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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

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

FULL BOARD MINUTES

DATE: November 21, 2013
TIME: 6:00 P.M.
PLACE: Scholastic Building, 557 Broadway, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Daniel Ballen, Keen Berger, Tobi Bergman, Carter Booth, Katy Bordonaro, William Bray, Richard Caccappolo, Lisa Cannistraci, Denise Collins, Tom Connor, Terri Cude, Coral Dawson, Maria Passanante Derr, Doris Diether, Robert Ely, Jonathan Geballe, Robin Goldberg, David Gruber, Chair; Anne Hearn, Susan Kent, Jeanine Kiely, Arthur Kriemelman, Dodge Landesman, Alexander Meadows, Lois Rakoff, Robert Riccobono, Robin Rothstein, Rocio Sanz, Maury Schott, Shirley Secunda, Federica Sigel, Sean Sweeney, Shannon Tyree, Susan Wittenberg, Robert Woodworth,

BOARD MEMBERS EXCUSED: Anita Brandt, Heather Campbell, Cristy Dwyer, Joshua Frost, Sasha Greene, Jo Hamilton, Edward Ma, Florent Morellet, Judy Paul, Chenault Spence, Richard Stewart, Antony Wong, Elaine Young

BOARD MEMBERS ABSENT: Arthur Z. Schwartz

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

GUESTS: Jacqueline Blank, Congressman Jerrold Nadler's office; Joshua Cole, Senator Brad Hoylman's office; Mary Cooley, Senator Daniel Squadron's office; Hannah Friedman, Man. Borough President Scott Stringer's office; Sarah (Malloy-Good) Sinchala, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Allie Nudelman, Council Speaker Christine Quinn's office; Victoria Hervas-Castaneda, Council Member Rosie Mendez's office; Amy Varghese, Council Member Margaret Chin's office; Andon Espeseth, Alexander Victor, TK Zellers, Kasim Raoul, Enzo Scavone, Elke Hoffmann, Aisha Sharpe, Thomas Dorhot, Miranda Murray, Josh Bisker, Julie Georgopoulos, Brenda Hom, Edith Smith, Doug Chitel, Mike Mitchell, Nicole Frias, Darlene Lutz, Dan Fitzsimmons, Gloria Tarigo, Jillian Fracassi, Pete Davies, Jordan Levine, Minerva Durham Joyce Hom, Reuben Nathanson, Nancy Regalado, Cathryn Swan, Thomas Freeman, Melissa Collado, Carl-Harry Nav, Brian VanNieuvenhoven, Max Liporace, Claudette Montgomery, Shamaire Dennis, Giada Luborninski, Sante Scardillo, Anthony LoPresti, Meredith Nowikowski

MEETING SUMMARY

Meeting Date –November 21, 2013

Board Members Present – 36

Board Members Excused–13

Board Members Absent - 1

I. SUMMARY AND INDEX

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II. PUBLIC SESSION

Non-Agenda Items

Hudson Park Library

Miranda Murray announced that the library would be closed temporarily in order to install an HVAC system.

St. Luke's School

Jeanine Kiely made an announcement regarding their upcoming Christmas fair.

Parks

Cathryn Swan spoke regarding parks.

MPIA

Meredith Nowikowski made an announcement regarding their upcoming holiday party.

ReUse Event

TK Zellers announced a Free ReUse event sponsored by GrowNYC.

Talking Transitions/Trinity Real Estate at 76 Varick St.

Darlene Lutz spoke against this topic.

Various Announcements

Lois Rakoff made several announcements: Invitation to the free Le Souk Thanksgiving event, the upcoming NYU Poe Room event, and the annual Bellevue Hospital public meeting.

Environment, Public Safety & Public Health Items

Support for Resolution Regarding Banning Conventions in States with "Stand Your Ground Law"

Nancy Regalado and Edie Smith spoke in favor of this proposed resolution.

SLA Licensing Items

Aisha Sharpe or Corp to be formed, 18 King St. 10014

Aisha Sharpe, principal, and Jillian Fracassi, spoke in favor of the proposed liquor license and against the resolution.

Gloria Tarigo and Anthony LoPresti spoke in favor of the proposed liquor license.

Giada Luborninski spoke regarding the application.

Chef Club NY, Inc. d/b/a Chef's Club by Food & Wine, 275 Mulberry St. f/ka 295 Lafayette St. 10012

Alex Victor, representing the applicant, spoke in favor of the proposed liquor license.

Traffic and Transportation Items

Support to move the Citi Bike station at Petrosino Sq. to the northeast corner of Lafayette St. at Spring St.

Pete Davis and Minerva Durham spoke in favor of the resolution.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Jacqueline Blank, Congressman Jerrold Nadler's office

Joshua Cole, Senator Brad Hoylman's office

Mary Cooley, Senator Daniel Squadron's office;

John Ricker, NYC Comptroller's office;

Hannah Friedman, Man. Borough President Scott Stringer's office

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

Allie Nudelman, Council Speaker Christine Quinn's office

Amy Varghese, Council Member Margaret Chin's office;

Victoria Hervas-Castaneda, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Adoption of September minutes and distribution of October minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** David Gruber reported

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

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1 - LPC Item:9 - 62 Jane Street (Hudson/Greenwich) - Greenwich Village Historic District. A Greek Revival style residence built in 1848-49. Application is to create new windows and rebuild the rear brick masonry facade.

Whereas, we appreciate the masonry restoration; but

Whereas, with a double-height ground floor, there is way too much glass; and the single, large glass window does not respect the traditional rhythm of three window openings per floor; now

Therefore, be it resolved that CB#2, Man. recommends approval of the masonry restoration, but denial of the large, rear glass window.

Vote: Unanimous, with 36 Board members in favor.

2 - LPC Item12: 3 MacDougal Alley -Greenwich Village Historic District. A two-story brick stable built prior to 1854 and converted to a studio and dwelling in 1904. Application is to alter the front facade and roof.

Whereas, this is a spectacular proposal, especially rebuilding the relieving arch; now

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

Vote: Unanimous, with 36 Board members in favor.

3 - LPC Item:13 - 24 Fifth Avenue (n.w. corner West 9th) - Greenwich Village Historic District
A Spanish Renaissance style apartment building designed by Emery Roth and built in 1926. Application is to remove an enclosed sidewalk cafe and to install new storefront infill, signage, lighting and awnings.

Whereas, the restoration of the limestone openings, awnings and louvres is welcomed, as is the demolition of the enclosed sidewalk cafe structure; but the proposed light fixture on the building's corner has no precedent in the district; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application with the exception of the light fixture on the corner.

Vote: Unanimous, with 36 Board members in favor.

4 - LPC Item:14 - 19 Charlton Street (Varick/6th) - Charlton King-Vandam Historic District. A Greek Revival style rowhouse built in 1841. Application is to demolish a rear yard extension and construct a rooftop and rear yard additions. Zoned R6 12A

Whereas, the rooftop addition is barely visible; and

Whereas, the design is well done and proposal opens up the rear facade without compromising the historic nature of the district; now

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

Vote: Unanimous, with 36 Board members in favor.

5 - LPC Item:15 - 259-263 Bleecker Street (Zito's@Cornelia/Jones)- Greenwich Village H.D.Extension II. A Renaissance Revival style tenement with a commercial ground floor, designed by Horenburger & Straub and built c.1904. Application is to replace storefront infill

Whereas, this proposal is for a new bakery with a set of three glazed doors that open to expose the inside of the store, a new trend. This effectively removes the facade much of the time, and is increasingly becoming a common generic look throughout the city, something unworthy of an historic district.

This is very troubling because this work is proposed for the storefront of Zito's Bakery, which had been a cultural landmark, and whose infill is one of the remaining examples of a traditional Bleecker Street Italian merchant storefront, with its single large display window and high wooden bulkhead beneath; and

Whereas, to approve this would mean losing another typical historic storefront configuration; now

Therefore, be it resolved that CB#2, Man. strongly recommends denial of this application because it destroys an historic storefront design for no worthy reason.

Vote: Unanimous, with 36 Board members in favor.

6 - LPC Item:16 - 560 Broadway (Dean&Deluca @ s.e.Prince) - SoHo Cast-Iron H.D. A store building designed by Thomas Stent and built in 1883-84. Application is to alter the facades, replace infill, install a canopy, flagpoles, steps, and signage.

Whereas, the alteration of the front facade will not detract from the building, and the work proposed for the rear will greatly improve the look of that facade; but

Whereas, the proposal for four dozen awnings on a building which receives little sunlight, not to mention the request for three large commercial banners and three blade signs, clutters the facade, and detracts from the building and the district; now

Therefore, be it resolved that CB#2, Man. recommends approval of the facade and infill proposal, but sees the request for four dozen awning, three large flags and blade signs as overkill.

Vote: Unanimous, with 36 Board members in favor.

2ND LANDMARKS MEETING

7 - LPC Item:13 - 1 West 4th Street, aka 699-705 Broadway, Hebrew Union College - NoHo H.D. A Modern style educational facility designed by Abramovitz, Harris & Kingsland Architects and built in 1978-79. Application is to alter the entrances and paving.

Whereas, the proposed doors and entry are a great improvement over the existing; and

Whereas, the proposed pavers are compatible with the building and do not detract from the district; now

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

Vote: Unanimous, with 36 Board members in favor.

