

Teri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Erik Coler, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

Gre enwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

FULL BOARD MINUTES

DATE: September 19, 2017
TIME: 6:30 P.M.
PLACE: Scholastic Building, 557 Broadway, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Anita Brandt, Richard Caccappolo, Lisa Cannistraci, Erik Coler, Tom Connor, Terri Cude, Chair; Doris Diether, Robert Ely, Stella Fitzgerald, Cormac Flynn, Joseph Gallagher, Jon Giacobbe, Robin Goldberg, Nicholas Gottlieb, Susan Kent, Patricia Laraia, Edward Ma, Daniel Miller, Robin Rothstein, Sandy Russo, Rocio Sanz, Shirley Secunda, Frederica Sigel, Georgia Silvera Seamans, Susan Wittenberg

BOARD MEMBERS ABSENT WITH NOTIFICATION: Anita Brandt, William Bray, Ritu Chattree, Cristy Dwyer, Kathleen Faccini, Susan Gammie, Jonathan Geballe, Jeannine Kiely, Maud Maron, Lois Rakoff, Robert Riccobono, Shirley Smith, Elaine Young

BOARD MEMBERS ABSENT: None

BOARD MEMBERS PRESENT/ARRIVED LATE: Carter Booth, Katy Bordonaro, Coral Dawson, David Gruber, Kristin Shea, Chenault Spence, Antony Wong

BOARD MEMBERS PRESENT/LEFT EARLY: None

BOARD STAFF PRESENT: Bob Gormley, District Manager; Josh Thompson, Assistant District Manager, and Florence Arenas, Community Coordinator

GUESTS: Robert Atterbury, Congressman Jerrold Nadler's office; Jacqueline Hsia, Congresswoman Nydia Velazquez's office; Elena Sorisi, Senator Brad Hoylman's office; Eric Mayo, Senator Daniel Squadron's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Laurence Hong, Assembly Member Yuh-Line Niou's office; Charles Anderson, Assembly Member Deborah Glick's office; Eric Holguin, NYC Comptroller Scott Stringer's office; Adam Chen, Public Advocate Letitia James' office; Patrice Comerford, Council Member Corey Johnson's office; Sheila Rodriguez, Irak Cehonski, Council Member Rosie Mendez's office; Sabrina Hua, Council Member Margaret Chin's office; Robert Joseph, Caitlin Kelmar, Christopher Marte, Susan hoemaker, Dennis Lynch, Camille Paglia, Vera Sheps, Maddy Harrington, Darlene Lutz, Peter, Nicholas Baume, Catherine Schubert, Kellie Honeycutt, Devon Caranicas, Allegra, Thireseb, Daniel Palmer, Anthony Mera, Brenda Levin, Colin Brett, LuAnne Codella, Judith Monaco-Callet, Sandrine Milet, Anna Link, Hellen Osgood, Mary Rolland, Rachel Yarmolinsky, Pauline Augustine, Norma Cote, Kim Lippmann, Harris Smith, Jeffrey Deitch, Judy Gallant, Harvey Osgood, Tom Corsillo, Kendra Matthew de Jory, Pete Davies, Susan Freedman, Laura Murray, Nora Gomez-Strauss, Christina Martin, Wendy Nodiff, Sugar Barry, Sara Dorn, Rohit Misra, Michelle Landers, Diane Whelton, Valentine Goldstein, Sara Klum, Conner Loeven, Sharon Woolums, Patrick Sears, Helen Warwick, Gil Horowitz, Maria Diaz, William Kelley, Judith Frank

MEETING SUMMARY

Meeting Date – September 19, 2017
Board Members Present – 34
Board Members Absent With Notification – 13
Board Members Absent - 0
Board Members Present/Arrived Late - 7
Board Members Present/Left Early – 0

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	2
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	4
EXECUTIVE SESSION	4
STANDING COMMITTEE REPORTS	44
LANDMARKS AND PUBLIC AESTHETICS	44
PARKS/WATERFRONT	50
QUALITY OF LIFE	51
SLA LICENSING	53
TRAFFIC AND TRANSPORTATION	82

II. PUBLIC SESSION

Non-Agenda Items

Thank you

Christopher Marte thanked the community for their support during the primary.

Constitutional Convention

Judith Frank spoke against and urged everyone to vote against a constitutional convention in the upcoming November elections.

Smorgasburg Events, LLC, 76 Varick St.

Darlene Lutz and Catherine Schubert spoke against the establishment.

Landmarks & Public Aesthetics Items

301 Canal St. & 419-421 Broadway-App. to demolish existing buildings and construct new building

Pete Davies spoke against the proposed Landmarks application.

59 Greenwich Ave.-App. to restore front and rear façades, construct visible rooftop stair bulkhead, mechanical equipment/screening and guard railing, construct non-visible as-of-right rear addition at the cellar and 1st floor, modify rear façade at 2nd floor.

Brenda Levin, representing the applicant, spoke in favor of the proposed Landmarks application.

Parks/Waterfront & Arts and Institutions

Ai Weiwei's *Good Fences Make Good Neighbors* installation at the Washington Square Arch
Robert Joseph, Patrick Sears, Helen Warwick, Nicholas Baume, Laura Murray, Maria Diaz, William Kelley, Hellen Osgood, and Robert Joseph, all spoke in favor of the proposed art installation.

Sharon Woolums, Judith Monaco-Callet, Anna Link, Diane Whelton, Sugar Barry, Dr. Gil Horowitz, and Harvey Osgood, all spoke against the proposed art installation.

SLA Licensing Items

135 Tart, LLC d/b/a Once Upon a Tart, 135 Sullivan St.
Michelle Landers, Wendy Nodiff, Pauline Augustine, and Peter Gibson, spoke against the proposed liquor license.

Liquor Laboratory Inc., d/b/a Liquor Lab, 474 Broadway (2nd Fl.)
Kendra Matthew-de Jory Susan Shoemaker, and Kim Lippmann, spoke against the proposed liquor license.

Traffic & Transportation

No Standing Anytime and striping at two-car No Parking Anytime space on Greenwich St. at Bank St.
Camille Paglia spoke against the proposal.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congressman Jerrold Nadler's office

Jacqueline Hsia, Congresswoman Nydia Velazquez's office

Elena Sorisi, Senator Brad Hoylman's office

Eric Mayo, Senator Daniel Squadron's office

Laurence Hong, Assembly Member Yuh-Line Niou's office

Charles Anderson, Assembly Member Deborah Glick's office

Eric Holguin, NYC Comptroller Scott Stringer's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Patrice Comerford, Council Member Corey Johnson's office

Sabrina Hua, Council Member Margaret Chin's office

Irak Cehonski, Council Member Rosie Mendez's office

V. ADOPTION OF MINUTES

Adoption of July minutes

VI. EXECUTIVE SESSION

1. **Chair's Report** Terri Cude reported.

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

3. **Treasurer's Report** Antony Wong reported.

4. **EXECUTIVE COMMITTEE (In lieu of August Full Board)**

LANDMARKS & PUBLIC AESTHETICS

- 1 ***1-3-5 Little W. 12th St.** – Application is to demolish the existing storefront and install a new full-height-folding glass door storefront system between the existing cast iron columns, and install lighting. **(ALREADY HEARD)**

- 2 ***400 W. Broadway** - Application is to legalize as-built conditions that do not conform to previously approved storefront.

Whereas:

- A The design was approved under the reasonable supposition that a straight beam existed under non-historic cladding and that the storefront would conform to the existing opening; and

- B The as built design follows the original curved beam opening, did not necessitate removal of historic fabric, and is respectful of the building's structure and design; now

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

Vote: Unanimous, with 33 Board members in favor.

3. ***114 Prince St.** – Application is to install a flagpole and blade signage.

Whereas:

- A The flag pole and a flag which were represented by the applicant as conforming to LPC guidelines in place and is to be installed at the transom and screwed into the wooden frame over the principal entrance to the shop; and

- B A blade sign is proposed to be installed with two horizontal supports in a position that causes it to block the capital of the column and other architectural features; now

Therefore be it resolved that CB2, Man.:

- A Recommends **approval** of the flag pole and flag provided that they follow approved LPC guidelines; and

- B Recommends **denial** of the blade sign unless it is positioned more sensitively (higher) to avoid obstructing architectural elements, and is supported by one rod.

Vote: Unanimous, with 33 Board members in favor.

- 4 *[116 Prince St.](#) – **Application is to paint a mural on the west side of the building.**

Whereas:

- A A 10' X 11' mural identifying the tenant of the building with a photorealistic painting of the logo for the establishment in red, black and white is to be painted in a professional manner on a wall of the building in a position suitable for such a mural; and
- B The applicant represented that the design follows the LPC guidelines for such murals in the district; and
- C The rendering shows that the edges of the artwork reach the front edge of the building and the top of the wall without the perimeter normally associated with such murals in the district; and
- D The applicant represented a willingness to decrease the size of the mural in order to leave a 2' perimeter boarder around its edges; now

Therefore be it resolved that CB2, Man. recommends **approval** of the application provided that the size of the mural is reduced to provide an approximately 2' border and the LPC staff assures that the design conforms to guidelines established for such murals in the district

Vote: Unanimous, with 33 Board members in favor.

- 5 *[102 Greene St.](#) – **Application is to renovate the front and rear façades and install a bulkhead addition on the roof. LAID OVER**

- 6 *[34 King St.](#) - **Application is to demonstrate compliance of the stair bulkhead (penthouse room) as-built with the Certificate of Appropriateness, in response to a Notice of Violation.**

Whereas:

- A The structure is a penthouse room and as built is considerably more than minimally visible, and does harm to the appearance of the building and to the district; and
- B Ample evidence was presented by the applicant, including previously approved plans, that that a sloping roof on the penthouse would reduce the penthouse to be minimally visible or not visible at all; and
- C There was considerable opposition from the community to the legalization of the penthouse on account of its visibility; and
- D The applicant represented that violations with respect to the fresh air intake enclosure and air handler have been cured without having offered photographic evidence of the present condition; and

- E The required rooftop guard rail is being moved to a position where it is not visible; and
- F The applicant represented that the repointing of the brick had been approved by staff; now

Therefore be it resolved that CB2, Man. recommends:

- A **Denial** of the application to legalize the as built condition of the penthouse, and further recommends that a design and photographs of a mockup, for a non-visible or minimally visible modification be presented to the CB2 Landmarks Committee for evaluation and recommendation before a hearing before the Commission; and
- B **Approval** of the position of the roof railing; and
- C **Approval** of the fresh air intake if it does not extend over the property line, the air handler, and the pointing, provided that staff affirms that they are as represented.

Vote: Unanimous, with 33 Board members in favor.

- 7. ***59 Bleeker St. - Application is to revise LPC approved design, including enlarging one bay of storefront on Lafayette St. by 3'-6" and enlarging the size of the rooftop equipment screen by 11" in height and 9'-0" in width.**

Whereas:

- A The increase in the bay on Lafayette Street façade leaves a pilaster defining the separation between the two sections of the building enhances the design for the building; and
- B The modified design of the mechanical screen is an improvement in that it is, though higher, less deep and therefore less obtrusive; now

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

Vote: Unanimous, with 33 Board members in favor.

- 8 ***15 Barrow St. – Application is to replace non-compliant bracket sign with a sign meeting DOB regulations.**

Whereas:

- A The applicant represented that the sign is in violation due to the zoning regulating a commercial establishment in a residential street; and
- B The building has an unusual amount of interesting decorative detailing on the façade and, in an effort not to cover the detailing and conform to zoning regulations, the proposal is for a vertical sign 12" X 8'-10" high which is obtrusive, out of character for the building and the streetscape and does great harm to the neighborhood; and
- C A smaller, discreet blade sign mounted at the second floor level at the edge of the building (with a waiver granted if necessary) would not detract from the detailing and would preserve the quality of the building and the streetscape; now

Therefore be it resolved that CB2, Man. recommends:

Denial of the application and:

Recommends that in its place a discreet, smaller blade sign be installed at the edge of the building.

Vote: Unanimous, with 33 Board members in favor.

9 ***30 W. 8th St.** Application is to install an ADA-compliant ramp on the MacDougal St. façade.

Whereas:

- A The applicant represented that there is not sufficient space for a perpendicular ramp and that lowering the doorway to grade is not possible on account of the construction of the building.
- B The proposed ramp sits generally within the existing fence which will be moved minimally further from the building in some areas, along the MacDougal Street façade; and
- C The existing double doors do not conform to ADA regulations and the proposal is to replace the doors with one 3' wide suitable door an unsuitably narrow sidelight; and
- D The fence will have an operable gate that blends into the design of the railing, to be open during business hours of the shop; now

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

- A **Approval** of the ramp and moving the fence, provided the applicant receives approval from the applicable agency and the City, who is the neighboring property owner; and
- B **Denial** of the doorway infill, unless its width is increased to fill the opening, or it is centered with wider framing

Vote: Unanimous, with 33 Board members in favor.

10. ***55 Christopher St. – Application is to remove existing swinging gate at main entrance and existing flush awnings from the main entrance door and 1st floor windows, existing blade and wall mounted signage, install retractable awnings and signage at the main and 2nd floor windows and above basement level entrance, and add a wall mounted directory sign with removable plates (for 2nd & 3rd floor retail tenants) at the right side of the main entrance door.**

Whereas:

- A The building is an elegant, well preserved row house in a prominent, open location opposite a park and adjacent to a cultural landmark; and
- B The existing awnings and plaques are unsuitable to the architecture and not historically correct; and

- C The proposed awnings and plaques were presented only in elevations without sections or renderings depicting the design and detailing, and the design was not sufficiently clarified by the vague oral descriptions by the applicant; and
- D The signage lettering was shown only with generic representations of the wording with no indication of color and font; and
- E The awnings, which obscure the historic windows and plaques appear to be only more refined versions of the existing ones and are no more suitable to the building than the existing ones that have been found to be in violation; and
- F The necessary goal of identifying the commercial tenants in the building would be better accomplished by signage in the windows, rather than awnings and plaques that have no historical reference and detract from the beauty and integrity of a well preserved historical building; now

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

Vote: Unanimous, with 33 Board members in favor.

QUALITY OF LIFE

New Applications for revocable consents to operate an unenclosed sidewalk café for:

1. **Sal’s Family Pizza, Inc., d/b/a Sal’s Pizza, 384 Broome St. between Mulberry and Mott with 6 tables and 12 chairs (10434-2017-ASWC)**

Whereas, the applicant did not appear to speak to this application; and

Whereas, a committee member expressed concern that the sidewalk café is currently in operation and documented several violations of sidewalk café regulations, now

Therefore Be It Resolved that CB2, Man. recommends **denial** of a sidewalk café for **Sal’s Family Pizza, Inc., d/b/a Sal’s Pizza, 384 Broome St.** with 6 tables and 12 chairs.

Vote: Unanimous, with 33 Board members in favor.

New Assignment for revocable consent to operate an unenclosed sidewalk café for:

2. **153 Elizabeth Hotel, LLC, d/b/a The Nolitan Hotel, 30 Kenmare St. between Elizabeth and Mott Sts. with 14 tables and 42 chairs (9716-2017-ASWC)**

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

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

Whereas, the applicant indicated that they intended to adhere to all the stipulations agreed to in the prior owner’s SLA application; and

Whereas, the applicant agreed that the café furniture will be stored within the restaurant overnight and all planters pushed up against the storefront; now

Whereas, one letter was received in opposition from a community member;

Therefore Be It Resolved that CB2, Man. recommends **approval** of a sidewalk café for **153 Elizabeth Hotel, LLC, d/b/a The Nolitan Hotel, 30 Kenmare St.**, with 14 tables & 42 chairs, provided that the aforementioned conditions are met, and that the application conforms with all applicable zoning and sidewalk café laws.

Vote: Unanimous, with 33 Board members in favor.

3. Application for a revocable consent to construct, maintain and use a new stoop, steps, and fenced-in area at 57 Horatio Street.

Whereas, no member of the public appeared to speak in opposition to the application; and

Whereas, the plans presented by the applicant indicate that the proposed stoop would be consistent with other stoops on the block and meets all clearance requirements; and

Whereas, the proposed stoop has been approved by the Landmarks Preservation Commission; now

Therefore Be It Resolved that CB2, Man. recommends **approval** to construct, maintain and use a new stoop, steps and fenced-in area at 57 Horatio Street.

Vote: Unanimous, with 33 Board members in favor.

Street Activity Applications

1. Sunday, 8/27/17 – Draft Den, East 4th St. between Broadway and Lafayette St.

Whereas, the applicant wishes to transform the sidewalk and curb lane outside the AOL Build space into a “purple carpet” experience with branded imagery and Instagram-ready photo booths to attract more guests and encourage participation; and

Whereas, the applicant wishes to begin set-up for this event at midnight the night before and the event would last from noon until 8:00 PM; and

Whereas, the noise from this late night set-up will be an impediment to sleep for many neighboring residents; and

Whereas, members of the community spoke about how this area is already used by AOL to usher high-profile guests into and out of their waiting private cars; and

Whereas, AOL currently blocks access to the sidewalk in order to escort these high-profile guests using stanchions and security guards, and

Whereas, the applicant anticipates a crowd of up to 1,000 people for this event; and

Whereas, the opposite sidewalk from this proposed event is currently being used by striking workers at the Spectrum storefront and the NYPD has set up numerous corrals for these workers; and

Whereas, the streets and sidewalks around this event are often highly congested and have been increasingly closed for a variety of reasons and these closures should be minimized whenever possible and this event does not warrant another unnecessary sidewalk and curb closure; and

Whereas, this application is part of an ever increasing trend to commercially exploit the Village, NoHo, Little Italy and SoHo with a bombardment of requests to use public space for private commercial use while the aforementioned communities receive nothing in exchange but crowds, noise, garbage, congestion, public urination, melées and the like; now

Therefore Be It Resolved that CB2, Man. recommends denial of the **Draft Den, East 4th St. between Broadway and Lafayette St**, on August 27, 2017.

Vote: Unanimous, with 33 Board members in favor.

2. Saturday, 9/2/17 – Moroccans and Their Friends Street Festival; Great Jones Street between Broadway and Lafayette.

Whereas, the applicant did not appear to speak on behalf of this application; now

Therefore Be It Resolved that CB2, Man. recommends **DENIAL** of the **Moroccans and Their Friends Street Festival**; Great Jones Street between Broadway and Lafayette on September 2, 2017.

Vote: Unanimous, with 33 Board members in favor.

3. Thursday, 9/7/17 – BERENIK Spring 2018 Fashion Presentation, Broome Street between Crosby and Lafayette Streets.

Whereas, the applicant is a fashion brand that recently opened a flagship store on this block of SoHo; and

Whereas, the applicant intends to use 80 live models to position themselves approximately 20 feet apart around this block, wearing the Spring 2018 collection, and dance about in one set spot while public attendees are invited to mill around looking at the models for a period of approximately one hour; and

Whereas, the applicant wishes to use live bongo-like musicians to accompany the event but will not use amplified sound; and

Whereas, Fall Fashion Week is a highly-produced event that offers fashion designers an opportunity to showcase their collection in private spaces that do not exploit the highly trafficked sidewalks and streets of SoHo; and

Whereas, the Street Activity Permit Office (SAPO) granted a permit, despite CB2's objection, to the Rebecca Minkoff fashion showcase last year which created unbelievable congestion in this area of SoHo during fashion week; and

Whereas, this application is part of an ever increasing trend to commercially exploit the Village, NoHo, Little Italy and SoHo with a bombardment of requests to use public space for private commercial use while the aforementioned communities receive nothing in exchange but crowds, noise, garbage, congestion, public urination, melées and the like; now

Therefore Be It Resolved that CB2, Man. recommends denial of the BERENIK Spring 2018 Fashion Presentation on September 7, 2017.

Vote: Unanimous, with 33 Board members in favor.

4. Friday-Sunday, 9/8-10/17 – Dizon Inc – Mansur Gavriel Fashion Show, Wooster Street between West Houston and Spring Sts.

