

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



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Daniel Miller, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

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

### FULL BOARD MINUTES

**DATE:** October 20, 2016  
**TIME:** 6:30 P.M.  
**PLACE:** Scholastic Building, 557 Broadway, Auditorium

**BOARD MEMBERS PRESENT:** Keen Berger, Tobi Bergman, Chair; Don Borelli, Anita Brandt, Erik Coler, Tom Connor, Terri Cude, Coral Dawson, Doris Diether, Cristy Dwyer, Robert Ely, Kathleen Faccini, Billy Freeland, Joseph Gallagher, Susan Gammie, Robin Goldberg, David Gruber, Jeannine Kiely, Edward Ma, Maud Maron, Daniel Miller, Lauren Racusin, Lois Rakoff, Robert Riccobono, Sandy Russo, Shirley Secunda, Kristin Shea, Federica Sigel, Shirley Smith, Susan Wittenberg, Antony Wong,

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Susanna Aaron, Katy Bordonaro, Cormac Flynn, Susan Kent, Alexander Meadows, Elaine Young

**BOARD MEMBERS ABSENT:** Joshua Frost

**BOARD MEMBERS PRESENT/ARRIVED LATE:** Carter Booth, Ritu Chatterjee, Jonathan Geballe, Sasha Greene, Delaney Kempner, Robin Rothstein, Rocio Sanz, Chenault Spence, Robert Woodworth

**BOARD MEMBERS PRESENT/LEFT EARLY:** Richard Caccappolo, Lisa Cannistraci

**BOARD STAFF PRESENT:** Bob Gormley, District Manager; Florence Arenas, Community Coordinator, and Eva Mai Community Associate

**GUESTS:** Robert Atterbury, Congressman Jerrold Nadler's office; Jared Odessky, Senator Brad Hoylman's office; Eric Mayo, Senator Daniel Squadron's office; Morris Chan, Manhattan Borough President Gale Brewer's office; Charles Anderson, Assembly Member Deborah Glick's office, Dan Campanelli, NYC Comptroller Scott Stringer's office; Adam Chen, Public Advocate Letitia James' office; David Moss, Council Member Corey Johnson's office; Aura Olavarria, Council Member Rosie Mendez's office; Vincent Fang, Council Member Margaret Chin's office; Christopher Marte, Amy Xu, John Bunyan, Daniel Lennon, Zhen Guo, Scott Axelrod, Charmaine Griffith, Molly Waterman, Harrison Lugo, Eileen Zhao, Anne Kendrasher, Andrew Bow, Chidi J. Onyeso, Maria Diaz, Robert Ashe, Laura McElherne, Shannon Jakubovicz, Celina Huynh, Rebecca Kriegman, Carlina Rivera, Lauren Nye, Marla Zelenka, Natasha Mark, Louis Vaccara, Maureen Remacle, Julia Pierce, Pete Davies, Mark Dicus, Cassidy Fontana, Paul Henkel, Isabella Baranys, Ashley Martin, Dr. Cynthia Maurer, Raymond W. Cline, Bertha Chase, Mariam Sammons, Sam Freeman, Daniel Lebron, Benjamin Ireland, Thomas Winant, Jane Carey, Nichole Huff, Bruce Pachter, Angel Dominguez, Marla Zelenka

## MEETING SUMMARY

Meeting Date – October 20, 2016  
Board Members Present – 43  
Board Members Absent With Notification – 6  
Board Members Absent - 1  
Board Members Present/Arrived Late - 9  
Board Members Present/Left Early – 2

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### II. PUBLIC SESSION

#### Non-Agenda Items

##### SoHo

Pete Davies spoke in favor of Landmarks reduction of scope of an application in the neighborhood.

##### Elizabeth Street Garden

Jeanine Kiely made an announcement regarding the upcoming Harvest Festival at the garden.

##### Children's Halloween Parade and The Poe Room

Nichole Huff made an announcement regarding several upcoming events.

##### Whitney Museum

Jane Carey updated everyone on the museum and announced a Teen Halloween night event to be held on October 28<sup>th</sup>, from 5-7:30 pm.

##### NYC Compost Project

Benjamin Ireland spoke about the new initiative, and informed everyone that there is a drop-off location at Spring St. and 6<sup>th</sup> Ave.

##### Building Preservation

Thomas Winant spoke regarding this topic.

#### Real Estate

Angel Dominguez introduced himself as a realtor in the neighborhood.

#### Various Updates

Lois Rakoff updated everyone regarding the Community Advisory Board at Bellevue Hospital, and announced the upcoming Poe Room event to be held on December 2<sup>nd</sup>.

#### Proposed Vending Legislation

Mark Dicus is seeking testimony on this proposed legislation, to be submitted by next week when the City Council meets to discuss the legislation.

#### Heritage of Pride

Bruce Pachter introduced himself as the new director for the organization.

#### **Parks/ Waterfront**

Dan Miller spoke in favor of the Pier 40 fields.

#### **Quality of Life Items**

New App. to Dept. of Consumer Affairs for Newsstand at Northeast Corner of Canal St. and Centre St.  
Marla Zelenka spoke against the proposed newsstand application.

Review of the New Street Festival Rules Proposed by the Mayor's Street Activity Permit Office  
Robert Ashe, Maria Diaz, and Maureen Remacle, spoke regarding the proposed new rules.

Bertha Chase and Mariam Sammons, spoke against the proposed new rules. Cynthia Maurer spoke against the proposed new rules, stating that the rules should be fair for everyone.

Raymond Cline spoke in favor of the proposed new rules.

#### **Traffic Items**

##### Holland Tunnel

Sam Freeman spoke in favor of reducing Holland Tunnel traffic and noise.

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

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

Robert Atterbury, Congressman Jerrold Nadler's office

Jared Odessky, Senator Brad Hoylman's office

Eric Mayo, Senator Daniel Squadron's office;

Dan Campanelli, NYC Comptroller Scott Stringer's office;

Morris Chan, Manhattan Borough President Gale Brewer's office

Charles Anderson, Assembly Member Deborah Glick's office

David Moss, Council Member Corey Johnson's office

Vincent Fang, Council Member Margaret Chin's office;

Aura Olavarria, Council Member Rosie Mendez's office,

## **V. ADOPTION OF MINUTES**

Adoption of September minutes

### **EXECUTIVE SESSION**

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

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

### **3. CAPITAL BUDGET REQUESTS**

1. Allocate funds for the permanent preservation of the Elizabeth Street Garden, in its entirety, on land owned by NYC Department of Citywide Administrative Services, on a through lot on Elizabeth Street and Mott Streets, between Prince and Spring Streets. (DPR)
2. Allocate funds for the Bleecker Street School. (SCA)
3. Allocate funds for traffic safety improvements at the intersection of Waverly Place, Christopher and Grove Streets, including neckdowns, sidewalk extensions, daylighting, stop signs, and improved directional signage. (DOT)
4. Allocate funds to renovate the Tony Dapolito Recreation Center. (DPR)
5. Allocate funds for parking and intersection alignment improvements, including sidewalk extensions, high visibility crosswalks and signalization changes on Greenwich Avenue from Bank Street to West 12<sup>th</sup> Street and on West 12<sup>th</sup> Street from Greenwich Avenue to the midblock entrance of the new AIDS Memorial Park at St. Vincent's Triangle. (DOT)
6. Allocate funds to institute safety improvements at 7<sup>th</sup> Avenue South, Carmine, Varick and Clarkson Streets intersection, including neckdowns, traffic signal changes and repositioning, daylighting, lane reconfiguration, and other geometric improvements. (DOT)
7. Request for funds to be allocated for resiliency efforts to shore up the west side of Community District 2 along the Hudson River Park to prevent another disaster like Sandy. (DPR)
8. Allocate funds for an adult day care in Community District 2 for elders with dementia. (DFTA)
9. Allocate funds to provide ADA accessibility to the landmark-quality Hudson Park Library from the 7<sup>th</sup> Avenue South entrance, including the creation of an interior ramp and vestibule, installation

of a new elevator, modernization of toilet facilities, and modifications to mechanical and electrical system components required for the installation of the new elevator. (NYPL)