8 - LPC Item:14 - 718 Broadway-NoHo Historic District. A neo-Classical style store and loft building designed by Charles E. Birge and built in 1906-1908. Application is to replace windows.

Whereas, the proposed Master Plan introduces a coherent fenestration to the building; now

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

Vote: Unanimous, with 37 Board members in favor.

9 - LPC Item:15 - 48 Great Jones Street-NoHo Historic District Extension. A Renaissance Revival style store and loft building designed by A.V. Porter and built in 1896-97. Application is to replace storefront infill and remove cast iron vault lights.

Whereas, the metalwork and glass lenses of the sidewalk vault lights should not be removed, but, rather, be covered with diamond plating and preserved in the event a future tenant or landlord may wish to restore it; and

Whereas, changes to the streetscape just prior to designation should not be offered as a precedent for the historic district preservationists envisioned; and

Whereas, this application introduces a generic showroom display window – a wide expanse of glass without division and out-of-scale, lacking a bulkhead and transom – into a facade that maintains much of the historic style, proportion and symmetry characteristic of a building of this era; and

Whereas, the applicant should respect the character of the neighborhood and not attempt to express its stamp at the expense of the historic district; and

Whereas, the applicant, Phillip Lim, has a successful retail store nearby in the SoHo Historic District that has a traditional high, 2-foot bulkhead. There is no reason why that feature cannot be reproduced here; now

Therefore, be it resolved that CB#2, Man. recommends that the cast-iron vault lights and grid be covered with diamond plating and retained *in situ* for the sake of preservation; and, further,

Be it resolved that CB#2, Man. recommends denial of this application and that the applicant replicate the historic, 2-ft.-high bulkhead that it has at its other storefront nearby in SoHo, and that it not be permitted to introduce a generic oversized display window that is out of character with the building.

Vote: Unanimous, with 36 Board members in favor.

10 - LPC Item:16 - 396-398 West Broadway (former Barolo) (Spring/Broome) SoHo H.D. Extension Two dwellings built c.1819-20 and c.1829 respectively with later alterations. Application is to replace storefront infill, signage and paint the facades.

Whereas, devoid of a bulkhead and transom, as well as traditional wood material, the storefront proposed for 396 is yet another example of the generic, oversized display windows found in any mall, a style that so many new retail tenants feel compelled to introduce into historic districts; but

Whereas, on the other hand, the restoration of the existing metal and glass storefront at 398 is commendable; and

Whereas, the proposed paint colors are tasteful and do not detract from the building or the district; now

Therefore, be it resolved that CB#2, Man. recommends approval of the restoration of the existing infill at 398; and recommends its style and scale be extended to 396, instead of the generic storefront currently proposed for that facade; and, further,

Be it resolved CB#2, Man. approves the choice of paint colors.

Vote: Unanimous, with 36 Board members in favor.

11 - LPC Item:17 - 95 Grand Street (Greene/Mercer) -SoHo-Cast Iron Historic District. A Romanesque style store building built in 1882. Application is to construct a rooftop bulkhead. Zoned M1-5B

Whereas, the rooftop bulkhead is required by code and is minimally visible; now

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

Vote: Unanimous, with 36 Board members in favor.

12 - LPC Item:18 - 18 West 11th Street (The Weathermen/Boudin Building) - Greenwich Village H.D. A brick rowhouse, designed by Hugh Hardy and built in 1979. Application is to construct a new rear facade and a rooftop addition, and excavate at the cellar. Zoned R6

Whereas, the original architect is redesigning his own building for today's needs; but

Whereas, several members thought there was too much glass proposed for the rear facade; but

Whereas, the majority felt that this is not the usual Greenwich Village building, and should not be treated as such; now

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

Vote: Passed, with 27 Board members in favor, and 9 in opposition (D. Diether, K. Bordonaro, J. Geballe, C. Booth, S. Secunda, T. Connor, A. Hearn, K. Berger, R. Riccobono).

13 - LPC Item:15 - 146 Waverly Place (Gay St) - Greenwich Village Historic District. A Greek Revival style rowhouse built in 1839. Application is to construct rooftop bulkheads, demolish and reconstruct a rear yard addition, and excavate at the cellar and rear yard. Zoned R6

Whereas, this rooftop bulkhead is barely visible; and

Whereas, the proposal, with its three bays that clearly delineate the floor levels, respects the original existing facade; and

Whereas, the rear-yard excavation should not cause damage to this or abutting buildings; now

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

Vote: Unanimous, with 36 Board members in favor.

PERSONNEL

Resolution to Hire a Community Assistant

Whereas, the CB2 office posted the job vacancy notice for the position of Community Assistant on the Cityjobs website, the CB#2, Man. website, and notified local universities of the vacancy; and

Whereas, the CB#2, Man. office received forty-one résumés in response to its solicitation; and

Whereas, after a review of the résumés, the Personnel Committee interviewed five candidates and invited three candidates to return for a second interview; and

Whereas, the Committee decided to offer the position to Colin Hu, whose credentials were impressive;

THEREFORE, BE IT RESOLVED, CB#2, Man. recommends that Colin Hu be hired for the position of Community Assistant.

Vote: Unanimous, with 36 Board members in favor.

SIDEWALKS/STREET ACTIVITIES

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

1. Cherry Lane, Inc. d/b/a The Randolph at Broome, 349 Broome St. with 7 tables & 16 seats, DCA # 1383186

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

Whereas, this café has been operated for two years by this applicant with some issues including the café using more than ½ of the sidewalk and A-frame signs, and

Whereas, the applicant confirmed that there have been issues with the amount of space used on the sidewalk and they have already tethered the surrounding barrier to limit the depth from the facade, and he committed to ensure that A-frame signs are not placed in the public sidewalk,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Cherry Lane, Inc. d/b/a The Randolph at Broome, 349 Broome St. with 7 tables & 16 seats, DCA # 1383186**

CONDITIONAL UPON the applicant continuing to meet the commitments made in Whereas 3.

VOTE: Passed, with 28 Board members in favor and 8 against (Aaron, Berger, Booth, Goldberg, Kent, Kriemelman, Meadows, & Tyree).

2. PSSP NY Inc., d/b/a Sofia's Little Italy, 143 Mulberry St., with 5 tables & 10 seats, DCA# 1383044

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

Whereas, this café has been operated for many years by this applicant with continuing issues including over-seating the café and multiple signs on the public sidewalk, and

Whereas, the committee showed Mr. Glazer photos of the café with as many as 13 seats with the service aisle blocked with the additional tables/chairs, and

Whereas, the photos also showed multiple signs on the public sidewalk, and Mr. Glazer committed to speaking to the applicant about both these issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **PSSP NY Inc., d/b/a Sofia's Little Italy, 143 Mulberry St., with 5 tables & 10 seats, DCA# 1383044**

UNLESS the applicant immediately corrects the over-seating and signage issues as noted in Whereas 3 & 4.

VOTE: Unanimous, with 36 Board members in favor.

3. Il Buco Corp. d/b/a IL Buco, 47 Bond St., with 2 tables & 12 seats, DCA # 1109238

Whereas, the area was posted, community groups notified and there was one community member present regarding this application, and the applicant's GM, Scott Henkle, was present, and

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, one resident of the block complained about noise, public drunkenness, smoking and other issues on the block which he felt were exacerbated by this sidewalk café, but the committee had no way to confirm to what extent those issues related specifically to this café, and

Whereas, the committee noted that planters placed around the café are, with the foliage, higher than the allowed 30" and Mr. Henkle committed to correcting that, and

Whereas, the committee also noted that a Siamese connection within the west end of the café was not shown on the approved plan and there was no clearance between it and the planters and some of the seating, and Mr. Henkle committed to correcting the situation including filing a corrected plan with DCA,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Il Buco Corp. d/b/a IL Buco, 47 Bond St., with 2 tables & 12 seats, DCA # 1109238**

UNLESS the applicant corrects the height of the bordering planters and files a corrected plan with DCA showing the Siamese connection and the required 3' clearance between it and any furniture or planters

VOTE: Unanimous, with 36 Board members in favor.

New App. for revocable consent to operate an Enclosed sidewalk cafe for:

4. Ship Wrecked Bar & Grill, Inc., d/b/a Wicked Willy's, 149 Bleecker Street, with 6 tables & 14 seats, DCA# 1459624

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Marc Glazer, was present, and

Whereas, this café has been operated illegally by this applicant since 2006, who has applied for a license from DCA to operate the café only after being cited by DCA for the illegal operation and forced to remove all seating from the enclosure, and

Whereas, it also appears the application was made only when the CB2 SLA Committee began pressing the SLA to remove the enclosure area from the applicant's liquor license, and

Whereas, the café enclosure also worsens congestion on the sidewalk that is often virtually impassable due to what may be an illegal fixed awning which extends to the curb and is supported by two poles which narrow the pedestrian passageway, and

Whereas, the committee noted that the café enclosure is immediately adjacent to a licensed, enclosed cafe, and as such clearly does not meet the requirement set out in both the NYC Zoning law and NYC Administrative Code that there be 15' clearance between two enclosed sidewalk cafes,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this NEW application for revocable consent to operate an Enclosed sidewalk café for **Ship Wrecked Bar & Grill, Inc., d/b/a Wicked Willy's, 149 Bleecker Street, with 6 tables & 14 seats, DCA# 1459624**

VOTE: Passed, with 35 Board members in favor and 1 abstention (Rakoff).