Whereas, the applicant did not appear to speak on behalf of this application; and

Whereas, Fall Fashion Week is a highly-produced event that offers fashion designers an opportunity to showcase their collection in **private** spaces that do not exploit the highly trafficked sidewalks and streets of SoHo; and

Whereas, the Street Activity Permit Office (SAPO) granted a permit, despite CB2's objection, to the Rebecca Minkoff fashion showcase last year which created unbelievable congestion in this area of SoHo during fashion week; and

Whereas, this application is part of an ever increasing trend to commercially exploit the Village, NoHo, Little Italy and SoHo with a bombardment of requests to use public space for private commercial use while the aforementioned communities receive nothing in exchange but crowds, noise, garbage, congestion, public urination, melées and the like; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of the **Dizon Inc – Mansur Gavriel Fashion Show** on Wooster Street between West Houston and Spring Sts. On September 8-10, 2017.

Vote: Unanimous, with 33 Board members in favor.

5. Tuesday, 9/12/17 – Kia Stinger Red Carpet Event, West 11th Street between Washington and Greenwich Sts.

Whereas, the applicant wishes to produce a large street event requiring the full closure of this residential street from midnight to 6 PM to promote the launch of a new model Kia car by filming celebrities driving the cars up and down this block; and

Whereas, this event will require the overnight construction of a large truss and a stage and press platform that will be 16 feet by 12 feet by 2 feet tall; and

Whereas, the applicant will set-up a red carpet area with a step and repeat photo banner, and Kia branding throughout the area; and

Whereas, this is a quiet, residential block with few, if any, businesses; and

Whereas, this is one of only a few access streets to the west side highway and closing it for the entire weekday would create a great disturbance; and

Whereas, this application is part of an ever increasing trend to commercially exploit the Village, NoHo, Little Italy and SoHo with a bombardment of requests to use public space for private commercial use while the aforementioned communities receive nothing in exchange but crowds, noise, garbage, congestion, public urination, melées and the like; now

Therefore Be It Resolved that CB2, Man. recommends **DENIAL** of the Kia Stinger Red Carpet Event, West 11th Street between Washington and Greenwich Sts on September 12, 2017.

Vote: Unanimous, with 33 Board members in favor.

6. Thursday, 9/14/17 – Baja East Fashion Show, Crosby Street between Prince and Spring Sts.

Whereas, the applicant did not appear to speak on behalf of this application; and

Whereas, Fall Fashion Week is a highly-produced event that offers fashion designers an opportunity to showcase their collection in **private** spaces that do not exploit the highly trafficked sidewalks and streets of SoHo; and

Whereas, the Street Activity Permit Office (SAPO) granted a permit, despite CB2’s objection, to the Rebecca Minkoff fashion showcase last year which created unbelievable congestion in this area of SoHo during fashion week; and

Whereas, this application is part of an ever increasing trend to commercially exploit the Village, NoHo, Little Italy and SoHo with a bombardment of requests to use public space for private commercial use while the aforementioned communities receive nothing in exchange but crowds, noise, garbage, congestion, public urination, melées and the like; now

Therefore be it resolved Therefore Be It Resolved that CB2, Man. recommends **denial** of the Baja East Fashion Show, Crosby Street between Prince and Spring Sts on September 14, 2017.

Vote: Unanimous, with 33 Board members in favor.

7. Saturday, 9/16/17 – The Montessori School Fall School Festival; Sullivan Street between Spring and Broome Sts.

Whereas, the applicant did not appear to speak to this application; now

Whereas, the two letters received from neighboring residents in support of this application citing the applicant’s outreach to the community and reputation as a great neighbor; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of The Montessori School Fall School Festival; Sullivan Street between Spring and Broome Sts. on September 16, 2017 because the applicant did not appear at the meeting.

Vote: Unanimous, with 33 Board members in favor.

8. Sunday, 9/24/17 – Il Buco Pig Roast; Bond St. between Bowery and Lafayette Sts.

Whereas, the event consists of a fire pit or smoker that cooks one-two pigs; cooking begins between 1:00 and 2:00 a.m. and concludes at about noon; the event is open to the public from 1:00 to 6:00 p.m.; beer, wine and lemonade are sold in a special area immediately in front of the restaurant; beverages are sold by the serving; serving and seating areas are arranged along the sidewalk in front of adjoining buildings; street closure is limited to one half of the street, so traffic will not be impeded in the rest of the roadbed; and

Whereas, 3 members of the public spoke about how this event has been conducted in previous years, especially regarding smoke from the fire pit causing apartments and clothes smelling of pig smoke and placement of service areas, tables and chairs on the sidewalk and/or in the curb lane in front of businesses and buildings that did not want aspects of the event in front of their premises; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of the Il Buco Pig Roast; Bond St. between Bowery and Lafayette Sts. on September 24, 2017.

Vote: Unanimous, with 33 Board members in favor.

9. Sunday, 9/24/17 – Women’s March Alliance First Freedoms Festival, East 10th Street between University Place and Broadway.

Whereas, the applicant hopes to host this event promoting local non-profit organizations and celebrating freedom of expression with various local artist stands and activities for children and families; and

Whereas, the applicant will have street dancing by local dance troupes that will not require a stage and only use light amplified sound; now

Therefore Be It Resolved that CB2, Man. recommends approval of the Women’s March Alliance First Freedoms Festival; East 10th Street between University Place and Broadway on September 24, 2017.

Vote: Unanimous, with 33 Board members in favor.

10. FYI/Renewal Street Activities

- **Saturday, 9/23/17 – Village Alliance Astor Live, Astor Place Plaza.**
- **Saturday, 10/14/17 – Tavern on Jane 21st Annual Block Party, Jane St. between 8th Avenue and Hudson St.**
- **Saturday, 10/21/17 – Marco Polo 2017, Grand Street between Mott and Mulberry Sts.**

Therefore Be It Resolved that CB2, Manhattan recommends approval of these subject renewals.

Vote: Unanimous, with 33 Board members in favor.

11. Thursday, 10/31/17 – NYU and CB2 Children’s Halloween Parade, West 3rd Street between LaGuardia Place and Mercer Street.

No resolution was passed because CB2 is a co-sponsor of the application and does not take a position on its own application.

SLA LICENSING

1. Boqueria Soho, LLC, d/b/a Boqueria, 171 Spring St. 10012 (OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a corporate change to an existing restaurant on premise liquor license SN# 1210705 (Exp: 9/30/18) for a “Spanish tapas-style restaurant;” and,

ii. Whereas, this application is for an existing restaurant on premise license in a mixed use building on Spring St. between Thompson St. and West Broadway (Block 502/Lot 41) for a roughly 3,500 sq. ft. premise (ground floor 2,300 sq. ft., basement 1,200 sq. ft.); there are 20 tables and 44 table seats, 1 standup bar with 5 seats, and one kitchen counter with 5 seats for a total of 54 seats; there is no outdoor seating, a Certificate of Occupancy was presented; and,

iii. Whereas, the hours of operation will be 10AM to 12AM, seven (7) days a week (all patrons will be cleared from the premises and no patrons will remain after stated closing time), all doors will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant executed 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. Premise will be advertised and operated as a Spanish tapas restaurant.
2. The hours of operation will be from 10AM to 12AM seven (7) days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge,” tavern or sports bar.
4. The premise will have no more than one (1) television, no larger than 46” (& no projectors).
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. The premises will close all doors & windows at 10PM every night.
10. The premises will not have French doors, operable windows or open facades.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will continue to maintain appropriate soundproofing and will continue to maintain the soundproofing on the ventilation system.
14. Will not seek to obtain a sidewalk café permit or otherwise install outdoor seats or service.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a corporate change for the existing restaurant wine license for **Boqueria Soho, LLC, d/b/a Boqueria, 171 Spring St. 10012 (OP – Restaurant) 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 33 Board members in favor.

2. Local & Vine, Inc. d/b/a Local & Vine, 282 Hudson St. 10013 (RW – Wine Bar)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee

to present an alteration application for an existing restaurant wine license SN# 1296773 to incorporate a Sidewalk Café of 209 sq. ft. with (9) tables and 18 seats; and,

ii. Whereas, this the existing restaurant wine license is for a “reasonably priced neighborhood wine bar specializing in New York State products” in a mixed-use building on Hudson St. at the corner of Dominick Street between Dominick and Spring Streets (block 579/lot 1); a roughly 1,200 sq. ft premise with 9 tables and 18 table seats and 1 stand-up bar with 8 seats for total interior seating of 26; and,

iii. Whereas, the hours of operation for the interior restaurant remain 12PM to 12AM Sundays, 4PM to 12AM Mondays, Tuesdays, and Wednesdays, 4PM to 2AM Thursdays, and 12PM to 2AM Fridays and Saturdays (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), all doors and windows will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the sidewalk café will close by 10PM Sunday through Thursday and 11PM on Friday and Saturday (all tables and chairs will be removed at this hour).

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

1. Premise will be advertised and operated as a Wine Bar.
2. The hours of operation will be 12PM to 12AM Sundays, 4PM to 12AM Mondays, Tuesdays, and Wednesdays, 4PM to 2AM Thursdays, and 12PM to 2AM Fridays and Saturdays 10AM to 4AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge,” tavern, or sports bar.
4. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
5. The operate a sidewalk café no later than 10PM Sundays through Thursdays, and 11PM on Fridays and Saturdays. All tables and chairs will be removed at this hour.
6. The premises will play quiet ambient-recorded background music only on the interior. 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.
7. The premises will not have DJ’s, live music, cover charges or promoted events.
8. The premises will close all doors & windows at 10PM every night and anytime there is amplified music.
9. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
10. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
11. All other previously existing stipulations remain in place except where they specifically concern a sidewalk café.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration for the existing restaurant wine license for **Local & Vine, Inc. d/b/a Local & Vine, 282 Hudson St. 10013** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 33 Board members in favor.

3. BL 55 Greenwich NY LLC d/b/a Bluestone Lane, 55 Greenwich Ave. 10014 (RW – Corporate Change SN#1278134)

i. Whereas, the attorney for the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a corporate change application to the Liquor Authority for an existing Restaurant Wine License SN#1278134 to continue to operate a full service restaurant/café specializing in coffee (Australian style) with an existing sidewalk café; the corporate change will result in Bluestone Lane Holdings, LLC with 100% interest in BL 55 Greenwich NY LLC; and,

ii. Whereas, the current license is for an existing Restaurant Wine License SN#1278134; the premises is in a mixed use commercial/residential building in a mixed-use residential district located on the ground floor on the Southeast corner of Greenwich Ave and Perry St. for a roughly 1,032 sq. ft. premise (ground floor only) with a diagram indicating 14 tables and 48 seats, one window counter with 8 seats and one bar with 7 seats for a total of 63 interior seats; the premises also includes a licensed New York City Department of Consumer Affairs sidewalk café which has 9 tables and 24 Chairs; (there is another outdoor side/backyard area with access from the interior premises but there is no current permit or certificate that permits use of that outdoor side/backyard area for eating and drinking and the applicant has agreed not to use the exterior side/backyard for any purpose until the proper permits and certificates are granted and until he has properly notified and presented to CB2, Man. and the SLA a future alteration application to use this side/backyard outdoor area – CB2 has made no representations that it will make any affirmative recommendations as this is an interior courtyard style space surrounded by residential units); there is an existing certificate of occupancy; and,

iii. Whereas, the hours of operation of the interior of the premises will be no earlier or later than 8 am to 12 am (midnight) 7 days a week, the sidewalk café will close at 10 pm each night and all tables and chairs will be removed at that time, there are no other outdoor areas included in this application, all doors and windows will be closed by 9 pm daily on the Perry St. side of the premises and at 10 pm on the Greenwich Ave side of the premises, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, there will be no change in the method of operation and there is an existing stipulations agreement in place, all existing stipulations to remain in place and the applicant also executed a new stipulations agreement with CB2 reaffirming the prior stipulations and further agreeing the existing stipulations would continue to be attached and incorporated into the method of operation on the existing restaurant wine SLA license reflecting the corporate change stating that:

1. Premise will be advertised and operated as a full service restaurant/café with specialty coffee (Australian Style).
2. The hours of operation will no earlier or later than 8AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times. The premise currently closes earlier than their stipulated hours.
3. The premises will operate as a full service restaurant/café with specialty coffee (Australian Style), 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 premise will not have televisions.
6. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.

7. The premises will operate their sidewalk café no later than 10 PM 7 days a week (no patrons will remain in sidewalk café after sidewalk café closing hour). The Sidewalk café will not open on Sundays until 12PM. The current application includes a sidewalk café with 9 tables and 24 Seats as the only outdoor seating.
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. All doors and windows on the Perry St. side of the premises will be closed at 9 pm every night; The Perry St. Door will be for emergency egress only; All doors and windows on the Greenwich Ave side of the premises will be closed at 10 pm every night; doors will not be propped open after those hours.
11. Rear terrace outdoor area is not included in this application and is not for patron use. There is no backyard garden, side yard or rear terrace included in this application.
12. The Sidewalk Café will always be set up to plans on file with the New York City Department of Consumer Affairs and specifically will not obstruct the Perry St. side sidewalk walkway.

iv. Whereas, there were concerns voiced by a member of the Committee that the applicant was not abiding by their prior stipulations in that the sidewalk café and seating for patrons extended too far out onto the public sidewalk, blocking pedestrian traffic and failing to provide a proper corridor width for pedestrians, especially older pedestrians traveling upon the sidewalk; and

v. Whereas, because no manager or principal appeared on behalf of the applicant to address those concerns, this failure to appear for that purpose also raised concerns even though the lawyer who appeared indicated that he would bring up and address those concerns with the applicant and business management;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the corporate change application for the existing restaurant wine license, SN#1278134 for **BL 55 Greenwich NY LLC d/b/a Bluestone Lane, 55 Greenwich Ave. 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 33 Board members in favor.

4. BL 30 Carmine NY LLC, d/b/a Bluestone Lane, 30 Carmine St. 10014 (RW – Corporate Change SN#1292707)

i. Whereas, the attorney for the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present a corporate change application to the Liquor Authority for an existing Restaurant Wine License to continue to operate a full-service restaurant/café specializing in coffee (Australian style) with an existing sidewalk café; the corporate change will result in Bluestone Lane Holdings, LLC with 100% interest in BL 30 Carmine NY LLC; 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 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, there is an existing stipulations agreement in place, all existing stipulations to remain in place, and the applicant also executed a new stipulations agreement with CB2 reaffirming the prior stipulations and further agreeing the existing stipulations would continue to be attached and incorporated into the method of operation on the existing restaurant wine SLA license reflecting the corporate change 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 voiced by a member of the Committee that the applicant was not abiding by their prior stipulations in that the business had scheduled a live band playing live music on the public sidewalk in front of the premises the prior weekend in derogation of their prior stipulations agreement; and

vi. Whereas, because no manager or principal appeared on behalf of the applicant to address those concerns, this failure to appear for that purpose also raised concerns even though the lawyer who appeared indicated that he would bring up and address those concerns with the applicant and business management;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the corporate change application for the existing restaurant wine license, SN#1292707 for **BL 30 Carmine NY LLC, d/b/a Bluestone Lane, 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 SLA Restaurant Wine license.

Vote: Unanimous, with 33 Board members in favor.

5. Anyway Soho, Ltd, (fka Svetlana Sky or Corp. to be formed), d/b/a Fork and Parrot, 519 Broome St. 10013 (New OP – Previously Unlicensed)

i. Whereas, the applicant and her representative appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present a for an on-premise liquor license to operate a café/restaurant with late night hours until 4 AM in a ground floor storefront previously operated for many years as a Laundromat in a five-story building located on Broome Street between Sullivan St. and Thompson St. for a roughly 950 sq. ft. premise with 8 tables and 30 seats and 1 bar with 8 seats for a grand total of 38 seats; and,

ii. Whereas, the current application does not include outdoor patron service to a sidewalk café or other outdoor area at this time, but the applicant’s lease includes an adjacent parking area east of the building which the applicant plans to use in the future but was not forthcoming about those future plans, how it planned to access that outdoor area or the potential impact on their residential neighborhoods living in the immediate area; and,

iii. Whereas, there is no plan to install soundproofing but the Applicant does plans to install French doors running along the front façade of the storefront where fixed facades currently exist, and will have live acoustical music with piano, vocal and strings but no drums between the hours of 9PM to 12 AM nightly; and.

iv. Whereas, the Applicant and another representative/attorney previously appeared before Community Board 2, Manhattan’s SLA Licensing Committee in August and September of 2013 with a similar application but later withdrew that application after it was clear that an eating and drinking establishment was not permitted at the storefront in question, the Certificate of Occupancy for the premises indicating a “use group 16” for a commercial Laundromat; and,

v. Whereas, at that time the Applicant claimed that she would be seeking a “letter of no objection” from the NYC Buildings Department but when the applicant applied in August 2013 for a “letter of no objection” from the NYC Dept. of Buildings for an eating and drinking establishment “use group 6”, that application was denied on August 8, 2013; and,

vi. Whereas, the Applicant currently presents a Certificate of Occupancy that permits a “store” on the first floor with zoning Use Group 6 in a Building Occupancy B, but the building being located in a M1-5B zoned district does not permit eating and drinking establishments, which is why the certificate of occupancy does not specify eating and drinking as it should and the building occupancy “B” specifically does not permit eating and drinking occupancy or use; and,

vii. Whereas, after proposing hours of operation from 8 AM to 4 AM Sunday through Saturday the Applicant later agreed to stop the service of alcohol after 1 AM Sunday through Thursday and after 2 AM Fridays and Saturdays but insisted on remaining open until 4 AM every night, that other than the live acoustical music ending by 12 AM every night the music in the establishment will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music, that there will be no d.j.s, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no T.V.’s but there will be occasional private parties; and,

viii. Whereas, this application being subject to the 500-foot rule and requiring the Applicant to establish the public interest standard there being 20 On-Premise Liquor Licenses within 500 ft. of the storefront premises, 36 On-Premise Liquor Licenses within 750 ft. of the storefront premises and 5 additional pending On-Premise Liquor Licenses; and,

ix. Whereas, this application being subject to the 200 foot rule there being the Unity High School at the Door located at Broome and Sixth Avenue 180 feet from the storefront's premises; and,

x. Whereas, this storefront location immediately abuts two congested intersections of Watts St. and Sullivan St. and Watts St., Broome St. and West Broadway, due to this being a major route to the Holland Tunnel which is often gridlocked throughout the day and night; and,

xi. Whereas, residents living immediately adjacent to the premises submitted correspondence in opposition to this application and others also spoke in opposition to this application back in 2013 and again in 2017, there being pending complaints to the NYC Department of Building, that the storefront premises was improperly being converted to a restaurant contrary to zoning, that when the restaurant was first pitched to the community it was described as a small quiet Greek restaurant without stating the hours of operation until 4AM, that 4 AM closing hours for a location previously operated as a Laundromat closing by 7 PM every night was unreasonable and a disaster for residents living in the area, that none of the existing restaurants in the immediate area have operating hours after 12 AM and that the area is not a nightlife area so that the late operating hours proposed herein would have a deleterious effect on the residents living in the area; and,

xii. Whereas, the applicant did present a petition in support of the application and one person appeared in support, albeit he was not clear as to his connection with the Applicant and application, and a letter from a local condominium association but it was not clear that the condominium board was aware of the proposed 4 AM closing; and,

xiii. Whereas, CB2, Man. is concerned regarding this application for many reasons, including **(1)** the information and inconsistencies presented in 2013 and again in 2017 as to what the true method of operation would be at this location; **(2)** the Applicant's insistence on operating until 4 AM every night having previously presented a "24 hour restaurant"; **(3)** in supporting materials presented in 2013 that stated "The star of the lineup is alcohol" including "Infused vodkas-including apricot, black currant, and lychee [which] can be ordered as shots or in carafes that come in big (16 oz.) or small (8 oz.) sizes"; **(4)** this being a previously unlicensed location in a saturated area with alcohol being the primary driver of this establishment; **(5)** the hours of operation are more reflective of late night revelry which is certainly plentiful in the area and not consistent with a restaurant operation; **(6)** this operation as described will have a significant impact on traffic in the area; **(7)** late night hours would have a significant impact on the quality of life through drunken patrons leaving the premises **(8)**; the Applicant was not forthright and transparent about her planned use of the adjacent outdoor area where there is a doorway leading directly from the premises exists thereat; and,

xiv. Whereas, these premises being located in an area zoned M1-5B there also remain serious concerns about whether the proper permits are in place to operate an eating and drinking establishment at these premises, the certificate of occupancy not specifically identifying eating and drinking as a permitted use and occupancy;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new on-premise liquor license for **Anyway Soho, Ltd, (fka Svetlana Sky or Corp. to be formed), d/b/a Fork and Parrot, 519 Broome St. 10013**; and

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. requests the SLA conduct a measurement and review of the Unity High School at the Door sited at the corner of Broome Street and Sixth Avenue to determine whether this Application violates the 200 foot rule; 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, Man. requests that the SLA conduct a 500 foot hearing; 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.