10. Allocate funds to renovate Passannante Ballfield on 6<sup>th</sup> Avenue between Houston and Bleecker Streets. (DPR)
11. Allocate funds to refurbish walls, floors and ceilings in the West 4<sup>th</sup> Street subway station. (NYCT)
12. Allocate funds to install corner sidewalk extensions at the northeast corner of Houston and West Streets to widen the median on West Street at Houston, and change the traffic light signal phasing to a full split phase cycle at that intersection. (DOT)
13. Allocate funds for traffic safety measures, such as painted neckdowns and flexible delineators, speed humps, stop signs and traffic light screens on Bedford Street between 6<sup>th</sup> Avenue and Carmine Street. (DOT)
14. Allocate funds for the redesign and redevelopment of Minetta Triangle and the plaza at 6<sup>th</sup> Avenue and Bleecker Street. (DPR)
15. Allocate funds to improve the pedestrian environment minimizing vehicular use and using a more holistic approach to integrating bus priority, walking and bicycling through design and construction on Broadway between 14<sup>th</sup> and Canal Streets. (DOT)
16. Allocate funds to install traffic safety improvements, such as added crosswalks and striping, bollards, planters, a speed hump and street regrading on West 4<sup>th</sup> Street approaching 6<sup>th</sup> Avenue, including Cornelia Street and change the traffic light signal phasing to a split phase cycle for a separate conflict-free pedestrian crossing on 6<sup>th</sup> Avenue at West 4<sup>th</sup> Street. (DOT)
17. Allocate funds to install a speed hump on Washington Street between Gansevoort and Horatio Streets and daylight the northeast and northwest sides of Washington Street at Horatio Street. (DOT)
18. Allocate funds to repair the area between 9<sup>th</sup> Avenue and Route 9A on 14<sup>th</sup> Street with Belgian blocks. (DOT)
19. Allocate funds to repair Gansevoort and Little West 12<sup>th</sup> Streets between Route 9A and 8<sup>th</sup> Avenue with Belgian blocks. (DOT)
20. Allocate funds to reset Belgian blocks in and around streets in all of CD2's historic districts. (DOT)
21. Allocate funds to develop open space in the vicinity of the new school near Duarte Square. (DPR)
22. Allocate funds to plant three hundred trees in tree pits where trees are missing or dead on streets and in parks and playgrounds within Community District 2. (DPR)
23. Allocate funds for capital replacement of Bluestone and brick pavers on 6<sup>th</sup> Avenue from Houston to West 14<sup>th</sup> Street (excluding the Jefferson Market Library and Ruth Wittenberg blocks) with tinted concrete, along with new granite curbs and uniform tree pit treatment. (DOT)

Vote: Passed, with 41 Board members in favor, and 1 abstention (S. Smith).

## **EXPENSE BUDGET REQUESTS**

1. Allocate funds to study construction of affordable housing at a City-owned lot (prior water tunnel shaft construction site) on the east side of Hudson Street between Clarkson and West Houston Streets, only if Elizabeth Street Garden is preserved in its entirety as a NYC park. (HPD)
2. Allocate funds to complete a comprehensive study providing recommendations for improving baseline traffic and pedestrian safety conditions, with particular focus on Varick Street below Bleecker Street, Houston Street and Spring Street. (DOT)
3. Allocate funds for programs that allow the elderly to age in place and more proactively identify seniors who may be victims of abuse and more aggressively educate our senior population and the general population about services that are available. (DFTA)
4. Allocate funds for outreach to LGBTQ youth by increasing funding for The Door. (DYCD)
5. Allocation of funds by DOB to initiate a transparent review of its policies and procedures regarding approvals of stores exceeding 10,000 square feet in the M1-5A and M1-5B districts. (DOB)
6. Allocate funds to increase staffing and operations to LPC so it can respond more effectively in identifying violations (including work-in-progress without a permit), issuing orders for compliance, and monitoring compliance. (LPC)
7. Allocate funds to study the quantity and condition of trash containers and evaluate pick-up schedules and adjust them as necessary to reduce overflowing containers, especially in high-traffic areas not serviced by the BIDs. (DSNY)
8. Allocate funds to hire additional enforcement agents to address taxi and car-for-hire violations in CD2. (TLC)
9. Retain the same level of library funding and baseline it to preserve system-wide enhancements. (NYPL)
10. Allocate funds for a homeless youth shelter, particularly those who are LGBT, where they will be safe, counseled and cared for. (DHS)
11. Allocate funds for the research and drafting of proposed standards and code revisions that would mitigate the negative effects of rooftop and other exterior mechanical equipment. (DOB)
12. Allocate funds to study heavy traffic areas frequented by the elderly and the disabled for the purpose of designating areas for benches. (DOT)
13. Allocate funds for a study of illuminated interior retail and merchandising displays and signage to determine and implement appropriate illumination limits made necessary due to the introduction of technologies, such as large LED panels, LCD screens and other display mechanisms. (DCP)

14. Allocate funds for programs that allow the elderly to function in the community, such as senior centers, daily meal delivery, Visiting Neighbors, Assisted Living, etc.) (DFTA)
15. Allocate funds to increase traffic enforcement in CD2 (e.g. traffic policing near the Holland Tunnel, enforcement of idling engine laws and enforcement of motor vehicle laws for trucks and enforcement of distracted driving laws). (NYPD)
16. Allocate funds for increased arts education, faculty and classrooms in our service area's public schools. (DOE)
17. Allocate funds to hire additional enforcement agents to respond to the growing number of noise complaints. (DEP)
18. Allocate funds to hire additional inspectors to work nights and weekends. (DCA)
19. Allocate funds to provide supplemental transit for senior citizens who need to get to a hospital. (DFTA)
20. Allocate funds to increase the number of inspectors employed by the DOB. (DOB)
21. Allocate funds for a study for the creation of low to moderate income housing for LGBT families in Manhattan CD2. (HPD)
22. Allocate funds to increase litter patrol and basket pick-up in CD2. (DPR)
23. Allocate funds to increase litter patrol and basket pick-up in CD2. (DSNY)
24. Allocate funds to provide an increased and continuous police presence along the Bleecker Street Corridor (between LaGuardia Place and 6<sup>th</sup> Avenue) and the Gansevoort/14<sup>th</sup> Street area during late night and early morning hours (NYPD)
25. Allocate funds to improve training for traffic enforcement agents to make pedestrian safety their highest priority. (NYPD)
26. Allocate funds for the installation of benches in Minetta Green, Minetta Triangle and Golden Swan. (DPR)
27. Allocate funds to conduct a pilot program using marked and unmarked police motorcycles and scooters to enforce distracted driver laws. (NYPD)
28. Allocate funds for the Community Affairs offices of the local precincts to restore and support community-policing efforts, such as block watches. (NYPD)
29. Allocate funds to expand the program for residential and commercial composting in CD2. (DSNY)

Vote: Passed, with 41 Board members in favor, and 1 abstention (S. Smith).

**STANDING COMMITTEE REPORTS**

**ARTS & INSTITUTIONS**

## **Resolution in support of Intro No. 1249**

**Whereas**, a bill was introduced on August 16, 2016 that would require the Department of Citywide Administrative Services (DCAS) to include information about which city-owned and leased buildings are available for rental by the public in their public list of City-owned real property, and

**Whereas**, this Local Law would also require the list, or some other website, to allow the public to reserve, rent, and make rental payments with respect to the properties where rental is permitted, and

**Whereas**, a list of available DCAS spaces will assist the public at large, including artists and arts organizations suffering from an acute need for affordable rehearsal, performance, studio and office space, and

**Whereas**, CB2, Man. has a long history of supporting the arts and culture in our community and throughout the City,

**Therefore Be It Resolved** that CB2, Man. supports Intro No. 1249 and urges our community's Councilmembers and their colleagues to vote in favor of this bill.

VOTE: Unanimous, with 33 Board members in favor.

### **ELECTION COORDINATION COMMITTEE**

The following names and positions of interest were submitted to the Elections Coordinating Committee:

Terri Cude, Chair  
Susan Kent, 2<sup>nd</sup> Vice Chair  
Erik Coler, Assistant Secretary

Following the Election Coordination Committee report, these additional names and positions were nominated from the floor:

Bo Riccobono, Chair  
Dan Miller, 1<sup>st</sup> Vice Chair  
Keen Berger, Secretary  
Antony Wong, Treasurer

### **LANDMARKS AND PUBLIC AESTHETICS**

#### **FIRST LANDMARKS MEETING**

1. **\*137 Bank St.** - Application is for permanent approval of accessibility modification at 55 Bethune St. entry, which was previously approved for temporary installation.

#### **Whereas:**

- A. The building was not originally built as a residential building and currently contains 384 apartments with 750 residents, many of whom have lived there since the 1970's, for whom accessibility is an increasing concern; and



- B. The current temporary accessibility modification/walkway is in harmony with the building and does not intrude unduly on sidewalk and the streetscape; and
- B. There was testimony from a resident questioning that the design complies with ADA regulations with the question unresolved by the applicant that this is required; and
- C. The Board is concerned that ADA regulations be followed, but notes that this is beyond the scope of landmarks considerations; now

**Therefore be it resolved** that CB2, Man. recommends approval of the design for this application provided that it conforms to applicable ADA regulations.

Vote: Unanimous, with 43 Board members in favor.