5. FYI Renewals:

Whereas, the renewals below were posted on the CB#2, Man. website and there were no community members requesting these applications be heard, and

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

- Tortilla Flats Inc. d/b/a Tortilla Flats, 767 Washington Street, with 11 tables & 21 seats (unenclosed), DCA# 0805433

- Karavas Food, LTD. d/b/a Karavas Place Tavern, 162 West 4th St. (enclosed), with 11 tables and 22 seats, DCA # 1001562
- Tre-Giovani Inc. d/b/a Tre Giovani Pizza & Pasta, 548 LaGuardia Place (unenclosed), with 4 tables & 12 seats, DCA # 997686
- The Original Vincent's, Established 1904, Inc. d/b/a Vincent's, 119 Mott St. (unenclosed), with 9 tables & 18 seats, DCA # 1139678

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of the RENEWAL applications for revocable consent to operate the indicated sidewalk café for the above applicants.

VOTE: Unanimous, with 36 Board members in favor.

5. Applications for Street Activities Permits:

Whereas, CB#2, Man. attempts to determine within its ability that, per SAPO rules, each sponsor is “a community-based, not-for-profit organization, association, or the like, which has an indigenous relationship to the specific street, community or both”, and

Whereas, community groups were notified and the applicant was present regarding the first application below, and

Whereas, the remaining items – noted as **FYI – Renewals** below – have been held for 3 or more years, and after the items were published on the CB2 Calendar of Meetings, no members of the community requested a public hearing be held regarding them, so CB#2, Man. has no issue with these applications,

- **12/6-12/8/13 Levi's Holiday Gift Wrapping 2013, 495 Broadway bet. Spring & Broome Sts. (Curb lane only)**

Whereas, the applicant's representative, Bret Yost, appeared before the committee, and

Whereas, the event is for parking a 34' Airstream unit in the parking lane to provide free gift wrapping services to Levi's and other shoppers, and

Whereas, while Levi's is a for-profit entity, the event will take place immediately in front of its SoHo store, and will occupy just the curb lane on one weekend, and

Whereas, Mr. Yost stated that this is being done primarily as a promotional event and to allow Levi's to avoid using any selling space for gift wrapping, and

Whereas, the application requested setup to begin at 7am, but the committee requested setup start no earlier than 9am with event running 10am-8pm, and Mr. Yost agreed, and

Whereas, some members of the committee were concerned with establishing a precedent, particularly on this extremely busy street, for granting any business permission to use of the public sidewalk or street for a purely commercial function simply to avoid using its interior space,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this event on **Broadway bet Spring & Broome Sts. (Curb lane only)**

Vote: Unanimous, with 36 Board members in favor.

FYI Renewals:

- 5/3/14 Grace Church School Annual Spring Fair, E. 10th St. bet Broadway & 4th Avenue
- 5/18/14 Fine Arts and Designer Crafts on Bleecker St., Bleecker St. bet Bank & Christopher St.
- 5/20/14 Grad Alley NYU, LaGuardia Pl. bet. W. 3rd St & Washington Sq. S.; W. 4th St. bet Mercer St. & Washington Sq. E.; Washington Sq. S. bet. Washington Sq. E. & MacDougal St.; W. 3rd St. bet. Mercer St. & LaGuardia Place; Greene St. bet. W. 4th St. & Waverly Place
- 5/24/14 6/1/14 & 8/30/14-9/7/14-Washington Outdoor Art Exhibit, University Place/W.S.E. from E. 13th to E. 4th & Washington Place from W.S.E to Mercer St.

Vote: Unanimous, with 36 Board members in favor.

SLA LICENSING

1. Supernatural Wine, Inc. f/k/a Entity to be formed by Romee De Goriainoff d/b/a LA Compagnies des Vins Surnaturels, 247-249 Centre St. – New B/W

Whereas, the applicant appeared before the CB2 SLA hearing committee; and,

Whereas, this is a classic French wine bar with tapas style menu; and,

Whereas, this application is for a new Beer and Wine license in a commercial building located on Centre Street between Grand and Broome Street (Block #472/lot #4), with a 2,335 sq. ft. premise (1,453 sq. ft on ground floor and 882 sq. ft. in basement – no patron use of basement) which has 14 tables and 46 seats and 1 bar with 12 seats, there is no sidewalk café and no backyard garden and a maximum occupancy of 74; and,

Whereas, the applicant states that the hours of operation will be Sunday to Wednesday from 5:00 p.m. to 1:00 a.m. and Thursday to Saturday from 5:00 p.m. to 2:00 a.m.; there will be quiet background music only; and no TV's; and,

Whereas, a petition was submitted with 61 signatures in support of this application and a letter a letter of support from Community Board 3 where they currently own and operate an establishment; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA Beer and Wine license and the stipulations are as follows:

1. The hours of operation will be from Sunday to Wednesday from 5:00 p.m. to 1:00 a.m. and Thursday to Saturday from 5:00 p.m. to 2:00 a.m.
2. The premises will be operated as a “Wine Bar”.
3. Music will be background only.
4. The applicant will not seek a DCA Cabaret License.
5. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. There will be no backyard garden and no sidewalk café.

7. There will be no use of TV's at this location.
8. There will be no patron use of the basement.
9. All doors and windows will be closed at all times.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial for a new Beer and Wine license to **Supernatural Wine, Inc. f/k/a Entity to be formed by Romee De Goriainoff d/b/a LA Compagnies des Vins Surnaturels, 247-249 Centre St., unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th "whereas" clause above are incorporated into the "Method of Operation" on the SLA Beer and Wine License.

Vote: Unanimous, with 36 Board members in favor.

2. 161 Mulberry Restaurant, LLC, d/b/a Italian Food Center, 161 Mulberry St. 10013 – Alteration to current On Premise license

Whereas, the applicant appeared before the committee to present an alteration application to amend their current hours of operation for their restaurant on-premise liquor license to extend the hours to 4 am seven days a week because there is construction in the immediate area that will continue through 2017; and

Whereas, this application is for an alteration of the current On Premise license in a mixed-use building, located on the corner of Mulberry Street and Grand Street (Block #471/lot #22), for a 2 story 3,400 sq. ft. premise (1,700 sq. ft. ground floor and 1,700 sq. ft. basement – patron use of both floors) with 54 tables and 115 seats and 2 bars with 17 seats (132 seats total) and a sidewalk café with 44 seats; there is no backyard use; and

Whereas, the closing hours of operation **are currently** Sunday to Wednesday at 1:00 a.m. and Thursday to Saturday at 2:00 a.m. but the applicant is **now requesting** new hours of operation which are to be Saturday and Sunday from 10:00 a.m. to 4:00 a.m. and Monday to Friday from 11:00 a.m. to 4:00 a.m.; and

Whereas, music will continue to be background only, there will continue to be no scheduled performances or events with a cover charge, no live music and no DJ's, no outside promoters and no television; and,

Whereas, the applicant stated that NYC construction began shortly after they opened and has disrupted the business; and

Whereas, the construction is scheduled to continue until 2017, however while it is currently occurring in front of and near this establishment, it will not always be in front of this location during the entire time of scheduled work and currently all work ceases by 6:00 p.m.; and,

Whereas, the licensee stated to CB#2, Man. that a part of the pressure was to meet rent obligations and after being directly questioned after stating the landlord was a minority partner in the business conceded that documents filed with the SLA stated the landlord had 70% ownership of the establishment but that it should be 60% which irrespective shows a blatant attempt to mislead CB#2, Man. as to the landlords involvement in the premises as whether 60% or 70%, it is clearly not a "minority" stake; and

Whereas, the licensee has still not obtained or been issued a new certificate of occupancy indicating legal use for 210 occupants in the premises as presented in their liquor license application to the Liquor Authority for their current existing license or obtained a Place of Assembly permit as they stated they would as a condition of their license and still only has a letter of no objection for use only on the first floor with occupancy of 74 or less and no legal patron use of the basement area; and

Whereas, CB#2, Man. believes that “hardship” as a consequence of capital improvements by the city of New York which impacts areas of the city through localized construction projects which occur as needed throughout the city and in this case only takes place during the day ending at 6 pm provides no legitimate reason to extend hours of operation for a full service restaurant in a heavily licensed area to 4 am as this reasoning would allow all licensed establishments in the area to operate until 4 am which is hardly in the public interest, in particular as it is readily apparent that there are no diners for full service restaurants that would materialize at later hours due to construction and due diligence on the part of the licensee would have revealed this construction project has been anticipated prior to their application for the original on-premise liquor license at this location; and,

Whereas, CB#2, Man. would encourage the licensee to pursue legalizing the occupancy of their whole premises which is currently licensed with the Liquor Authority before approaching CB2 and/or the Liquor Authority to expand their hours of operation in order to generate more revenue; and,

Whereas, CB#2, Man. stands by the original recommendation to the Liquor Authority and stipulations agreed to at that time with the applicant and does not feel that construction in the area which ends at 6 pm daily is an appropriate reason to modify stipulations agreed to with the applicant and believes this would be a terrible precedent going forward with other establishments in the area and instead suggests working with the City on increasing promotion of area businesses as construction continues in the area; and

Whereas, other full service restaurants in this area are not open until 4:00 a.m. and a request such as this may not be reversed after construction is cleared; and,

Whereas, there was 1 community member in attendance in support and 1 against this application;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the alteration of an On Premise license for **161 Mulberry Restaurant, LLC, d/b/a Italian Food Center, 1616 Mulberry St. 10013.**

Vote: Unanimous, with 36 Board members in favor.