Vote: Unanimous, with 33 Board members in favor.

6. Alta Cucina, LLC, d/b/a TBD, 260 6th Ave. 10014 (New OP – Restaurant)

i. Whereas, the Applicant and her Representative appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for an on premise license to operate a full service chef driven restaurant serving Northern Italian fare in three separate storefronts in a six-story residential tenement style building located on Sixth Avenue between Bleecker and West Houston Street in a historic district of Greenwich Village; and,

ii. Whereas, each of the three separate storefronts have French doors that permit the operator to open the entire façade of each storefront to the public sidewalk, where there is also extensive outdoor seating by means of three sidewalk cafes, the three storefronts being located immediately below a large residential building; and

iii. Whereas, the application provided to CB2, Man. was incomplete and failed to provide seating diagrams for the inside and outside for each of the three separate storefronts, the application stating only that the entire sq. ft. of the premises is 4,250 sq. ft., with 1,750 sq. ft. on the first floor, 2,500 sq. ft. in the basement and 1,000 sq. ft. for the sidewalk café, two entrances, four bathrooms, 25 tables with 110 seats and 2 bars with 16 seats, no TVs, no security, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j.s, no scheduled performances or cover fees, no velvet ropes, no movable barriers but there will be private parties; and

iv. Whereas, during their presentation to CB2, Man. it was stated that there would be 43 sidewalk café seats and 57 interior seats and a private dining room in a back room, none of the statements presented being consistent with their incomplete application, there being a certificate of occupancy presented that permitted eating and drinking on the first floor but only in two of the three storefronts with the Certificate of Occupancy presented for the building permitting residential occupancy only in the third storefront space designated for an apartment; and

v. Whereas, while CB2, Man. has no objection to the full service restaurant presented, the requested hours of operation proposed until 4 AM every night is entirely inconsistent with a full service restaurant and certainly inconsistent with the hours of operation maintained by the full service restaurant that previously co-existed at these premises for many years (Da Silvano Corp. RL 1028415), a restaurant that closed every night at midnight, that the 4 AM hours of operation requested for a restaurant are a non-starter for CB2, Man. and unnecessary and entirely inappropriately for a full service restaurant, especially a business with operable facades and a large sidewalk café; and

vi. Whereas, without any explanation or reasoning as to why a restaurant would need until 4 AM, the Applicant's Representative simply stated that the premises was "grandfathered", that she had already checked with the NYS SLA and that the NYS SLA had already told her that the operations at the premises were not subject to any input from the local Community Board, that her client was entitled to the 4 AM closing hours so there would be compromise in hours of operation and that it did not matter what the Community Board suggested in this particular situation; and,

vii. Whereas, the Applicant's Representative also claimed that even though additional storefronts were added in 2001 to the licensed premises in the years following the issuance of original license to Da Silvano within a single storefront, that all three storefronts were also "grandfathered" and entitled to 4 AM operating hours; and

viii. Whereas, the Applicant's Representative also claimed that the Applicant was entitled to closing hours of the multiple sidewalk cafés until 12 AM during the week and 1 AM on the weekends and refused to negotiate more appropriate hours for the exterior service of alcohol with residents living directly above the cafes; and

ix. Whereas, when an additional storefront was added in 2001 the licensee told CB2 Man. that the operating hours (until 12 AM) would remain be unchanged (and they were); and

x. Whereas, all three storefronts are clearly within 200 feet of the Little Red Schoolhouse, a K-8 school that has operated at the corner of Sixth Avenue and Bleecker Streets since the 1930s, the concept of a grandfathering status for these three storefront premises because the license was first issued in 1975 is somewhat mystifying to CB2 Man., demonstrating that the license was issued in error, the other licensed premises (Bar Pitti) being located adjacent to the three storefront premises in question being for Beer and Wine only; and

xi. Whereas, the presence of the progressive grammar School since 1932 at this corner location (Bleecker and Sixth Avenue) is well documented (See <http://www.nytimes.com/1998/03/29/realestate/streetscapes-little-red-school-house-196-bleecker-street-progressive-education.html>), the main door for the School being on Sixth Avenue within 200 feet of the proposed licensed premises on the same side of the street; and

xii. Whereas, members of the Community living in the building living directly above the multiple storefronts and directly impacted by the operations of the three storefront premises, also appeared in opposition to this application citing their concerns with the late night operations until 4 AM, citing the hours of operation ending at 12 AM by the prior operator, the improper use of and outdoor courtyard leading from the basement used by employees of the business to smoke and to loiter disturbing residents of the building, the use of loud mechanical exhaust fans used by the prior operator that blew smoke and bad smells into the courtyard and the horrendous noise generated by the sidewalk café after the additional storefronts were added to the license and the significant residential population needing to co-exist with the operations; and,

xiii. Whereas, CB2, Man. has serious concerns about whether the proper permits to operate an eating and drinking establishment in all three storefront was properly issued, that any change and increase to late night hours of 4 AM in these storefronts will have a significant, detrimental and unreasonable impact on those living adjacent to and above the three storefronts, there being in addition significant sidewalk café operations and late night outdoor hours proposed until 1 AM, as well as the unreasonable and

inappropriate position taken the Applicant and their Representative thumbing their nose to CB2 Man. and providing an incomplete application while taking the position that it simply does not matter what the Community Board recommends for this particular application; and,

xiv. Whereas, because the application is actually for a chef-driven full-service restaurant, CB2 Man. would provide a more favorable recommendation if the applicant stipulated to more reasonable and appropriate closing hours consistent with a full-service restaurant of 12 PM Sunday through Thursday, and 1 AM Fridays and Saturdays, closed its open facades by 9 PM every night and closed its sidewalk café by 10 PM during the week and 11 PM; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Alta Cucina, LLC, d/b/a TBD, 260 6th Ave. 10014** on its application seeking a new OP 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, Man. requests that the SLA conduct a 500 foot hearing.

Vote: Unanimous, with 33 Board members in favor.

7. GeeBee, LLC, d/b/a N/A, 35 W. 8th St. 10011 (OP – Restaurant w/ customer bar)

i. Whereas, the Applicant and representative appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a “transfer application” of an existing on-premise liquor license SN#1230107 (Exp: 12/13/2017) for a restaurant “that has a very old New York feel”; and

ii. Whereas, the first-floor store front premises is located in a five-story mixed-use building (c1910) in both a designated historic district and a NYC Special Zoning District on West 8th St. between MacDougal St. and the Ave. of the Americas (6th Avenue) (block 572/lot 61). For a roughly 3,700 sq. ft. premise (ground floor 2,200 sq. ft., basement 1,500 sq. ft.); there are 17 tables and 78 table seats proposed and 1 standup bar with 13 seats, for a total patron capacity of 91 seats; there is no outdoor seating and a Certificate of Occupancy was presented; and,

iii. Whereas, there is a long and troubled history with the existing licensee at these premises, with Garrity Walsh Corp. d/b/a Pour George a/k/a Whiskey Social having obtained their existing OP license in 2009 on false pretenses and misrepresentations to the Community and to the Community Board that it would be a food driven full service Irish restaurant supporting Celtic cultural events such as poetry readings and supplemental art exhibits at the time of its initial application process but instead morphed into an alcohol driven sports bar with 14 TVs until 2 AM on Thursdays and 3 AM on Fridays and Saturdays; and,

iv. Whereas, the current applicant in this transfer application is seeking to benefit from those prior misrepresentations by the existing licensee stating that they are entitled to those same late hours simply because this is a transfer application while ignoring all the years of complaints stemming from licensee’s misrepresentations to the Community in the first place; and

v. **Whereas**, the approval of the license in 2009 with late-night hours was based solely the misrepresentation of the current licensee that it would be a full-service restaurant and they never indicated they would be a late night sports bar with 14 televisions as they did; and

vi. **Whereas**, the current Applicant has alternatively and inconsistently described their project as a restaurant, in that it also seeks to operate an alcohol-driven and a late-night oriented craft cocktail bar, the concept of a cocktail bar being entirely inconsistent with the community's interests but a concept which could reasonably be expected to increase the negative impacts and quality of life for the surrounding residential neighbors; and,

vii. **Whereas**, the unusually late hours, granted on the basis of aforementioned false representations, are also out of character with the surrounding streets and neighborhood and have been an ongoing source of negative impacts on community quality of life; and that residents, local business groups, the community board and elected officials have made a particular point of resisting late Thursday hours on West 8th St. in light of the social and economic characteristics of the neighborhood; and,

viii. **Whereas**, SLA 500-foot rule decisions have previously provided the guidance that appropriate restaurant hours for the area in question are typically 11PM and 12PM; and most restaurants in the vicinity do, in fact, close by around 12PM, and Bar/Restaurants by 12PM on Thursdays and 2PM on Friday and Saturday; and that some establishments don't even fully use their originally granted hours out of respect for the community; and,

ix. **Whereas**, despite the established negative impacts on the community of the current hours, and the significant increase in those impacts likely from the differences between the applicant's proposal and previous operators, the applicant seeks the currently licensed for 12PM Sunday through Wednesday, 2AM Thursday, and 3AM Friday and Saturday; and further, the applicant specifically testified that any reduction in hours, no matter how slight, would make their business model unviable; and,

x. **Whereas**, the CB2 Man. would not support a new application for such late hours at this location given the conditions in the neighborhood at this time, and does not believe that the concept of transferring hours is somehow grandfathered into a location is appropriate simply because it existed previously, and especially in this case as those late night hours were approved on false statement made to obtain the original license and the significant divergence between a restaurant and a late night sports bar; and,

xi. **Whereas**, the applicant presenting a petition in support but other residents sent in letters opposing the late night hours and still others appeared in opposition, as well as the West 8th Street Block Association, with the Applicant declining an offer by the West 8th Street Block Association to facilitate a compromise which clearly included a reduction in the late night hours being requested; and,

xii. **Whereas**, CB2 Man. would provide a more favorable recommendation if the applicant stipulated to more the reasonable closing hours of 12 PM Sunday through Thursday, and 1 AM Friday and Saturday;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to GeeBee, LLC, d/b/a N/A, 35 W. 8 th St. 10011 on its application seeking a "transfer application" of on-premise liquor license SN#1230107 (Exp: 12/13/2017); 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, Man. requests that the SLA conduct a 500 foot hearing; and

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

Vote: Unanimous, with 33 Board members in favor.

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

8. Boxing Chicken Soho, LLC, d/b/a N/A, 529 Broome St. (RW - Restaurant) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to withdraw its application from further consideration;

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 **Boxing Chicken Soho, LLC, d/b/a N/A, 529 Broome St. until** the Applicant has properly 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 33 Board members in favor.

9. 9 Crosby, LLC & Interstate Management Company LLC, d/b/a Nomo Soho, 9 Crosby St. 10013 (OP Alteration Hotel—Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to withdraw its application from further consideration;

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 **9 Crosby, LLC & Interstate Management Company LLC, d/b/a Nomo Soho, 9 Crosby St. 10013 until** the Applicant has properly 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 33 Board members in favor.

10. Blokes Retail, LLC, d/b/a N/A, 76 Carmine St. 10014 (OP – Bar/Tavern)(includes Sidewalk Café) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant and his counsel requested to withdraw this application from further consideration, there being no patron bathroom accessible within the premises as previously presented;

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 **Blokes Retail, LLC, d/b/a N/A, 76 Carmine 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 33 Board members in favor.

11. YN Winebar, LLC, d/b/a N/A, 227 Mott St. 10012 (OP – Pub/Tavern) (Transfer OP—laid over at request of Applicant).

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on premise license to September/2017;

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 **YN Winebar, LLC, d/b/a N/A, 227 Mott 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 33 Board members in favor.

12. YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th St. 10003 (OP – Restaurant) (Laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on premise license to September/2017; and

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 **YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th 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 33 Board members in favor.

13. Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013 (OP – Restaurant/Bakery Café) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on-premise license to September/2017;

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 **Sugar Beets, Inc., d/b/a Maman, 237-239 Centre 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 33 Board members in favor.

14. Entity to be formed by Gerard Doyle, d/b/a The Home Place, 228 Thompson St. 10012 (OP - Tavern) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on premise license to September/2017;

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 **Entity to be formed by Gerard Doyle, d/b/a The Home Place, 228 Thompson 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 33 Board members in favor.

15. Great Jones Distillers, LLC, d/b/a Great Jones Distiller, 686 Broadway 10012 (OP – Restaurant) (Live Music & DJs for private events only) (laid over).

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on premise license to September/2017;

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 **Great Jones Distillers, LLC, d/b/a Great Jones Distiller, 686 Broadway 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 33 Board members in favor.

16. Village Restaurant Group, LLC, d/b/a Hudson Clearwater, 447 Hudson St. 10014 (OP – alteration/change in method of operation - extension of hours for sidewalk café SN#1272425)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an alteration application to extend their late night outdoor hours of operation for the existing

sidewalk café which operates under restricted hours through a stipulations agreement; the premises currently holds an on-premise liquor license SN#1272425 for a “neighborhood restaurant serving seasonally & locally sourced New American Fare” that has been in operation for approximately 7 years; and

ii. Whereas, the proposed change in method of addressed by this application is to extend the hours of operation for the Department of Consumer Affairs licensed sidewalk café with 6 tables and 12 seats along Hudson Street from 8AM to 10PM Sunday to Thursday and 8AM to 11PM Friday and Saturday to new operating hours from 8AM to 11PM Sunday to Thursday and 8AM to 12AM Friday and Saturday; and,

iii. Whereas, there exists an adverse history with the use of outdoor space at this location, specifically the use of the rear yard which has created significant quality of life issues for immediate residents; this premise was previously unlicensed prior to opening and there was never any commercial use of the backyard and as part of the process of demonstrating public interest for this location which was previously operated as an insurance agency the Licensee willingly entered in to stipulations which were incorporated into the Liquor License including limited hours of operation in the rear yard garden until 10PM because of the impacts this would have on immediate residents, the specific stipulation from 2009 is “The applicant has agreed to cease operations in the backyard garden by 10:00 p.m. daily”, and

iv. Whereas, (1) at the time of the original application, the Licensee indicated that there would be a future sidewalk café application, but the sidewalk café application was not presented in 2009 as part of the 2009 application, **(2)** the sidewalk cafe was subsequently presented by the Licensee to CB2, Man. in August 2015 after it was submitted to the NYC Department of Consumer Affairs at the time for 6 tables and 12 seats and closing hours were stipulated with CB2, Man. for the sidewalk café to be 10PM Sunday to Thursday and 11PM Friday and Saturday - the Licensee was advised by CB2 at that time that they would need to notice CB2 and submit an alteration application for their liquor license to add the sidewalk café and appear before CB2’s SLA Licensing Committee; **(3)** 6 years has elapsed from the original issuance of the liquor license and no 30-day notice has ever been submitted to CB2 to date for any changes or alterations to the existing liquor license that were filed with the Liquor Authority to add the sidewalk café nor has CB2 ever submitted a resolution to the Liquor Authority regarding the addition of sidewalk cafe; and,

v. Whereas, this Licensee and premises has been the subject of a number of CB2, Man. resolutions over the years and disciplinary proceeding(s) before the Liquor Authority and CB2 respectfully requests that those materials be reviewed for further background to opposition to the change in hours of operation for the sidewalk café; the premises operated as a speakeasy with their operation hidden, operating within what appeared to be a derelict and abandoned storefront with papered over windows with their front door locked during hours of regular operation until 2015, and instead using the rear yard hidden entrance and backyard as the main entrance until 2 am 7 days a week despite the stipulations originally agreed to significantly impacting immediate residents and their quality of life in violation of their existing stipulations, with no signage at all, and which was the subject of protracted proceedings with several weeks of testimony before the Authority; and,

vi. Whereas, a petition in support of changes to the sidewalk café hours of operation was presented and letters of support were presented by the applicant; few of the signatures are from residential tenants who would be impacted; and,

vii. Whereas, a number of people directly impacted appeared in opposition to the change in method of operation and alteration and a number of letters in opposition were received, those who appeared and wrote letters are directly impacted residents living in immediate proximity with windows overlooking the

subject premises and whose residence and residential entrance is immediately adjacent to the sidewalk café; and,

viii. Whereas, the following objections were raised to extending the hours of operation for the sidewalk cafe (1) the existing hours of operation represent a delicate balance between the residential neighbors directly impacted and the operation of the sidewalk café by the restaurant; (2) the current sidewalk café operation does create quality of life issues on a regular basis and does have an immediate and direct impact on the quality of life of the immediate neighbors; the neighbors in the spirit of moving forward despite the significant impacts associated with the creation of this licensed premises where none existed before have accepted the current hours of operation of the sidewalk café as a compromise; (3) the stipulated hours of operation for the sidewalk cafe were entered into again because of opposition to the application to find a balance; (4) the applicant was illegally serving alcohol in the sidewalk café because CB2, Man. was never notified by 30 day-notice of the intent to alter the existing license to add the sidewalk café for alcohol service; (5) immediately abutting neighbors including children still overlook the premises and should not be subject to unreasonable noise after 10PM during the week when many work at early hours and go to school (6) the current sidewalk café immediately abuts the residential entrance to the adjoining residential building and the restaurant overlooks and/or allows patrons to hang things on the low metal fence on the adjacent property which has resulted in broken finials and tying dogs to the fence and allowing patrons to smoke at the tables immediately next to the residential entrance to the adjoining building, this issue has been raised before and no corrective step have been taken; (7) applications from the operators of this premises to alter the method of operation and hours of operation have become an almost annual process of requiring immediate residential neighbors to respond to the operators trying to expand their impact on those immediately impacted residential tenants which is almost bullying in nature and to somehow imply that those tenants should somehow be glad to have this operator who has transformed a once quiet rear yard and sidewalk into an outdoor eating and drinking extension which has repeatedly been used as an argument is insulting; (8) that the impacted residents who have invested in the community, in schools and in raising children in the community should not have to be further impacted by restaurateurs who are not making the same investment across the community; (9) that the original trade off of stipulated outdoor hours of operation for the rear yard and the subsequent agreement on hours of operation for the sidewalk café with CB2, Man. was fair enough even in light of opposition from residential neighbors and that existing Quality of Life impacts should not be extended into later hours of operation; (10) that this operation is far from being a neighborhood destination for local residents as is repeatedly implied and is in fact a destination location which marketed heavily to tourists and out-of-townners through heavy press and marketing; (11) that the immediate local residents being subject to the violations of the original stipulations for operation in the rear yard garden after 10PM for years more than negate any argument for extending any outdoor hours of operation including the sidewalk cafe because it is already clear that operations past 10PM heavily impact the Quality of Life of those residents who overlook this r operation; and,

ix. Whereas, photographic evidence was presented and the Licensee admitted that they have placed additional large benches on a regular basis outside of their licensed sidewalk café along the street facing the sidewalk café further obstructing the sidewalk; the Licensee states no alcohol is served at those benches but pled ignorance to the law that placing additional street furniture on the sidewalk in addition to the 6 tables and 12 seats in front of their sidewalk café was illegal; they stated they have no license for those benches and pay no fees for their use; and,

x. Whereas, CB2, Man. feels the basis of the operators request to extend the hours of operation is flawed and that an extension of hours of operation of the sidewalk café will create an impact on the quality of life where none existed before; the operator relies on the fact that because the operator is currently following their agreed upon hours of operation of the sidewalk café, which represents a compromise between

residents and the operator to in essence “keep the peace” and move forward, that they should be able to extend their hours of operation of the sidewalk café because they have no complaints; the impacted residents have made very clear that they did not make complaints in the spirit of keeping to the agreed upon hours of operation, but easily showed and explained the ongoing impacts from the operation of the sidewalk café; and,

xi. Whereas, CB2, Man. cannot support the alteration application for the foregoing reasons;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application and change in method of operation to extend the hours of operation for the sidewalk cafe for the existing restaurant on-premise liquor license for **Village Restaurant Group, LLC, d/b/a Hudson Clearwater, 447 Hudson St. 10014, SN# 1272425**; and,

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

Vote: Unanimous, with 33 Board members in favor.