- 2. **\*22 Little W. 12<sup>th</sup> St.** - Application is to establish a Master Plan to install a painted wall sign on the east facing façade of the building.

**Whereas:**

The application adds “photo realistic” to the types of painted images previously approved for this location in the 2012 Master Plan; now

**Therefore be it resolved** that CB2, Man. recommends approval of this application provided that the each image is reviewed by the Commission staff to ensure that it adheres to the applicable regulations.

Vote: Unanimous, with 38 Board members in favor.

- 3. **\*114-116 Greene St.** – Application is to install bracket signage.

**Whereas:**

- A. The proposed sign is of a proper size and installed in a position and manner that conform to applicable regulations; and
- B. Hardware for mounting flagpoles will be removed; now

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

Vote: Unanimous, with 43 Board members in favor.

- 4. **\*71 Spring St.** – Application is to establish a Master Plan regarding ground floor alterations including replacement of non-historic storefront infill and building entrances.

**Whereas:**

- A. The facade of the Queen Ann style building is remarkably intact and carefully restored above the ground floor and the cast iron elements at the ground floor are intact and in good condition; and
- B. The random, non historic infill is to be replaced with a unified design in aluminum and glass with transoms reflecting the general placement of windows and doors in a historic configuration with varying heights of bulkheads on the windows and not on the doors; and
- C. The building entry doors and the numbering are of a modern design out of keeping with the building and a modern vitrine is to be installed covering the former entrance for the passenger elevator; and
- D. An inordinate amount of signage, some of it backlit, on the sign band, transoms and show windows is proposed; and
- E. The overall design does not respect the style of the building and squanders the opportunity for a sensitive, harmonious design that enhances this exceptional building; now

**Therefore be it resolved:**

That CB2, Man. recommends **denial** of this application unless:

- A. The infill including the entry doors and their numbers is in an historic design in wood and glass in keeping with the style of the building and which preserves the passenger elevator door and with minimum 18” bulkheads throughout; and
- B. The signage is not illuminated and is limited to one sign per store on either the sign band or the transom and one sign on one showcase window.

Vote: Unanimous, with 43 Board members in favor.

- 5. **\*101 Wooster St.** – Application is to add a new mechanical bulkhead atop the existing elevator bulkhead for the extended travel and access to the roof.

**Whereas:**

- A. The extension of the bulkhead is 12’ bring the total height of the bulkhead to 24’ above the roof; and
- B. The extension is set well back from the street and is clearly visible from a limited viewing area across a lower neighboring building; and
- C. The height is not out of style and scale with the building and is proposed to be finished in stucco matching the existing parapet stucco; now

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

Vote: Unanimous, with 43 Board members in favor.

6. **\*97-99 7<sup>th</sup> Ave. So.** – Application is to modify storefront and remove historic mosaic sign panel and replace with new signage, remove roll down security gates, replace 3 modern retractable awnings with 3 sets of retractable awnings occupying entire facade, remove and install 7 non-gooseneck light fixtures at the parapet, replace 4 modern small light fixtures with 4 large light strip fixtures at the masonry piers, and replace 3 existing pairs of double doors finished red with new stained hardwood double paneled and glazed doors.

**Whereas:**

- A The building is a remarkably intact and carefully restored garage building whose origins are clearly visible with an intact mosaic sign bearing the word “Garage” and three car entrance bays; and
- B The existing condition, as represented in photographs, respects the character design of the building, in particular in the clear delineation of the three bays; infill appropriate to the building and the district, and preserves the sign as an integral part of the building.
- C The proposal is to cover the existing “Garage” sign with a modern mosaic sign depicting the name of the establishment, install one continuous awning that spans the entire width of the building, install small lighting fixtures on the piers, and a plaque commemorating the theatre company that formerly occupied the building on the north pier; and
- D The proposed folding doors are of a simple design with bulkheads and a curved “art nouveau” top that is out of context with the rectilinear lines of the garage exterior and is only justified by the applicant as being a continuation of the interior design; and
- E There are examples in the district of signs that are original to the building and are not related to the current use to the building and covering the sign will be an artificial intrusion to the integrity of the building that deprives the public from enjoying the building in its original state and can be claimed as an existing condition by a successor to the applicant and become permanent; and,
- F The applicant asserted that the installation of the new sign would not compromise the aged, delicate mosaics of the sign but did not provide other proof that this is the case; and
- G The awning unifies the facade with a continuous vertical line that is at odds the basic rhythm of the facade; and the doors are non-historic in character and design and especially unsuited to the utilitarian character of the building; and
- H There is considerable public opposition to the application, most particularly to the Garage sign being replaced or obscured; now

**Therefore be it resolved** that CB2 recommends:

- A Approval of the lighting fixtures and the commemorative plaque; and
- B Denial of the covering of the sign, the awning, and door design.

Vote: Unanimous, with 43 Board members in favor.

7. **\*14 St. Luke’s Pl.** – Application is to construct a 4<sup>th</sup> floor addition, and relocate and extend mechanical equipment.

**Whereas:**

- A The design is simple, unobtrusive and in keeping with the house and with similar rooftop additions in the row; and
- B The addition is not visible from St. Luke's Place except at the western end and is clearly visible, though not obtrusive and blends with other rooftop additions in the row, from distant views on Houston Street and Charlton Street; now

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

Vote: Unanimous, with 43 Board members in favor.

- 8. **\*19-23 Commerce St.** – Application is to legalize a storefront alteration, storefront replacement, installation of two awnings, and installation of a bracket sign with light fixtures without LPC permits.

**Whereas:**

- A An intact, historic infill in one of the four bays of the building was removed, pictures were shown of the original condition which clearly depicts the original framing (apparently in good condition) and a duplicate with different glazing is extant in the adjacent bay to the east; and
- B The previously modified western most bay, together with this bay were fitted with plate glass with a laminate on the lower portion intended to simulate translucent textured glass and transoms above and new doors; and
- C The removed historic infill can easily be reproduced from both the clear photographs of the existing condition prior to the alteration and the extant example in the building; and
- D The proposed shop sign in the western bay is of the size and is hung in a position that conform to regulations for such blade signs;
- E There was considerable testimony from the community opposing legalization of the changes and asking that the facade be returned to the original condition.

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

The application for legalization of all parts of the application except the blade sign be denied and that two western bays be returned to their condition prior to the alterations that the applicant seeks to have legalized.

Vote: Unanimous, with 43 Board members in favor.

**SECOND LANDMARKS MEETING**

- 9. **\*19-21-23 W. 9th St.** – Application is to complete and continue the existing gates at the entrances of buildings and match them with the current streetscape.

**Whereas:**

- A. The residents of the building and neighbors are experiencing problems with congregating and litter on the stoops which was affirmed with photographs and this is especially pronounced on account of a club type restaurant in the lower level of the building; and
- B. The gates are to match the existing fences at the areaway of the building; and
- C. There are gates on numerous buildings in the district that have been approved by the Commission; and
- D. There was testimony from residents speaking about the need for the gates; now

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

Vote: Unanimous, with 43 Board members in favor.

- 10. \*537 Broadway** – Application is to modernize the existing elevator and re-construction/extension of the elevator’s bulkhead currently on the roof of building.

**Whereas:**

- A. The proposal adds 7’ to the height of the bulkhead making a total of 11’ above the roof; and
- B. The surfacing of the street side of the bulkhead is to match the facade and the side wall of the building will be extended in matching brick to mask the side for the bulkhead; and
- C. The visibility is similar to the bulkhead on an adjoining building and other bulkheads in the neighborhood; and
- D. There was comment from a neighbor concerning visibility; now

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

Vote: Unanimous, with 43 Board members in favor.

- 11. \*458 Broadway** – Application is to enlarge lot window on the south lotline and combine three separate windows openings into a single masonry opening.

**Whereas:**

- A. Four visible windows on the south with be configured as a larger window toward the front of the building and a single window with the bottom sills lowered to match an existing window on the same floor; and
- B. The reconfiguration does not harm the appearance of the lot line wall from the visible points; now

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

Vote: Unanimous, with 43 Board members in favor.

- 12. \*62 Greene St.-** Application is to: a) perform exterior repairs of cast-iron street façade and rear non-visible masonry façade, replace windows, restore storefronts, and sidewalk cleaning; and b) Application is to

request that LPC issue a report to City Planning Commission re: an application for Modification of Use pursuant to Sec. 74-712 of the Zoning Resolution.

**Whereas:**

- A. The cast iron is to be restored and the windows of the upper stories changed to uniform, historic two over two; and
- B. The ground floor is to be restored, matching one bay that was lately restored; and
- C. The rear facade, windows and metal shutters will be repaired and cleaned and the windows will be replaced as required, and mechanical equipment will be removed; and
- D. The sidewalk will be restored and cleaned; and
- E. A continuing maintenance program will be undertaken; now

**Therefore, be it resolved:**

- A. In that a 74-712 application does not involve Landmarks concerns, the Board offers no opinion in this matter; and
- B. That CB2, Man. recommends approval of this application.