3. Nespresso USA, Inc. d/b/a Nespresso Boutique, 92 Prince St. 10012– New Beer and Wine

Whereas, the applicant appeared before the committee; and

Whereas, Nespresso Boutique will be a high end retail establishment that sells coffee and coffee makers and also serves a wide range of fresh pastries, soups, salads, hot and cold sandwiches, quiches and desserts; and,

Whereas, this application is for a new Beer and Wine license in a commercial building (block #498 and lot #1) on Prince Street between Mercer and Broadway and is a 5,800 s.f. Retail store (2,320 in basement, 2,320 on 1st floor and 1,160 sq. ft. on the 2nd floor) with 14 tables and 34 seats and 1 food counter with 8 seats, and a maximum legal capacity of 88 persons; and,

Whereas, the applicant stated the hours of operation are from Sunday from 10:00 a.m. to 7:00 p.m. and Monday to Saturday from 9:00 a.m. to 9:00 p.m.; there is no sidewalk, no backyard garden and music will be background only if they have any at all; and,

Whereas, this retail store has been opened for 3 years and has had a successful relationship with the community; and,

Whereas, there was no one in opposition of this application; and,

Whereas, the licensee agreed to executed a stipulations agreement with CB#2, Man. in the interest of being a good “neighbor” that they agreed would be attached and incorporated in to their existing method of operation on their SLA Beer and Wine Restaurant license and the stipulations are as follows:

1. Hours of operation are Sunday from 10:00 a.m. to 7:00 p.m. and Monday to Saturday from 9:00 a.m. to 9:00 p.m.
2. Applicant will never increase the hours of operation past 9 p.m.
3. There will no patron use in the basement.
4. No use of tv’s and if any music is played it will be quiet background only.
5. The applicant will not seek a DCA Cabaret License.
6. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of a new Beer and Wine license for **Nespresso USA, Inc. d/b/a Nespresso Boutique, 92 Prince St. 10012** unless the conditions agreed to by applicant relating to the 7th “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

4. Chef Club NY, Inc. d/b/a Chef’s Club by Food & Wine, 275 Mulberry St. f/k/a 295 Lafayette St. 10012 – New OP

Whereas, this applicant appeared before the committee for a second time; and,

Whereas, the premise will be a fine-dinning restaurant with an open kitchen that will showcase menus of rotating guest chefs; and,

Whereas, this application is for a new On Premise license in a commercial use building located on Mulberry Street between Jersey and East Houston (Block #510/lot #7501), for a 6,693 sq. ft. premise (3,079 sq. ft. in basement and 3,114 sq. ft. in the main floor) with 21 tables with 73 seats and 1 bar with 13 seats and a raw bar with 6 seats and 24 seats at tables in chef’s studio / private dining area; the proposed occupancy will be 116; and,

Whereas, the hours of operation for the restaurant are Sunday to Saturday from 7:00 a.m. to 2:00 a.m., music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and there will be no TV’s; and,

Whereas, CB#2, Man. requests that documents be presented to the SLA which include but are not limited to a new Public Assembly Permit as well as a new Certificate of Occupancy indicating restaurant use for this location; and,

Whereas, there are concerns from the community that there is a Russian Catholic Church within 200 ft. of this location (across the street) but the applicant stated that they believed that the building is 3 stories tall and that the building is not exclusively used as a church due to rental of the third floor to a business entity, however, CB#2, Man. as always defers to the Liquor Authority to determine if this location is subject to the “200 ft. rule”; and,

Whereas, 4 community members spoke against this application stating concerns with such a large operation, lack of notification regarding this application and that there is also a library close by, the church located across the street and the impact of traffic and quality of life and an increase in the current noise level in the immediate area; and,

Whereas, the applicant submitted a petition with 73 signatures in support of this application and Msgr. Donald Sakano of St. Patrick’s Old Cathedral spoke in support of this application and also submitted a letter along with 3 others and stated that the Cathedral rented space to the Russian Church across the street from this premises; and,

Whereas, this is another location within CB#2, Man. that has never been license by the SLA; and,

Whereas, CB#2, Man. has concerns about the loss of retail stores that support the daily needs of the residents and a growing concern that too many locations have or will become licensed which is causing overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their existing method of operation on their SLA On-Premise Restaurant license and the stipulations are as follows:

1. Hours of operation are from Sunday to Saturday from 7:00 a.m. to 2:00 a.m
2. Applicants will operate and advertise as a full service restaurant only.
3. There will be no nightclub or after hours events, no cabaret or cabaret license.
4. Garbage will be picked-up on Lafayette.
5. There will be background music only.
6. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
7. The applicant will have staff valet and maintain traffic.
8. There will be no use of TV’s.
9. Applicant will communicate and advertise that dropping off clients should be done on Lafayette.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the new On Premise license for **Chef Club NY, Inc. d/b/a Chef’s Club by Food & Wine, 275 Mulberry St. f/k/a 295 Lafayette St. 10012** unless the conditions agreed to by applicant relating to the 11th “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Passed, with 35 Board members in favor, and 1 in opposition (S. Aaron).

5. Entity to be formed by Scott Sartiano, 415 Lafayette St. 10003 – New/ transfer OP

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

Whereas, this application is for a transfer of an existing on-premise liquor license to create a new corporate identity for a currently operating restaurant in order to seek an infusion of finances with a possible additional principal owner(s); and,

Whereas, this application is for a new On Premise license in a mixed-use building, located on Lafayette between 4th Street and Astor Place (Block #544/lot #11), for a 7,000 sq. ft. premise (4,000 on ground floor and 3,000 in cellar), there will be 38 tables 160 seats and 2 bars with 20 seats; there is no sidewalk café and no backyard patron use, and a maximum occupancy of 295; and,

Whereas, the hours of operation are Sunday to Saturday from 11:00 a.m. to 4:00 a.m.; music will be background only, there will be a d.j., there will be no scheduled performances or events with a cover charge and use of TV's; and,

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

Whereas, the applicant submitted a petition with 115 signatures in support and there was 1 person who spoke before the committee in support; and,

Whereas, the local neighborhood association known as the NoHo Bowery Stakeholders did not get to meet with the applicant and a representative did state that there were concerns and that it is now the practice of new applicants to establish a Memorandum of Understanding with this community which this applicant did not undergo; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their existing method of operation on their SLA On-Premise Restaurant license and the stipulations are as follows:

1. There will be NO change in the current operation as it was conducted under Varick Group LLC.
2. The hours of operation will be Sunday to Saturday from 11:00 a.m. to 4:00 a.m.
3. There will be no live music, promoted events, events for which a cover fee is charged or scheduled performances.
4. There will be no televisions.
5. D.J. will be in basement only and music will be background only.
6. Security will be present as needed.
7. Applicant will manage traffic issues as needed.
8. This will continue to be a family style restaurant.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new On Premise license for **Entity to be formed by Scott Sartiano, 415 Lafayette St. 10003** **unless** those conditions and stipulations agreed to by the applicant relating to 8th “whereas” clauses above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 36 Board members in favor.

6. Joshua Sharkey or Corp to be formed d/b/a Bark, 155 Bleecker St. 10012– new B&W

Whereas, the applicant appeared before the committee; and,

Whereas, the premise will be a fast casual restaurant utilizing local farmers, artisanal producers, and sustainable operational practices to create a new and more mindful approach to American fast food; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building, located on the corner of Bleecker Street and Thompson Street (Block #539/lot #35), for a 1,200 sq. ft. premise with 12 tables and 40 seats and 1 bar with no seats with a proposed occupancy of 55 and a maximum occupancy of 102; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation for **Wine and Beer service** will be Sunday from 7:00 a.m. to 11:00 p.m. and Monday to Wednesday from 7:00 a.m. to 12:00 a.m. and Thursday to Saturday from 7:00 a.m. to 1:00 a.m. however, **the hours of operation which will include food service will be 7:00 a.m. to 2:00 a.m. 7 days a week**; the music will be background only, there will be no scheduled performances or events with a cover charge, no live music and no DJ's, no outside promoters and only 2 televisions no larger than 42"; and,

Whereas, there were no community members in opposition to this application; and,

Whereas, the Bleecker Area Merchants' & Residents' Association established stipulations which has been signed by this operator; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA On-Premise Restaurant license, and all stipulations agreed to with the Bleecker Area Merchants' & Residents' Association will also be incorporated into the Method of Operation; and,

1. **Hours of Operation: Wine and Beer service** will be Sunday from 7:00 a.m. to 11:00 p.m. and Monday to Wednesday from 7:00 a.m. to 12:00 a.m. and Thursday to Saturday from 7:00 a.m. to 1:00 a.m. however, **the hours of operation which will include food service will be 7:00 a.m. to 2:00 a.m. 7 days a week.**
2. **Certificates, Permits and Related Documents:** The Operator shall obtain all required certificates, permits and related documents. The Operator will file for an amended Certificate of Occupancy to reduce occupancy to 74 persons and to remove any cabaret use. The Operator will not file for a DCA cabaret license now or in the future.
3. **Traffic:** The Operators will use reasonable efforts to remedy any traffic issues brought to its attention, to the extent that it can. The Operators shall direct staff to monitor the patrons of the Establishment who are gathered outside the Establishment and the staff shall direct such persons or traffic going to and from the Establishment to keep the area clear and passable by pedestrians. Should any issues arise with managing patrons outside of the Establishment, the Operator agrees to hire security personnel. The Operators will clean any debris left by its patrons (i.e.: cigarette butts, etc.) from the area in front of the Establishment and surrounding areas.
4. **Manager:** The Operators shall have an English-speaking manager on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation. All Managers and staff will operate under these stipulations as well. Any

complaints made about the Establishment to BAMRA will be relayed to the Operators and the Operators will make their phone numbers available to complainant and will work with both the complainant and BAMRA to reasonably resolve any issues.