17. FT 328C, LLC, d/b/a Bar Veloce, 328 W. 12th St. 10014 (RW – Tavern Wine)

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 tavern wine license for a neighborhood and community oriented wine bar in a five story townhouse (circa 1900) located on the corner of West 12th and Greenwich Streets in a grandfathered commercial space in a historic residentially zoned area; and,

ii. Whereas, this application is for a new Tavern Wine License in a location that was previously licensed and operated as a restaurant Recette (though not currently licensed), the premises is approximately stated to be approximately 700 sq. ft. with 7 tables and 28 seats, 1 stand up bar with 11 seats and window counters with no seats along the west 12th St. facade; there is an existing certificate of occupancy which indicates “eating and drinking space” with a maximum occupancy of 55; and,

iii. Whereas, the hours of operation will be from 3PM to 12AM, 7 days a week (no patrons shall remain at closing), music will be ambient quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the applicant had the previous month in July/2017 presented to CB2, Man. an application for an On-premise License for a tavern, but subsequently withdrew that application in light of overwhelming community opposition and a negative recommendation from CB2; and,

iv. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the new Tavern Wine License stating that:

1. Premise will be advertised and operated as a neighborhood and community oriented wine bar.
2. The premise is located in a residentially zoned area and the operator will at all times be respectful of their residential neighbors.
3. The hours of operation will be from 3PM to 12AM, 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.

4. The food preparation area will remain open and food menu items will be available until closing every night.
5. The premises, or any portion of the premises will not operate as a “lounge” or sports bar.
6. The premise will not have televisions that play any type of broadcast shows. There may be 1 TV screen which show only old Italian “black and white” movies without sound at any time.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
8. There will be no outdoor seating including benches.
9. 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. Licensee will use best efforts to soundproof the premises to ensure noise does not emanate in any direction in violation of the NYC Noise Code. If any windows are open, no music will be audible from outside the premises.
10. The operator will install additional soundproofing along any walls abutting residential premises and offer to all immediately abutting residences including those above to conduct a sound-test prior to opening the establishment and prior to finishing work on walls and ceilings to ensure there will be no sound issues. A sound limiter shall be properly calibrated and installed so that those levels are never exceeded. The invitation to participate in any sound test to neighbors will be extended by email with CB2 copied and also by certified mail.
11. The premises will never have DJ’s, live music, cover charges or promoted events.
12. The windows in the premises along West 12th Street will never be opened at anytime for any reason. In consideration of the residential community, the windows along Greenwich St. will open no earlier than 3PM and will close no later than 7PM and anytime there is music. There will be no French doors, or open facades.
13. The Operator shall hang a sign outside the premises, which shall be legible from 20 feet away, instructing patrons to keep the noise down and to respect the neighbors.
14. Any waiting Patrons will either wait inside the premises or be alerted through a remote messaging system. There will never be any patron lines or patrons waiting outside for entry.
15. Should it be requested, the premises will designate a staff member to ensure that patrons outside are not creating a disturbance and that all patrons smoking outside the premises remain quiet and not disrupt the residential neighbors.
16. There will be no neon signage used either inside or outside the premises.
17. Applicant will not apply for any alteration to the method of operation agreed to by this stipulation without first coming before CB2.
18. With their Attorney present, the Applicant stated that they would never apply for any type of on-premise liquor license.
19. A copy of the executed stipulations will be attached to the liquor license in such a fashion as to be available for review along with the Liquor License.
20. Residents may contact Owner at the phone number listed below. Any complaints will be addressed immediately.

v. Whereas, the applicant met with the local block associations and residents over the course of several months and was available to discuss the many concerns regarding his application and after much discussion and response to the significant concerns from residents agreed to a large number of stipulations with CB2, Man. in order to strike a balance of operating a wine bar/tavern style operation in the heart of a residential community where no such tavern style operation has previously existed; and

vi. Whereas, despite the applicant’s history of operating other licensed premises operating with roughly the same concept albeit with on-premise liquor licenses in other areas, including two locations within CB2, Man., one of which currently operates, there were still great concerns regarding this operation at this

location because his other operations have all been on major Cross-town Streets or Avenues in as of right commercial districts and while they may have no impacts there would certainly have adverse impacts at this location; and,

vii. Whereas, CB2, Man. received a significant number of letters in opposition and petitions in opposition and residents appeared in opposition all explaining in detail how the issuance of a tavern wine license at this location would significantly impact on them directly, most letters and those who appeared live in immediate proximity and would be directly impacted including next door neighbors sharing party walls, neighbors directly across the street and on the same blocks;

viii. Whereas, some of the main complaints were that a wine bar/tavern operation at this location was wholly inappropriate; that the applicants other locations are not in purely residential areas such as this and that a wine bar/tavern as opposed to a restaurant operates in an entirely different fashion and that there would be no question that quality of life would be impacted; the applicant originally presented hours of operation past 2AM and proposed keeping all windows and doors open until 11PM and that even with these reduced hours of operation and closing windows earlier would still create noise impacts; that it was entirely inappropriate to have an operable windows open at this location for a primarily drinking operation at that previous operators of restaurants at this location did not use the windows; a resident who shares a party wall between his home and the proposed premises explained how these two abutting historic buildings have not been adequately soundproofed and for this and other reasons he had been in litigation with the proposed applicants landlord; most residents stated they would not oppose earlier hours of operation such as 10:30 during the week and 11 on weekends, there were concerns that acquiescing to this style of operation would only lead to a future application to upgrade the license and extend the hours of operation; illustrative diagrams were presented showing how licensing a tavern at this location which is known to be a destination location chain of wine bars in lower Manhattan would serve to attract clients who would move through the surround residential area to get to this premises; that property owners in this immediate area had purchased their properties because this immediate area is a residential oasis amid the hustle and bustle of the city with no history of bar and tavern operations at this location and that this type of use would negatively impact their property values; that there are many families in this immediate block and children and that late operating hours in a landmarked residential district would have an adverse impact on those families as a result of ensuing noise from patrons; there was also an significant concern from residents regarding patrons outside the premises either smoking or waiting to come in, it was pointed out that a wine bar/tavern operation has many more standing patrons and therefore a larger capacity which would result in more people on the street out

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Tavern Wine License for **FT 328C, LLC, d/b/a Bar Veloce, 328 W. 12th 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 Tavern Wine License.

Vote: Unanimous, with 33 Board members in favor.

18. 29-33 Ninth Avenue, LLC, d/b/a TBD, 29-35 Ninth Ave. 10014 (OP – Restaurant)

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 on-premise liquor license for a restaurant with background music and private dining space; and,

ii. Whereas, this application is for a new Restaurant On-Premise Liquor License in a location that a portion was previously licensed; the location is on Ninth Avenue between 13th and 14th Street in a

building which has multiple other venues with liquor licenses including a hotel license, a private club license and another restaurant on-premise liquor license; the building in its entirety, all 6 floors and roof, are licensed for the service of alcohol; and,

iii. Whereas, the premises is approximately 7,500 sq. ft. in the basement with a small 500 sq. ft. portion on the ground floor to accommodate the entrance lobby, there are 55 tables and 198 tables seats and 1 standup bar with no seats; the existing certificate of occupancy will be required to be updated as the current basement configuration needs to be altered and the maximum occupancy raised from the current limitation of 134 persons; the applicant stated the certificate of occupancy will be altered prior to them seeking issuance of the proposed license; and,

iv. Whereas, the hours of operation will be Sunday to Thursday from 10AM to 12AM and Friday to Saturday from 10AM to 2AM (no patrons shall remain at closing), music will background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., except as provide for in the stipulations, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

v. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the new Restaurant On-Premise Liquor License stating that:

1. Premise will be advertised and operated as a restaurant with background music.
2. The hours of operation will be Sunday to Thursday from 10AM to 12AM and Friday to Saturday from 10AM to 2AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
7. 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.
8. The premises will not have DJ's, live music, cover charges or promoted events. Exception for DJ will be if there is a private event where the entire restaurant is booked, there may be a DJ. There will be no dancing and music will not be at entertainment levels. There will be no permanent DJ booth or permanent speaker system for the DJ's use. Private Events are of the type where one bill is presented to one client for the whole event time period.
9. All doors and windows will be closed at all times except for patron ingress and egress.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The full dinner menu will be available until closing.
13. There will be no ropes, no security at entrance, and no lines at the entrance in keeping with the restaurant character of the premises. Should there ever be lines, an electronic notification system will be utilized such that waiting clients can be notified by a remote messaging system in order that they not wait outside the premises.
14. Contact information for a manager will be available to residents at all times.
15. Applicant will not apply for any alteration to the method of operation agreed to by this stipulation without first coming before CB2.

16. A copy of the executed stipulations will be physically attached to the liquor license on the premises in such a fashion as to be available for review along with the Liquor License.

vi. Whereas, the applicant met with local residents, however, local residents remained in opposition, primarily citing the hours of operation on the weekend and use of DJ's and that this large venue would further exacerbate the existing noise level from patrons exiting on to the streets in the Meat Packing District, particularly in light of the many licenses in this building and the impact on vehicular traffic at this location and its over all impact on the meat packing district and the residential community to the South and East; they also raised concerns that other venues operated by this applicant have adverse histories with violations, with their local communities and seem to be focal points for where criminal activity occurs or other activities begin according to press reports; and,

vii. Whereas, the applicant did agree to a number of stipulations which are reflected above that were requested by local residents; and,

viii. Whereas, the applicant operates a number of licensed premises within New York City; and,

ix. Whereas, there are currently approximately 26 On Premise Liquor Licenses within 500 ft of the premises, many of which are large multi floor venues and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On-Premise Liquor License for **29-33 Ninth Avenue, LLC, d/b/a TBD, 29-35 Ninth Ave. 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 33 Board members in favor.

19. Mirtos Restaurant, Inc., d/b/a Village Den Restaurant, 225 W. 12th St. 10011 (RW – Restaurant – alteration to extend hours of operation and Class Change to OP)

i. Whereas, a representative of the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an alteration to the existing method of operation and a class change to a full on premises liquor license for an existing restaurant wine license SN#1282600; the Principal was traveling out of the country and unable to attend and the proposed new manager who was going to operate the location was unable to attend; the premises has been operating for 30 years at this location as the Village Den Restaurant but the representative stated that the current operation would be unable to continue operating unless they dramatically changed the operation and that they had brought on a new manger to run the business and make changes; in addition to the class change to a full on-premise liquor license, the representative indicated that they would like to increase the hours of operation to 2AM Sunday to Wednesday and 4AM Thursday to Saturday, install a new bar with 12 seats, change the food menu and perform interior alterations and reconfigure the seating; and,

ii. Whereas, the proposed alterations would result in a premise located in a mixed-use building on the ground floor on West 12th St. between Greenwich Ave and 7th Ave for a 900 sq. ft. restaurant, which currently has 23 tables and 66 seats and 1 service bar which under this proposed change would now have 16 tables and 54 seats and 1 bar with 12 seats; there would continue to be a sidewalk café with 7 tables and 14 seats which will be assigned; there is an existing certificate of occupancy; and,

iii. Whereas, the hours of operation are currently 6AM to Midnight Sunday to Wednesday and 6AM to 1AM Thursday to Saturday;(with no patrons remaining after close and are proposed to now be from 8AM to 2AM Sunday to Wednesday and 8AM to 4AM Thursday to Saturday, all patrons will be cleared and no patrons will remain after stated closing times, music will continue to be quiet background only consisting of music from ipod/cd'scd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM ever night and any time there is music, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's, there will be no use by patrons of the basement; and

iv. Whereas, the representative was unable to articulate many aspects of the application, was unable to address why there needed to be changes to the existing stipulations agreement, and was unable to offer reasons for upgrading the liquor license other than that the current business model was no longer viable, he made it clear that the Principal was relying on the hired manager to transform the business and would not be involved in the day to day operation of the establishment; without the owner available or the manager available, CB2, Man. was unable establish any public interest or benefit for the changes presented as no explanations were provided as to whether there would be impacts on quality of life, noise, traffic etc., and if so what if any steps would be taken to help mitigate those impacts; the representative was unable to even articulate what the food menu would be in detail and provided examples that were clearly not viable in the manner suggested in this area; this premises is currently operated as an unassuming neighborhood bistro/diner; and,

vi. Whereas, while the representative presented both the class change application and alteration application, it was noted that CB2 was improperly notified through a defective 30 Day notice and as a result of the defective notice, CB2's calendar did not contain accurate information regarding what was to be considered and as a result the public was unaware of the extent of the changes proposed; and,

viii. Whereas, there are currently approximately 12 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of **Mirtos Restaurant, Inc., d/b/a Village Den Restaurant, 225 W. 12th St. 10011** on its application seeking an alteration application and a class change to full on-premise liquor; and

THEREFORE BE IT FURTHER RESOLVED that if this application is pursued by the Applicant, despite CB2, Manhattan's recommendation to deny this application, CB2 requests that the SLA conduct a 500 foot hearing; 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 for determination.

Vote: Unanimous, with 33 Board members in favor.

20. La Maison de Makoto, LLC, d/b/a La Maison de Makoto, 74-76 Seventh Ave. South aka 35-37 Barrow St. 10014 (OP – Restaurant)

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 on-premise liquor license for a restaurant where "The Michelin starred Richard Farnabe and top pastry chef Philippe Conticini will bring French menu items, cooked in a Japanese style, where the sophistication and elegance of French cuisine will be

combined with the simplicity and freshness of Japanese food ingredients, focused dishes, refined presentation and healthful emphasis; [They] will serve bite-sized Mochi pastries that are prepared with gelato and wrapped by a sweet thin rice flour dough.”; and,

ii. Whereas, this application is for a new Restaurant On-Premise Liquor License in a previously licensed location (though not currently licensed) located on the corner of 7th Avenue South and Barrow St. with the entrance directly on the corner in a 2 story commercial building on the ground floor and second floor (with accessory use of basement), the building is also known as 74-76 7th Avenue South, the premises is stated to be approximately 2,668 sq. ft. (1,076 sq. ft. ground floor, 736 sq. ft. 2nd floor and 736 sq. ft. cellar) with 12 tables and 26 seats throughout the premises, 1 stand up bar with 10 seats on the ground floor and 1 service bar on the 2nd floor and 1 food counter on the ground floor; there is an existing certificate of occupancy which indicates “eating and drinking use”; there is an existing enclosed sidewalk café to be licensed by the NYC Department of Consumer Affairs which is included in the square footage of the ground floor previously indicated and is included in the total seating; and,

iii. Whereas, the hours of operation will be from Sunday to Thursday from 10AM to 12AM and Friday to Saturday from 10AM to 1AM (no patrons shall remain at closing), music will be ambient quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the new Restaurant On-Premise Liquor License stating that:

1. Premise will be advertised and operated as a French/Japanese restaurant.
2. The hours of operation will be Sunday to Thursday from 10AM to 12AM and Friday to Saturday from 10AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. The 2nd floor windows will remain closed at all times.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The Barrow Street Door will not be used by patrons. It will be used for deliveries only.
13. The advertised address for the business will be 74 7th Ave South. It will not be 35-37 Barrow Street.
14. The bulkhead doors in the sidewalk will remain closed at all times except for deliveries.
15. Employees and Patrons will not smoke on Barrow St. Signage will be posted.

16. There will be no speakers in the enclosed sidewalk café (DCA regulations)
17. v. Whereas, the applicant met with the local block association; CB2 received correspondence from the 7th Avenue South Alliance who met with the applicant and wrote that the tables and chair layout were a concern as these seem more conducive to lounge-type drinking/snacking than eating, a business model which poses greater risk to their quality of life if not expertly managed, but they were assured by the applicants that this would be a very high end restaurant operation and as such they would not be opposed if the applicant adhered to the stipulations the applicant agreed to with the exception that the 7th Avenue South Alliance preferred that the applicant close at midnight on the weekends; and,

vi. Whereas, there are currently approximately 32 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 **La Maison de Makoto, LLC, d/b/a La Maison de Makoto, 74-76 Seventh Ave. South aka 35-37 Barrow 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 33 Board members in favor.

21. Ichiban Nom Nom, LLC, d/b/a Shuraku, 47 8th Ave. 10014 (OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for an on-premise liquor license for a traditional Japanese style grilling restaurant (Sumibiyaki); and,

ii. Whereas, this application is for a new restaurant on-premise liquor license in a previously licensed premise (though not currently licensed) located in a mixed use building on the ground floor and basement on 8th Avenue between Horatio Street and Jane Street for a roughly 1,000 sq. ft. premise with 5 tables and 24 seats and 1 bar with 6 seats, there is no sidewalk café and there are no other outdoor areas for patrons, the applicant provided a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be 11AM to 12AM 7 days a week, 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 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV’s; 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 on-premise liquor license stating that:

1. Premise will be advertised and operated as a traditional Japanese-style grilling restaurant.
2. The hours of operation will be 11AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.

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 on the interior. 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.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.

vi. Whereas, local residents and the Jane Street Block Association appeared in opposition to the application stating that the applicant had not conducted sufficient community outreach to area residents including the very easy to find Jane Street Block Association which was of particular note as the applicant appeared in August, that the hours of operation originally presented until 2AM during the week and 4AM on the weekends were completely out of touch with the area and demonstrated that the applicant had no knowledge of the area, that residents had not had time to consider the applicant, meet with him or review his application and despite the applicants quick willingness to reduce the hours of operation to 12AM, 7 days a week, wanted to layover the application to meet with the applicant; and,

viii. Whereas, there are currently approximately 17 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 **Ichiban Nom Nom, LLC, d/b/a Shuraku, 47 8th Ave. 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 33 Board members in favor.

22. LES Bleecker, Inc., d/b/a N/A, 89 Greenwich Ave. 10014 (OP – Restaurant w/ customer bar)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an on-premise liquor license for "a very friendly and relaxed atmosphere restaurant and bar serving up burgers, sandwiches [that] pride [themselves] on good food and drinks at a great price"; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license in a previously licensed premise (though not currently licensed) located in a mixed-use building on the ground floor and basement on 8th Avenue between Horatio Street and Jane Street for a roughly 2,400 sq. ft. premise (1,500 sq. ft. ground floor and 900 sq. ft. basement – no patron use of basement) with 8 tables and 53 seats and 1 bar with 16 seats for a total of 69 interior seats, there will be a forthcoming sidewalk café application for no more than 8 tables and 16 seats (previously existed); there are no other outdoor areas for patrons, the applicant provided a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be Sunday to Wednesday from 10AM to 12AM, Thursday from 10AM to 1AM and Friday to Saturday from 10AM to 2AM, all patrons will be cleared and no patrons will remain after stated closing times, the Sidewalk Café will close at 10PM Sunday to Wednesday, and 11PM Thursday to Saturday, no patrons will remain in the sidewalk café after the 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 as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; 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 on-premise liquor license stating that:

1. Premise will be advertised and operated as a restaurant serving burgers and sandwiches.
2. The hours of operation will be Sunday to Wednesday from 10AM to 12AM, Thursday from 10AM to 1AM and Friday to Saturday from 10AM to 2AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The Sidewalk Café will close at 10PM Sunday to Wednesday, and 11PM Thursday to Saturday. No patrons will remain in the sidewalk café after the closing time.

vi. Whereas, the applicant contacted the local block associations in the area and received no response, a petition in support was presented; and,

viii. Whereas, there are currently approximately 15 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 **LES Bleecker, Inc., d/b/a N/A, 89 Greenwich Ave. 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 33 Board members in favor.