Vote: Unanimous, with 43 Board members in favor.

- 13. \*558 Broadway** – Application is to restore and extend the existing Broadway and Crosby Street facades.

**Whereas:**

- A. The Broadway ground floor facade is currently a recently approved design and the Crosby Street facade has intact cast iron and other hidden original elements and is in derelict condition; and
- B. The proposal is to unite the two buildings and to add two stories to the Broadway section which replace the two upper stories lost to fire in 1916 referencing the existing design and to move the existing parapet to the top of the facade; and
- C. To add four stories to the Crosby facade (now two stories with the upper stories lost to fire in 1916) replicating the second floor facade with diminishing heights and three over three windows with references to shutter brackets and an appropriate simple cornice; and
- D. The fire escape will be removed from the Crosby Street Facade; and
- E. The Broadway street level facade is of a modern design with a recessed reticulated header and a minimal bottom framing which together give an unanchored appearance to the facade; and
- F. The Crosby facade is of simple glass and metal infill, and it was represented by the applicant that there will be solid panes behind the ground level grills (unlike the drawing) and that any further historic material that is discovered as work progresses will be incorporated into the design; and

G. There was comment from the public along the lines of the Board's recommendations; now

**Therefore be it resolved** that CB2, Man. recommends approval of this application with the provision that the Broadway facade have a more substantial header and approximately 18" bulkheads and that newly discovered original materials in the Crosby Street Facade be incorporated into the design.

Vote: Unanimous, with 43 Board members in favor.

**14. \*568 Broadway** -Application is to legalize storefront alterations installed without LPC permit(s).

**(laid over)**

**15. \*50 King St.** - Application is to legalize lighting fixtures installed without LPC permits.

**(presumed to be laid over)**

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

**1. 225 Varick Street** (between Clarkson and West Houston Streets) BSA Cal. No. 133-06-BZ to extend the term of the previously granted special permit allowing the operation of a physical culture establishment.

#### **Whereas:**

1. This is an application to extend the term of a previously granted special permit allowing the operation of a physical culture establishment at the above premises.
2. If granted, the extension will be for an additional ten-year term, starting with the expiration of the previous grant on July 1, 2016.
3. The facility is located entirely within a 12-story commercial and manufacturing building; has operated for more than 20 years without incident or complaint; the proposed hours of operation are fewer than those approved in the original resolution; and there has been no change in ownership and operation.
4. The eight active violations are not charged against the tenant.
5. No one from the public attended the meeting in opposition to this extension.

**Therefore,** CB2, Man. recommends approval of this application.

Vote: Unanimous, with 43 Board members in favor.

**2. 34 Howard St.** (between Broadway and Crosby St.): An application for the grant of a special permit pursuant to Section 74-781 of the Zoning Resolution to modify the requirements of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail uses) on portions of the ground floor and cellar of an existing five-story building.

**Whereas:**

1. The site is located within an M1-5B zoning district and the SoHo Historic District.
2. Of the 15 lots within the site block, 11 of the lots have ground floor retail use and only four have Certificates of Occupancy (per the applicant).
3. The total lot is approximately 3010 square feet and the proposed ground floor retail space has a separate entrance from the street that will be modified to include a new entry door and wheelchair ramp, so the retail will be ADA accessible.
4. The applicant agrees to no eating and drinking establishments.
5. The cellar will be for storage and accessory uses.
6. The application does not affect the JLWQA units above.
7. The applicant's marketing program exceeded what was required to be considered a good faith effort to rent the space to a conforming use, although CB2 questions how up-to-date and relevant the suggested list of organizations is and how competitive the \$80 per s.f. price is.
8. No one from the public attended the meeting in opposition to this application.

**Therefore,** CB2, Man. recommends approval of this application.

**THIS RESOLUTION WAS TABLED AND THE APPLICATION WAS SENT BACK TO COMMITTEE.**

**QUALITY OF LIFE**

**1. New Application to Department of Consumer Affairs for Newsstand at:**

**Northeast Corner of Canal St. and Centre St., 235 Canal St. (13192-2016-ANWS)**

**Whereas,** the area was posted, community groups notified, and the applicant represented by his architect was present, and

**Whereas,** letters and signatures received via email from those representing the landlords and tenants of 239 Canal Street, 235 Canal Street and 221-227 Canal Street, were sent to CB2, Man., strongly opposed to the location for a newsstand due to the fact there are already 5 existing newsstands within a single block of this location and a 6<sup>th</sup> located just one additional block down Centre Street; as well as congestion and sanitation concerns; and

**Whereas,** the intersection of Canal Street and Centre Street is one of the most dangerous intersections in CB2, Man. for pedestrians and is one of the only intersections which allow for vehicles to turn North from Canal Street via a left turn signal and pedestrian and vehicle safety issues would be significantly impacted by the placement of a newsstand on the Northeast corner of the intersection; and

**Whereas,** the addition of a newsstand will obstruct the view of security cameras that are used by NYPD for investigations of sidewalks and street incidences

**Whereas,** CB2, Man. has previously denied an application for a newsstand on this corner; and

**Whereas,** though the committee could not immediately see any technical problems with the location, we are adamantly opposed to adding yet another newsstand to a congested area that is already literally chock-a-block with them;



**Therefore Be It Resolved** that CB2 Manhattan Strongly recommends **DENIAL** of an application for a newsstand at 235 Canal Street (northeast corner of Canal Street and Centre Street).

VOTE: Unanimous, with 43 Board Members in favor.

**2. Applications for assignment of revocable consent to operate an unenclosed sidewalk café for:**

**Boucherie LLC, d/b/ Boucherie, 99 7<sup>th</sup> Ave. So.,** with 42 tables and 84 chairs (12627-2016-ASWC)

**Whereas**, no members of the public appeared to speak about the application; and

**Whereas**, the applicant explained that he is creating a new restaurant and café in a location that had previously received consent for an unenclosed sidewalk café; and

**Whereas**, the applicant produced the previously approved consent and café plan; and

**Whereas**, the committee reinforced, and the applicant agreed, that there can be no expansion of the table and chair arrangement without submitting an application to amend the approved plan; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of the application for assignment of revocable consent for the sidewalk café for **Boucherie LLC, d/b/ Boucherie, 99 7<sup>th</sup> Ave. So.,** with 42 tables and 84 chairs.

VOTE: Unanimous, with 43 Committee Board Members in favor.

**3. FYI/Sidewalk Café Renewals:**

**Whereas**, no members of the public appeared to speak about the applications listed below; and

**Whereas**, the committee is unaware of problems associated with the applicants and their sidewalk cafés; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of the applications for renewals of revocable consents for the following sidewalk cafés:

1. Pearl & Ash, LLC d/b/a N/A, 220 Bowery, with 7 tables and 16 chairs (2013929-DCA);
2. Claudisal Rest. Corp., d//a The Malt House, 206 Thompson St., with 9 tables and 18 chairs (2004736-DCA).

VOTE: Unanimous, with 43 Committee Board Members in favor.

**4. Street Activity Applications:**

**12/1/16 – World AIDS Day Street Event;** Greenwich Ave. between West 12<sup>th</sup> St. and West 11<sup>th</sup> St.

Representatives of the NYC Department of Health and Mental Health and the NYC AIDS Memorial presented preliminary plans for the annual DOHMH World AIDS Day event, which, this year, will focus on the new AIDS Memorial. The presentation was intended as a preliminary discussion and the applicant will appear at the November meeting with more comprehensive plans.

**No action is necessary at this time.**

## **5. Review of the new street festival rules proposed by the Mayor's Street Activity Permit Office**

### **Whereas:**

Dawn Tolson, Director of the Mayor's Street Activity Permit Office, made a presentation about the proposed new rules and took questions to clarify the provisions.

Representatives of three local non-profit organizations, and the president of one of the firms that is hired to produce street activities sponsored by non-profit organizations, appeared to raise concerns about certain rules.

Of particular concern are the new rules that relate to what have been called street fairs, which are now defined as Street Festivals and Single-Block Street Festivals.

The proposed rules were summarized in the presentation as follows:

Community Sponsor, Street Festival and Single Block Street Festival are re-defined

- Community Sponsor means a community-based, documented not-for-profit organization, association, corporation or the like that has an indigenous relationship to the specific street or geographic community where the Street event is proposed (along with specific requirements for documenting not-for-profit status).
- Street Festival means a Street event sponsored by a Community sponsor headquartered within the same community board as the proposed event that requires a street closure of one Block for multiple calendar days or more than one Block for one or more calendar days in which the general public can purchase goods or services provided by Vendors and Vendors may pay a fee to participate.
- Single Block Street Festival means a Street event sponsored by a Community sponsor headquartered within the same community board as the proposed event that requires a street closure of one Block for a single calendar day in which the general public can purchase goods or services provided by Vendors and Vendors may pay a fee to participate.