5. **Music and Sound Abatement:** The Operators shall play quiet, background level music inside the Establishment and shall not play any music whatsoever outside the Establishment, nor deliberately direct music from within the Establishment to be heard outside the Establishment. The Operators shall not permit DJs, live music or outside promoters in the Establishment. Operator shall install “Biofoam” soundproofing material in the space between the dropped ceiling and the actual ceiling. There shall be no live music, no DJ’s, no cabaret or dancing. The Operators agree that they shall meet or exceed NYC Noise Codes standards.
6. **Television:** The Operator shall two (2) televisions no larger than 42”. Any sporting events will be played without sound, except for the Super Bowl and television events such as the Oscars or series such as “Breaking Bad”, which will be played at a reasonable level that cannot be heard outside of the establishment.
7. **Ventilation:** The Operator shall install a “Black Iron” ventilation system.
8. **Sanitation:** The Operator shall not place refuse at the curb except as close to pick up as possible and will make best efforts to coordinate garbage pick up times with other establishments.
9. **Lighting:** The Operator shall not install illuminated signage or lighting on or within the Establishment that would adversely and unreasonably disturb residents living near the Establishment. If neon signage is used, it shall be muted.
10. **Windows & Doors:** All windows shall be only partially opened and completely closed by 9:00 PM and Thompson Street side door shall be closed by 10:00 PM each night and Operators agree that they will meet or exceed the NYC Noise Codes standards while the windows and doors are open.
11. **Notification Of Change Of Ownership:** The Operator shall notify Manhattan Community Board 2 in the event of a change of ownership as required by law.
12. **License Renewal:** The Operator will appear before BAMRA and Manhattan Community Board 2 before renewing this liquor license, to determine if the stipulations are working and are being adhered to.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the new Beer and Wine license for **Joshua Sharkey or Corp to be formed d/b/a Bark, 155 Bleecker St. 10012** unless those conditions and stipulations agreed to by the applicant relating to 8th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 36 Board members in favor.

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

7. An Entity to be formed by Starr Restaurant Group, 222 Bowery 10012 - New OP

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the attorney requested to layover the application from consideration; and,

Whereas, this application is for a new On Premise license in a previously unlicensed location for an approachable take on a Manhattan steak house combining classic warmth and charm with a contemporary and affordable menu;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **An Entity to be formed by Starr Restaurant Group, 222 Bowery 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

8. Job's Landing, Inc., d/b/a The Little Fox Café, 62 Kenmare St. 10012

Whereas, during this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the committee requested that the applicant layover this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for the alteration to the Beer and Wine or On-Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed alteration to the Beer and Wine or On Premise license to **Job's Landing, Inc., d/b/a The Little Fox Café, 62 Kenmare St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

9. LLC to be formed/ Donny Chao, 88 University Pl. 10013

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the attorney requested to withdraw the application from consideration; 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** the proposed alteration to a new Beer and Wine license for **LLC to be formed/ Donny Chao, 88 University Pl. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee

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

Vote: Unanimous, with 36 Board members in favor.

10. FAL Foods USA Broadway, LLC d/b/a Brazilia, 684 Broadway 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the attorney requested to layover the application from consideration; 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** the proposed new Beer and Wine license for **FAL Foods USA Broadway, LLC d/b/a Brazilia, 684 Broadway 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

11. Sagardi USA, LLC d/b/a Sagardi, 222 Bowery 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the attorney requested to withdraw the application from consideration; 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** the proposed new On Premise license for **Sagardi USA, LLC d/b/a Sagardi, 222 Bowery 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

12. Taqueria y Cafeteria "La Universitaria" 815 Broadway 10003

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the attorney requested to withdraw the application from consideration for a second time; 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** the proposed new On Premise license for **Taqueria y Cafeteria "La Universitaria" 815 Broadway 10003** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2

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

Vote: Unanimous, with 36 Board members in favor.

13. DRLZ, LLC d/b/a Mobius, 59 Fifth Ave. 10003

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the attorney requested to withdraw the application from consideration for a second time; 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** the proposed new On Premise license for **DRLZ, LLC d/b/a Mobius, 59 Fifth Ave. 10003** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

14. ESS US1, LLC, d/b/a Heimat, 188 Bowery a/k/a 2-4 Spring St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the attorney requested to withdraw the application from consideration for a second time; 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** the new On Premise license to **ESS US1, LLC, d/b/a Heimat, 188 Bowery a/k/a 2-4 Spring St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

15. 128 Billiard, Inc. d/b/a Tropical, 128 Elizabeth St. 10013

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the attorney requested to layover the application from consideration; and,

Whereas, this application is for an alteration to a Beer and Wine or On Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed alteration to a Beer and Wine or On Premise license for **128 Billiard, Inc. d/b/a Tropical, 128 Elizabeth St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing

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

Vote: Unanimous, with 36 Board members in favor.

16. 525 Broome St. Restaurant, 525 Broome St. 10013

Whereas, during this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the committee requested that the applicant layover this application from consideration until an application and all necessary paperwork along with proof of community outreach was ready for review; 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 license to **525 Broome St. Restaurant, 525 Broome St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

17. Caliente Cab Rest. Co, Inc., 57 7th Ave. South, 10014 (OP Transfer)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application to the Liquor Authority for a "transfer" of an on-premise liquor license for a full service restaurant for "accounting" purposes wherein the method of operation, principles and dba name will be the same for both the old and new entity; and,

Whereas, this application is for a currently licensed location in a mixed use building located on the Southeast corner of Bleecker St. and 7th Ave. South for a roughly 650 sq. ft. premise with 7 tables and 18 seats, 1 banquet with 7 seats and 1 service bar, there is an existing sidewalk café included in this application which includes an additional 8 tables and 20 seats, there is no backyard garden; and,

Whereas, the hours of operation will be Sunday to Wednesday from Noon to 1 am, and Thursday to Saturday from Noon to 2 am, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there are three small televisions; and

Whereas, the existing/previous licensee is Caliente Tequila Grill, LLC and the new licensee will be Caliente Cab Rest Co. Inc.; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA license stating that:

1. The hours of operation will be Sunday to Wednesday from Noon to 1 am, and Thursday to Saturday from Noon to 2 am.
2. There will be no backyard garden.

3. The licensee will not operate their sidewalk café beyond legal sidewalk café hours.
4. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
5. Music will be background only.
6. There will be no French doors or French windows.
7. The existing method of operation from the previous licensee will not change.

Whereas, there are 21 on-premise liquor licenses with 500 feet of this location;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a transfer of an existing on-premise restaurant liquor license for **Caliente Cab Rest. Co, Inc., 57 7th Ave. South, 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

18. Vigu, Inc. d/b/a 628 Hudson Café, 628 Hudson St. 10014 (SN#1272927 – add sidewalk cafe)

Whereas, the applicant appeared before CB#2's SLA Licensing committee to present an application to the Liquor Authority for an alteration to a restaurant wine license to add a sidewalk café with 4 tables and 8 seats for a “Casual Family/café style coffee and sandwich” shop; and,

Whereas, this application is for an alteration to an existing licensed restaurant wine premises located in a mixed use building located on Hudson Street between Horatio Street and Jane Street for a roughly 1,359 sq. ft. premise on two floors with 459 sq. ft. on the ground floor and 900 sq. ft. in the basement with accessory use in the basement including customer bathrooms and convection ovens and there are 11 tables and 22 seats and 1 standup bar with 5 seats on the ground floor, for a grand total of 27 interior seats, this alteration application will add a licensed DCA Sidewalk Café in front of the premises with 4 tables and 8 seats, there is a “letter of no objection” for eating and drinking use on the ground floor; and,

Whereas, the hours of operation are Sunday to Thursday from 7 a.m. to 10 p.m. and Friday to Saturday from 7 am to 11 pm, music is quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, at the time of the original application for the Restaurant Wine License, the applicant presented a petition with 86 residential signatures in support, many of which were not from the immediate surrounding buildings, and

Whereas, at the time of the original application for the Restaurant Wine License, 14 emails in opposition were received from immediate residential neighbors and several speakers spoke against the applicant; and

Whereas, one letter in opposition was received regarding this alteration application; and,

Whereas, the applicant executed a stipulations agreement in regards to this alteration with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their existing SLA restaurant wine license (in addition to any existing stipulations) stating that:

1. The hours of operation will be Sunday to Thursday from 7 am to 10 pm, and Friday to Saturday from 7 am to 11 pm.
2. The license will operate as a full service café.
3. There will be no backyard garden.
4. The licensee will not operate their sidewalk café beyond the above stated hours of operation.
5. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. Music will be background only.
7. There will be no French doors or French windows.
8. All doors and windows will remain closed at all times and specifically will not be propped open.
9. **The Licensee agrees to never apply for an on-premise liquor license or to upgrade this license to full liquor at this location.**

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the alteration to the existing restaurant wine license, SN#1272927 for **Vigu, Inc. d/b/a 628 Hudson Café, 628 Hudson St. 10014** unless the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 7th “whereas” clause above are incorporated into the “Method of Operation” on the beer and wine license.