23. Alfred B., LLC, d/b/a N/A, 531 Hudson St. 10014 (OP – Restaurant w/ customer bar)

i. Whereas, the Applicant and Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license via an asset purchase for a neighborhood restaurant and bar that is inspired by the casual spots in Japan known as Izakayas, there will be a major focus on hospitality and it will be the type of place that people want to come to multiple times a week; and,

ii. Whereas, the two story premises is located in a mixed-use building (c1901) in a designated historic district on Hudson Street between West 10th Street and Charles Street for a roughly 2,000 sq. ft. premise (ground floor & basement 1,000 sq. ft. each); there are 12 tables and 36 table seats and 1 standup bar with 12 seats, for a total of 48 interior seats; the applicant states a letter of no objection exists which provides for no more than 25 persons in the basement and 30 persons on the ground floor at any time; the applicant also states there is a small outdoor area in front with 4 seats that it believes to be within their property line, but was unable to provide any proof or documentation establishing this fact except stating they were told this is the case, no previous license holders at this location have indicated that this is the case and the adjoining business holds a license from the NYC DCA to operate a sidewalk café in the comparable space in front of their establishment; and,

iii. Whereas, the proposed hours of operation are Sunday to Thursday from 12PM to 2AM and Friday to Saturday from 12PM to 4AM, 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 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV’s; and,

iv. Whereas, a number of local residents appeared in opposition to the application as presented, specifically the late hours of operation during the week and especially the weekends; they stated that neighborhood restaurants in the area do not operate until 2AM during the week and 4AM on the weekends, they stated that operating until those hours to serve other chefs after those chefs get off work is not reason enough to support those later hours of operation that result in dramatic impacts on quality of life, they expressed that no matter the experience of the operators or their backgrounds, late night hours of operation bring associated impacts from noise, rowdy patrons, patrons loitering outside smoking and impacts on traffic as they result from taxis and for hire vehicles circling and stopping in front the premises to solicit patrons among other impacts; the local residents suggested hours of operation until 12AM and 1AM on the weekends; and,

v. Whereas, the proposed principals do have experience in operating or managing or working in other establishments; and,

vi. Whereas, the applicant was willing to agree to certain stipulations, but would not agree to reduced hours of operation and removal of the outdoor area from the mapped premises; and,

vii. Whereas, CB2, Man. shares similar concerns to the local residents in opposition and shares their concerns for impacts on quality of life with operating hours past 2AM; and,

viii. Whereas, CB2, Man. would remove their recommendation to deny the issuance of this on-premise liquor license if the applicant entered into a stipulations agreement and agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant on-premise liquor license stating that:

1. Premise will be advertised and operated as a neighborhood restaurant and bar/Japanese style Izakaya.
2. The hours of operation will be from 12PM to 2AM 7 days a week.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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. All music levels and volumes will at all times comply with all New York City Laws and Regulations.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Both floors of the premises will be operated in the same style and manner and there will only be one business name.
13. Pursuant to the letter of no objection, there will be no more than 25 persons in the basement and 30 persons on the ground floor at any time.
14. The full dinner menu will be available until closing.
15. If the applicant is able to prove that there is an outdoor area in front of their property within the property line, they may return to CB2 to include that outdoor area into the licensed premises and that outdoor area may be used by patrons until 10PM. The burden is on the applicant to show that this area is within the property line. (In order to use the same space, the immediately abutting neighboring business has revocable consent from DCA to operate a sidewalk café).
16. Contact information for a manager will be available to residents at all times.
17. Applicant will not apply for any alteration to the method of operation agreed to by this stipulation without first coming before CB2.
18. A copy of the executed stipulations will be physically attached to the liquor license on the premises in such a fashion as to be available for review along with the Liquor License.

ix. Whereas, the applicant contacted the local block associations in the area and they appeared in opposition as indicated above; and,

x. Whereas, there are currently approximately 19 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of **Alfred B., LLC, d/b/a N/A, 531 Hudson St. 10014** on its application seeking an on-premise liquor license; and

THEREFORE BE IT FURTHER RESOLVED that if this application is pursued by the Applicant, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing; 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 for determination and that those stipulations indicated above be imposed on the license.

Vote: Unanimous, with 33 Board members in favor.

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

24. KUT Operating Corp., d/b/a N/A, 301 Sixth Ave. 10014 (RW – Restaurant)

Whereas, after this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license until September in order to continue to meet with members of the community and to further show how they intend to incorporate mechanicals in this landmarked building and they will reappear at CB2’s September SLA Licensing Committee meeting if needed and 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 **KUT Operating Corp., d/b/a N/A, 301 Sixth Ave. 10014 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and shared all plans 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 33 Board members in favor.

25. 1 Perry LLC, d/b/a Rosemary’s Pizza, 1 Perry St. 10014 (OP – Restaurant - Layover)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant agreed to **layover** this application for a new on-premise liquor license presented in August for which limited to no community outreach was performed to immediate residential tenants in order to properly inform and meet with those residential neighbors due to the extensive and significant physical changes which be occurring at this location and the operators plans to extend the hours of operation from the previous operators hours; specifically the entire façade of this location will now be changed to accordion doors and operable facades where none previously existed along with future plans for a sidewalk café on both sides of the premises;

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 **1 Perry LLC, d/b/a Rosemary’s Pizza, 1 Perry 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 33 Board members in favor.

26. PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker St. 10014 (OP Alteration SN#1280172 – Withdrawn, will re-notice and resubmit)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee #2 Meeting on August 10th, 2017, Applicant requested to withdraw this application and renotice and resubmit the application in September or some other future date; the application had previously been **laid over** at CB2, Manhattan’s SLA Licensing Committee #2’s Meeting on July 13th, 2017, this application is an alteration application for an existing on-premise liquor license SN# 1280172 to add an additional storefront, an additional rear yard and an additional bar in a separate building connected only through an open rear yard outdoor pathway, the application was laid over in order to among other things demonstrate that their existing use of the current rear yard is properly permitted and to explain how they intend to secure the proper DOB building paperwork for the newly acquired space 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 **PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 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 33 Board members in favor.

27. Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 10011 (RW – Restaurant) (laid over)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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 **Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 10011 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 33 Board members in favor.

28. St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 120 Christopher St. 10014 (OP – Restaurant) (withdrawn)

Whereas, prior to this months CB2, Manhattan’s SLA Licensing Committee #2 Meeting on August 10th, 2017, 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 **St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 120 Christopher 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 33 Board members in favor.

29. Entity to be formed by Alessandro Borgonone, d/b/a TBD, 13 Barrow St. 10014 (OP – Restaurant - laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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 an **Entity to be formed by Alessandro Borgonone, d/b/a TBD, 13 Barrow 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 33 Board members in favor.

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

FIRST LANDMARKS MEETING

1 ***17 King St.** - Application is to renovate the exterior, installation a full-width, 12-ft. addition in the rear to the basement, 1st, and 2nd floors with a roof terrace above the 2nd floor; demolition of roof dormer to be rebuilt the same size as adjacent dormer, reconfiguration of existing rear dormer, and modification to front dormer.

(laid over)

2 ***301 Canal St. & 419-421 Broadway** – Application is to demolish the existing buildings and construct a new office building on both lots with ground floor retail use

Whereas:

A The current buildings on the site are listed as non-contributing because they have been significantly altered and it was represented by the applicant that only slight vestiges of historical materials exist; and

- B The demolition of the buildings would not adversely affect the historic character of the district; and
- C The proposed building is 122'-8" high with rooftop equipment extending to 135'-8" with a commercial ground floor, six stories for offices of uniform height above and topped by a penthouse level surrounded by a full floor colonnade and a waiver is being sought for elimination of a set-back at 85'; and
- D Though buildings of similar height north on Broadway have replaced demolished buildings, it is on a prominent corner and disturbs the respect for the scale of the immediate area with its principal impact's being out of scale with the tallest buildings on Canal Street (as represented in material provided by the applicant) and its bulk is an intrusion on the streetscape, where its corner location makes it loom.
- E CB2, Man. has no objection to the façade design details of the building; and
- F The ground floor is proposed as a master plan for generic retail storefront infill with disproportionately low bulkheads at the display windows; and
- G The six floors above are clad in zinc with decorative elements on the faces in a busy abstract design that is without historic reference and the windows are two over two, typical of the district.
- H The full colonnade with round columns at the penthouse level is bulky, heavy and unharmonious with the building itself and with the style of buildings in the neighborhood and is completely without historical reference in the district and calls undue attention to itself as a decorative branding element; and
- I There was considerable opposition from the public to the application, especially with regard to height and bulk; now

Therefore be it resolved that CB2, Man. recommends:

- A Denial** of the height, and recommends that the height be reduced to align with the existing taller buildings on the north side of Canal Street and that the upper floors be diminished in height and weight of the pilasters according to numerous examples in the district; and
- B Denial** of the colonnade, and that the cornice cap the top floor below the penthouse; and
- C Denial** of the decorative elements on face of the pilasters, and that their design have historical reference from the district and that an actual sample of the revised design be shown to the Commission for evaluation; and
- D Denial** of the unsubstantial storefront bulkheads, and that they align with the bulkhead of the building at 423 Broadway

Vote: Unanimous, with 34 Board members in favor.

- 3 *423 Broadway** – Application is to alter existing rear extension and rear dormers, alter existing fire escape, and restoration of the façade including recreation of historic storefront.

Whereas:

- A The building is an historic dwelling that has been considerably altered and is proposed to be restored to the late 19th century example shown in photographs; and
- B The cornice, pointing, and lintels will be repaired or replaced as necessary; and
- C The non-historic fire escape drop ladder will be removed and the baskets restored according to usual practice in the case of existing decorative fire escapes that are no longer required for egress; and
- D The roof will be clad in slate, the rear third floor dormer will be enlarged and the second floor facade will be restored; and
- E The extensions will be restored and the cellar excavated 8' to align with the neighboring property and a communicating doorway will be cut between the buildings; now

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

Vote: Unanimous, with 34 Board members in favor.

- 4 ***423 Broadway** – Application is to request that LPC issue a report to the City Planning Commission in connection with a Section 74-711 application that will allow for bulk and use waivers for the new building and the landmark building.

Whereas:

The CB2 Land Use & Business Development Committee has not reviewed the zoning implications relevant to this application;

Therefore be it resolved that CB2, Man. has no position regarding the bulk and use waivers pertaining to this application.

Vote: Unanimous, with 34 Board members in favor.

- 5 ***51 Macdougall St.** - Application is to enlarge the 1st and 2nd floor on the Houston St. frontage, and install a penthouse addition at the rooftop.

Whereas:

- A The row house presents an unusual condition occasioned by the demolition of neighboring houses to the North in the widening of Houston Street and a playground to the West which transformed the property into a corner lot, exposing a side wall and rear façade and making it highly visible from great distances to the North, East, and West.
- B The front façade and rear upper stories are to be sensitively restored according to historic photographs, including a new wooden projecting infill storefront, a new entry, pointing, and new windows.
- C The north wall will have rows of windows on the east and west ends and be clad in a new coursing of brick matching the original brick in the manner of a typical corner row house in the district; and

- D A two-story extension at the back (west) of the building has a ground floor commercial storefront which is in the style of the south façade historic infill is typical of row houses on corner lots in the district; and
- E The penthouse is aggressively bulky and extremely visible and includes living space, the required stair bulkhead, and HVAC equipment; and
- F The new brick cladding which eliminates the unsightly raw side wall, and extension, though new, are harmonious with building's now being a corner property and the historic character of the building; and
- G Apart from the penthouse, the restorations, modifications and additions are welcome improvements to the building at a highly visible corner; now

Therefore be it resolved that CB2, Man. recommends:

- A **Approval** of the front façade, rear wall upper stories, north side wall, and addition; and
- B **Denial** of the rooftop penthouse, and recommends confining any rooftop construction to the minimum footprint and height to accommodate the required stairway and HVAC equipment and that it be painted in a light color to minimize the appearance of its bulk.

Vote: Unanimous, with 34 Board members in favor.

SECOND LANDMARKS MEETING

6 ***337 Lafayette St.** – Application is to install 3 flagpoles and flags

Whereas:

- A The two signs on Lafayette Street and one sign on Bleecker Street are hung from horizontal poles with tieback at the second floor level and are 8' tall and 5' wide with black lettering 2' wide and 5' tall; and
- B The signs are out of scale with the height of the building and with the second floor windows; and
- C The lettering is simple and harmonious with the building's design; now

Therefore be it resolved that CB2, Man. recommends:

- A **Approval** of the text as suitable in size and design; and
- B That the application be **denied** unless the signs are reduced in size to approximately the size of the border around the text (2' x 5'), are hung closer to the building, and that the supports are anchored into the mortar joints.

Vote: Passed, with 33 Board members in favor, and 1 in opposition (D. Diether).

7 ***182-184 Waverly Pl. & 156-158 W. 10th St.** –Application is to add rooftop egress and mechanical bulkheads, add roof decks, add areaway fencing and gates, change rear window patterns, minor changes to an existing storefront including new trash enclosures, and a rear yard addition including minor excavation. **(laid over)**

8 ***180 Prince St.** - Application is to correct a violation by demolishing an existing rear yard greenhouse, to install a green roof over a cellar kitchen with an ADA lift in the rear yard, replacement of rooftop HVAC equipment, and minor changes to the building's rear façade.

Whereas:

- A A greenhouse, which is in violation, is being demolished; and
- B The rear cellar is to be excavated an additional 6'-7" to accommodate a relocated kitchen and will have a green roof; and
- C A required handicapped lift to access the cellar is in the corner of the roof, next to the building;
- D The modifications do not adversely affect the surrounding properties; and
- E Replacement HVAC and exhaust systems on the roof are not visible from any public thoroughfare; now

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

Vote: Unanimous, with 34 Board members in favor.

9 ***181 Bleecker St.** – Application is to partially reconstruct the façade and to replace windows due to structural issues with the existing façade.

- A The façade contains no original or historically significant material and is deteriorated to the extent that the masonry façade is to be demolished; and
- B The new masonry façade (limited to above the ground floor) is to replicate the presumed brick appearance, type and coursing of the original construction and is to be verified when the existing façade is removed; and
- C The second and third floor windows are to be replaced with wood windows 2 over 2 to replicate the original size and configuration
- D An unusual heavy banding immediately above the second floor windows is an unwelcome later addition to the building; and
- E The lack of basic masonry detailing in the proposal and absence of a replacement cornice results in a “half restoration” that does not meet the standards expected for a reconstructed façade in a historic district and results in the appearance of a building that has been stripped and minimally restored; and
- F The ground floor infill will be the subject of a separate application by the commercial tenant; now

Therefore it resolved that CB2 Manhattan recommends **denial** of the application in that the replacement façade is overall a “half restoration” in the style of the original façade but missing important details, especially the cornice, to make it an acceptable restoration in a historic district.

Vote: Unanimous, with 34 Board members in favor.

10 ***59 Greenwich Ave.** - Application is to restore front and rear façades to historic conditions, construct visible rooftop stair bulkhead, mechanical equipment/screening and guard railing, construct non-visible as-of-right rear addition at the cellar and first floor, modify rear façade at second floor to install minimally visible door and 6' brick privacy wall around proposed terrace.

- A The facade, windows, masonry, parlor level cast iron balcony will be restored according to a clear photograph of the original condition; and
- B The exceptions to the photograph depiction are to lower the entrances to grade level to conform to ADA requirements and required sidelights at the entrances; and
- C The storefront will protrude beyond the property line as shown in the historic photograph provided that it is approved by the Department of Transportation and if the approval is not granted a flat storefront infill of similar design will be used;
- D The rear façade on the third and fourth stories and the cornice are to be restored to historic conditions; and
- E The rear facade parlor floor windows and door are to be replaced with a metal small pane style window and door infill and the rear ground floor is to be extended to the property line and a solid fence is to enclose the outdoor terrace at the parlor level to mask the view and noise of mechanical equipment on adjoining properties; and
- F The applicant represented that the parlor floor extension and fence do not impact any residential portions of the neighboring buildings; and
- G There will be benching, underpinning and excavation for the elevator pit and the cellar; and
- H Clearly visible (especially from Perry Street), but not objectionable is the stair bulkhead, elevator overrun and mechanical equipment on the roof, as well as the three flues of the adjoining building which will be extended above the rooftop bulkhead in an unobtrusive manner; and
- K The overall restoration of the building is of an unusually high quality with respect to materials and detail; now

Therefore be it resolved that CB2, Man. recommends:

A Approval of the restoration of the building; and

B Approval of the cellar excavation provided that care is taken to ensure the integrity of the building and the neighboring properties.

Vote: Unanimous, with 34 Board members in favor.

11 ***59 Greenwich Ave.** - Application requesting that LPC issue a report to City Planning Commission in support of a special permit pursuant to Zoning Resolution Section 74-711 for modification of use and bulk regulations to allow Use Group 6 salon use on second story and retain existing rear window location for legal light/air.

Whereas:

The CB2 Land Use & Business Development Committee has not reviewed the zoning implications relevant to this application;

Therefore be it resolved that CB2, Man. has no position regarding the bulk and use waivers pertaining to this application.

Vote: Unanimous, with 34 Board members in favor.

PARKS/WATERFRONT AND ARTS & INSTITUTIONS

Resolution regarding the citywide public-art exhibition “Good Fences Make Good Neighbors” and the installation in Washington Square Park

Whereas:

1. Washington Square Park has a long history of supporting independent artists and the park, and the community at large has been at the forefront of many human rights movements;
2. Public Art Fund, with the support of the Parks Department and other relevant city agencies, will present a citywide public art exhibition of 300+ works by Ai Weiwei entitled “Good Fences Make Good Neighbors” that will be on view from October 12, 2017 through February 11, 2018;
3. The public art exhibition is “inspired by the international migration crisis and current global geopolitical landscape ... (and) seeks to reflect on the growing hostility toward immigrants and nationalism throughout the world ... (and) will emphasize sites and locations illustrative of that theme,” according to the Public Art Fund;
4. One of the works, cited by Public Art Fund as one of the major pieces of the exhibit, will be constructed in Washington Square Park and installed underneath the Washington Square Park arch and will consist of an elaborate “fence” with a 16-ft-high opening in the outline of two embracing people, that is meant to be walked through; Ai Weiwei is a world-renowned, inventive and influential artist who lived in New York (Union Square, East Village) for ten years, part of which was spent as an art student, and hence has a connection to the area;
5. CB2, Man. invited Public Art Fund to a joint CB2 committee meeting where they presented to CB2's Arts & Institutions committee and its Parks & Waterfront committee and the community its plan for the exhibition, the process it went through to obtain approvals, and which agencies gave approvals;
6. Roughly 100 people attended the meeting and nearly 60 people commented and/or posed questions to representatives from Public Art Fund. In addition, prior to the meeting, 51 letters of support (14 from organizations (citywide and local), 37 from Community Board Residents and Business Owners) and 2 letters against the installation were received by the CB2 office;
7. Public Art Fund explained that it began outreach in June, 2017, met with various community groups over the summer, listened to feedback, and has been working to address concerns. Their representative stated that they would prefer to have started this outreach process earlier, but “to do so earlier, without a design or any engineering assurances, would have been premature.” Also, it was specified that “the exhibit is Ai Weiwei’s vision; not a collective design”;
8. At the CB2 joint committee meeting, many commenters expressed enthusiastic support for the exhibition and the installation inside the arch; others strongly conveyed concern about the process:

specifically, the lack of community involvement until the end of the process; the placement of the work within the Washington Square Park arch; and the disruption traditional holiday celebrations, including the Holiday Tree, which has been placed in front of the arch by the Washington Square Association each December since 1924;

9. There were questions posed and requests made to the Public Art Fund to consider moving the location of the work and to reconsider the duration of the installation, i.e., shortening it, the responses to which were that such changes were not possible;

10. The Public Art Fund began planning the citywide project and the Washington Square Park installation more than a year before the community was notified of the possibility of it occurring. City agencies, including the Department of Parks and Recreation and the Landmarks Preservation Commission, were consulted and granted approval long before any notification was provided to the community;

11. While the message of the installation is a laudable one that aligns with the values of many in the community, the placement, scale, and duration of the installation in Washington Square Park demanded more than the cursory, late-stage engagement that the City and Public Arts Fund offered to the community.

