Vote: Unanimous, with 39 Board members in favor.

**28. Brothers Kang Group LLC, d/b/a Segafredo Zanetti Espresso Cafe, 504 6th Ave. aka 68-70 W. 13th St. NYC 10011**

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

**Whereas**, this application is for a transfer of an on premise liquor license on the first floor and basement of a 3 story mixed use building on the South-East corner of 6<sup>th</sup> Avenue and 13<sup>th</sup> Street for a 4,920 s.f. (2,420 s.f. on 1<sup>st</sup> floor and 2,500 s.f. basement with no patron access) “Italian espresso café/lounge” with 26 tables and 80 table seats, 1 stand up bar with 14 seats for a total of 94 seats inside and a maximum legal capacity of 118 persons as stated on the certificate of occupancy, there is no sidewalk café licensed at the address and it is not included with this application; and,

**Whereas**, the applicant stated the hours of operation for the establishment are Sunday – Wednesday from 7 a.m. to 2 a.m. and Thursday – Saturday from 7 a.m. to 4 a.m., music will be quiet background only from ipod/cd’s music, “the sound system will be in the form of small speakers recessed into the ceiling which will provide an ambient level of background music”, there will be 1 or 2 tv’s not larger than 40 inches, the applicant will not have promoted events, scheduled performances, outside promoters, will not have events for which a cover fee is charged will not have private parties, all doors and windows will be closed at 10:00pm; and,

**Whereas**, this applicant states that they “will operate as an Italian espresso café/lounge. Segafredo Zanetti Espresso Café has over 650 prestigious locations throughout the world and this will be the first ever location in New York. The main focus of the business is providing the highest quality espresso experience available outside of Italy. There will also be a strong emphasis on quality Italian tapas style food along with European aperitifs, digestifs and espresso cocktails. As a brand Segafredo Zanetti Café has become a unique and respected addition to the many communities and cities where it has been implemented”; and,

**Whereas**, this applicant is proposing a transfer of an existing liquor license which was previously held by Maximopino Café 1 LLC & Trust 3 Hospitality LLC dba Rockography Serial Number 1251341, which has operated as Rockography and most recently as Blitz! Brasserie and CB2 had received a number of complaints regarding the location when it was operated as Rockography; and,

**Whereas**, the applicant did meet with several members of the local block association and submitted a petition with 76 signatures; and,

**Whereas**, the applicant executed a CB#2, Man. stipulations agreement stating that:

1. The applicant agreed that they would not have a 24-hr. operation.
2. The applicant agreed that the operating hours are Sunday – Wednesday from 7 a.m. to 2 a.m. and Thursday – Saturday from 7 a.m. to 4 a.m.
3. The applicant agreed that the “franchise” must follow the corporate model of Segarfredo Zanetti Espresso Café and will not ever operate as a “lounge” only.
4. The applicant agreed that there will be no live bands or D.J.’s or D.J. events, all music will be quiet ambient background conversational level only.
5. The applicant agreed that all doors and windows will be closed by 10:00 p.m.
6. The applicant agreed that the kitchen will remain open at all hours until the establishment closes.
7. The applicant agrees that there is no application for a sidewalk café at this time.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise liquor license for **Brothers Kang Group LLC, d/b/a Segarfredo Zanetti Espresso Cafe, 504 6th Ave. aka 68-70 W. 13th St., NYC 10011** unless the statements the applicant has presented to CB2 and above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 7<sup>th</sup> “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

**29. Ayza Upper West Side, Inc. d/b/a AYZA Wine & Chocolate Bar, One 7th Ave. So., NYC 10014 – SLA Serial # 1258707**

**Whereas**, the applicant originally notified CB#2, Man. of their intent to file an application for an on-premise liquor license and was invited to appear in front of CB#2, Man.’s SLA Licensing Committee on July 14, 2011. However, the applicant did not appear at the meeting. As a result, CB#2, Man. passed a “No-Show Denial” resolution that was sent to the SLA with a request that the application be sent back to CB#2, Man. before it would be considered by the SLA. CB#2, Man. sent a follow-up letter to the SLA on November 28<sup>th</sup>, 2011 after receiving notice of a 500 ft. rule hearing for the applicant; and,