Vote: Unanimous, with 36 Board members in favor.

19. Don Borelli, on behalf of an entity to be determined, 26 W. 8th St. 10011 (application for new beer and wine license)

Whereas, the applicant appeared before CB2’s SLA Licensing committee to present an application for a beer and wine license within a commercial space previously operating as a retail beer-to-go store and known as “The Growler”, with an offering of 24 craft beers on tap and over 600 types of beer from around the world; and

Whereas, the applicant will continue to remain a retail beer store but will further expand its premises to include an on premise option to serve patrons beer and wines in an arts & crafts beer parlor, to establish a monthly exhibit of artwork and to establish a lecture series on a host of various subjects; and

Whereas, this application is for a subsurface commercial space in a mixed use building in a Landmark Historic District in Greenwich Village on W. 8th Street between McDougal St. and Fifth Avenue with a restricted occupancy of 31, in a 910 square foot basement space with one bar seating eleven, five tables seating 18 and a certificate of occupancy identifying a use group of 6 for retail; and

Whereas, the hours of operation will be from 11 am to Midnight Monday through Thursday and from 11 am to 1 am Friday and Saturday, music will be from ipod/cd’s at background levels only, soundproofing will be installed, there will be no promoted events, no scheduled performances, no cover fees, no velvet ropes, no movable barriers, patrons will not be permitted access to rear yard space, there will be no outside area or sidewalk café used for the sale or consumption of alcoholic beverages, food will be served at all hours of operation, the delivery of kegs to the establishment will be with use of rubber pads only, there will no TVs and all doors and windows will be closed by 9 pm seven days a week; and

Whereas, the West Street Block Association drafted a two-page submission in opposition to any license for the sale or consumption of alcoholic beverages at these premises, that there has been a proliferation of many new liquor licenses in the community with the *de facto* outcome of increasing the number of such licenses on the block, that there are currently two additional eating and drinking establishments in

unlicensed locations recently approved for liquor license on this block that have still not opened, that this particular establishment is not in the best interests of the community at this time, that beer bars offer nothing new and that there is nothing unique or different about this particular establishment that makes it within the public interest to be so licensed in this particular area; and

Whereas, the applicant agreed not to seek to upgrade to a full OP license at any time in the future at these premises; and

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA beer and wine license as follows:

1. Hours of operation will be from 11 am to Midnight Monday through Thursday and from 11 am to 1 am Friday and Saturday.
2. Music will be from ipod/cd's at background levels only.
3. There will be no promoted events or scheduled performances (excluding monthly lecture series).
4. All doors and windows will be closed at all times seven days a week.
5. There will be no outside area or sidewalk café used for the sale or consumption of alcoholic beverages.
6. There will no TVs.
7. There will no future application for an upgrade to a full OP license at these premises at anytime in the future.
8. No patrons will be allowed into the rear yard area at any time.
9. No keg deliveries will occur before 9 am and rubber mats will be used during the offloading of all kegs to prevent excessive noise.
10. Food will be available at all times.
11. Occupancy will never exceed 31 persons including staff.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the beer and wine license for **Don Borelli, on behalf of an entity to be determined, 26 W. 8th St. 10011** **unless** the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 7th “whereas” clause above are incorporated into the “Method of Operation” on the beer and wine license.

Vote: Unanimous, with 36 Board members in favor.

20. Ten Westside Corp d/b/a ESSEN at 10 Hudson Sq. 10013 (new Beer and Wine license – previously unlicensed location)

Whereas, the applicant appeared before CB2's SLA Licensing Committee for a new beer and wine license at 160-170 Varick St. between Van Damm and Charlton Sts. at a Deli/Restaurant located in large commercial building in Hudson Sq.; and,

Whereas, the applicant will operate the first floor, mezzanine and basement premises for use as a food court, for retail and buffet style food delivery with 15 tables and maximum of 30 seats for lunch and dinner located in the mezzanine area, that there is a maximum occupancy of 254; and,

Whereas, there will be no stand up bar, there will be no sidewalk café or rear yard or other outdoor area, there is an existing Certificate of Occupancy, there will be no TVs, music will be quiet background only consisting of music from ipod/cd's and that all consumption will occur on the mezzanine level; and

Whereas, the hours of operation will be 24 hours, seven days per week, there will be no d.j., no promoted events, there will be no private parties, no scheduled performances or cover fees; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA beer and wine license and the stipulations are as follows:

1. The premises will be operated and advertised as a food court, restaurant and deli.
2. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
3. Music will be background only.
4. There will be no TVs.
5. All alcohol consumption will be on the Mezzanine level.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new beer and wine license for **Ten Westside Corp d/b/a ESSEN at 10 Hudson Sq. 10013** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 5th "whereas" clause above are incorporated into the "Method of Operation" on the on-premise beer and wine license.

Vote: Passed, with 35 Board members in favor, and 1 in opposition (R. Rothstein).

21. STJ 8th Street, LLC, d/b/a SoHo Tiffin Junction, 42 E. 8th St. 10003

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license in a previously licensed location for a "quick service Indian restaurant featuring healthy and tasty cuisine of Southern India catering to families, neighbors and larger groups"; and,

Whereas, this application is for a restaurant wine license in a mixed use building located on the corner of East 8th St. and Greene St. for a roughly 2,000 sq. ft. premise on two floors (1,200 sq. ft. on the ground floor and 800 sq. ft. in the basement for accessory use storage use) with 6 tables and 22 seats and 13 stools at two counters, there will be no stand-up bar's, there is no outdoor area for patrons, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be Sunday to Thursday from 11 am to 11 pm and Friday to Saturday from 11 am to 12 am (midnight), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA restaurant license stating that:

1. The premises will be advertised and operated as a quick service Indian restaurant.
2. The hours of operation will be Sunday to Thursday from 11 am to 11 pm and Friday to Saturday from 11 am to 12 am (midnight).
3. There will be no backyard garden.
4. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.

5. Music will be background only.
6. There will be no televisions.
7. All doors and windows will remain closed at all times.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new restaurant wine license for **STJ 8th Street, LLC, d/b/a SoHo Tiffin Junction, 42 E. 8th St. 10003** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA restaurant wine license.

Vote: Unanimous, with 36 Board members in favor.

22. 523 Greenwich Restaurant LLC and Fortuna Realty Hotel SoHo, LLC, dba Hotel Hugo, 523-525 Greenwich St. 10013 (New Hotel OP License)

Whereas, the applicant appeared for a second time before CB2’s SLA Licensing committee after having been asked to perform additional community outreach to present a new application for an on-premise hotel liquor license for a 122 Room Hotel with a restaurant on the ground floor and a licensed service area on the 18th floor (top floor) with food service for a recently constructed 18 story hotel; the 18th floor (top floor) will be operated via a managing agreement and the ground floor will be managed via a partnership with the hotel and there will be a mini bar in each of the hotel guest rooms; and,

Whereas, this application is for a previously unlicensed location located in a newly constructed hotel located on Greenwich St between Spring St and VanDam St. for a 18 story hotel with a restaurant on the ground floor occupying 1,554 sq. ft. on the interior and 400 sq. ft. within the building line outside and a licensed area serving food on the 18th floor (top floor) occupying 1,868 sq. ft. and 122 minibars in guest rooms; the ground floor restaurant will have 1 stand up bar with 6 seats, 22 tables and 86 seats for a total of 92 interior seats and an outdoor seating area with 6 tables and 24 seats for a grand total of 110 seats; the 18th floor (top floor) will have 1 standup bar with 19 seats, 8 couches with 30 seats and 5 tables with 10 seats for a total of 59 seats; and there is a certificate of occupancy pending for the newly constructed hotel; and,

Whereas, the 18th Floor (top floor) will have a retractable façade/windows on the East and West exposures which were of concern to CB#2, Man. but the applicant agreed to close the façade completely by 9 pm every evening to address the quality of life concerns; and,

Whereas, the applicant had originally presented an additional patron area roof top garden on the roof top accessible by stairs form the 18th floor but stated that this was an error and that the current building plans do not and will not have an unenclosed or enclosed rooftop area above the 18th floor for patron use, no patrons or guests will be allowed to access any areas above the 18th floor (top floor); and,

Whereas, CB#2, Man, was reassured repeatedly that the 18th floor would be operated as a quiet area with a small food service and the hotel representatives assured CB#2, Man. that all quality of life issues would be addressed immediately; and,

Whereas, several information packages regarding the application and the use of the areas within the hotel were presented to CB#2, Man. and discussed and the applicant stated that the materials were accurate and represented the manner and style in which the premises would be operated; and

Whereas, the applicant performed additional community outreach and presented correspondence in support and two individuals who reside in the area appeared and spoke in support; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA on-premise hotel/restaurant liquor license and the stipulations are as follows:

1. The premises will be advertised and operated as a hotel and restaurant.
2. The hours of operation for the ground floor restaurant and the 18th floor premises (top floor) will be 7 am to 2 am seven days a week.
3. The premises will not be operated as a nightclub or disco; the applicant will not seek a DCA Cabaret License.
4. The ground floor outdoor area in front of the restaurant will be for table service only similar to a sidewalk café and will be operated no later than 12 pm Sunday to Thursday and 1 am Friday and Saturday (DCA sidewalk café hours).
5. There will be no rooftop garden/bar or area for patrons on the rooftop.
6. Only the ground floor restaurant and 18th floor (top floor) will be utilized for alcohol service (except for in room minibars)
7. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
8. All windows/retractable walls will be closed at 9 pm on the 18th floor (top floor) area.
9. All doors and windows will be closed by 9 pm every night without exception.
10. Music will be Quiet Background Only.
11. There will be 24 hour doorman/security 7 days a week.