Street Festival applications are open from November 1 to December 31.

Single Block Street Festival must be submitted 90 days in advance.

At least 50% of vendors must have a business or presence in the community board.

Vendors require documentation.

Caps on Street Festivals and Single Block Street Festivals are:

- 10 Street Festivals per Community Board
- 20 Single Block Street Festivals per Community Board
- No more than 200 Street Festivals citywide
- No more than 100 Street Festivals in Manhattan

Update to Fee Structure:

- \$1,375 per day per block fee for the first day
- \$705 per day per block fee for subsequent days

The new requirements for non-profits to document their status and indigenous relationship will help correct a long-standing problem that has been experienced in CB2. The rules do not address the status of statewide or national organizations, which can be argued to have indigenous relationships to any area.

Under the proposed caps, Street Festivals in CB2, Man. would be reduced from 22 to 10 (a reduction greater than 50% and the most drastic reduction on all but one other community board in Manhattan); the number of single-block Street Festivals would be reduced from 21 to 20.

Capping the number of festivals is in principle a desirable goal, but instituting the cap at one time could have the unintended consequence of doing harm to local, small non-profits.

The SAPO system date/time stamps every application and, under the proposed rules, would consider applications on a first come/first served basis.

The cap on Street Festivals would potentially give production companies the power to decide which of their clients would be able to apply successfully.

The SAPO system alerts community boards immediately when applications are submitted, and the intention is for community boards to have the opportunity to comment on all applications. The community board process requires a committee hearing that is publicized on the board calendar, followed by a resolution that must be adopted at a full board meeting. As a practical matter, a 45-day time frame is the minimum necessary for a community board to be able to comment on any application. Application deadlines for some street and plaza events are less than 30 days under the proposed rules.

The proposed rules include new categories for First Amendment protected activities, such as demonstrations, for which application deadlines are much shorter because of Constitutional protections.

The representatives of local non-profits testified about the negative impacts of certain rules:

- Most vendors don't confirm participation until the last minute, based on weather reports, so confirming vendor information 30 days before an event is for all intents and purposes impossible.
- Similarly, ensuring that 50% of vendors are local cannot be guaranteed in advance of the event.
- The 50% requirement itself seems arbitrary, and it does not take into account that many desirable vendors for street activities are entrepreneurs and artisans who cannot afford to be headquartered within the community board and are largely drawn from the three-state region. In addition, the SAPO director would not say whether a non-profit would be denied a permit if it failed to reach the 50% threshold.
- The proposed per-block flat fee structure can be detrimental to smaller organizations and smaller festivals that occur on narrower streets. The current structure based on a percentage of proceeds is fairer to smaller organizations and festivals.

The non-profits and the production company complained that they, as stakeholders in this process, had not received the notifications that had supposedly been sent to stakeholders early in the process.

**Now, therefore, be it resolved that:**

CB2, Man. commends the Office of Citywide Event Coordination and Management and the Street Activity Permits Office for their efforts to update the rules for street and plaza events.

CB2, Man. encourages SAPO to diligently enforce the rules regarding documentation of non-profit and indigenous status of street festival sponsors and clarify the status of statewide and national organizations under the indigenous requirement.

CB2, Man. recommends that the minimum application time for every application, except for First Amendment protected activities, be no less than 45 days.

CB2, Man. is concerned that local non-profits that rely on street festivals for their financial stability will be disadvantaged by the new rules and recommends that:

- The cap on Street Festivals be two years for CB2, Man. and for any other community board that faces a drastic reduction in the number of street festivals.
- SAPO consider a fee structure that takes into account the size and budget of non-profits so that small, local, community-based non-profits not be unduly burdened.
- The 50% local vendors rule be reconsidered in light of the practical experience of non-profit sponsors of street festivals.

CB2, Man. further strongly recommends that SAPO should give CB2, Man. recommendations and resolutions primary consideration for both non-profit Street Activity permits and especially for commercial Street Events permits.

VOTE: Unanimous, with 43 Committee Board Members in favor.

## **SLA LICENSING**

### **1. Funny BBQ 98, Inc., 98 Bowery 10013 (New Beer and Wine)**

**A.** **Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a new Beer and Wine license to operate a Chinese Hotpot BBQ restaurant serving lunch and dinner within a five-story mixed use building (Circa 1920) on Bowery between Hester and Grand Streets; and

**B.** **Whereas**, the restaurant is located within a 1500 sq. ft. storefront premises with one entrance/exit, one bathroom, there are 14 tables with 70 seats for a total patron occupancy no greater than 74; there is no sidewalk café and no backyard or exterior uses; and,

**C.** **Whereas**, the building and premises was previously occupied by a Chinese Restaurant (Congee) with a beer and wine license; and

**D.** **Whereas**, the hours of operation are from 11:00 a.m. to 12:00 a.m. Sunday through

Thursday and 11:00 a.m. to 1:00 a.m. on Fridays and Saturdays, music will be quiet and background only, there will be one TV, no d.j. or live music, there will be no scheduled performances or events with a cover charge; and,

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

1. Premises will be advertised and operated as a Chinese Restaurant.
2. Will operate with hours of operation from 11:00 a.m. to 12:00 a.m. Sunday through Thursday and 11:00 a.m. to 1:00 a.m. on Fridays and Saturdays.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have one television.

5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
7. The premises will not have a sidewalk café.
8. There will be no pitchers of beer or all you can eat/drink specials.
9. The premises will play quiet ambient recorded background music only.
10. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. The premises will not have French doors, operable windows or open facades.
12. All existing doors and windows will be closed by 10 p.m. every evening.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a Beer/Wine license to **Funny BBQ 98, Inc., 98 Bowery 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" for a BW License.

Vote: Unanimous, with 43 Board members in favor.

**2. JDBN, LLC d/b/a Domodomo Kitchen, 140 W. Houston St. (New Beer and Wine)**

**A. Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to represent an application for a new Beer and Wine license to operate a Japanese fusion restaurant with take-out services in a mixed-use four-story building (Circa 1950) on West Houston Street between MacDougal and Sullivan Sts. in a 2,200 sq. ft. storefront premises (1,700 sq. ft. first floor and 500 sq. ft. basement) with one entrance/exit, one bathroom, there will be 15 tables with 46 seats, 1 bar with 4 seats for an occupancy no greater than 50; there is no sidewalk café and no backyard or exterior uses; and,

**B. Whereas**, the premises was previously operated as the Ariana Restaurant between 2013 and 2015; and

**C. Whereas**, the existing front façade is fixed and the applicant has no plan to install French doors or operable windows; and

**D. Whereas**, the hours of operation will be Sunday through Saturday from 12:00 p.m. to 11:00 p.m. seven days a week, music will be quiet, ambient and background only, there will be no TVs, no d.j. or live music, there will be no scheduled performances or events with a cover charge; and,

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

1. Premises will be advertised and operated as a Japanese fusion restaurant with a full service kitchen and take-out services.
2. Will operate with hours of operation Sunday through Saturday from 12:00 p.m. to 11:00 p.m. seven days a week.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have any televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes.

7. The premises will not have a sidewalk café.
8. There will be no pitchers of beer or all you can eat/drink specials.
9. The premises will play quiet ambient, recorded background music only.
10. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. The premises will not have French doors, operable windows or open facades.
12. All existing doors and windows will be closed by 10 p.m. every evening.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a Beer/Wine license to **JDBN, LLC d/b/a Domodomo Kitchen, 140 W. Houston St. unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" for a BW License.

Vote: Unanimous, with 43 Board members in favor.