**Whereas**, CB#2, Man. thanks the SLA for sending this applicant to present their application in front of CB#2, Man.; and,

**Whereas**, the applicant’s representatives, Jiu Jiu License, Inc. appeared before the committee; and

**Whereas**, this application is for a new on premise license for the first floor of a six story building with residential apartments above the ground floor for a 1,150 square foot premise located on the corner of 7<sup>th</sup> Ave South and Carmine St. for a “wine and chocolate bar” with 20 tables and 40 seats and 1 stand up bar with 6 seats for a total of 46 seats inside with a maximum legal occupancy of 60 persons as stated on the certificate of occupancy offering a full menu similar to their other restaurant on 31<sup>st</sup> Street; and

**Whereas**, the applicant stated the hours of operation for the establishment are Sunday from 11 a.m. to 11 p.m., Monday-Wednesday from 12 p.m. to 12 a.m., Thursday-Saturday from 12 p.m. to 1 a.m., music will be quiet background only, with the specific and only exception noted as occurring on Mondays from 6:30 p.m. to 9:30 p.m. when they will have live jazz from just a guitar, there will be no tv’s, the applicant will not have promoted events, scheduled performances, outside promoters, will not have events for which a cover fee is charged and will not have private parties; and,

**Whereas**, the applicant stated that the only reason that the applicant is seeking an upgrade for this license to a full on-premise license in addition to the transfer of a license from the previous applicant who only had a beer and wine license was to be able to serve “special cocktails that you have with chocolate” and the applicant otherwise presented that “wine and chocolate are the soul of AYZA Wine & Chocolate Bar. As a premier wine bar, we offer selection and quality that would impress any wine lover. We create a magical space where couples can enjoy the richest flavors in the utmost intimacy. A sophisticated interior, AYZA gives you the light and energy of NYC armed with wine, chocolate and a sense of refinement, everything that makes AYZA an unmatched wine bar and romantic restaurant in NYC” and,

**Whereas**, there will be an alteration application in the future to include the future sidewalk café, but it is not a part of this application because the applicant has not yet presented the sidewalk cafe to CB#2, Man. for a recommendation to the NYC Department of Consumer Affairs and it is the policy of CB#2, Man.’s SLA Licensing Committee to not hear alterations to include sidewalk cafés into a licensed premise until the sidewalk café has been recommended for approval by CB2’s Sidewalk Café Licensing Committee; and

**Whereas**, the applicant met with members of the Carmine Street Block Association and reached an agreement, the substance of which is included in the following whereas clause; and,

**Whereas**, the applicant executed a CB#2, Man. stipulations agreement stating that:

1. The applicant agreed that the hours of operation are Sunday from 11 a.m. to 11 p.m., Monday-Wednesday from 12 p.m. to 12 a.m., Thursday-Saturday from 12 p.m. to 1 a.m.
2. The applicant agreed that when they apply for a sidewalk café in the future, it will only be located on the 7<sup>th</sup> avenue side of the establishment.
3. The applicant agreed that they will offer a full menu until closing and that the kitchen will remain open until closing.
4. The applicant agrees that they will not have any outdoor speakers and that they will remove the existing outdoor speakers that they have installed along both the Carmine Street side and the 7<sup>th</sup> Ave South side of the establishment immediately.