Whereas, there are 11 licensed on-premises liquor licenses within 500 ft. of this location;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new on-premise hotel/restaurant liquor license for **523 Greenwich Restaurant LLC and Fortuna Realty Hotel SoHo, LLC, dba Hotel Hugo, 523-525 Greenwich St. 10013**, **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 8th “whereas” clause above are incorporated into the “Method of Operation” on the on-premise restaurant liquor license.

Vote: Unanimous, with 36 Board members in favor.

23. MHA d/b/a Matty’s NYC, 135 7th Ave. South 10014

Whereas, the applicant appeared before CB2’s SLA Licensing committee to present an application to the Liquor Authority for a new on premise tavern liquor license for an “upscale martini bar featuring music videos. Applicant seeks to develop a neighborhood gay bar with focus on attracting existing residents of the village”; and,

Whereas, this application is for a currently vacant space located in a mixed use residential tenement building with 16 apartments located on 7th Ave. South between W. 10th St. and Charles St. for a roughly 1,128 sq. ft. premise with 16 tables (many of which are stand up tables) and 18 seats, 10 Banquette seats, and 1 stand up bar with 20 seats for a grand total of 48 interior seats, there is a 170 sq. ft. patio area within the building line in front of the premises which will have 4 tables and 16 seats, there is a “temporary” Certificate of Occupancy which states the maximum occupancy is 74; and,

Whereas, the hours of operation will be Sunday to Thursday from 12 pm to 2 am and Friday to Saturday from 12 pm to 4 am, the same hours were presented for the outdoor area, the principal will manage, there will only be one bathroom, there will be 8 televisions broadcasting music videos utilizing an outside service that streams videos legal for use for public broadcasting in a business, music will be from music videos, ipod/cd's at both background and entertainment levels, there will be sound absorption tiles and a double sheetrock ceiling with insulation, there will be no d.j., no promoted events, occasional private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, there are 30 on-premise licenses within 500 ft.; and,

Whereas, a portion of the premises has previously been licensed for a restaurant wine license for a full service restaurant with very quiet background music with closing hours of 11 pm Sunday to Thursday and midnight Friday and Saturday, the other two business that were within the confines of the proposed premises were a barber shop and a hair salon; and,

Whereas, the applicant performed very limited community outreach to surrounding neighbors including posting letters on the doors of residents in the building in which the premises is located, but which did not include details of the method of operation and there were some limited emails with one building resident that the applicant reached out to but no completed exchanges, two letters in support were presented by the applicant from an area business and from an individual who did not provide their address but was familiar with a previous operation in Fort Lauderdale, Florida previously owned and operated by the primary principle (Nag Bar LLC d/b/a Matty's on the Drive); and,

Whereas, the applicant stated that a sound test was conducted in one apartment of four on the floor above the premises (there are 16 units in the building and the applicant originally claimed two apartments were visited) and no sound could be heard in the kitchen of the apartment; the sound test was performed by the applicant only accompanied by a building representative and consisted of playing a "boom box" in the establishment "very loudly" while the resident remained in the bedroom and had only been informed by building management that the visit was a "building inspection"; the resident of the subject apartment who appeared at CB2's meeting stated that he could clearly hear the music in his bedroom where he remained throughout the visit which the applicant never stated was a "sound test" and never identified himself as the applicant of the premises below the apartment and never entered the bedroom to see if any sound was audible; and,

Whereas, 5 residents of the building appeared in opposition to the application and provided testimony that they were never informed that a "sound test" would be conducted and in fact were misled by building management that a building inspection was being conducted, that the applicant never set up an "open house" or meeting with building residents, that it was wholly inappropriate for a bar in particular with such late hours to be located in the tenement style building as there was no way the establishment with 8 tv's playing music videos and music throughout could be properly sound proofed, certainly not at "entertainment levels", testimony was provided that construction by the landlord had legally removed load bearing interior walls within the establishment creating an open layout that would allow sound to travel upwards from the whole proposed premises upwards to the 16 residential apartments above, that smoking and noise in the "patio" area would travel directly up to bedrooms which are located directly above this area, that there are already 30 licensed premises within 500 ft of this location, that residents were concerned of retaliation from the landlord regarding opposition to the premises, that the area already suffers from significant quality of life issues at later hours, that this location offers nothing new for the

community as similar establishments already exist in the surrounding community and that the impact from patrons of existing late night operations roaming the streets already has a significant impact on quality of life and noise in the area and that this establishment would just further add to the existing situation; and,

Whereas, 25 letters in opposition were received outlining similar complaints, a number from residents in the building; and,

Whereas, a petition with 74 signatures in opposition was presented with similar comments to above and included 13 signatures from the 16 unit apartment building in which the premises is located; and,

Whereas, CB#2, Man., in addition to the concerns presented above, has serious reservations regarding this application in particular in regards to the lack of the applicants forthrightness in engaging residential tenants of the building in which the premises will be located and the thoroughly unprofessional “sound test” for what will undoubtedly be a loud premises, at least at certain times, and CB2’s experience that unless significant and substantial funds are spent under the direction of a professional sound engineer with “box within a box” sound proofing it is virtually impossible to soundproof this type of establishment with this type of entertainment and furthermore, due to the tenement style construction which is over a century old, even under the guidance of professional sound engineers there is no guarantee that the space will be sound proofed and that there is no public benefit whatsoever to this establishment if even one residents quality of life is impacted at any hour as this style of method of operation at this location has no precedence; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new on-premises liquor license for **MHA d/b/a Matty’s NYC, 135 7th Ave. South 10014.**

Vote: Unanimous, with 36 Board members in favor.

24. 183 Christopher Street Market LLC d/b/a Heermance Farms Purveyors, 183 Christopher St. 10014. (new OP – previously unlicensed location)

Whereas, the applicant appeared before CB2’s SLA Licensing committee to present an application for a new On Premise liquor license for a Farm to Table Café located within a commercial space that will also operate as a farmers market with additional coffee and bakery stations for its patrons; employing 5-7 people; and

Whereas, this application is for a previously unlicensed location located in a mixed use two-story building on Christopher St. between Washington and Weehawken Sts. with a ground floor commercial space previously operated as a Laundromat and with one residential space located on the second floor; that the applicant is planning to renovate and use the ground floor on said premises to operate a farmer’s market, occupying approximately 50% of the premises, where produce will be sold retail in the front of the premises and where a café will operate in the rear of the premises within a 650-foot area, where a new kitchen will be installed at the rear of the premises and the café will operate with twelve tables, one bathroom and twenty-nine seats total, inclusive of one six foot stand up bar with six seats, selling sandwich and hot box lunch and dinner entrees, there will be no outdoor area or sidewalk café or any outdoor seating; and

Whereas, there is a Certificate of Occupancy is from 1991, identifies a “use group 2” for use as an automotive repair shop but that the applicant affirms that a Change in Occupancy will be properly obtained to a “use group 6” to permit a eating and drinking establishment at the premises; and

Whereas, the applicant will not be seeking to alter the exterior façade of the building located in a historical landmarked district but will seek permission for new signage on the building to advertise as a farmer’s market and will operate only out the existing doorway entrance on Christopher St.; and

Whereas, the applicant will also be selling produce and operating its indoor farmer’s market seven days a week in partnership with the Heermance Farm Purveyors, a 280-year old farm located in Tivoli, New York for the purpose of bringing “local produce to the West Village” in addition to jarred pickled vegetables, homemade food sauces, homemade soups, free range hen eggs, farm honey, baked goods and juices; and

Whereas, the hours of operation will be 9 am to 11 pm Sunday through Thursday and 9 am to 12 pm Friday and Saturday, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be a sound system consisting of small speakers located in the café area, there will be no sub woofers, there will be no d.j., no promoted events, there will be no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no T.V.’s, and the landlord will be installing soundproofing; and

Whereas, the applicant currently operates another Rest./Bar located nearby on West St. in CB#2, Man. and for years has been an operator of an eating and drinking establishment within CB#2, Man. without any reported problems; and

Whereas, the applicant performed community outreach within the area and presented a petition of 42 signatures in favor of the new market and café concept with the stated hours of operation stated thereon, and no one from the community appearing in opposition to new café, the applicant also stated that they would contact the local neighborhood association prior to CB2’s November Full Board meeting; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA OP license and the stipulations are as follows:

1. The premises will be advertised and operated as an indoor farmer’s market selling retail produce and homemade products from an upstate farm to the local community with a small “farm to table café” located in the rear of the premises.
2. The hours of operation will be 9 am to 11 pm Sunday through Thursday and 9 am to 12 pm Friday and Saturday and at closing no patrons will remain on the premises.
3. There will be no backyard garden.
4. The applicant will not operate a disco, nightclub or seek a DCA Cabaret License.
5. The applicant will close all exterior doors or windows by 10 pm every night.
6. There will be no more than 12 tables, one bar and 29 seats in interior of premises.
7. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged
8. There will be no subwoofers in the premises and any music will be background only consistent with operating a small cafe.
9. There will be no televisions and all patrons will use only the existing entrance to the premises on Christopher Street.
10. That Landlord/Applicant will properly obtain and record a new certificate of occupancy with the NYC Dept. of Buildings for the premises to a “use group 6” that permits an eating and drinking establishment at the premises.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a full OP license to **183 Christopher Street Market LLC d/b/a Heermance Farm Purveyors located at 183 Christopher St. 10014**, unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the OP License.

Vote: Unanimous, with 36 Board members in favor.

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

25. BKUK 3 Corp. d/b/a La Carbonara, 202 W. 14th St. 10013

Whereas, the applicant did not appear before CB2, Manhattan’s SLA Licensing Committee Meeting #2 on November 14th, 2013, after having been requested to appear and present their application for a new on-premise liquor license after notifying CB#2, Man. of their intent to file an application with the Liquor Authority; and,

Whereas, the applicant did not request to layover or to withdraw their application and present at a future date;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **BKUK 3 Corp. d/b/a La Carbonara, 202 W. 14th St. 10013** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

26. Entity to be formed by Jean Luc Carucci, 152 W. 10th St. (transfer) (attorney requested layover)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting #2 on November 14th, 2013, the applicant’s representative requested to layover this application for a “transfer” of a restaurant wine license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Entity to be formed by Jean Luc Carucci, 152 W. 10th St.** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

27. El Golpe, LLC, 57 W. 8th St. 10011 (withdrawn by applicant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on November 14th, 2013, the applicant's representative requested to **withdraw** this application for a new on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **El Golpe, LLC, 57 W. 8th St. 10011** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

28. 230 Bleecker Corp. d/b/a Cotenna, 21 Bedford St. (withdrawn by attorney)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on November 14th, 2013, the applicant's representative requested to **withdraw** this application for a new on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **230 Bleecker Corp. d/b/a Cotenna, 21 Bedford St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

29. Potatopia 6th Avenue d/b/a Potatopia, 378 6th Ave. 10011 (attorney request layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on November 14th, 2013, the applicant's representative requested to **layover** this application for a new beer and wine license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Potatopia 6th Avenue d/b/a Potatopia, 378 6th Ave. 10011** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

30. Entity to be formed by Dario Wolos, 59 Charlton St. 10014 (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on November 14th, 2013, the applicant's representative requested to **withdraw** this application for a new on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Entity to be formed by Dario Wolos, 59 Charlton St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

31. Bruja Verde, LLC. d/b/a 41 Greenwich Ave. 10014 (attorney requested layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on November 14th, 2013, the applicant's representative requested to **layover** this application for a new on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Bruja Verde, LLC. d/b/a 41 Greenwich Ave. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

32. Union Bar and Kitchen LLC, d/b/a Union Bar and Kitchen, 300 Spring St. 10013 (attorney requested layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on November 14th, 2013, the applicant's representative requested to **layover** this application for a new on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Union Bar and Kitchen LLC, d/b/a Union Bar and Kitchen, 300 Spring St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of Stop signs on the southeast and southwest sides of Greenwich St. at Charles St.

Whereas Greenwich St. from W. Houston to Gansevoort Sts. has traffic controls at every intersection except Charles St., where vehicular traffic surges through at high speeds, endangering the many pedestrians who cross there, and resulting in numerous collisions and near misses; and

Whereas the Charles St./Greenwich St. intersection is heavily used by bicyclists, runners and pedestrians, including residents, business people, tourists and other visitors as well as a large, especially vulnerable population of children (many from the local school down the block), senior citizens, and mothers with strollers, all who are threatened by speeding vehicles that rush up Greenwich through the intersection without stopping; and

Whereas this situation is exacerbated by horn honking and the screeching of abruptly-stopping vehicles; and

Whereas the people in the surrounding community have asked that Stop signs be installed on both the southeast and southwest sides of Greenwich St. at Charles St. to slow down and control the exceedingly heavy, fast moving, dangerous flow of traffic there and provide them some protection; and

Whereas the Charles St. Association, representing hundreds of people in that area, both residents and businesses, has strongly voiced their support for installing the requested Stop signs, citing the danger from accelerating vehicles and the need to increase pedestrian safety at that hazardous intersection; and

Whereas at present there are no crosswalk markings on Greenwich St. at Charles St., and crosswalks (placed in addition to the requested stop signs) would provide defined areas for crossing the street that would help alert drivers to pedestrian activity and the need to slow down, while giving pedestrians a clearer, safer path to cross;

Therefore be it resolved that CB#2, Man. strongly supports the installation of Stop signs on the southeast and southwest sides of Greenwich St. at Charles St.; and

Be it further resolved that CB#2, Man. also asks that high visibility crosswalks be installed across Greenwich St. at Charles St. on both the north and south sides.

Vote: Unanimous, with 33 Board members in favor.

2. Resolution in support of moving the Citi Bike station at Petrosino Sq. to the northeast corner of Lafayette St. at Spring St.

Whereas Lieutenant Petrosino Square is a small park that provides much needed open space and enjoyment to its community in an area sorely lacking in such space. In all of Community District 2, there are only .40 acres of parkland per 1,000 people, while New York City's benchmark for sufficient open space is 2.5 acres per 1,000; and

Whereas CB#2's resolution adopted on May 10, 2012 in support of New York City Bike Share (Citi Bike) stations emphatically requested that Bike Share (Citi Bike) docking stations not be located in any of the parks, large or small, within the CB2 district, because they would take up valuable park space where a

severe dearth of park space already exists, would encourage people to bike ride in these parks (both a hazard and an obstruction to users of these concentrated spaces), and would interfere with people's access and enjoyment of the parks; and

Whereas since 1984, Petrosino Sq. has been the site of public art installations as part of the Art in the Parks program of the NYC Department of Parks and Recreation (DPR), and the exhibition area has now been occupied by a Citi Bike station, leaving no viable room for public art presentation, which DPR continues to support as does the community; and

Whereas in January 2009, at the request of CB#2, Man., the NYC Department of Transportation (DOT) enhanced their plan for allocating street space to enlarge Petrosino Sq. to include extending the northern end of the park to the Spring St. crosswalk, so that all pedestrians using the park's northern section, including people in wheelchairs and others who are disabled, could safely access and use as well as exit the park there. Now the addition of a Citi Bike station undoes that safe haven with ongoing bicycle activity and crowding of that space by cyclists removing and returning bikes and moving back and forth there, obstructing pedestrian passage (contradicting the Bike Share program's goals) and, exacerbated by the station's being too close to tree pits, eliminating ADA compliance; and

Whereas in June 2013, the community submitted a petition to DOT with over 600 signatures as well as more than 130 letters from April through June 2013 asking that the Citi Bike station be removed from Petrosino Sq. and relocated to a spot nearby, sentiments that were echoed by every one of the community's local elected representatives (Council Member Chin, Senator Squadron, Assembly Member Glick and Borough President Stringer) in letters to DOT and in meetings; and

Whereas the community has determined after much deliberation that the most feasible area for relocating the Citi Bike station from Petrosino Sq. is the northeast corner of Lafayette St. at Spring St., because the road widens considerably there and traffic calms, providing safety for Citi Bike users, many of whom have indicated their preference for this location (just across the street from Petrosino Sq.) as the safer one, and there are no businesses whose deliveries would be impacted, while Chief Edward Kieron of FDNY Battalion 2 has confirmed that a Citi Bike station located there would not interfere with FDNY rescue efforts; and

Whereas in presentations and meetings with the CB2 community, DOT Bike Share representatives pointed out that the stations are not attached to the ground (but held down by heavy steel plates), so that they can be easily moved around;

Therefore be it resolved that CB#2, Man. strongly supports moving the Citi Bike station at Petrosino Sq. to the northeast corner of Lafayette St. at Spring St. and urges that it be moved as soon as possible.

Vote: Unanimous, with 33 Board members in favor.

3. Resolution denying support for alternate side parking (street cleaning rules) on the south side of W. 12th St. bet. Greenwich & Hudson Sts.

Whereas a request was received for changing the current parking rules on the south side of W. 12th St. bet. Greenwich & Hudson Sts. from "No Parking 8 am - 6 pm, Monday - Friday" to alternate side parking (street cleaning rules), because the senior center that was previously there has been replaced by a residential building, thought to be no longer in need of commercial deliveries that the current parking accommodates; and

Whereas it has been observed and was reported that commercial vehicles still park at that location, including D'Agostino delivery trucks, trucks doing repair work in the neighboring residences and other smaller delivery vehicles; and

Whereas it was also pointed out that the street there is highly congested, with the M11 bus, the Greenmarket and a generally large amount of vehicular activity, which would be further blocked by cars pulling in and out of spaces and double parking during street cleaning in anticipation of pulling back in; and

Whereas this block is in transition and outcomes of changes have yet to be clearly determined but could be revisited in the future;

Therefore be it resolved that CB#2, Man. does not support alternate side parking (street cleaning rules) on the south side of W. 12th St. bet. Greenwich & Hudson Sts.

Vote: Unanimous, with 33 Board members in favor.

Respectfully submitted,

Susan Kent, Secretary
Community Board #2, Manhattan