**3. TJW Family Foods, LLC dba JoJo's Philosphy, 169 Bleecker St.** (Transfer of existing On Premise license).

**A. Whereas**, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking a transfer of an existing on premise license held by Super Gourmet Food Corp. d/b/a Thunder Jacksons Urban Roadhouse (Ser.# 1200248) located within a 1,300 sq. ft. storefront in a five-story mixed-use building on Bleecker Street at the corner of Sullivan Street; and

**B. Whereas**, Thunder Jacksons has been closed since August/2016 but previously operated as a Sports Bar generating numerous complaints within its surrounding area and being subject to disciplinary proceedings at the NYS SLA in 2010; and

**C. Whereas**, when the current licensee of Thunder Jacksons Phil Ventura appeared before CB2, Man. in 2007 he misrepresented his true intentions of operating the premises as a Sports Bar and instead presented and stated in his application that he would be operating a full service restaurant with background music and a children's menu; and

**D. Whereas**, in addition to these misrepresentations when CB2, Man. requested the existing licensee to appear in January/2012 for the renewal of their license and to respond to numerous complaints from the local community the licensee ignored CB2, Man.'s request and refused to appear, the hearing at that time demonstrating that Thunder Jackson's was **1)** regularly exceeding its legal capacity of 52 patrons, especially on Friday and Saturday nights and during sporting events, **2)** the bar's large windows on both Bleecker and Sullivan Streets were kept open at all hours with music blasting, in all but the worst weather, **3)** piles of litter and vomit were frequently seen on the sidewalks outside the bar, and the location was frequently observed to be so overcrowded with patrons that pedestrians were forced to walk in the street; and

**E. Whereas**, while the current applicant claimed in her application that she would operate the premises as a "casual, family friendly" restaurant, she also sought to continue to operate the restaurant with the existing eight Televisions (which line the walls of Thunder Jacksons) as the extraordinary number of TVs would be needed for her method of operation as a restaurant, that music would also be needed at entertainment levels to operate her new restaurant, there would be promoted events at the premises for which a cover fee was to be charged and that the hours of operation would be from 12:00 p.m. until 2:00 a.m. Sunday through Wednesday and from 12:00 p.m. until 3:00 a.m. Thursday through

Saturday; and

**F. Whereas**, it was clear to CB2, Man. that this applicant was not credible about her desire to open up a restaurant and her proposed method of operation was entirely inconsistent with a full-service restaurant, there being concerns that the applicant was simply seeking to continue to operate the establishment as a sports bar which was never the permitted in the first place at these premises and was brought about on false pretexts and material misrepresentations by the current licensee in 2007 at a location that was never previously licensed for the service of alcohol and was a Chinese Food take out Restaurant called Wok and Roll, establishing a significant detrimental impact on the surrounding Community in 2007 and continuing unabated until 2016 in an area already greatly saturated with liquor licenses and late night establishments; and

**G. Whereas**, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for adding yet another on premise liquor license in an area that is already greatly saturated with licensed establishments, there being approximately 48 other existing licensed eating and drinking establishments within 500 ft. of the premises in question, with an additional 9 pending licenses for the same area and there being approximately 77 licensed premises within 750 ft. of the subject premises; and

**H. Whereas**, there being significant concerns that the applicant's background and credibility, the applicant having never previously held a liquor license and was not forthcoming about her prior experience in operating a full service restaurant, wherein she failed to state in her application and later it was learned from other sources but not the applicant that her husband, who did not appear and was not identified anywhere in the application was also intimately involved in the operations of the proposed business and who was a former bartender at Thunder Jacksons; and

**I. Whereas**, there were yet additional concerns about the applicant being a "Front" to transfer the existing license in that it also came to light at the hearing that there were other hidden and unidentified investors in the purposed business who lived in California, were related to the landlord of the building, the identity of the landlord never being provided, raising additional concerns about the landlord, who failed to reign in the operations of Thunder Jacksons and ignored its detrimental impact on the local neighborhood; and

**J. Whereas**, the applicant submitted no public interest statement, there being is nothing unique to this application, which is essentially to continue as a late night bar or sports bar in area that is already greatly saturated with license late night establishments; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial for **TJW Family Foods, LLC dba JoJo's Philosphy, 169 Bleecker St.** on its application seeking a transfer of an existing On Premise license; and

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

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

the past.

Vote: Unanimous, with 43 Board members in favor.

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

**4. OCA Positive Food, LLC, d/b/a N/A, 250 Mott St. South Store 10012** (Withdrawn – Applicant did not appear)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2016, the Applicant withdrew this application for a beer/wine license and did not appear;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **OCA Positive Food, LLC, d/b/a N/A, 250 Mott St. South Store 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 43 Board members in favor.

**5. Centre Howard, LLC, d/b/a Nickel & Diner, 1 Howard St. 10013** (BW - lay over at request of applicant and did not appear)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2016, the Applicant requested **to lay over** it application for a beer and wine license and did not appear;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Centre Howard, LLC, d/b/a Nickel & Diner, 1 Howard 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 43 Board members in favor.

**6. 524 Broadway Tenant LLC, d/b/a WeWork, 524 Broadway 10012** (Layover requested - Applicant did not appear)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on October 6, 2016, the Applicant and his attorney requested **to lay over** this application for a beer and wine license and did not appear before CB2, Man.;

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



license for **524 Broadway Tenant LLC, d/b/a WeWork, 524 Broadway 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 43 Board members in favor.

**7. WW 379 W. Broadway, d/b/a WeWork, 379 W. Broadway St. 10012** (Layover requested - Applicant did not appear)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2016, the Applicant and his attorney requested to lay over this application for a beer and wine license and did not appear before CB2, Man.;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **WW 379 W. Broadway, d/b/a WeWork, 379 W. Broadway 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 43 Board members in favor.

**8. WeWork 154 Grand, LLC d/b/a WeWork, 154 Grand St. 10013** (Layover requested - Applicant did not appear)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2016, the Applicant and his attorney requested to lay over this application for a beer and wine license and did not appear before CB2, Man.;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **WeWork 154 Grand, LLC d/b/a WeWork, 154 Grand 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 43 Board members in favor.

**9. 428 Broadway Tenant, LLC d/b/a WeWork, 428 Broadway 10013** (Layover requested - Applicant did not appear)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2016, the Applicant and his attorney requested to lay over this application for a beer and wine license and did not appear before CB2, Man.;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **428 Broadway Tenant, LLC d/b/a WeWork, 428 Broadway 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 43 Board members in favor.

**10. Clean Table, LLC, d/b/a TBD, 28 7th Ave. 10014 (BW- No Show)**

**Whereas**, the Applicant failed to notify CB2, Man. that they would not appear at this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on October 6<sup>th</sup>, 2016, after having been placed on the Agenda by CB2 after notifying CB2 of a New Beer and Wine application via a "30 Day Notice"; and

**Whereas**, CB2, Man. requests that the Applicant resubmit the application for a New Beer and Wine for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Clean Table, LLC, d/b/a TBD, 28 7th 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 43 Board members in favor.

**11. Clean Table, LLC, d/b/a TBD, 378 Avenue of the Americas 10011 (BW-No Show)**

**Whereas**, the Applicant failed to notify CB2, Man. that they would not appear at this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on October 6<sup>th</sup>, 2016, after having been placed on the Agenda by CB2 after notifying CB2 of a New Beer and Wine application via a "30 Day Notice"; and

**Whereas**, CB2, Man. requests that the Applicant resubmit the application for a New Beer and Wine for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Clean Table, LLC, d/b/a TBD, 378 Avenue of the Americas 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 43 Board members in favor.

**12. Clean Table, LLC, d/b/a TBD, 126 MacDougal St. 10012 (BW-No Show)**

**Whereas**, the Applicant failed to notify CB2, Man. that they would not appear at this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on October 6<sup>th</sup>, 2016, after having been placed on the Agenda by CB2 after notifying CB2 of a New Beer and Wine application via a "30 Day Notice"; and

**Whereas**, CB2, Man. requests that the Applicant resubmit the application for a New Beer and Wine for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Clean Table, LLC, d/b/a TBD, 126 MacDougal St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

**13. Clean Table, LLC, d/b/a TBD, 101 7<sup>th</sup> Ave. South 10014 (BW-No Show)**

**Whereas**, the Applicant failed to notify CB2, Man. that they would not appear at this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on October 6<sup>th</sup>, 2016, after having been placed on the Agenda by CB2 after notifying CB2 of a New Beer and Wine application via a "30 Day Notice"; and

**Whereas**, CB2, Man. requests that the Applicant resubmit the application for a New Beer and Wine for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Clean Table, LLC, d/b/a TBD, 101 7<sup>th</sup> Ave. South 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 43 Board members in favor.

**14. ALSW Mott, LLC, d/b/a The Sosta, 52 Kenmare St. 10012 (Layover requested at meeting to perform further outreach with community)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2016, the Applicant appeared and requested **to lay over** this application for a beer and wine license and did not appear before CB2, Man.;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **ALSW Mott, LLC, d/b/a The Sosta, 52 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 43 Board members in favor.

**15. Tomino, LLC, d/b/a Tomino, 192 Grand St. 10013 (OP - Layover requested)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 6, 2016, the Applicant appeared and requested **to lay over** this application for an on premise license and did not appear before CB2, Man.;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Tomino, LLC, d/b/a Tomino, 192 Grand 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 43 Board members in favor.