**Whereas**, CB#2, Man. is not generally supportive of license upgrades to full on-premise at the time of a transfer of a lower grade license without a compelling reason and is unsure as to whether the need to serve only cocktails with chocolate is a compelling reason, but is willing to accept the support of the local block association and their belief that the applicant will be a positive addition to the community;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **denial** of an On Premise liquor license for **Ayza Upper West Side, Inc. d/b/a AYZA Wine & Chocolate Bar, One 7th Ave. So., NYC 10014** **unless** the statements the applicant has presented to CB2 and above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 9<sup>th</sup> “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

### **30. Danny Bensusan or DBS Restaurant Group LLC, 22 Little West 12th St., NYC**

**Whereas**, representatives of the applicant appeared before the committee for a second time; and,

**Whereas**, this application is for a new on premise liquor license for the basement, 6<sup>th</sup> and 7<sup>th</sup> floor in a 7 story commercial building located on Little West 12<sup>th</sup> St between Washington St and Ninth Avenue for a 9,900 sq ft premise (2,100 sq ft Cellar, 3900 sq ft 6<sup>th</sup> flr, 3900 sq ft penthouse/7<sup>th</sup> flr) for a “High End Japanese Restaurant with Robata Bar & Grill on 6<sup>th</sup> floor and penthouse” and “live music venue in cellar” with 32 tables and 82 seats on the interior of the 7<sup>th</sup> Floor, 87 seats and 21 tables on the 6<sup>th</sup> floor, 1 sushi bar with 5 seats on the 6<sup>th</sup> floor, 1 bar with 15 seats on the 6<sup>th</sup> floor and 1 bars with no seats in the basement and one service bar on the 7<sup>th</sup> floor for a total of 54 tables and 272 seats throughout the premises and the maximum occupancy has not yet been determined; and,

**Whereas**, representatives of the applicant stated that there would be no use of the outdoor area on the top floor/7<sup>th</sup> floor/Penthouse level, the hours of operation for the establishment are seven (7) days a week from 10 a.m. to 4 a.m., music will be live music in the cellar at entertainment level, and quiet background music on the 6<sup>th</sup> flr and penthouse from ipod/cd’s, there will be no D.J.’s, there will be soundproofing and a professional sound engineer will be used, there will be promoted events, scheduled performances, events at which a cover fee is charged and private parties, the applicant stated they have plans to manage and address vehicular traffic and crowd control on the sidewalks but did not include plans; and,

**Whereas**, representatives of the applicant stated that the principal has founded Blue Note Entertainment Group, which owns and operates several venues, including the Blue Note Jazz Club located in Greenwich Village in CB2 and in Japan and Milan, as well as other venues in NYC including BB Kings and the Highline Ballroom; and,

**Whereas**, the applicant stated that the basement live music venue will have an 82 person capacity and feature the best in Jazz, Latin Jazz and World Music, will focus on emerging talent with occasional showcase of bigger names in a very intimate setting and would have late night jam sessions with hours of operation from 6pm to 4am; and

**Whereas**, the applicant stated that the restaurant, which would support the basement live music venue, would have approximately 200 dining seats and would be open from 11:30 a.m. to 4 a.m. and would feature native dishes of the 9 regions (47 prefectures) of Japan to be presented in an avant-garde and elegant fashion, that the concept will set them apart from other restaurants as it does not exist in NYC; and

**Whereas**, the applicant submitted 17 letters in support from business in the surrounding community and several additional letters of support were received; and,

**Whereas**, CB#2, Man. received over 30 letters in opposition to the applicant, the majority who were specifically objecting to the use of the outdoor space on the penthouse/7<sup>th</sup> floor; and,

**Whereas**, after extensive discussion at the committee meeting and comments from 3 people in favor of and from 13 members of the community against (all against were against outdoor use on the 7<sup>th</sup> floor/penthouse, and a couple fully against the applicant); and,

**Whereas**, during the discussion almost all of those in opposition to the use of outdoor space on the 7<sup>th</sup> flr./Penthouse said they would hesitantly support this application in a grossly oversaturated area if they dropped the use of the outdoor space *only* because this is a unique application from an established operator, the Blue Note, who has been an important part of the New York City music scene, and a part of our community, for many years, and contributes in a positive way to the cultural history of New York City by focusing on jazz artists, and that the purpose of this new venue is to showcase young, new jazz talent; and,

**Whereas**, opposition to the outdoor space was specific because of the consequences of the already existing 4 rooftop venues in the area, 3 of which are associated with hotels (only one of which was approved by the community for a very unique and specific set of circumstances that would not apply to any other venue), and because neighboring residents hear the music and activity of roof top operations from several blocks away because of the direct line of sight that sound travels, regardless of what “experts” say they find in their tests; and,

**Whereas**, after extensive discussion, the applicant agreed to withdraw the outdoor space from consideration for this application because it was clear that members of the community and members of the committee would not support the use of the outdoor space because it is clearly not in the public interest; and

**Whereas**, the applicant executed a CB#2, Man. Stipulations agreement stating that:

1. The applicant agrees to no use of the outdoor rooftop space of the 7<sup>th</sup> floor/Penthouse level.
2. The applicant agrees to keep all doors and windows throughout the establishment closed at all times.
3. The applicant has hired a soundproofing expert who presented a program to ensure that no sound would emanate from the glass-fronted 7<sup>th</sup> floor/penthouse, rooftop addition.
4. The applicant agrees to post “please respect the neighbors” signs outside all entrances.
5. The applicant agrees to post a security guard/door person at all street level entrances and exits including to at least 30 minutes after closing to maintain a managed presence outside the venue, this includes both the Little West 12<sup>th</sup> Street Entrance and the Entrance to the basement venue through Gansevoort St.

**Whereas**, according to the applicant there are 23 licensed premises within 500 ft.;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **denial** of an On Premise liquor license for **Danny Bensusan or DBS Restaurant Group LLC, 22 Little West 12th St., NYC** **unless** the statements the applicant has presented to CB2 and above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 13<sup>th</sup> “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

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

**31. Chelsea Morning Partners, LP, 99 Bank St., NYC 10014**

**Whereas**, at this month’s Committee meeting, the applicant *agreed to a layover* of consideration of their application for the above referenced location to a future CB#2, Man. SLA Licensing Committee meeting, most likely in February 2012; and,

**Whereas**, this application is for a new on-premise license; and,

**Whereas**, there were several applicants on CB#2, Man.’s January calendar for the same location utilizing different addresses and the landlord was courting multiple applicants; and,

**Whereas**, extensive community outreach was performed by another applicant for the same location who subsequently did not receive a letter of intent from the land lord or a letter of intent was withdrawn that caused tremendous confusion among members of the community on who the actual applicant for the space was; and,

**Whereas**, this application will include a significant increase in the size of the proposed licensed area over the previous licensed entities licensed area;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed on-premise or other liquor license for Chelsea Morning Partners, LP, 99 Bank St., NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

### **32. JEC II LLC, d/b/a One, 2-8 9th Ave. aka 1 Little W. 12th St., NYC 10014**

**Whereas**, at this month's Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to one of the two February, 2012 CB#2, Man. SLA Licensing Committee meetings; and,

**Whereas**, this application is for an alteration to an existing on-premise license; and,

**Whereas**, the applicant's attorney stated that the applicant would proceed with their filing with the SLA, but had every intent to meet with the community prior to the February 2012 CB#2, Man. SLA Committee Meeting to address outstanding issues that they had begun to address in December 2011, but at which time the representative who met with members of the community was not empowered to address the communities concerns or make representations to any steps the applicant might take to address those concerns; and,

**Whereas**, the applicant's attorney stated that while the applicant would proceed with the filing in order to open the location within their schedule, that CB#2, Man.'s resolution and the results of their meeting with the community would be submitted for consideration by the SLA in conjunction with this filing because it should still be under review at the SLA at the time of the next CB#2, Man. SLA Meeting; and

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed alteration to their on-premise liquor license for JEC II LLC, d/b/a One, 2-8 9th Ave. aka 1 Little W. 12th St., NYC 10014 **until the applicant has met with the community and presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA without a resolution from CB2, in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 39 Board members in favor.



**33. The Urban Canis, Inc., 188 Lafayette St., NYC (representative requested layover)**

**Whereas**, prior to this months Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB2 SLA Licensing Committee meeting; and

**Whereas**, this application is for a new beer and wine license;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed beer and wine or other liquor license for The Urban Canis, Inc., 188 Lafayette St. **until the applicant has presented their application in front of the SLA Licensing Committee 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.

**34. The Bowery Kitchen, LLC, 220 Bowery, NYC 10012**

**Whereas**, prior to this months Committee meeting, the applicant *requested to withdraw* from consideration of their application for the above referenced location to a future CB2 SLA Licensing Committee meeting; and,

**Whereas**, this application is for a new beer and wine license;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed beer and wine or other liquor license for The Bowery Kitchen, LLC, 220 Bowery, NYC 10012 **until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

**35. Greenwich Street Hospitality Group, LLC, TBD, 771 Greenwich St., NYC 10014**

**Whereas**, prior to this months Committee meeting, the applicant *requested to withdraw* from consideration their application for the above referenced location; and,

**Whereas**, this application was for a new on-premise license at this location;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Greenwich Street Hospitality Group, LLC, TBD, 771 Greenwich St., NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

**36. Amber 135, Inc., 135 Christopher St., NYC 10014**

**Whereas**, the applicant had previously appeared before CB#2, Man. in September 2011; and,

**Whereas**, the applicant stated that there have been no changes to their application since the last time it was presented in September 2011 and they are simply refilling their application with the SLA; and

**Whereas**, the following resolution was adopted on September 22, 2011 and a letter was sent to the SLA including the resolution:

**Amber 135, Inc. d/b/a Amber Asian Cuisine, 135 Christopher St. (Greenwich and Hudson Sts.), NYC**

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

**Whereas**, this application is for an On Premise license for a 2,200 s.f. Asian fusion restaurant located in a mixed use building on Christopher Street between Greenwich and Hudson Streets with 26 table seats and 1 bar with 5 bar seats; and,

**Whereas**, the applicant stated the hours of operation for the establishment are Sunday through Thursday from 12:00 p.m. to 12:00 a.m. and Friday and Saturday from 12:00 p.m. to 1:00 a.m.; there will not be a sidewalk café application and no backyard garden; music will be Ipod/CDs at background levels; and,

**Whereas**, the applicant has supplied a petition with over 25 signatures in support; and, **whereas**, no one appeared in opposition of the proposed establishment; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **Amber 135, Inc. d/b/a Amber Asian Cuisine, 135 Christopher St.**  
Vote: Unanimous, with 40 Board members in favor.

**THEREFORE BE IT RESOLVED** that CB#2, Man. continues to support the above resolution from September 2011 provided that their have been no changes to the application as presented to CB#2, Man.'s SLA Licensing Committee in September 2011; and,

**THEREFORE BE IT FURTHER RESOLVED** if changes have been made to the application to the SLA since September 2011 that have not been presented in front of CB#2, Man.'s Licensing Committee, CB#2, Man. requests that the **SLA send this applicant back to CB2 so that CB2 may offer input and recommendation on the changed application so that this important step is not avoided and that the concerns of the Community can be fully heard.**

Vote: Unanimous, with 39 Board members in favor.

**37. Miller's Near & Far, LLC d/b/a Miller's Near & Far, 225 Varick St., NYC 10014**

**Whereas**, prior to this months Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB#2, Man. SLA Licensing Committee meeting; and,

**Whereas**, this application is for a new on-premise license;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed on-premise or other liquor license for Miller's Near & Far, LLC d/b/a Miller's Near & Far, 225 Varick St., NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

### **38. Bowery Poetry Club, Bowery Poetry Club, 308 Bowery, NYC 10012**

**Whereas**, prior to this months Committee meeting, the applicant *requested to withdraw* from consideration their alteration application for the above referenced location; and,

**Whereas**, this application was for an alteration to the existing on-premise license at this location;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Bowery Poetry Club, Bowery Poetry Club, 308 Bowery, NYC 10012 **until the applicant has presented their application in front of the SLA Licensing Committee 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 39 Board members in favor.

### **39. 9GJ Bar & Restaurant, Inc. d/b/a Acme, 9 Great Jones St., NYC 10012 (laid over ongoing community discussion)**

**Whereas**, prior to this months Committee meeting, the applicant *requested to layover* from consideration their corporate transfer application for the above referenced location; and,

**Whereas**, this applicant will meet with members of the community to explain various aspects of this corporate transfer which have not yet been explained to members of the community and for which the applicant has requested several layovers for;

**THEREFORE BE IT RESOLVED** that CB#2, Man. continues to recommend strongly that the SLA **deny** any proposed corporate transfer to the liquor license for 9GJ Bar & Restaurant, Inc. d/b/a Acme, 9 Great Jones St., NYC 10012 **until the applicant has presented their application in front of the SLA Licensing Committee 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 39 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; and

**WHEREAS**, each of the street fair permit applications listed below appear to not have changed in any material manner from last year; 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 material community opposition to such application, nor any changes in the application from previous years when it was approved by CB#2, Man.; and

**WHEREAS**, for the applications noted below, CB#2, Man. supports a 6pm end time, the same as in previous years; 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. **3/9/-12/23/12-** St. Patrick’s Old Cathedral Outdoor Market, Prince St. bet. Mulberry St. & Mott St.
2. **3/10/12-**St. Anthony’s Flea Market, 154 W. Houston St. bet. Thompson St. & Macdougall St.
3. **3/31/12-**Bailey House Christopher Street Festival, Christopher St. bet. Greenwich Ave. & 7<sup>th</sup> Ave. South
4. **3/31-12/22/12-**Our Lady of Pompeii Flea Market, 240 Bleecker St. bet. Leroy St. & Carmine St.
5. **4/14/12-**Ninth Precinct Community Council Astor Place Festival, Astor Pl. bet. Broadway & Lafayette St.
6. **4/21/12-**Village Committee for Jefferson Area Market Greenwich Ave. Festival, Greenwich Ave. bet. 6<sup>th</sup> Ave. & 7<sup>th</sup> Ave.
7. **5/5/12-**Cooke Center Street Fair, Macdougall St. bet. W. Houston St. & Prince St.
8. **5/12/12-**Perry-Phernalia, Perry St. bet. Bleecker St. & W. 4<sup>th</sup> St.
9. **5/19/12-**Caring Community Waverly Place, Waverly Pl. bet. 6<sup>th</sup> Ave. & University Pl.
10. **5/19/12-**Ye Olde Village Fair, Barrow St. bet. Bedford St. & Hudson St. *(CB # 2 Manhattan supports a 6pm end time)*
11. **5/20/12-**Fine Art and Designer Crafts on Bleecker, Bleecker St. bet. Bank St. & Christopher St. *(CB # 2 Manhattan supports a 6pm end time)*
12. **6/16/12-**Village Reform Democratic Club Waverly Place Festival, Washington Square North, bet. University Pl. & 5<sup>th</sup> Ave.; Waverly Pl. bet. Broadway & University Pl.
13. **6/23/12-**Our Lady of Pompeii Church Bleecker Street Festival, 6<sup>th</sup>Ave. bet. W. Houston St. & Waverly Pl.

14. 7/14/12-East Village Visiting Neighbors East Village Festival, 4<sup>th</sup> Ave. bet. E. 9<sup>th</sup> St. & E. 14<sup>th</sup> St.
15. 7/15/12-Women's Democratic Club Astor Place Festival, Astor Pl. bet. Broadway & Lafayette St.
16. 5/24/-6/3/12-St. Anthony of Giovinazzo Feast, Mulberry St. bet. Broome St. & Spring St.

Vote: Unanimous, with 39 Board members in favor.

**2. Conditional Support of the Figli di San Gennaro Street Activity Permit Application, (multi day, multi-block), Canal & Houston Sts. & Hester & Grand bet. Mott & Centre Sts.**

**Dates:** 9/13-9/23, 2012

**Hours of Operation:** 11:30am – 11pm (Sun – Thurs) and 11:30am – 12:30am (Fri and Sat); 30 minute reductions from past years application.

**Whereas,** applicant was represented by Vivian Catanaccio and Mort Berkowitz; and

**Whereas,** this street fair has been ongoing for approximately the last 80 years and is an important and symbolic annual event for the Little Italy community; and

**Whereas,** the Committee was furnished with a breakdown of all of the Charitable donations made and the costs associated with running the San Gennaro street fair; and

**Whereas,** the San Gennaro street fair provides much needed revenue to local restaurants and businesses, who are experiencing severe financial hardships during the current economic downturn; and

**Whereas,** the San Genarro street fair generates approximately \$800,000 in gross revenues of which \$160,000 in fees are turned over to the City of New York; and

**Whereas,** more than 10 community residents spoke in favor of this application and, unlike previous years, no community residents spoke in opposition; and

**Whereas,** the majority of residents from the community who spoke in support of the application cited the historical, cultural and economic value to the Little Italy community; and

**Whereas,** Mort Berkowitz, the promoter for the applicant, exchanged telephone numbers with Committee members and agreed to work with them and CB#2, Man. to resolve any problems that arise during the event and to strictly enforce all rules and regulations; and

**Whereas,** the Committee strongly urges the 5<sup>th</sup> Police Precinct and Department of Environmental Protection to strictly enforce all rules and regulations governing this street fair with a maximum police presence so as to minimize the impact on the residential community, including monitoring noise levels to ensure compliance with all city regulations; and

**Whereas,** the Committee believes that the concessions negotiated over the past several years from the organizers have made San Gennaro a more community friendly event, resulting in decreased community opposition to the fair in previous years and no opposition this year; now

**THEREFORE BE IT RESOLVED**, that CB#2, Man. recommends approval of the San Gennaro street fair permit application subject to an ongoing dialogue regarding the enforcement of applicable rules and regulations governing San Gennaro, which shall take place both before and after any permit is issued, and shall include the applicant, LIMA, residents of the community, merchants, the 5th Police Precinct, SAPO, Council Member Chin’s office, other local elected officials and all other relevant City agencies, and with the following conditions (which are subject to change based upon the ongoing discussions referenced above):

1. **Soundstage/Bandstand:** The applicant agrees, if requested, to rotate the location of the soundstage/bandstand on a yearly basis so as not to inconvenience the same residents each year who are affected by the amplified sound. The location of the soundstage/bandstand each year will be determined by the applicant in consultation with CB#2, Man. and local residents. The applicant further agrees to reduce or eliminate amplified sound during periods when live performances are not taking place. The soundstage shall operate during the following hours:

Monday-Thursday	5:30 p.m. – 9:30 p.m.
Friday	5:30 p.m. – 11:00 p.m.
Saturday	12:00 p.m. - 12:30 a.m.
Sunday	12:00 p.m. – 9:30 p.m.

2. **Enforcement of Rules and Regulations:** The applicant agrees to strictly enforce all rules and regulations governing the street fair, which will be discussed and clearly agreed upon during the course of the continuing dialogue between the relevant parties referenced above. The applicant further agrees to promptly investigate and respond to any complaints from CB# 2 Manhattan and/or local residents.

3. **Announcements:** The applicant agrees that there will be no PA announcement made at the end of the night asking vendors to shut down their stands, instead the event staff will walk the streets telling vendors to close their stands. This will reduce noise levels late at night.

4. **Building:** The applicant agrees that no building is to take place overnight. Vendors must comply with the DOT construction regulations.

5. **Oil:** The applicant agrees that for clean-up and dumping of oil, the feast will continue to require all vendors to pay a mandatory fee for an outside company to pick up the oil.

6. **Sidewalk cafes:** The applicant agrees that all restaurants should comply with their DCA permits and will seek to enforce any violations that take place.

7. **Trees:** The applicant agrees that they will respect the trees and that vendors cannot hang anything from them or dump waste/debris in the tree pits.

8. **Toilets:** The applicant agrees that port-a-potties will be cleaned on a regular schedule.

9. **Noise:** The applicant agrees that there should not be any bands walking the streets late at night and no vendors should be selling or playing tapes or CDs that are not related to the theme of the feast. The applicant further agrees that all music/radio stations should have sound permits and should comply with the regulations of those permits.

10. **Walkways:** The applicant agrees to mark (with tape or chalk or paint) the sidewalk for unobstructed passageways to the entrance of buildings.

11. **Setup and Breakdown:** The applicant agrees to formulate a setup and breakdown committee to monitor noise and other issues associated with the setup and breakdown of San Gennaro, which shall include a member of CB#2, Man.

12. **Karaoke Machine/Booth:** The applicant agrees there will not be any Karaoke booth or device at this year's fair.

Vote: Unanimous, with 39 Board members in favor.

### 3. Abstentions

1. 5/13/12-Community Board 2 Broadway Festival, Broadway bet. East 8<sup>th</sup> St. & East 14<sup>th</sup> St.

## TRAFFIC AND TRANSPORTATION

**Resolution in support of recommendations by the Hudson Square Connection to facilitate loading dock access, promote pedestrian safety and relieve congestion on Spring Street between Varick Street and Avenue of the Americas.**

**Whereas** loading dock access on the north side of Spring Street between Varick Street and Avenue of the Americas is heavily blocked by double parking, by taxis stopping in the middle of the street outside the double parking, by vehicles standing for long periods of time on the north curb of Spring St., by vehicles waiting on the south side of the street in violation of regulations; and

**Whereas** among those affected is 150 Varick Street, that for countless years has had a very active loading dock on weekdays from 8 am to 6 pm, used by trucks up to 60 ft. long, which is dependent on having both loading dock access and a sufficient radius for large trucks to back in, in order to conduct and maintain business; and

**Whereas** curbside loading activity at the Trump SoHo Hotel on the south side of the street often occupies two lanes during hotel peaks with only one travel lane (if that) available during peak periods, and this activity needs to be monitored and managed by the hotel, so that curbside regulations are maintained there; and

**Whereas** this Spring St. congestion often results in vehicle queues extending back through the Varick St. intersection, the backup exacerbated by Holland Tunnel traffic; and

**Whereas** the Hudson Square Connection has conducted a study of these conditions and presented the following recommendations to CB#2, Man. for improving truck access and traffic flow:

- Convert "No Parking 8am-6pm Mon-Fri" curb regulation on the north side of Spring Street between Varick Street and Avenue of the Americas to "No Standing except trucks loading and unloading 8am-6pm Mon-Fri." (to prevent vehicles from staying there)
- Maintain and manage curbside regulations on south side of the street
- Enforcement of curbside regulations by the NYC Police Department (NYPD)
- Lane striping on Spring Street at that location;

**Therefore Be It Resolved** that CB#2, Man. fully supports the Hudson Square Connection’s recommendations and asks that the NYC Department of Transportation change the “No Parking 8am-6pm Mon-Fri” regulation on the north side of Spring Street between Varick Street and Avenue of the Americas to “No Standing except trucks loading and unloading 8am-6pm Mon-Fri.” and to install lane striping on the street there, as soon as possible; and

**Be It Further Resolved** that CB#2, Man. urges the Trump SoHo Hotel to follow these recommendations by actively monitoring and managing curbside activities on its south side of the street to ensure that the curbside regulations are maintained there, and access and safe passage is sustained; and

**Be It Finally Resolved** that CB#2, Man. asks that the NYPD strictly and steadily enforce curbside regulations on both the north and south sides of Spring St. between Varick Street and Avenue of the Americas and continually work to assure that truck access is maintained and that traffic flows safely and smoothly on that block and from Varick onto Spring Street.

Vote: Unanimous, with 39 Board members in favor.

Respectfully submitted,

Susan Kent  
Secretary  
Community Board #2, Manhattan