Therefore be it resolved that CB2, Man.

1. Supports the temporary installation of Ai Weiwei’s artwork in the arch of Washington Square Park, and welcomes the opportunity for our neighborhood to provide the setting for, and interact with, an exhibition of such high quality that resonates with our community’s history as a center for artistic and political innovation and

2. Regards this large-scale project as a one-time, unique event and requests assurance from the City and its agencies that this project not establish a precedent for future uses of Washington Square Park and

3. Demands that in the future the City and its agencies be more transparent and engage CB2 and the community earlier on in the process whenever plans are being considered for public art in our area and

4. Requests that Public Art Fund continue to work with the Washington Square Association to find an alternative location for placement of the Holiday Tree and that it cover any incremental costs for placement in this alternative nearby agreed-upon location.

VOTE: Passed, with 26 Board Members in favor and 8 against (K. Berger, T. Connor, D. Diether, J. Giacobbe, S. Russo, R. Sanz, G. Silvera Seamans, C. Spence)

QUALITY OF LIFE

New Application to Department of Consumer Affairs for Newsstand at:

1. Southwest Corner of 6th Avenue & Waverly Place, in front of 375 6th Avenue (11415-2017-ANWS)

Whereas, this applicant appeared before Community Board 2 in March of 2017 with an application for a newsstand at this same location at which time CB2 unanimously recommended denial of the application; and

Whereas, in March of 2017 members of the public were present and strongly opposed a newsstand at this location citing past traffic accidents and safety concerns at this location; and

Whereas, two members of the public reiterated those concerns in response to this renewed application stating that a dog was killed at this intersection and a pedestrian was injured due to the accelerated speed at which cars make the left turn onto Waverly from 6th Avenue and a newsstand on this corner would further obstruct a driver's view of pedestrians in the crosswalk while making that left turn; and

Whereas, there are already four existing newsstands in the immediate area (one in front of the IFC Theatre, one across the street from the IFC Theatre, one at 6th Avenue & 8th Street, and one at 6th Avenue and 9th Street); and

Whereas, the committee is opposed to adding yet another newsstand to a congested area that is already well served by the existing newsstands; and

Whereas, the applicant did not appear to speak to this application; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of an application for a newsstand at the southwest corner of 6th Avenue and Waverly Place in front of 375 6th Avenue.

VOTE: Unanimous, with 34 Board Members in favor.

Street Activities:

1. Saturday, September 23, 2017, The Peter Cooper Block Party, Cooper Square between East 7th Street and St. Mark's Place

Whereas, this event is to welcome incoming students of Cooper Union and to celebrate excellence in the fields of art, architecture, and engineering and will be open to all; and

Whereas, the event will begin set up at 9 AM with the event taking place between noon and 5 PM, and broken down and cleaned up by 6 PM that evening; and

Whereas, the event will feature activities for children and families including balloon animal sculptures, mosaic designing, and light music by Cooper Union student musicians; and

Whereas, this applicant has coordinated this event with the Astor Alive event (see below) in order to maximize participation, joy, and efficiency of space; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of The Peter Cooper Block Party on Cooper Square between East 7th Street and St. Mark's Place on September 23, 2017.

VOTE: Unanimous, with 34 Board members in favor

2. Saturday, September 23, 2017, Village Alliance District Management Association—Astor Alive, Astor Place Plaza

Whereas, the applicant wishes to present a one day festival of performing arts consisting of theatre, dance, and music performed by local theatres and dance companies; and

Whereas, this event will use both the south and north plazas of Astor Place with a street closure on Fourth Avenue between East 8th Street and East 9th Street, and a parking lane suspension on Cooper Square next to the Astor Place South Plaza; and

Whereas, the applicant will use a truck mounted mobile stage for performances with light amplified sound; and

Whereas, the applicant will begin set-up of the event at 6 AM with the event taking place between 1 PM and 6 PM and will be clear of the space by 10 PM; and

Whereas, the event will feature creative arts workshops including a mini spinning cube puppetry workshop and mosaic making; and

Whereas, this applicant has coordinated this event with The Peter Cooper Block Party (see above) in order to maximize participation, merriment, and efficiency of space; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the Village Alliance District Management Association—Astor Alive event in Astor Place Plaza on September 23, 2017.

VOTE: Unanimous, with 34 Board members in favor

3. Sunday, September 17, 2017, The Lesbian Gay Bisexual and Transgender Community Center: Red Party, West 13th Street between 7th Avenue and Greenwich Avenue.

Whereas, this event is the culmination of a four-day, 275-mile bicycle ride from Boston to New York that raises funds to support The Center's HIV/AIDS programs and services and this is the 23rd year of the ride; and

Whereas, this event has been held previously without issue nor complaint; and

Whereas, the event will feature speeches and a 10 minute performance by the Lesbian Gay Big Apple Corp Marching Band as well as a DJ playing ambient music throughout the event; and

Whereas, the applicant seeks a full street closure at this location from 8 AM to 4:30 PM with the event taking place from 1 PM to 4 PM; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of The Lesbian Gay Bisexual and Transgender Community Center—Red Party, West 13th Street between 7th Avenue and Greenwich Avenue on Sunday, September 17, 2017.

VOTE: Unanimous, with 34 Board members in favor.

SLA LICENSING

1. YN Wine Bar LLC, d/b/a YN Wine Bar, 227 Mott St. Store Front 2 10012 (OP – Corporate Change)

A. Whereas, the applicant and his counsel appeared before CB2, Manhattan's SLA Licensing Committee to change ownership in an existing business (YN Wine Bar, LLC) to continue to operate an existing neighborhood wine bar and small restaurant (OP lic. #1293546) serving breakfast, lunch and

dinner with 5 tables with 16 seats and 1 bar/counter with 12 seats and 2 window seats for a total patron occupancy of 30 within a 460 SF storefront premises in a mixed use building on Mott Street between Spring and Prince Streets; and

B. Whereas, the prior owner is selling 100% of the shares in YN Wine Bar, LLC to a new owner (Satbir Bedi) who lives across the street and in the immediate area where the business operates, the prior owner agreeing to remain with the business for the first six months to provide support for a smooth transition and there being an experienced manager of the business who will continue to manage the business for the new owner into the future, and the existing business will continue to operate with an identical method of operation that has existed at the premises since September/2011; and

C. Whereas, the hours of operation will continue to be from 10 AM to 12 AM Sunday through Thursday and from 10 AM to 2 AM on Fridays and Saturdays, music will be background only, doors and windows will close by 10 PM every night, there will be no d.j.'s, no promoted events, no live music, no cover fees, no scheduled performances, no velvet ropes, no moveable barriers, no TVs, no back yard garden and no sidewalk café; and

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

1. The premises will be operated as a wine bar and restaurant.
2. Will continue to maintain a comparable food menu that has existed at premises;
3. Will operate with hours of operation from 10 AM to 12 AM Sunday through Thursday and from 10 AM to 2 AM on Fridays and Saturdays.
4. There will be no sidewalk café.
5. All doors and windows will be closed by 10 PM every evening.
6. Music will be quiet, background level only and there will not be live music, dj's, promoted events, movable ropes or barriers on the sidewalk, scheduled performances or any events for which a cover fee is charged.
7. There will no TVs.
8. The premises will not permit dancing.
9. The premises will not be advertised or operate as a Lounge, Tavern, Bar or Sports Bar.
10. There will be no unlimited food and drink specials, no boozy brunches or bottle service.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an corporate change application to the existing On-Premise liquor license to **YN Wine Bar LLC, d/b/a YN Wine Bar, 227 Mott St. Store Front 2 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the OP License.

Vote: Unanimous, with 34 Board members in favor.

2. Brothers Harvey LLC, d/b/a Reservoir, 70 University Place 10003 (OP – Corporate Change)

A. Whereas, this application is for a transfer of shares in an existing corporation to continue to operate a Sports Bar and Tavern with an OP license within a 5-story mixed use building located on University Place in a 2,000 sq. ft. storefront premise with one entrance/exit, two bathrooms, there are 19 tables with 59 seats, 1 full service bar with 12 seats for an occupancy of 74; there is no sidewalk café and no backyard use; and,

B. Whereas, an existing owner (Louis Fugazy) is seeking to purchase the shares of another owner so that he would be a 100% owner of the business and the current method of operation will not be changed, there being 12 TVs, the location having previously been soundproofed, there is security personnel Thursdays through Saturday night until closing, all doors and windows will be closed at all times and the hours of operation will continue to be from 11 a.m. to 4:00 a.m. seven days a week, there is a jukebox but music will be background (quiet) and there will be no d.j. or live music, there will be no scheduled performances or events with a cover charge; and,

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

1. Premises will be advertised and operated as a bar/tavern showing sports with multiple TVs.
2. Will operate with hours of operation from 11:00 a.m. to 4 a.m. seven days a week.
3. Music will be quiet, background level only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
4. Food will be served at all times.
5. Will not install French doors or windows that open out to sidewalk or otherwise.
6. Will close all doors and windows at all times.
7. Will employ security on Thursday, Friday and Saturday nights until closing.
8. Will not allow lines to form on the sidewalk in front of premises for patrons to enter.
9. All stipulations agreed to with University Place Resident's Association are incorporated into stipulations agreed to with CB2, Man.
10. Patron occupancy will never exceed 74 persons
1. There will be no unlimited food and drink specials, no boozy brunches or bottle service.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the corporate change application and OP license to **Brothers Harvey LLC, d/b/a Reservoir, 70 University Place 10003** **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 an OP License.

Vote: Unanimous, with 34 Board members in favor.

3. KLK Chinese Restaurant, Inc., d/b/a Red Egg, 202 Centre St. 10013 (Restaurant Wine)

A. Whereas, the applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license to operate a "Hong Kong style dim sum and Cantonese style" restaurant serving lunch and dinner; and

B. Whereas, the premise has been previously operated for years as Red Egg, a full service Restaurant and the applicant will continue to operate the premises as a Restaurant with a full service kitchen, with a similar method of operation, albeit under new ownership, with a similar menu, many of the existing staff to remain and similar closing hours; and

C. Whereas, the storefront premise is located in a mixed use 6-story mixed use building (Circa 1912) located on the ground floor and basement on Centre St. between Hester and Grand Sts. for a 6,374 sq. ft. premises with 35 tables and 129 table seats and 1 standup bar with 8 seats for a seating occupancy of 137 interior seats, this application does not include a sidewalk café and there are no other outdoor areas for patrons; and,

D. Whereas, the hours of operation will be Sunday through Saturday from 10 AM to 11 PM, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed by 10 p.m. 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, there will be no TV's; and,

E. Whereas, there is a history of problems at this location with the prior owner permitting late night parties beyond the stated hours of operation with DJs in derogation of its method of operation as a restaurant and the current applicant, having been fully briefed in the past regarding those problems and personally agreed that it would never operate in that manner in the future at this location should his license be approved, albeit with limitations and enforceable stipulations being agreed to herein; and,

F. Whereas, this same applicant previously appeared before CB2 Man. in April/2017, seeking an on premise license for the same premises but was not able to obtain such license, the premises being within 200 feet of The American Society of Buddhist Studies, a place of worship located at 214 Centre Street and thus subject to the 200 foot rule; and,

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

1. The premises will be advertised and operated as a full service Cantonese restaurant specializing in Dim Sum with a full service kitchen and will operate at all times as a full service restaurant.
2. The hours of operation from Sunday through Saturday from 10 AM to 11 PM.
3. The premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. All doors and windows will close by 10 PM every night.
5. There will be no outdoor service and no sidewalk café.
6. Music will be quiet, background level inside the restaurant and bar and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. There will be no televisions.
8. The premises will not permit dancing.
9. There will never be any after-hour events.
10. There will be no all you can eat/all you drink specials or pitchers of beer.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant Wine License for **KLK Chinese Restaurant, Inc., d/b/a Red Egg, 202 Centre St. 10013** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

4. Super Dry Clean, Inc., d/b/a Super Dry Clean Wine Bar, 384 Broome 10013 (Tavern Wine — previously unlicensed location).

A. Whereas, the applicant and the applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Tavern Wine license to operate a New Wine Bar in a storefront location on Grand Street between Crosby Street and Broadway that has never been previously licensed for the sale of liquor; and

B. Whereas, this storefront premise has never previously operated with a liquor license or as an establishment for eating and drinking and previously operated for years as a laundromat; there will be no full service kitchen but the interior premises will be gutted and renovated, there will be no significant mechanical systems installed during the renovation with the exception of air conditioning unit which will be installed on the rear wall, but significantly and at the request of the SLA Committee the exterior façade facing the sidewalk will remain fixed and without any operable windows; and

C. Whereas, the storefront premise is small at approximately 700 Sq. ft. (700 sq. ft. ground floor with an additional 600 sq. ft. of basement space—albeit basement for storage and prep only), one patron bathrooms, one entrance/exit for patrons, 8 tables with 14 seats and 1 bar with 6 seats for a total patron seating capacity of 20, there is no sidewalk café and no other outdoor areas for patrons, the location does not have and will not install operable windows; and,

D. Whereas, the hours of operation will be from 11 AM to 12 AM Sunday through Thursday and from 11 AM to 1 AM on Fridays and Saturdays, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), the front patron entrance door will be closed by 9 PM every night, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, and no televisions; and,

E. Whereas, two persons appeared in opposition to the license application, including the Bowery Block Association, citing the voluminous numbers of new liquor licenses issued by the NYS SLA in this immediate area, there being 52 existing licensed premises within 750 feet of these premises and another 8 pending licenses (not even including beer and wine licenses), there being nothing unique about this application as there as many wine bars, restaurant, bars and late night establishments already existing in the area, this location having never previously been licensed for the service of alcohol and the loss of the laundromat being detrimental to those living in the neighborhood; and

F. 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 Tavern Wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a Wine Bar.
2. The hours of operation will be from 11 AM to 12 AM Sunday through Thursday and from 11 AM to 1 AM 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 have no televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. Will not install French doors or windows that open out to sidewalk or otherwise.
8. There will be no patron lines outside on the public sidewalk.
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. Exterior door will be kept closed after 9 PM every night.
12. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.
13. There will be no "bottle service" or sale of bottles of alcohol except for the sale of wine products.

14. A certificate of occupancy or letter of no objection permitting use and occupancy for eating and drinking will be obtained from the Dept. of Buildings prior to issuance of liquor license.

F. Whereas, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule or 200 Foot Rule, there being the Most Holy Crucifix Church located within 90 feet of the premises;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration application to an existing on premise license to **Super Dry Clean, Inc., d/b/a Super Dry Clean Wine Bar, 384 Broome 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” on the Tavern Wine License.

Vote: Unanimous, with 34 Board members in favor.

5. Soho Hummus, LLC, d/b/a Nish Nush, 19 Cleveland Pl. 10012 (New OP)

A. Whereas, the applicant appeared before CB2’s SLA committee for the purpose of seeking a “transfer” of an OP license to operate a fast-casual restaurant serving traditional Mediterranean vegetarian cuisine in a storefront premise located in a five-story mixed use building (Circa 1900) on Cleveland Place between Spring and Kenmare Streets and immediately across from Petrosino Square; the previous licensee having closed more than 5 months ago; and

B. Whereas, the interior ground floor storefront premise is approximately 1,200 sq. ft. with an additional 700 sq. ft. of basement space—including additional seating for patrons, four bathrooms, was previously occupied and operated as a Mexican Restaurant known as Mexican Radio closing by 10 PM Sunday through Wednesday and by 11 PM Thursday through Saturday, there being a Certificate of Occupancy provided permitting eating and drinking on the cellar and first floor of this building; and

C. Whereas, the proposed hours of operation are from 11 AM to 11 PM Sunday through Wednesday and from 11 AM until 2 AM Thursday through Saturday, with 22 interior tables and 50 interior seats, 1 bar located at the front of the premises with 12 seats, a food “to go” counter with no seats for a total patron seating capacity of 62; and

D. Whereas, the Applicant presented the proposed “Nish Nash” operation as a “healthy vegetarian option on the go” providing a menu without any alcoholic drinks consisting of inexpensive Falafel and Hummus sandwiches, salads and small platters, non-alcoholic smoothies consistent with two other fast casual Nish Nash locations currently operating in downtown Manhattan without waiter service, the first closing by 9 PM without any liquor license and the second closing by 10 PM every night; and

E. Whereas, the Applicant did not provide valid and reasonable reasons why he needed a full bar and on premise license to operate a fast casual vegetarian restaurant with a limited menu or why he needed to remain open until 2 AM and thereafter acknowledged, even though it was not indicated so in his application submissions to CB2, Man., that what he really planned to do was operate a fast casual restaurant during the day and evening hours but then convert to a wine bar at night with complimentary late night hours; and

F. Whereas, CB2, Man. received multiple correspondence from neighborhood residents in opposition to this application and a resident living directly above the restaurant for many years appeared in opposition, very concerned about the late night hours being proposed, stating that the building is very

old, the sound proofing poor, insufficient and that the kitchen noise can be very loud, disturbing and establishing a significant hardship, also citing the prior history of licensing infractions at this same location and bringing up concerns about the prior operator's use of an covered alleyway on the side of the building used to store trash but also being an emergency exit for building residents, the emergency exit at times being unreasonably encumbered by trash bags, as well as vermin; and

G. Whereas, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for operating with on premise liquor license in an area that is already greatly saturated with licensed establishments, there being 17 existing on premise licenses within 500 ft. of the subject premises and 37 existing on premise licenses within 750 ft. of the subject premises and an additional 6 licenses pending with the NYS Liquor Authority in this same area without even including the vast numbers of other establishments in the area holding beer and wine licenses; there are already too many liquor licenses, restaurants and bars within walking distance and nearby, many of which have only recently been added to the Area and many bars and restaurants which provide the same or similar services, the fast casual vegetarian restaurant not being unique to the area, there being three new fast casual restaurants added in the very immediate area (Pokespot, By Chloe and Chef's Club Counter) with a similar method of operation within walking distance to the proposed premises, all of which operate with a beer and wine license and not an on premise license, each closing no later than 11 PM during the week and 12 AM midnight on the weekends, these fast casual restaurants recently added in the immediate area being more consistent with the other Nish Nash Restaurants already operating in other parts of lower Manhattan with an identical menu as presented, the applicant not providing a coherent reason why this particular restaurant needed full liquor or to operate past 12 AM midnight on the weekends, the hours proposed with the method of operation changing at night to a wine bar concept being a significant increase over the prior operator, there being a significant impact and unreasonable hardship of these later hours on the residents living directly above, the applicant not being able to provide soundproofing to the existing space to ameliorate such hardships in an old building not designed to accommodate the mixed use late night operations proposed, there being existing alternative storefronts within CB2 Man. and throughout the Borough of Manhattan and City of New York which represent a more appropriate location for the applicant's proposed business model after midnight, the applicant thus failing to demonstrate a recognizable public interest here; and,

H. Whereas, there were additional concerns voiced about the appropriateness of an on-premise license for the applicant's fast-casual business model where there is no table service, the applicant during presentation attempting to change his business model to accommodate these concerns and not presenting a credible and appropriate business plan with the late night hours past midnight being unreasonable and inappropriate for this location; and

I. Whereas, the applicant did not provide evidence of a current Place of Assembly Permit required for businesses operating with more than 74 persons in the interior of a building; and,

J. Whereas, this location was previously the subject of litigation with Liquor Authority with respect to a Licensee issued at this location prior to Mexican Radio in Cleveland Place Neighborhood Assn. v New York State Liq. Auth., 268 AD2d 6, 10 [1st Dept 2006];

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Soho Hummus, LLC, d/b/a Nish Nush, 19 Cleveland Pl. 10012** on its application seeking a new OP 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 34 Board members in favor.