**16. BSL Carmine, Inc., d/b/a Bluestone Lane, 30 Carmine St. 10014 (RW Alteration to add SWC SN#1292707)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an alteration application to the Liquor Authority to add a newly licensed Department of Consumer Affairs Sidewalk café with 6 tables and 12 Seats to an existing restaurant wine license SN# 1292707; and,

**ii. Whereas**, there are no other changes to the existing restaurant wine license which is for a restaurant in a mixed-use building located on Carmine St between Bedford St. and Bleecker St. for a roughly 1,250 sq. ft. premise located on the ground floor and basement (750 sq. ft. ground floor, 500 sq. ft. basement, patron use of ground floor only) with 7 tables and 31 table seats, 1 standup bar with no bar seats and a newly licensed sidewalk café with 6 tables and 12 seats; there is an existing letter of no objection; and,

**iii. Whereas**, the hours of operation are from 7:30AM to 11PM seven days a week, the sidewalk café will close on all nights at 9PM, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed

at 9PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The premises will be advertised and operated as an Australian Coffee Shop/Café serving breakfast, lunch and dinner.
2. The interior hours of operation will be from 7:30AM to 11PM seven days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions or projectors.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades and will close all doors and windows at 9 PM except for patron ingress and egress.
10. There will be no patron use of basement.
11. Applicant will obtain a letter of no objection from the NYC Department of Buildings.
12. Applicant will obtain and keep current all required certificates and permits.
13. The applicant has added to their diagramed premises for their existing restaurant wine license a newly DCA licensed sidewalk café with 6 tables and 12 seats.
14. The sidewalk café will close at 9PM on all days without exception.

**v. Whereas,** there were concerns raised by members of CB2, Man. regarding two Environmental Control Board violations regarding gas piping installed in the basement without permits or testing for which their were no certificates of correction, the applicant stated they were currently in the process of resolving those violations and that it was a building issue; and,

**vi. Whereas,** the Principals are also a principals of other locations operating under this same name and method of operation, including one in CB2; and,

**vii. Whereas,** at the time of the original application there were approximately 21 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application to add a sidewalk café with 6 tables and 12 seats to the existing Restaurant Wine License SN#1292707 for **BSL Carmine, Inc., d/b/a Bluestone Lane Carmine, 30 Carmine St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the existing SLA Restaurant Wine License.

Vote: Unanimous, with 43 Board members in favor.

**17. The Elk, NYC, LLC, d/b/a The Elk, 128 Charles St. 10014 (New RW)**

**i. Whereas,** the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a café serving coffee, breakfast, lunch, dinner and other beverages; and,

**ii. Whereas,** this application is for a new restaurant wine license for a location in a mixed-use residential building located on Charles St between Greenwich St. and Washington St. for a roughly 1,250 sq. ft. premise located on the ground floor and basement (650 sq. ft. ground floor, 600 sq. ft. basement, no patron use of basement) with 5 tables and 10 table seats, 1 seating counter with 6 stools and 1 standup bar/service counter with no seats; a letter of no objection is in the process of being obtained - the letter of no objection will show allowable use of the ground floor for eating and drinking and will *also* indicate that a kitchen and prep area is allowed in the basement as well as the premises is located on two floors; and,

**iii. Whereas,** the hours of operation will be from Saturday and Sunday from 8AM to 10PM, Monday to Friday from 7AM to 10PM, all patrons will be cleared and no patrons will remain after stated closing times, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9PM except for patron ingress and egress, there will be no d.j. no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The premises will be advertised and operated as a café serving coffee, breakfast, lunch and dinner.
2. The hours of operation will be Saturday and Sunday from 8AM to 10PM, Monday to Friday from 7AM to 10PM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions or projectors.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades and will close all doors and windows at 9 PM except for patron ingress and egress.
10. There will be no patron use of basement.
11. Applicant will obtain a letter of no objection from the NYC Department of Buildings prior to operating.
12. Applicant will obtain and keep current all required certificates and permits – this includes obtaining a letter of no objection that shows allowable use of the premises on both the ground floor and basement.
13. Applicant will not have sidewalk benches or “A” frame signage (will remove benches currently used).
14. Applicant will add more robust food menu to dinner service beyond soups, salads and sandwiches.

15. Applicant agrees that they will never seek to upgrade to a full on-premise liquor license.
16. Applicant will not change the fixed façade to operable windows in the future.
17. There will no longer be outdoor benches.
18. Applicant will place signage-requesting patrons to please respect neighbors and signage requesting patrons not to sit on the residential building entrance stoop.

**v. Whereas,** the premises has been open and operating for about 2 years without any type of beer and wine license as a coffee shop but currently closes at 7PM and does not serve food beyond soups, salads and sandwiches; and,

**vi. Whereas,** the applicant was in contact with members of the West Village Residents Association and members appeared in opposition; Residents of the building in which the premises is located also appeared in opposition; a petition in opposition by residents of the building was also presented with signatures from 12 people representing roughly 75% of the apartments in the building; reasons for opposition include, exterior noise, the historic residential character of the block, the overcrowding of the sidewalk in front of the residential building, people sitting on the stoop blocking the residential entrance, illegal sidewalk benches which attract people to sit where no sidewalk café is allowed, the character of the existing licenses on the block which already contribute to quality of life concerns including a bar and large catering facility, sidewalk congestion due to an over abundance of sidewalk furniture the applicant has on the sidewalk including A-frame advertising signage and 2 illegal benches, the lack of sufficient food to qualify as a restaurant, and that because access to the basement kitchen and food preparation area is through stairs located on the exterior, this causes excessive noise on the exterior of the building which is directly below residential tenants; and,

**vii. Whereas,** a petition in support was presented by the applicant with many signatures from the area, 3 speakers who do not live in the immediate area also spoke in support as professional colleagues of the applicant; and,

**viii. Whereas,** to address the concerns of the building residents and those who live in the immediate area and others, the Applicant agreed to a number of stipulations which are included above which include closing at 10PM daily, removing the 2 illegal outdoor benches currently in use, posting signage requesting patrons not to sit on the residential stoop, adding a fuller menu to the dinner serving to qualify as a restaurant pursuant to Liquor Authority definitions, and agreeing that they will never seek to upgrade to a full on-premises liquor license; and,

**ix. Whereas,** there are currently approximately 16 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Restaurant Wine License for **The Elk, NYC, LLC, d/b/a The Elk, 128 Charles St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 43 Board members in favor.

**18. Mazi Hospitality Group, LLC, d/b/a Mazi NYC, 9 Jones St. 10014 (New Restaurant OP)**

**i. Whereas,** the Applicants appeared before Community Board 2, Manhattan’s SLA Licensing Committee for a second time after meeting with members of the community to present an application to the Liquor Authority for a restaurant on-premise liquor license for an upscale Greek restaurant focused on appetizer share plates as well as soups, salads, fresh fish and traditional entrees; and,

**ii. Whereas,** this application is for a new restaurant on-premise liquor license at a previously licensed location in a mixed use residential Co-op building as located on Jones Street between Bleecker Street and West 4<sup>th</sup> Street for a roughly 2,000 sq. ft. premise with a 500 sq. fy. cellar for storage and prep (no patron use of cellar) with 88 table seats and 1 standup bar with 10 seats, for a total of 98 interior seats; there is an existing Certificate of Occupancy for 106 persons and total capacity will never exceed 106 persons including employees and patrons; the applicant will present an updated Place of Assembly Permit prior to operating; and,

**iii. Whereas,** the hours of operation will be Sunday from 11AM to 11PM, Monday to Thursday from 5PM to 12AM, Friday from 5PM to 12AM, and Saturday from 11AM to 12AM (no patrons will remain after closing time), music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. Premise will be advertised and operated as an upscale Greek restaurant focused on appetizer share plates as well as soups, salads, fresh fish and traditional entrees.
2. The hours of operation will be Sunday from 11AM to 11PM, Monday to Thursday from 5PM to 12AM, Friday from 5PM to 12AM, and Saturday from 11AM to 12AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate as a full service restaurant, a full food menu will be available at all times and the kitchen will remain open at all hours of operation.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premises will not have televisions.
6. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating. There will be no sidewalk café. All employee use of the rear yard will end at 12AM without exception. Rear yard area will not be used as an employee break area or employee smoking.
8. The premises will play quiet ambient-recorded background music only. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
9. The premises will not have DJ’s, live music, cover charges or promoted events.
10. There will be not be any sidewalk furniture, no a-frame signage or benches.
11. The premises will close all doors and windows at 10PM every night and anytime there is music except for patron ingress and egress.
12. Applicant will post signs requesting patrons to please be considerate to residential neighbors.
13. There will be no unlimited drink or all you can eat and drink specials. There will be no bottomless brunches or advertised boozy brunches at anytime.
14. Applicant will obtain an updated Place of Assembly Permit.



v. **Whereas**, the applicant's did not submit a detailed floor plan to CB2, Man. indicating placement of tables and chairs, kitchen bar and other features, but will present a detailed floor plan to CB2; and,

vi. **Whereas**, the applicant met with local residents and the local block association, The Central Village Block Association; and,

vii. **Whereas**, a number of local residents and members of the Central Village Block Association appeared in opposition because they were unable to come to an agreement with the applicant regarding the operation as the applicant was looking to operate beyond what the previous tenant had operated which residents were concerned would impact their quality of life dramatically given the residential character of the immediate area which already has late night quality of life issues; there was opposition to the hours of operation presented which were until 1AM, opposition to the hours the doors would be closed - 11PM, opposition to the use of the rear yard by staff until 2am, opposition to having TV's in the bar area which is in the very front of the premises next to a façade that opens through accordion doors on to the residential street, late night operations have brought increased rowdiness to the street in general in the area and an expansion of hours exacerbates that problem including drunken patrons, late night operations also brings increased traffic in the form of for-hire vehicles which often idle on the block or stop for protracted periods which blocks traffic on the single lane street as there is no dedicated lane for cars to pull over which causes horn honking late in the evening, residents explained that they need to often pick up trash on the street twice a day or more often due to patrons smoking and littering as they linger on the street; and

viii. **Whereas**, in light of the community opposition, the applicant agreed to a number of stipulations which are noted above, in particular the closing hours, the closing time of the front door, use of rear area restricted after midnight, no televisions, no DJ's, complying with all NYC noise codes at all times, obtaining updated permits, restrict occupancy to only the allowable number of patrons etc; and,

ix. **Whereas**, there are currently 34 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Restaurant On-Premise Liquor License for **Mazi Hospitality Group, LLC, d/b/a Mazi NYC, 9 Jones St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 43 Board members in favor.

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

**19. Cozy Soup & Burger, Inc., 739 Broadway 10003 (RW – Alteration/Expansion of premise – Layover)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 13<sup>th</sup>, 2016 the Applicant requested to **layover** this application for an alteration application to expand the premises for an existing restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; **THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and

wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Cozy Soup & Burger, Inc., 739 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 43 Board members in favor.

**20. FB 35 East 13, Inc., 35 E. 13<sup>th</sup> St. 10003 (OP – Restaurant - Withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 13<sup>th</sup>, 2016 the Applicant requested to withdraw this application for a new on-premise liquor license across multiple floors with outdoor rooftop and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **FB 35 East 13, Inc., 35 E. 13<sup>th</sup> St. 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 43 Board members in favor.

**21. Sushi Nakazawa, LLC, d/b/a Sushi Nakazawa, 23 Commerce St. 10014 (OP – Restaurant - Class Change/Upgrade - Layover)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 13<sup>th</sup>, 2016 the Applicant requested to layover this application for an upgrade from a restaurant wine to a restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Sushi Nakazawa, LLC, d/b/a Sushi Nakazawa, 23 Commerce 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 43 Board members in favor.

**21. Entity to be formed by Eric Lozano and Herve Rossano, 393 Canal St. 10013 (OP - Restaurant & Karaoke bar – Withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 13<sup>th</sup>, 2016 the Applicant requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA 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, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for Entity to be formed by **Eric Lozano and Herve Rossano, 393 Canal 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 43 Board members in favor.

**22. Random, LLC, d/b/a Chit Chat, 268 Bleecker St. 10014 (TW- Bar with outdoor patio/deck space – Withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 13<sup>th</sup>, 2016 the Applicant requested to **withdraw** this application for a new tavern wine license with outdoor area and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA 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, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Random, LLC, d/b/a Chit Chat, 268 Bleecker 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 43 Board members in favor.

**23. Manu, Inc., 10 Little W. 12<sup>th</sup> St. 10014 (OP – Restaurant – Layover)**

**Whereas**, prior to this months CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 13<sup>th</sup>, 2016, the Applicant requested to **layover** this application for a new restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA 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, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Manu, Inc., 10 Little W. 12<sup>th</sup> 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 43 Board members in favor.

**24. Blackfoot Consulting, LLC, The Venue at 55 Grove, 55 Grove St. 10014 (OP- Catering - Withdrawn) (basement, 1<sup>st</sup> and 2<sup>nd</sup> floors, live and recorded music) [Withdrawn]**

**Whereas**, prior to this months CB2, Manhattan’s SLA Licensing Committee #2 Meeting on October 13th, 2016, the Applicant requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Blackfoot Consulting, LLC, The Venue at 55 Grove, 55 Grove 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 43 Board members in favor.

**TRAFFIC AND TRANSPORTATION**

**Resolution requesting evaluation of and potential improvements in parking regulations, traffic light timing, bus access, signage and enforcement training and execution to better organize and control Holland Tunnel-bound traffic in the streets leading to the tunnel**

**Whereas**, CB2, Man. thanks NYC Department of Transportation (DOT) Manhattan Borough Commissioner Luis Sanchez for attending CB2’s Traffic and Transportation Committee meeting to address the impacts on our community from traffic to the Holland Tunnel, such as congestion, dangerous crossings, noise and air pollution; and

**Whereas**, several community members attended, many letters and emails were received, and a petition with over 35 signatures was submitted, all expressing concern about incessant horn honking and engine noise, particularly on Watts St., and on other streets leading to the Tunnel, as well as bumper-to-bumper traffic, continuous gridlock, and inadequate traffic enforcement; and

**Whereas**, it was pointed out that inconsistent and/or unclear parking rules lead to blocked and changing numbers of traffic lanes heading to the Tunnel, with jockeying between lanes (e.g., on the south side of Watts St. bet. Thompson St. and 6th Ave. there are "No Parking 7am-4pm" and "Mon-Fri, Right Lane Closed 4pm-7am" signs that would allow overnight parking 7pm-7am, but because their joint use creates confusion, vehicles drive in that lane when prohibited); and

**Whereas**, it was observed that adjustments in traffic signal timing might be made at intersections such as Watts and Varick Sts. and 6th Ave. and Watts that could better respond to fluctuating traffic patterns; and

**Whereas**, all agreed that one of the most egregious problems is buses turning left from 6th Ave. to Watts St., making a difficult right-angle turn that obstructs vehicular movement, while adding bus traffic to an already over-trafficked street, and Commissioner Sanchez indicated that DOT is looking into changing bus access by allowing buses to go directly to Canal St.; and

**Whereas**, concern was voiced that traffic enforcement agents (TEAs) are reassigned constantly, with a lack of time for them to learn about existing conditions, resulting in uninformed actions such as moving vehicles forward without any space except to extend into intersections; and

**Whereas**, it was revealed that on weekday afternoons (bet. 4:00 and 5:00 pm), TEAs allow hundreds of commuting public employees (from the Federal building, and large police and FBI facilities, all nearby) to illegally turn right from Varick St. to the Watts St. Tunnel entrance, adding to the traffic jam; and

**Whereas**, it was suggested that VMS/Veritable Message Signs (electronic), currently used on highways to notify motorists of changes in traffic patterns and road conditions, might be used to direct traffic movement and speed for vehicles headed to the Holland Tunnel;

**Therefore be it resolved** that CB2, Man. requests that DOT review and adjust parking regulations along Watts, Broome and other relevant streets leading to the Holland Tunnel in order to make the rules more consistent and ensure more organized lanes and orderly traffic progression; and

**Be it further resolved** that CB2, Man. asks that DOT examine and recalibrate traffic signal timing at Watts and Varick St., Varick and 6th Ave. and other key intersections to more efficiently accommodate the changing flow of traffic throughout the day; and

**Be it further resolved** that CB2, Man. urges DOT to ban buses from turning left from 6th Ave. onto Watts St. and allow buses to go directly to Canal St. to access the Tunnel; and

**Be it further resolved** that CB2, Man. urges the Traffic Division of the NYC Police Department (NYPD) to provide extensive training to its TEAs assigned to the streets around and leading to the Holland Tunnel in applicable enforcement techniques and requirements as well as about specific conditions in that area, including the need to prevent illegal right turns from Varick into Watts St. (and also urges the local 1st Precinct to educate members of their traffic unit who might be assigned to the Holland Tunnel area and approaches in the same needed techniques, requirements and familiarity with conditions); and

**Be it further resolved** that CB2, Man. urges the NYPD Traffic Division to consider assigning TEAs to the streets around and leading to the Holland Tunnel for more lengthy periods of time than those in which they're currently deployed; and

**Be it further resolved** that CB2, Man. encourages DOT and the NYPD to work together to ensure maximum enforcement of traffic regulations in policing vehicles on their way to the Holland Tunnel.

**Be it finally resolved** that CB2, Man. suggests that DOT investigate the possibility of using VMS, adapted for use in urban areas, to direct motorists heading for the Holland Tunnel.

Vote: Unanimous, with 43 Board Members in favor.

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