6. Liquor Laboratory Inc., d/b/a Liquor Lab, 474 Broadway (2nd Fl) 10013 (New OP – previously unlicensed location)

A. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new On Premise license to operate a Beverage Education Center, a business where consumers/groups are educated and educational classes providing mixology and bartending techniques, wine pairing and ice carving in a social environment, all within a second floor location in a four-story commercial use building (Circa 1920) on Broadway between Broome and Grand Streets; and

B. Whereas, this location did not previously operate with a liquor license or as an establishment for eating and drinking but the concept is not to provide eating and drinking to the public but to provide education services and classes only, there being a yoga training facility on the third floor of this same building also providing teaching skills and training; and

C. Whereas, there will be no full-service kitchen but the interior premises will be renovated but there will be no significant mechanical systems installed during the renovation with the exterior façade facing the sidewalk remaining fixed, without any operable windows or doors and there will be no outdoor or exterior uses or occupancy ancillary to the operations; and

D. Whereas, the Applicant also operates another Liquid Laboratory location in midtown Manhattan that offers public mixology classes at \$80 per class session to couples, small groups and individuals to learn the finer art of mixology; and

E. Whereas, the premises is 2,500 Sq. ft., with two bathrooms, one entrance/exit, 22 tables with 43 seats and 1 bar with no seats for a total seating capacity of 43, the seating diagram presented demonstrating a format similar to a class room setting with tables lined up in symmetrical rows; there is no sidewalk café and no other outdoor areas for patrons, the location does not have and will not install operable windows; and,

F. Whereas, the application acknowledged and described an outdoor rear patio ancillary to the premises but the Applicant specifically agreed and stipulated that the outdoor space would never be used or occupied at any time by anyone, including employees; and

G. Whereas, the hours of operation will be from 3 PM to 11 PM every day Sunday through Saturday, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be two TVs but those TVs will be used for instructional purposes only, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

H. Whereas, a number of persons living in the immediate area sent in correspondence and photos in opposition to the application, photos depicting a rear patio to the premises that is exposed and surrounded by residences in adjacent buildings, concerned about patio or roof top party uses creating intrusive loud

noise or music in the rear and/or rooftop uses for those residents already living and exposed in the adjacent buildings in this immediate rear area, there also being questions about whether the liquor license and proposed method of operation was permitted and/or whether the use and occupancy violated zoning issues, this building being located in a M1-B5 District, as well as citing the voluminous numbers of existing liquor licenses issued by the NYS SLA in this immediate area, there being 12 existing licensed premises within 750 feet of these premises and another 3 pending licenses (not including beer and wine licenses); and

I. Whereas, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for operating with on premise liquor license in an area already saturated with licensed establishments, this application being unique to the extent that it not being proposed for the purpose of eating and drinking such as a restaurant or bar, but rather for the purpose of providing educational classes to the public who sign up and pay for those classes, albeit to educate people on how to mix drinks where there will also be some alcoholic consumption but such consumption will not be primary to the method of operation but rather will be ancillary to the education classes offered; and

J. Whereas, there will be no outdoor uses or occupancy permitted and all activities will occur inside without any potential exterior intrusions; and

L. 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 On Premise license and the stipulations are as follows:

1. The premises will be advertised and operated as a Beverage and Mixology Education Center open to the public.
2. The hours of operation will be from 3 PM to 11 PM Sunday through Saturday.
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 have two televisions for instructional purposes only.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. Will not install French doors or windows that open out to sidewalk or otherwise.
8. There will be no patron lines outside on the public sidewalk.
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. Each participant/student will have a seat.
12. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.
13. There will be no "bottle service" or sale of bottles of alcohol except for the sale of wine products.
14. A certificate of occupancy or letter of no objection permitting use and occupancy for eating and drinking will be obtained from the Dept. of Buildings prior to issuance of liquor license.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration application to an existing on premise license to **Liquor Laboratory Inc., d/b/a Liquor Lab, 474 Broadway (2nd Fl) 10013** **unless** the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Tavern Wine License.

Vote: Passed, with 33 Board members in favor, and 1 in opposition (S. Russo).

7. 135 Tart, LLC, d/b/a Once Upon A Tart, 135 Sullivan St. 10012 (Upgrade to full liquor)

A. Whereas, the applicant presented before CB2, Man. to upgrade their existing Restaurant Wine license to an on-premise license, and to extend their late night hours to 12 AM during the week and 1 AM on the weekends, for the purpose of continuing to operate a café and bakery simultaneously in two separate, unconnected and distinct “North” and “South” storefronts on the ground floor of a 6-story residential building (circa 1900) located on Sullivan Street between West Houston and Prince Streets; and

B. Whereas, the two storefronts were previously operated for many years and until 2015 as a small café and catering business known as “Once Upon a Tart” by a different operator without the service of liquor but serving pastries during daytime hours only and closing by 6 pm daily; and

C. Whereas, prior to 2015 neither storefront was licensed for the sale of beer, wine or liquor nor has either storefront operated as an eating and drinking establishment, these two storefronts being located within a Landmarked residentially zoned block (no commercial overlays) and the commercial use on this ground floor being a grandfathered use permitted to directly serve the immediate needs of the local community; and

D. Whereas, the two storefronts are not connected to each other but each one does have a doorway that leads directly to an interior common hallway used by the residential apartment dwellers in the same building, the two storefronts being divided by this residential hallway representing the only means of egress into and out of the building for the residential dwellers living in the building and where their mail is delivered; and

E. Whereas, the North storefront is approximately 360 sq. ft. space and currently operates as a bakery café until 7PM every evening with 3 tables with 15 seats, no stand-up bar, one bathroom, there is no kitchen and it is not included in the current application even though it is anticipated a future application will be attempted for this storefront in the future; and

F. Whereas, the South Storefront operates as a restaurant at night with hours of operation from 6PM to 11 PM Sunday through Thursday and from 6 PM to 12 AM Fridays and Saturdays within is a 1,200 sq. ft. space, including 16 tables with 36 seats, no stand-up bar, one bathroom, a kitchen, the music is background only and no sidewalk café is permitted at the premises; and

G. Whereas, residents from the same building where the subject premises is located appeared in opposition to the application very concerned about the later night hours being proposed and the upgrade to full liquor, stating that the building is very old, the multiple storefront premises were never properly designed for an eating and drinking establishment with the residential portion of the building being too close, the sound proofing poor and insufficient, the noise being disturbing and establishing a hardship, presenting a history of how the current and former operator used the common residential hallway on a regular basis to operate the combined businesses in the two storefronts and how the hallway has been used to gain access to its cold storage facilities located in a basement, further demonstrating concerns regarding the failure of the current operator to keep an access gate locked, a gate which is used by the operator to take the trash out and which travels on one side of the building to a rear area being adjacent to residential terraces and residential windows in two separate residential buildings, the gate being regularly left open and unlocked by employees of the business, residents presenting recent photos of how the gate is being left open overnight by the applicant’s employees and business creating significant security concerns for the existing residents of the buildings; and

H. Whereas, immediate neighbors living on the same block also appeared in opposition to the instant application, providing petitions against signed by other neighbors, as well as photographs demonstrating large crowds on the sidewalk in front of the restaurant and how the applicant places chairs and tables on the public sidewalk for use by patrons in derogation of the operator's previous agreements and stipulations while outlining their concerns as to the proliferation and over-saturation of liquor licenses on this block, establishing that prior to 2009 there was only one licensed premises on this residentially zoned block but as of 2015 there are now six such licensed premises, all replacing different types of small businesses, such as a dry cleaners, butcher shop and hair salon that directly served and supported the neighborhood, with additional concerns about future and additional applications at other potential locations within the same block, speaking to a significant increase in noise levels from the new licensed establishments being operated with late night hours that did not previously exist, the width of the Street being narrow and intimate; and

I. Whereas, other neighbors living in the immediate neighborhood also appeared in support of the application stating that they frequent the business and that the applicant should be given the opportunity to serve full liquor to be competitive with other numerous eating and drinking establishments in the Soho area; and

J. Whereas, CB2, Man. remains with considerable concerns that the licensee and applicant, despite promises and stipulations in the past, can operate both storefronts properly without using the interior common residential hallway in the same building, there being a history at the premises of the interior residential hallway use in order to operate the business in either storefront, that the cold storage facilities in the rear and basement underneath the North Shorefront is not exclusively being accessed from a hatch at the front exterior of the north storefront premises, that the exterior passageway that reaches around the building from Sullivan Street is not being properly locked, and that trash is being piled up along the passageway creating a fire hazard to residents, the two storefronts being located within a 100+ year old residential, tenement-style building which was never properly designed, renovated or situated for the use and operation of multiple eating and drinking establishments such that has been attempted, the commercial interference with the residential uses and impact being a significant and unreasonable intrusion on the existing residents of the building; and

K. Whereas, in addition, there has always been complaints and concerns voiced to CB2, Man. with regard the operator's use of tables and chairs on the public sidewalk in front of the premises—the residential zoning on this particular block prohibiting sidewalk cafes as all changes in use and occupancy must be enclosed—the applicant further agreeing in 2015 to stop placing outdoor seating in front of both storefronts as a part of his future method of operation incorporated into his beer/wine license; and

L. 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 on a narrow roadway in a residentially zoned block in an area that is already greatly saturated with licensed drinking establishments, there being 14 licensed premises and three pending licenses within 500 ft. of the premises (including beer and wine) and 36 within 750 ft. (including beer and wine) of the premises, the existing business not being unique to the area, the later hours until 12 AM during the week and 1 AM on the weekends presenting an unreasonable hardship in a building and area designated and zoned for residential uses only, the existing storefronts within an old building not designed to accommodate the mixed-use of the late-night operations proposed, the applicant not demonstrating an ability to abide by its prior stipulations, the operator having previously agreed in 2015 not to seek an upgrade to an on premise license at these premises, most notable because the storefront premises was not a proper and acceptable fit for eating and drinking, the applicant thus failing to demonstrate a recognizable public interest;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **135 Tart, LLC d/b/a Once Upon a Tart, 135 Sullivan St. 10012** on its application seeking a new OP 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.

Vote: Unanimous, with 34 Board members in favor.

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

8. Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013 (Alteration to add additional storefront - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 12, 2017, the Applicant requested to withdraw its application from further consideration;

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 **Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013** until the Applicant has properly 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 34 Board members in favor.

9. Dobra Café Sotto, Inc., d/b/a Despana Fine Foods & Tapas Café, 408 Broome St. 10013 (RW — laid over at request of Applicant).

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 12, 2017, the Applicant requested to **lay over** this application for an on premise license to October/2017;

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 **Dobra Café Sotto, Inc., d/b/a Despana Fine Foods & Tapas Café, 408 Broome St. 10013** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

10. Great Jones Distillers, LLC, d/b/a Great Jones Distiller, 686 Broadway 10012 (OP – Distillery, previously unlicensed location – withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 12, 2017, the Applicant and his counsel requested to **withdraw** this application from further consideration, there being no patron bathroom accessible within the premises as previously presented;

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 **Great Jones Distillers, LLC, d/b/a Great Jones Distiller, 686 Broadway 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

11. A not-for-profit entity to be formed by Scott Sartiano, d/b/a Zero Bond, 0 Bond St. aka 670 Broadway 10012 (OP – Private Members Club—previously unlicensed) (Laid over)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 12, 2017, the Applicant requested to lay over this application for an on premise license to October/2017;

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 **A not-for-profit entity to be formed by Scott Sartiano, d/b/a Zero Bond, 0 Bond St. aka 670 Broadway 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

12. Entity to be formed by Gerard Doyle, d/b/a The Home Place, 228 Thompson St. 10012 (OP - Tavern) (withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 12, 2017, the Applicant requested to **withdraw** this application for an on premise license from further consideration;

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 **Entity to be formed by Gerard Doyle, d/b/a The Home Place, 228 Thompson 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 34 Board members in favor.

13. Hu Holdings, LLC, d/b/a Hu Kitchen, 78 5th Ave. 10011 (RW SN#1262180 – Corporate Change)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for corporate change for a restaurant wine license SN#1262180 for a non-waiter fast casual restaurant focused on healthy foods with breakfast, lunch, soup, salads with a limited selection of organic wines, hard ciders and beers and some packaged grocery items; and

ii. Whereas, this application is for a corporate transfer for a restaurant wine license for a location in a commercial building located on 5th Avenue between 13th St. and 14th St. for a roughly 2,817 sq. ft. premise located on the ground floor and mezzanine (2,089 sq. ft. ground floor, 728 sq. ft. mezzanine) with 25 tables and 66 table seats and 1 standup bar with 5 bar seats and a wall counter with 9 seats for a total of 80 interior seats; there is current temporary certificate of occupancy, the temporary certificate of occupancy will be kept current at all times until a final Certificate of Occupancy is obtained; the premises also presented a current Place of Assembly Permit; and,

iii. Whereas, the hours of operation will be Sunday from 8AM to 12AM and Monday to Saturday from 7AM to 12AM, 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 executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. The premises will be advertised and operated as a fast casual restaurant as described.
2. The hours of operation will be Sunday from 8AM to 12AM and Monday to Saturday from 7AM to 12AM. 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 10 PM except for patron ingress and egress.
10. There is no sidewalk café.
11. There will be no unlimited drink specials or unlimited all you can eat and drink specials.
12. There will be no sales of pitchers of beer.
13. Licensee will continue to update and keep current Temporary Certificate of Occupancy.

v. Whereas, there are currently approximately 13 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 corporate change for the existing Restaurant Wine License SN#1262180 for **Hu Holdings, LLC, d/b/a Hu Kitchen, 78 5th Ave. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

14. E2 185 Bleecker, LLC d/b/a By Chloe, 185 Bleecker Street 10012 (OP – Corporate Change SN# 1283949)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for corporate change for a on-premise liquor license for a full service restaurant with full service kitchen serving healthy vegan fare; the corporate change will not entail adding any new members, only removals and an increase in ownership percentages; and

ii. Whereas, this application for a corporate transfer for an on-premises liquor license is for a location in a commercial building located on the corner of MacDougal and Bleecker St. for a roughly 940 sq. ft. premise located on the ground floor with 11 tables and 45 table seats and 1 standup bar with no seats and a sidewalk café with 5 tables and 10 chairs; a letter of no objection form the NYC Department of Buildings was presented; and

iii. Whereas, the hours of operation will be from 7 AM to 11 PM Sunday through Tuesday, from 7 AM to 12 AM on Wednesdays and from 7 AM to 1 AM Thursday through Saturday, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), 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 re-executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the on-premise liquor license stating that:

1. Premises will be advertised and operated as a fast, casual, Vegan restaurant.
2. Will operate from 7 AM to 11 PM Sunday through Tuesday, from 7 AM to 12 AM on Wednesdays and from 7 AM to 1 AM Thursday through Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The sidewalk café will close by 10 PM every night seven days a week. No Patrons will remain in the sidewalk café after 10PM.
4. 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.
5. The premises will not have televisions or projectors.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.

10. The Premises will not have French doors, operable windows or open facades and will close all doors and windows at 10 PM except for patron ingress and egress.
11. All service of alcohol will be served tableside by wait staff.
12. Will install a sound limiter to ensure that music does not exceed NYC noise codes.
13. The Operator shall not install illuminated signage or lighting, on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment.
14. The Operators shall not place refuse at the curb except as close to pick up as possible and will make best efforts to coordinate garbage pick up times with other establishments.
15. The Operator shall have an English-speaking manager or Owner on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation.

v. **Whereas**, there are currently approximately 37 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 corporate change for the existing on-premise liquor SN#1283949 for **E2 185 Bleecker, LLC d/b/a By Chloe, 185 Bleecker Street 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

15. E2 Lafayette, LLC d/b/a By Chloe - 240 Lafayette Street 10012 (RW SN#1295189, Corporate Change)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for corporate change for a restaurant wine license for a fast casual vegan restaurant; the corporate change will not entail adding any new members, only removals and an increase in ownership percentages; and,

ii. Whereas, this application for a corporate transfer for a restaurant wine license is for a location in a mixed-use building located on the Lafayette Street between Prince and Spring Street for a roughly 1.477 sq. ft. premise located on the ground floor with 11 tables and 32 seats, a food counter, but no stand up bar; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be from 8:30 AM to 10 PM Sunday through Tuesday and from 8:30 AM until 12 AM Wednesday through Saturday, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), 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 re-executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. Premises will be advertised and operated as a fast casual vegan restaurant.
2. Will operate from 8:30 AM to 10 PM Sunday through Tuesday, from 8:30 AM to 12 AM on Wednesdays through Saturday. All patrons will be cleared and no patrons will remain after stated closing times.

3. There is no sidewalk café.
4. 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.
5. The premises will not have televisions or projectors.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The Premises will not have French doors, operable windows or open facades and will close all doors at 10 PM except for patron ingress and egress.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a corporate change for the existing on-premise liquor SN#1283949 for **E2 185 Bleecker, LLC d/b/a By Chloe, 185 Bleecker Street 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

16. KUT Operating Corp., d/b/a KUT, 301 Sixth Ave. 10014 (RW – Restaurant – Previously Unlicensed)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee in July, August and September/2017 to present an application to the Liquor Authority for a restaurant wine license for a kebab, sandwiches and salads restaurant; the premises is immediately adjacent to and in the same building and connected through an interior door to another business the applicant will operate as a creperie; but that location will not be licensed for beer/wine or liquor; and,

ii. Whereas, this application is for a new restaurant wine license in a currently unlicensed premise most recently operated as a nail salon and spa located in a landmarked mixed use building on the ground floor located on Sixth Avenue just off the corner of Carmine St. with 5 tables and 10 seats, and 10 high top seats; there is no standup bar, there is no sidewalk café and there are no other outdoor areas for patrons, the applicant provided a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be 11AM to 11PM 7 days a week, 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 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV’s; 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. Premise will be advertised and operated as a kebab, sandwiches and salads restaurant.
2. The hours of operation will be 11AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Beer will be served in bottles or cans only.
13. Beer & Wine service licensed premises will be restricted to kebab, sandwich, salad restaurant only; beer and wine service will not occur in creperie location (see diagrams of licensed premises).
14. Venting & mechanicals will adhere to all codes. In addition, all venting in rear of buildings near residential terraces will be additionally shielded so not hot to touch.

v. Whereas, the applicant originally appeared before CB2, Man. in August 2017; at that time immediately impacted residents in the building and adjoining buildings and the local Block Association appeared and expressed concerns regarding the ventilation systems that were to be installed by the Applicant which they believe would egregiously infringe on the unique landmarked rear courtyard and it became clear that in the applicants filing to the Landmark Preservation Commission that the applicant failed to disclose that the new ventilation system would be installed within a landmarked interior courtyard which is clearly denoted in the LPC Historic Designation report, but under a different address; In August, the applicant agreed to layover the application and to decide whether they would share the mechanical drawings and landmark application with those impacted residents; when the applicant’s representative returned in July, they did not provide the materials for CB2 to review, they agreed to return in September; In September 2017 the Applicants representative appeared and provided in advance copies of all mechanical drawings and DOB submissions; the immediately impacted residents had obtained on their own the LPC filings; The impacted residents expressed their dismay with the applicants difficulty in providing public documents which they had to obtain independently and after reviewing those documents noted that they were not as egregious as expected, but that there were concerns with the hot kitchen exhaust be vented through mechanical systems immediately adjacent to residential terraces; the applicant agreed to further insulate those ventilation systems that were near the terraces so that they would not be hot to touch and would not present a danger to children or adults and agreed to make this a stipulation of their license; and,

vi. Whereas, there are currently approximately 22 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 **KUT Operating Corp., d/b/a N/A, 301 Sixth Ave. 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 34 Board members in favor.

17. Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 10011 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a Italian seafood osteria strictly vegetarian and vegan without any meats or poultry catering to all the neighborhood and other nearby clientele; and,

ii. Whereas, this application is for a new restaurant wine license in a previously licensed premise located in a mixed use building on the basement level on West 10th St. between 5th and 6th Avenues for a roughly 1,554 sq. ft premise with 14 tables and 35 seats, 1 food counter with 6 seats, and 1 standup bar with 4 seats, there is no sidewalk café and there are no other outdoor areas for patrons, there is a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be Sunday from 11AM to 11PM, Monday to Thursday from 5PM to 12AM and Friday and Saturday from 11AM to 1AM, 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 as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV’s; 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. Premise will be advertised and operated as an Italian seafood osteria, strictly vegetarian with vegan fare.
2. The hours of operation will be Sunday from 11AM to 11PM, Monday to Thursday from 5PM to 12AM and Friday and Saturday from 11AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 9PM every night and anytime there is amplified music. All doors will remain closed after 9PM except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

12. On Friday & Saturday Nights, will not seat patrons after midnight.

v. **Whereas**, the applicant provided petition in support and a letter in support was received; and

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

18. Kuni’s Corporation, d/b/a Ikinari Steak, 205A Bleecker St. 10012 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a casual steak house; the concept is currently operated in Japan as a chain and there is one other location in the East Village; steak is served by any weight requested; and,

ii. **Whereas**, this application is for a new restaurant wine license in a previously unlicensed premise located in a mixed use building on the ground floor and basement on Bleecker Street between Macdougall Street and 6th Avenue for a roughly 1,030 sq. ft. premise (723 sq. ft. ground floor and 307 sq. ft. basement, no patrons prep only) with 7 tables and 23 seats, there is no standup bar, there is no sidewalk café and there are no other outdoor areas for patrons, there is a Certificate of Occupancy; and,

iii. **Whereas**, the hours of operation will be 11AM to 11PM 7 days a week, 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 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV’s; 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. Premise will be advertised and operated as a casual steak house.
2. The hours of operation will be 11AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ’s, live music, cover charges or promoted events.

9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. New kitchen ventilation system will be installed to local code and will run full length to roof.
13. There will be no patron lines outside and if necessary an electronic alert system will be used for waiting patrons
14. There will be no sidewalk café.
15. Will coordinate garbage pickup with other businesses.
16. There will be table service only for patrons.
17. No speakers will be installed on structural walls (brick walls).
18. There may be one television for use as a promotional screen; but not for TV programming or sports.

v. Whereas, the applicant met with the local merchant and resident association which expressed concerns with a few issues including sound, ventilation, sidewalk café, crowd control and garbage collection and those issues were addressed by the applicant who agreed to incorporate stipulations to address those matters above; and,

vi. Whereas, there are currently approximately 28 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 **Kuni’s Corporation, d/b/a Ikinari Steak, 205A Bleecker St. 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

19. YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th St. 10003 (OP – Restaurant, Previously Unlicensed)

i. Whereas, the Applicant appeared a 2nd time before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for an on-premise liquor license for a full service patisserie and café; a full On Premise liquor license is only necessary in order to prepare pastry food products using liquor; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license in a previously unlicensed location located in a 2-story commercial building on the ground floor and basement on 13th Street between 5th Ave and University Place for a roughly 1,840 sq. ft. premise (1,000 sq. ft. 1st floor, 840 sq. ft. basement, no patron use) with 12 tables and 24 seats and 2 food counters with 13 seats, there is no stand up bar, but there will be 1 service bar; there is no outdoor seating area; the applicant provided a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be 7AM to 11PM 7 days a week, 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 all times as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

iv. Whereas, the applicant 1st appeared before CB2, Man. in August/2017 at which time there was community opposition from 2 Block Associations in the immediate area; the applicant agreed to meet with members of the Block Associations and return in September; the concerns of the members of the Block Associations included the hours of operation, the open window configuration, noise generated from mechanicals, quality of life issues, impacts on pedestrian and vehicular traffic and parking, serving minors pastries with alcohol and how ultimately why a liquor license was in fact needed at this location;

v. Whereas, the applicant and Block Associations met prior to the September/2017 CB2 SLA Committee meeting and agreed to a number of stipulations with each other and an signed set of stipulations was presented to CB2, Man. which the applicant asked to be included in CB2's stipulations as a show of good faith with the local residents; and

vi. 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 on-premise liquor license stating that:

1. Premise will be advertised and operated as a full service patisserie and café.
2. The hours of operation will be 7AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at all times. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Liquor will only be used by the operator in the preparation of food products only.
13. Beer & Wine products only will be available to customers. Drinks with liquor will not be served to customers.
14. Operator will adhere to all stipulations agreed to with local residents (see attached).

vii. Whereas, there are currently approximately 13 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 **YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th St. 10003** **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 34 Board members in favor.

20. Just Burger. LLC, d/b/a Burger 101, 270 Bleecker St. 10014 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a family restaurant specializing in burgers; and,

ii. Whereas, this application is for a new restaurant wine license in a previously licensed premise located in a mixed-use building on the ground floor and basement on 8th Avenue between Horatio Street and Jane Street for a roughly 1,250 sq. ft. premise (650 sq. ft ground floor and 600 sq ft basement, no patrons prep only) with 13 tables and 28 seats, there is no standup bar and 1 service bar, there is no sidewalk café and there are no other outdoor areas for patrons, the applicant provided a Letter of No Objection; and,

iii. Whereas, the hours of operation will be Sunday to Thursday form 11AM to 11PM and Friday and Saturday from 11AM to 1AM, 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 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV’s; 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. Premise will be advertised and operated as a family restaurant specializing in burgers.
2. The hours of operation will be Sunday to Thursday form 11AM to 11PM and Friday and Saturday from 11AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

12. No windows will ever be modified to open i.e. no accordion, French or garage style doors/windows.
13. There is no sidewalk café.
14. The last seating for patrons on Friday and Saturday night will be at 12AM.

v. Whereas, the applicant met with the local block association and the block association was in support of the application provided that the applicant adhere to the stipulations above in particular as it related to not changing the front façade, the block association only objected to the hours of operation on Friday and Saturday and as such the applicant agreed that no patrons would be seated after midnight on Fridays and Saturday; and,

vi. Whereas, there are currently approximately 22 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 **Just Burger. LLC, d/b/a Burger 101, 270 Bleecker 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 34 Board members in favor.

21. Asami Sushi, Inc., d/b/a Asami Sushi & Ramen, 513 6th Ave. 10011 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a sushi, ramen and dim sum restaurant which has already been open and operating for 9 months with no beer/wine service; and,

ii. Whereas, this application is for a new restaurant wine license located in a mixed-use building on the ground floor on 6th Avenue between West 13th and West 14th St. for a roughly 1,000 sq. ft. premise with 11 tables and 34 seats and 1 sushi bar with 6 seats, there is no standup bar, there is no sidewalk café and there are no other outdoor areas for patrons, there is an existing Certificate of Occupancy; and

iii. Whereas, the hours of operation will be Sunday to Thursday from 11AM to 11PM and Friday to Saturday form 11AM to 12AM, 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 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no more than 1 TV; 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. Premise will be advertised and operated as a sushi, ramen and dim sum restaurant.
2. The hours of operation will be Sunday to Thursday from 11AM to 11PM and Friday to Saturday form 11AM to 12AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will have no more than 1 television, no larger than 40 inches in size.

5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. There is no sidewalk café.

v. Whereas, there are currently approximately 12 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 **Asami Sushi, Inc., d/b/a Asami Sushi & Ramen, 513 6th Ave. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

22. 1 Perry, LLC, d/b/a Rosemary's Pizza, 1 Perry St. aka 57 Greenwich Ave. 10014 (OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee in September/2017 to present an application to the Liquor Authority for a high-end pizza restaurant that will eventually be fully operational as a high-end pizza & Italian food restaurant; as part of the proposed application, the applicant plans to install accordion doors across a significant portion of the façade of this corner location where solid walls and small windows previously existed; and,

ii. Whereas, the Applicant first appeared before CB2, Man. in August/2017 at which time the Applicant agreed to return in September so as to conduct additional outreach to immediately impacted residents in order that notification could be provided that indicated that part of the application included a significant alteration to the façade of the building which would create many new large openings where none previously existed; and,

iii. Whereas, this application is for an on-premise liquor license in a previously licensed premise which was abandoned by the previous licensee and is located in a mixed-use building on the ground floor and basement on the corner of Greenwich Avenue and Perry Street for a roughly 2,412 sq. ft. premise (1,452 sq. ft. on the ground floor and 960 sq. ft. basement, no patrons in basement) with 15 tables and 60 seats and 1 stand up bar with 6 seats, the applicant plans to submit an application for a future sidewalk café along the Greenwich Avenue portion of the premises, there are no other outdoor areas for patrons, the applicant stated that there was a Letter of No Objection issued by the NYC Department Of Buildings, but no actual copy of that letter was provided; and,

iv. Whereas, the hours of operation will be Sunday to Wednesday from 11AM to 12AM and Thursday to Saturday from 11AM to 1AM, 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 Sunday to Thursday at 9PM and Friday to Saturday at 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

v. 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. Premise will be advertised and operated as a high-end pizza restaurant.
2. The hours of operation will be Sunday to Wednesday from 11AM to 12AM and Thursday to Saturday from 11AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed Sunday to Thursday at 9PM and Friday and Saturday at 10PM and anytime there is amplified music. All doors will remain closed at those times except for patron ingress and egress.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will utilize an electronic alert system, if necessary, so that there are no patron lines.
13. Door on Perry Street on 7th Ave side of premises will not be used after 10PM Sunday to Thursday and 11PM Friday and Saturday.
14. Any future sidewalk café will close at 11PM with last patron seating at 10PM. No patrons will remain in sidewalk café after 11PM.

vi. Whereas, the applicant contacted a nearby block association which did not appear to have members on this block, presented a petition in support, and hosted an open house to which they invited immediately impacted residents, some of who signed a separate petition and an online petition; the applicant agreed to a number of stipulations indicted above intended to mitigate quality of life issues including closing the operable façade accordion doors at specific times and to stop using the door located on Perry St. closer to 7th Ave South and to closing any future sidewalk café at 11PM with the last seating in the sidewalk café at 10pm; the applicant stated that all steps would be taken to ensure that no patron lines would exist outside the establishment; the applicant verbally stated that they would adhere to all Landmark regulations and follow all proper procedures; and,

vii. Whereas, there are questions regarding whether this application meets the public interest standard in light of the impact of the full operable façade and operating hours; but the earlier closing hours of the façade windows seems to address these concerns to some extent; and,

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **1 Perry, LLC d/b/a Rosemary's Pizza, 1 Perry St. aka 57 Greenwich Ave. 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 34 Board members in favor.

23. St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 302-304 W. 4th St. 10014 (RW – Restaurant Wine)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for "an intimate French restaurant featuring the cuisine of Provence authentically prepared and served in a warm and convivial atmosphere, featuring reasonably priced appetizers, entrees and desserts, specializing in wines uniquely designated to complement [the] menu"; and,

ii. Whereas, this modified application is for a new restaurant wine license in a landmarked building in a residentially-zoned area which had previously not had an on-premise liquor license and had previously been operated as a café with hours of operation from 7AM to 11PM with complaints and an adverse history with the Liquor Authority; In an unusual exception, the applicant was afforded the opportunity to convert their application into a new application for a restaurant wine license at the same meeting and was provided the opportunity to present the new application; and,

iii. Whereas, this application is for a new restaurant wine license in a premises located in a residential building on the ground floor and basement on West 4th St. between Bank St. and West 12th St. for a roughly 1,050 sq. ft. premise (750 sq. ft. ground floor and 300 sq. ft. basement, no patrons or cooking in basement, prep only) with 10 tables and 36 seats, and 1 stand up bar with 12 seats, and four small counters with 8 seats for a total of 56 seats; there is no sidewalk café and there are no other outdoor areas for patrons, the applicant provided a Letter of No Objection; and,

iv. Whereas, the hours of operation will be Monday to Wednesday from 12PM to 12AM and Thursday to Saturday from 12PM to 1AM, 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 as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

v. 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. Premise will be advertised and operated as a French Restaurant.
2. The hours of operation will be Monday to Wednesday from 12PM to 12AM and Thursday to Saturday from 12PM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a "lounge", tavern or sports bar.

4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. 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.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at 9PM every night and anytime there is amplified music. All doors will remain closed after 9PM except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. There will be no outdoor benches.
13. Basement Hatch will be closed at all times except for deliveries.
14. There will be no cooking in the basement.
15. This is a restaurant wine application.
16. Operator will upgrade mechanicals to address noise issues and venting issues that have occurred in the past.
17. Will not change the front façade.

vi. Whereas, the applicant provided a petition and stated that they had contacted local block associations; whereas several parties appeared in opposition and correspondence was received in opposition from directly impacted parties; concerns included hours of operation, quality of life issues, concerns over changes to the façade in this highly residential area, correction of past issues including eliminating illegal cooking in the basement and non-complaint mechanical systems that emanated noise above approved levels; the applicant agreed to a number of stipulations attesting to their commitment to eliminate the underlying problems at the location which is in a residential zoned area; in the past it was noted that this location had been a beloved neighborhood bookstore which had no adverse impact on quality of life issues in the area; and,

vii. Whereas, there are currently approximately 11 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 **St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 302-304 W. 4th 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 34 Board members in favor.

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

24. Chick & Co, LLC, d/b/a Cocu, 26 Carmine St. 10014 (RW – Restaurant – Layover)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on September 14th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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 **Chick & Co, LLC, d/b/a Cocu, 26 Carmine 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 34 Board members in favor.

25. PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker St. 10014 (OP – Restaurant Alteration SN#1280172 – layover)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee #2 Meeting on September 14th, 2017, the Applicant requested to layover this application and will resubmit the application in September or some other future date; the application had previously been **laid over** at CB2, Manhattan’s SLA Licensing Committee #2’s Meeting on July 13th, 2017 and August 10th, 2017; this application is an alteration application for an existing on-premise liquor license SN# 1280172 to add an additional storefront, an additional rear yard and an additional bar in a separate building connected only through an open rear yard outdoor pathway, the application was laid over in order to among other things demonstrate that their existing use of the current rear yard is properly permitted and to explain how they intend to secure the proper DOB building paperwork for the newly acquired space 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 **PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 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 34 Board members in favor.

26. Entity to be formed by Alessandro Borghone, d/b/a TBD, 13 Barrow St. 10014 (OP – Restaurant - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on September 14th, 2017, 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 Community Board 2, Manhattan 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 an **Entity to be formed by Alessandro Borghone, d/b/a TBD, 13 Barrow 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 34 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution requesting alternatives to the use of mixing zones in intersections to provide greater protection for pedestrians and bicyclists from left-turning vehicles

Whereas CB2, Man. has received numerous expressions of concern regarding the danger of mixing zones, design features that are commonly placed at intersections with protected bike lanes to facilitate left turns for motor vehicles; and

Whereas within mixing zones, bicycles and motor vehicles are compelled to occupy the same space and have the green light along with pedestrians all at the same time, a situation in which pedestrians and bicyclists are highly vulnerable to and lack protection from drivers turning left; and

Whereas when motor vehicles merge in the same mixing zone space with bicyclists, it is often unclear who has the right of way, and the motorists, as they negotiate left turns, lack visibility of the bicyclists, compromising bicycling safety as well as threatening pedestrians; and

Whereas mixing zone hazards for bicyclists and walkers are further compounded by the absence of any physical boundary separating bikes and vehicles and/or defining a clear path and turning angle, enabling a broader turning radius for motorists, resulting in speedier, more dangerous turns; and

Whereas split phase traffic signals used at intersections have been shown to be far safer than mixing zones, according to data from various studies, including from the NYC Department of Transportation (DOT), such as in *Protected Bicycle Lanes in NYC*, September 2014; and

Whereas DOT has embarked on a study of bicycle intersection safety, with evaluation of bicycle safety and comfort levels at existing bike lane intersections including mixing zones;

Therefore be it resolved that CB2, MN. strongly favors eliminating mixing zones from intersections; and

Be it further resolved that CB2, Man. urges DOT to enhance intersection safety by implementing such measures as the following:

- Physical separation: Install bollards or (preferably) concrete islands to fully separate motor vehicles from bicycle lanes.
- Reduced turning radii: Install physical diverters, such as bollards or concrete islands to tighten turning radii (e.g., to a 90-degree left turn) slowing down turning motor vehicles.
- Time separation: Install Split Phase traffic signals to give each mode its own dedicated red and green phases to avoid conflicts.
- Grade differentiation: Raise bike lanes and crosswalks at intersections (to or near sidewalk level). Raised pedestrian crosswalks particularly ease crossing for seniors.
- Visual clues: Extending the green painted bike lane through the intersection warns drivers that they're approaching an area with bicyclists.
- Tactile differentiation: The use of various textured surfaces can separate and define areas of different functions and uses; and

Be it finally resolved that CB2, Man. thanks and fully supports DOT for conducting a study of bicycle safety at intersections and asks that DOT come to present its findings and recommendations to CB2 as soon as the study is completed.

Vote: Unanimous, with 34 Board Members in favor.

2. Resolution requesting "No Standing Anytime" signage and streetbed striping in the current corner "No Parking Anytime" space on the s.w. corner of Greenwich St. at Bank St.

Whereas there's a "No Parking Anytime" sign covering a two-car space on the s.w. corner of Greenwich St. at Bank St. which is virtually ignored: these two spaces are usually occupied (illegally) by either privately-owned or for-hire vehicles (like Uber and Lyft), of all sizes and kinds, including trucks and buses, with the for-hire vehicles' drivers often camping in them for long-term standing and sleeping; and

Whereas with Bank St. intersecting Greenwich St. at an acute angle, it seems obvious that the two-car Greenwich St. space was designated "No Parking Anytime" in order to daylight that corner so that drivers on Bank St. would have visibility of oncoming vehicles on Greenwich St.; and

Whereas under the current cars-frequently-parked in those spaces condition, drivers on Bank St. are unable to see traffic coming up Greenwich St. even when they pull up across the Bank St. crosswalk, a hazardous collision-prone situation where several close calls have been observed (Bank St. is the only intersection on Greenwich St. without traffic controls, further exacerbating the danger); and

Whereas it is clear that the "No Parking" signage, which restricts waiting, but allows dropping off and picking up passengers and loading and unloading packages, has not been effective in keeping clear the two spaces on the s.w. corner of Greenwich St. at Bank St., and that more restrictive signage is needed for at least the one corner space; and

Whereas it has been pointed out that at least one of these two spaces is necessary to accommodate access-a-ride and other vehicles that serve the many disabled residents in the community; and

Whereas "No Standing" signage prohibits waiting as well as loading and unloading and is generally perceived to be more restrictive; and

Whereas the one parking space nearest the corner, by being sufficiently daylighted with “No Standing” signage, would provide the necessary visibility of oncoming vehicles to provide needed safety; and

Whereas striping the streetbed pavement in the one corner space would act as an additional sign of prohibition and discouragement to parking there; and

Whereas moderate-size planters placed in this one corner space would serve as a further preventative to parking there while not obscuring the needed visibility and also providing enhancement, and a close-by resident has offered to do the maintenance;

Therefore be it resolved that Community Board 2, Manhattan (CB2) requests that the current "No Parking Anytime" signage covering the one corner space on the s.w. corner of Greenwich St. at Bank St. be replaced by "No Standing Anytime" signage; and

Be it further resolved that CB2 asks that the street pavement be striped in this one corner space; and

Be it finally resolved that CB2 urges that planters be placed in this one corner space.

Vote: Unanimous, with 34 Board Members in favor.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan