

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

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

FULL BOARD MINUTES

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

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Anita Brandt, William Bray, Richard Caccappolo, Erik Coler, Tom Connor, Terri Cude, Chair; Doris Diether, Stella Fitzgerald, Joseph Gallagher, Susan Gammie, Jonathan Geballe, Jon Giacobbe, Robin Goldberg, Nicholas Gottlieb, David Gruber, Susan Kent, Jeannine Kiely, Patricia Laraia, Edward Ma, Maud Maron, Daniel Miller, Lois Rakoff, Robert Riccobono, Robin Rothstein, Sandy Russo, Rocio Sanz, Frederica Sigel, Georgia Silvera Seamans, Shirley Smith, Elaine Young

BOARD MEMBERS ABSENT WITH NOTIFICATION: Lisa Cannistraci, Robert Ely, Shirley Secunda, Susan Wittenberg

BOARD MEMBERS ABSENT: None

BOARD MEMBERS PRESENT/ARRIVED LATE: Carter Booth, Katy Bordonaro, Ritu Chattree, Coral Dawson, Cristy Dwyer, Kathleen Faccini, Cormac Flynn, Jonathan Geballe, Kristin Shea, Chenault Spence, Antony Wong

BOARD MEMBERS PRESENT/LEFT EARLY: Cristy Dwyer

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; Esther Fiebig, Congresswoman Carol Maloney'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, i Stinson, NYC Comptroller Scott Stringer's office; Adam Chen, Public Advocate Letitia James' office; Patrice Comerford, Council Member Corey Johnson's office; Irak Cehonski, Council Member Rosie Mendez's office; Ian Clarke, Emily Kreuzsch, Julia Esposito, Meagan Jones, Shelby Cramer, Chase Daniels, Gina Morrow, Pete Davies, Lora Tenenbaum, Bob Milist, Zella Jones, Gabriella Quinones, Megumi Williams, Richard Noriko Moore, Charles Allcroft, Jordan Sabi, Jerry Funke, Laura Kosik, Nocholas Holmes, Jane Carey, Kyle Klerov, Jeanette Gogen, Christine Renzi, Jane Fisher, Pier Consagra, Margot Olavarria, Michael McGuigan, Grace Dixon, Mike Schweinburg, Guy Nordenson, Allie Rizzo, Rebecca Alberto, Brian Baer, Danee Goodman, Scott Sartiano, Ariel Levy, Linda Mevorach, Carol Conway, Lawrence Beebe, Lisa Conway, Richard Flaster, Arslan Rahman, John Jobbagy, Gil Traub, Saatchi Sageo-Jones, Ibtisam Azem, Hannah Clark, Jeanne Wilcke, Claudia Wagner, Rebecca Graler, Oded Ndeltmi, Rebecca Ou, Michael Meltzer, Davod Sokoler, Annn Walsh, James Wilcke, Rose Christ, Christopher Marte, Adam Henrick,

GUESTS (continued): Neil Boyarksy, Diane Cooper, Mitchell Charnas, Victor Trager, Jon Sirulnick, Kammy Moalemzadeh, Brett Helshaum, Annette Weintraub, Donald Bernstein, Miguel Acevedo, Ryan Solomon, Sam Chetrit, Brant Cherne, Ian Corn, Marvin Mitzner, Robert Jakobi, Brooke Richman, Brett Morgan, Betina Holte, Sebastian Gobbi, Adam Weinberg

MEETING SUMMARY

Meeting Date – October 19, 2017

Board Members Present – 43

Board Members Absent With Notification – 4

Board Members Absent - 0

Board Members Present/Arrived Late - 11

Board Members Present/Left Early – 1

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II. PUBLIC SESSION

Non-Agenda Items

Artist Housing

Sandy Russo made an announcement regarding the documentary film “Miracle on 42nd Street”

Pier 40 Announcements

Margot Olavarria, from the Hudson River Project, announced their annual Release of the Fishes event.

Ian Clarke reported that Pier 40 has a new skate park.

Various Announcements

Lois Rakoff reported on the Bellevue Community Advisory Board, announced the following events: the upcoming Washington Square Music Festival, and the Poe Room event on November 30th.

Disparity

Meg Williams spoke against this topic.

Thrive NYC

Arslan Rahman reported on this citywide initiative.

Mulberry Street Public Library

Rebecca Alberto and Brian Baer updated everyone regarding library events.

Budget Items

Christopher Marte reported on this topic.

Parks & Waterfront Items

Presentation from the Whitney Museum on a proposal for a public art installation at Gansevoort Peninsula
Adam Weinberg, Director of the museum, and John Jobbagy, spoke in favor of the public art installation.

SLA Licensing Items

A not-for-profit entity to be formed by Scott Sartiano, d/b/a Zero Bond, 0 Bond St. aka 670 Broadway
Donald Bernstein, Marvin Mitzner, (representing the applicant), Scott Sartiano (the applicant), Mitchell Charnas, Victor Trager, Jon Sirulnick, Allie Rizzo, Kammy Moalemzadeh, Brett Helsham, Miguel Acevedo, Ryan Solomon, Sam Chetrit, Brant Cherne, Gil Traub, Adam Henrick, Neil Boyarsky, Zella Jones, Richard Flaster, Ian Corn, Laura Kosik, Brooke Richman, Jordan Saki, Brett Moran, Betina Holte, Sebastian Gobbi, and Liza Conway, all spoke in favor of the liquor license application.

Jane Fisher, Pier Consagra, Annette Weintraub, Peter Davies, Jeanne Wilcke, Hannah Clarke, Alison Jones, Michael McGuigan, Lawrence Beebe, and Lora Tenenbaum, all spoke against the liquor license application.

Brandon Charnas and Robert Jakobi spoke about the benefits to the community regarding this application.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congressman Jerrold Nadler's office

Jacqueline Hsia, Congresswoman Nydia Velazquez's office

Esther Fiebig, Congresswoman Carol Maloney's office

Elena Sorisi, Senator Brad Hoylman's office

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

Charles Anderson, Assembly Member Deborah Glick's office

Michael Stinson, NYC Comptroller Scott Stringer's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Patrice Comerford, Council Member Corey Johnson's office

Irak Cehonski, Council Member Rosie Mendez's office

V. ADOPTION OF MINUTES

Distribution of September minutes

VI. EXECUTIVE SESSION

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

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

STANDING COMMITTEE REPORTS

LAND USE AND BUSINESS DEVELOPMENT

1. **City Council Intros 1472 and 799A-A** Discussion of the Commercial Rent Tax and its impact on businesses in CB2, with recommendations to the New York City Council and Mayor to sign into law a) Intro 799A: A local law in relation to the Commercial Rent Tax, and b) Intro 1472: A local law in relation to exempting certain grocery stores from the Commercial Rent Tax.

Whereas:

1. The City of New York imposes a tax on the rent paid by a tenant in commercial space south of 96th Street and north of Murray Street in Manhattan where the annual rent exceeds \$250,000. After allowing for certain statutory adjustments, and subject to certain exemptions and partial credits, the commercial tax rate is 3.9% of the base rent. The threshold for the imposition of the commercial rent tax (the "Tax") has not been adjusted since 2001; and
2. The City of New York and the State of Florida are the only jurisdictions in the United States still employing a version of a commercial rent tax; and
3. Because the tax only applies in Manhattan between 96th Street and the Financial District, it puts an unfair, regressive burden on businesses in some of the city's most expensive neighborhoods, where there is immense upward pressure on commercial storefront rents; and
4. Our small businesses operate in one of the most competitive and challenging markets anywhere in the nation. In addition, in a typical commercial lease in Manhattan, the landlord passes along to its commercial tenants some or all of the real property taxes on the premises, or at a minimum some or all of increases to the real property taxes during the lease term; and
5. Full service grocery stores – also known as supermarkets - are low profit margin neighborhood businesses that are essential to providing local access to a range of affordable fresh foods and staples for home food preparation and consumption, especially for older adults and families; and
6. Commercial Rent Tax (CRT) reform is a borough-wide and citywide issue of concern as many who live above or below the CRT zone may still work or study in the CRT zone and shop in the CRT zone, or work for employers within the CRT zone; and

7. Intro 799A, sponsored by City Council Member Daniel Garodnick, proposes to raise the threshold for the imposition of the Tax from \$250,000 to \$500,000, and to make certain other amendments to increase certain partial credits and adjustments to the Tax. As of tax year 2016, the increase in the threshold would have made about 3,400 fewer businesses subject to the Tax, with a savings of \$45.9 million.
8. Intro 1472, sponsored by Manhattan Borough President Gale A. Brewer and City Council Member Corey Johnson, was crafted to reflect the FRESH program's insistence on produce, fresh meats and dairy. Stores that seek the CRT exemption must accept SNAP and WIC, while earning the majority of their revenue from the sale of grocery items; and
9. The New York City Council Committee on Finance held a February 13, 2017 public hearing on Intro 799 and Intro 1472 at which the Manhattan Chambers of Commerce, Partnership for NYC, New York City Hospitality Alliance, Times Square Alliance, REBNY, testified in support of Intro 799A, building on the wide range of citywide support the proposal has received from a broad-based coalition of elected officials, businesses organizations and owners; and
10. At the same Finance Committee hearing, Hunter College Food Policy Center, CUNY Urban Food Policy Institute, American Heart Association, Locals 338 and 1500, the National Supermarket Association, Food Industry Alliance, Red Apple Group and Morton Williams testified in support of Intro 1472; and
11. While small businesses in our District and Borough face many more challenges to their survival, and are in need of a far more comprehensive approach to supporting and sustaining these vital elements of our local economy and sources of employment, the measures cited above are an important first step in leveling the playing field for these small and low profit margin businesses which could be otherwise be hiring additional employees or investing in their businesses; and

Therefore be it resolved that CB2, Man.:

1. Urges the New York City Council to pass Intro 799A and Intro 1472 and the Mayor to sign them into law before the close of the current City Council legislative session in December 2017.
2. Suggests that an indexing mechanism be added to provide periodic adjustments to the annual rent cap.

Vote: Unanimous with 43 Board members in favor.

2. 181 Mercer Street (between Houston and Bleecker Streets) NYU is to present, a second time, modifications to the NYU Core Special Permit (M 120124 (A) ZSM) of their new building 181 Mercer Street.

Whereas:

1. New York University seeks to modify the Large-Scale General Development special permit approved by the NYC City Planning Commission on June 6, 2012 and modified by the NYC Council on July 25, 2012.
2. The proposed minor modification relates to only one of the new buildings: the 181 Mercer St. building, also known as the Zipper Building, located on the south block between Bleecker and Houston Streets.
3. The application would make minor changes to the massing of portions of the 181 Mercer St. building but would not increase the building's zoning floor area.
4. NYU presented its application to CB2's Land Use committee in September and returned to the committee in October with more information.
5. The modifications affect Towers C, D, E, G and H.

6. Residents from 200 Mercer Street and 88 Bleecker Street came to both meetings to express their concerns with respect to infringements on their light and air as a result of the proposed 19'-0" shift of Tower C's expansion to the east and the addition of an elevator mechanical bulkhead (a two-story, 43'-0" deep structure to the east towards Mercer Street) to the roof of the 85' high base of the building. The residential neighbors expressed concern that the proposed massing changes favor NYU and the commercial establishments at the expense of the residential neighbors.
7. Concerns were also expressed in regard to remediation for nearby buildings from construction dirt and noise, noise from future open dorm windows and the proposed outdoor space on the roof of the building's base (85' above sidewalk level) along the entire Bleecker Street façade, and future illumination from the project.

Therefore, be it resolved that CB2, Man. recommends that NYU and the Department of City Planning work with the community and elected officials to resolve these issues.

Vote: Unanimous, with 43 Board members.

LANDMARKS AND PUBLIC AESTHETICS

1. ***224 West 4th St. – Application is to install an ADA compliant ramp.**

Whereas:

- A. The grade of the sidewalk leading to the ATM bank entrance is at a busy corner and does not adhere to ADA regulations; and
- B. A utilitarian ramp is proposed and the distance from the ramp to the curb is tight and may not be sufficient to meet code; and
- C. There are clearly several internal solutions, including repositioning of the door, that are easy to implement, would preserve the facade of the building and eliminate an encumbrance to the public at this busy corner; now

Therefore be it resolved that CB2, Man. recommends denial of the application and that an internal configuration be devised to satisfy the ADA requirement.

Vote: Unanimous, with 43 Board members in favor.

2. ***52 King St. – Application is to remove metal lintels and sills and replace with brownstone lintels and sills.**

Whereas:

- A. The window lintels have been covered with metal, causing considerable, irreversible damage from trapped moisture; and
- B. The proposal is to install replacement lintels in the proper materials referencing the intact examples on an adjoining property; now

Therefore be it resolved that CB2, Man. recommends approval of the application provided that best efforts are made to replicate the original profile.

Vote: Unanimous, with 43 Board members in favor.

3. ***159 Bleecker St. – Application is to restore the facade removing the brick infill at previous storefronts both sides of ground floor main entrance, and installation of fixed glass panels similar in opening size at prior storefronts.**

Whereas:

- A. The proposal to install two large plate glass windows, one on either side of the entry doors, does great harm to the remaining historic portion of the building; and
- B. A photograph was presented that clearly shows historic infill that can easily be referenced; now

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

That the applicant return to the Committee with a design that respects the historic character of the building and the district in order that the Board is able to make a recommendation to the Commission prior to a public Commission hearing.

Vote: Unanimous, with 43 Board members in favor.

4. ***17 King St. - Application is to renovate the interior & exterior; installation of a full-width, 12-ft 8-in. addition in the rear at the cellar, 1st, and 2nd floors with a roof terrace above the 2nd floor; demolition of rear roof dormer to be rebuilt the same size as adjacent dormer, extension to southwest chimney with 6 new small flues to replace existing flue; replacement, in kind, of existing roofing at south roof and replacement, in kind, of existing structure and roofing at north roof; installation of new skylight and mechanical roof vents at north roof.**

Whereas:

- A. The Charlton-King-Vandam historic district is one of the earliest designated districts in Manhattan and distinguished by both the character of the individual houses and the historic cohesiveness of intact, matching houses in rows; and
- B. The subject property is one of a row of four remarkably intact matching houses and is unique in that the rear facades, clearly visible from Sixth Avenue, present a unique view of a row that faced an alleyway; and
- C. The roof is to be replicated in kind with new materials, several flues are to be extended and are not objectionable, and the rear dormer is to be centered to replicate the adjacent building's dormer to the east; and
- D. The highly visible proposed three story rear extension would completely destroy the unique view of rear facades along the row, has no historical reference or precedent, and is of excessive bulk with plate glass windows; now

Therefore be it resolved that CB2, Man. recommends:

Denial of the proposed extension or any extension in that it would destroy the unique rear facade and rear yard row that is clearly visible from a public thoroughfare in this historic district; and

Approval of the replacement of the roof, the flue additions, and the rear rooftop dormer.

Vote: Unanimous, with 43 Board members in favor.

5. *58 Bank St. – Application is to install a new elevator at the rear of the building, a rooftop penthouse addition, and a below grade, rear yard expansion.

Whereas:

- A. The presentation for rear yard excavation, a penthouse, and installation of an elevator in the back garden was incomplete and the materials did not illustrate clearly the design of the proposal; and
- B. There was no mockup of the penthouse and in its place a rendering of the supposed visibility of the penthouse from a public thoroughfare and no assurance that the rendering accurately portrayed the visibility; and
- C. Numerous questions from the Committee to the applicant attempting to clarify details not evident in the materials presented lacked satisfactory answers and in several cases the applicant responded that important details had not been decided; now

Therefore be it resolved that CB2, Man. recommends:

Full denial of the application; and

That the applicant return to the Committee with a full, clear presentation of the proposed work, including accurate representations of each aspect of the project and photographs of a rooftop mockup showing visibility from public thoroughfares in order that the Board is able to make a recommendation to the Commission prior to a public Commission hearing.

Vote: Unanimous, with 43 Board members in favor.

6. *182-184 Waverly Pl., 156 and 158 W. 10th St – Application is to add rooftop egress and mechanical bulkheads, add roof decks and areaway fencing and gates, changes to rear window patterns, minor changes to existing storefront, installation of new trash enclosures, and a rear yard addition including minor excavation.

Whereas:

- A. Three contiguous buildings rounding the corner constitute a group in similar style and condition; and
- B. The facades, fenestration, and entrances are to be restored within the existing configuration, suitable wood and metal garbage enclosures will be installed in two places and there are two ill-placed fresh air intakes; and
- C. Iron fences with gates, which are anchored directly into the sidewalk rather than having the usual desirable curb, continue the line of fences on adjacent properties, do not detract from the facades and are prevalent in the immediate area; and

- D. The stair bulkheads and mechanical rooms are of minimal height determined by code and have been placed toward the rear of the buildings and are not objectionably visible from any public thoroughfare; and
- E. The required roof railings are minimal and set back 5'-6" from the cornice; and
- F. A pergola with slatted roof is extremely visible, not in keeping with the historic character of the building and calls undue attention to itself; and
- G. Additions and reconfiguration of windows in two rear facades, and rear yard and cellar excavations (with proper monitoring) are not visible from any public thoroughfare and do not detract from the historic character of the building; now

Therefore be it resolved that CB2, Man. recommends:

Approval of the general restoration and modifications provided that:

The rooftop pergola is eliminated, and the rooftop fence is of minimal thickness and is set back as far as possible, and the fresh air intakes are lowered as close to the sidewalk level as possible.

Vote: Unanimous, with 43 Board members in favor.

7. *462 Broadway - Application is to request that the LPC issue a report to the City Planning Commission relating to a Modification of Use pursuant to Section 74-711 of the Zoning Resolution.

NB: The application was previously considered the restoration has been enhanced since the original presentation.

CB2, Man. does not object to the landmarks elements under consideration in this application, and defers comment on the appropriateness of any bulk, use or other waivers per special permit ZR 74-711 to CB2's Land Use Committee.

Vote: Unanimous, with 43 Board members in favor.

PARKS & WATERFRONT

A Resolution In Support Of "Day's End," A Public Artwork By Sculptor David Hammons To Be Permanently Installed In Hudson River Park

Whereas:

- 1) Adam Weinberg, Director of the Whitney Museum of American Art, presented a proposal for a sculpture to be installed in Hudson River Park, along the south edge of the Gansevoort Peninsula on the former site of Pier 52.
- 2) The work proposed is by artist David Hammons (b. 1943) and would be a permanent installation.
- 3) The Whitney Museum would not own the artwork, though it would pay for its construction and its ongoing maintenance through a partnership with the Hudson River Park Trust. The Hudson River Park Trust would own the sculpture.

- 4) The artwork consists of a life-size skeletal replica of Pier 52 and will stand on the exact site where the original pier once stood. It is to appear as a “ghost pier,” a silhouette constructed of 8” diameter steel tubing with dimensions that adhere exactly to those of the original pier: 52’ tall, 325’ long, and 65’ wide. The sculpture will be completely open, will not be lit, and will be supported through 12 piles, 65’ apart, affixed to the river floor.
- 5) The name of the sculpture is “Day’s End” and is an homage to a sculpture of the same name by artist Gordon Matta-Clark (1943-1978). Matta-Clark trespassed on the abandoned Pier 52 in 1975 and made a series of large cuts to expose the river and sky and setting sun, creating a “sun-and-water temple.” The original sculpture was destroyed with the demise of the Pier 52 building.
- 6) The proposed design by Mr. Hammons is evocative of the rich history of the New York City waterfront and the natural beauty of the Hudson River, which inspired Matta-Clark’s sculpture, as well.
- 7) Installation of the art work will require 8-10 months of construction, all but a few weeks of which will consist of anchoring the structure – which will be mostly preassembled - to the ground.
- 8) Public experience of the sculpture will be enhanced through supplemental educational material produced by the Whitney Museum and distributed in collaboration with Hudson River Park Trust, such as oral histories, a documentary film, online apps, signage, and printed material and plaques.
- 9) “Day’s End” is designed not to impinge on any waterfront uses on Gansevoort Peninsula, which is not yet designed but is nonetheless intended as a future recreational park site in Hudson River Park.
- 10) “Day’s End” is designed not to impinge on the Spectra pipeline that lies nearby, and will be constructed to allow for rare instances when maintenance to the pipeline would require access under one of the sculpture’s anchors.
- 11) The design for the artwork will undergo environmental assessment and permitting by state and federal authorities who will evaluate its impact on the Hudson River environment and its storm resiliency.

Therefore, Be It Resolved that CB2, Man.

- 1) Supports the Whitney Museum’s proposal for “Day’s End,” a monumental sculpture by artist David Hammons to be permanently installed in Hudson River Park; and
- 2) Appreciates the early community engagement that allowed for public awareness and input on this important artwork that evokes the rich history of New York’s artistic tradition and the waterfront; and
- 3) Supports this project only with the understanding that it will undergo environmental assessments to ensure that it poses no harm to the Hudson River, neither in its construction nor its continued presence; and
- 4) Supports this project only with the assurances given that this sculpture will place no constraints on future uses of the parkland at Gansevoort Peninsula; and
- 5) Looks forward to future public scoping sessions with the Hudson River Park Trust to provide input on the design of the Gansevoort Peninsula as public open space.

Vote: Unanimous, with 43 Board Members in favor.

QUALITY OF LIFE

1. Renewal and modification of revocable consent to construct, maintain, and use ADA lift and metal stairs on the north sidewalk of West 13th Street, west of 9th Avenue, at 33 9th Avenue.

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 ADA lift would require less space on the sidewalk than is currently being used and meets all clearance requirements; and

Whereas, the proposed lift is more functional and aesthetically pleasing than what is currently being used; now

Therefore Be It Resolved that CB2, Man. recommends **approval** to construct, maintain, and use ADA lift and metal stairs on the north sidewalk of West 13th Street, west of 9th Avenue, at 33 9th Avenue.

VOTE: Unanimous, with 43 Board Members in favor.

2. New revocable consent to construct, maintain, and use new steps with handrails at 61-63 Crosby 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 steps and handrails would require less space on the sidewalk than is currently being used and meets all clearance requirements; and

Whereas, the proposed steps and handrails are a vast aesthetic improvement over the current steps and offers access to an internal ADA lift; now

Therefore Be It Resolved that CB2, Man. recommends **approval** to construct, maintain, and use new steps with handrails at 61-63 Crosby Street.

VOTE: Unanimous, with 43 Board Members in favor.

2. New application to request recommendation for a gaming (internet) café at OVOID, Inc., d/b/a OVOID, 84 Bowery (14026-2017-AGCF).

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

Whereas, the applicant plans to operate a sophisticated E-Games space that will have approximately 35 gaming stations and operate on a membership basis; and

Whereas, the applicant will not be serving alcohol and no gambling will take place; and

Whereas, the applicant will only be selling prepackaged foods and drink and will not be cooking food on the premises; now

Therefore Be It Resolved that CB2, Man. recommends **approval** for a gaming (internet) café at OVOID, Inc., d/b/a OVOID, 84 Bowery.

VOTE: Unanimous, with 43 Board Members in favor.

3. FYI/Sidewalk Café Renewals

- JL Solo, Inc., d/b/a Senza Gluten, 206 Sullivan Street with 6 tables and 16 chairs (2025569-DCA)
- Union SQ 4th F & B Management, LLC, d/b/a Singl, 132 4th Avenue with 14 tables and 32 chairs (2044806-DCA)

- RPB Partners, LLC, d/b/a Sweet Corner Bakeshop, 535 Hudson Street with 6 tables and 12 chairs (2029373-DCA)
- Nourish New York, LLC, d/b/a Nourish Kitchen and Table, 95 Greenwich Avenue with 3 tables and 6 chairs (2023399-DCA)

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

VOTE: Unanimous, with 43 Board Members in favor.

Street Activity Applications:

1. **Wednesday, 11/1/17 – Burton Snowboards—USA Olympic Uniform Launch Event (Promotional Event), Greene Street between Spring Street and Broome Street.**

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

Therefore Be It Resolved that CB2, Man. recommends **DENIAL** of the Burton Snowboards—USA Olympic Uniform Launch Event.

VOTE: Unanimous, with 43 Board members in favor

3. **Saturday, 11/11/17 – Ear Inn 200th Anniversary**; Spring Street between Greenwich Street and Washington Street.

Whereas, the applicant wishes to host this 200th anniversary celebration in front of the Ear Inn with a half closure on Spring Street to allow for emergency vehicles and other traffic on the other half; and

Whereas, the applicant wishes to host the event from 11 a.m. until 8 p.m featuring live folk bands and games for families; and

Whereas, the applicant intends to use the event as a fundraiser for its neighbor God’s Love We Deliver; and

Whereas, the applicant has already obtained a sound permit from the NYPD 1st Precinct for the event; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **Ear Inn 200th Anniversary**; Spring Street between Greenwich Street and Washington Street on November 11, 2017.

VOTE: Unanimous, with 43 Board members in favor

FYI/Renewal Street Activities

Friday, 5/5/18 – Grace Church School 62nd Annual May Fair, East 10th Street between Broadway and 4th Avenue.

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

VOTE: Unanimous, with 43 Board members in favor.

SLA LICENSING

1. Major Dough Soho 463 LLC d/b/a Major Dough Soho 463, LLC, 463 West Broadway 10012
(Alteration to add service bars at existing restaurant)

- i. Whereas,** the applicant requested to add two additional service bars to continue to operate a full service American restaurant with an existing on premise license serving Jewish NY Style fare at breakfast, lunch and dinner in a one-story commercial building on West Broadway between Grand and Canal Streets in Soho; and
- ii. Whereas,** there will be no changes to the existing method of operation as a full-service restaurant and no other changes to the existing interior or exterior premises; and
- iii. Whereas,** the total licensed premises is 2,440 sq. ft. over two floors (1,870 sq. ft. ground floor and 570 sq. ft. mezzanine), 2 bathrooms with 28 tables and 91 seats, with 2 service bars, for a total patron occupancy of 91, there will be no TVs, quiet background music only, there will be no sidewalk café, no outdoor garden and there will not be any French doors or windows that will open out to the sidewalk; and
- iv. Whereas,** the hours of operation will continue be from 6 am to 12 am seven days a week; and
- v. Whereas,** the applicant agreed to continue the agreed upon stipulations agreement with CB2, Man., those stipulations will continue to 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 full service American style restaurant only.
 2. Will operate with hours of operation from 6 am to 12 am seven days a week.
 3. There will be no outdoor area, no rooftop area/use or sidewalk café.
 4. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times will comply with all New York City Laws and Regulations and will not be audible in adjacent residences at any time.
 5. The premises will not have DJ's, live music, cover charges or promoted events.
 6. The premises will close all doors & windows at 10 PM every night.
 7. The premises will not have French doors, operable windows or open facades.
 8. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
 9. There will be no TVs
 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.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to an existing On-Premise liquor license to **Major Dough Soho 463, LLC d/b/a Major Dough Soho 463 LLC, 463 West Broadway 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 43 Board members in favor.

2. Dobra Café Sotto, Inc., d/b/a Despana Fine Foods & Tapas Café, 408 Broome St. 10013
(Transfer RW – Café)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a transfer of an existing Tavern Wine license SN# 1254391 (Exp: 8/31/19) to continue to operate a food store specializing in Spanish foods with a small tapas cafe in a commercial use building on Broome St. between Lafayette St. and Cleveland Place; and,

ii. Whereas, this application involves an intra-family transfer of ownership with no change in the current method of operation within a roughly 2,200 sq. ft. premise (ground floor and basement with basement for storage purposes only); there are 4 tables and 28 table seats in the cafe, no bar for a total 28 patron seats; there is no outdoor seating, a Certificate of Occupancy was presented; and,

iii. Whereas, the hours of operation will continue to be 10AM to 7 PM Monday through Thursday, from 11 AM to 10 PM Fridays and Saturdays and from 12 PM to 6 PM on Sundays, there is no sidewalk cafe or operable facades, all doors will be closed by 9PM 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 tavern wine license stating that:

1. Premise will be advertised and operated as a Spanish food store with small interior cafe.
2. The hours of operation will be from 10AM to 7 PM Monday through Thursday, from 11 AM to 10 PM Fridays and Saturdays and from 12 PM to 6 PM on Sundays.
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 a television.
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 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 9PM 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.

v. Whereas, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a transfer application for the existing tavern wine license for **Dobra Café Sotto, Inc., d/b/a Despana Fine Foods & Tapas Café, 408 Broome 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 Tavern Wine License.

Vote: Unanimous, with 43 Board members in favor.

3. KJ Natural, Inc., d/b/a Quantum Leap, 226 Thompson St. 10012 (Transfer RW – Café)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a transfer application for an existing vegetarian fish style restaurant wine license SN# 1254391 Exp. 08/31/2019) in a mixed-use, 6-story building (Circa 1900) on Thompson Street between W. 3rd and Bleecker Streets on a residentially zoned block (R7-2) in a historic land marked district; and,

ii. Whereas, this application involves an intra-family transfer of ownership with no change in the current method of operation within a roughly 1,000 sq. ft. premise with 14 tables and 36 table seats no bar for total interior seating for 36 patrons; and,

iii. Whereas, the hours of operation for the interior restaurant remain 12PM to 10 PM every day/night seven days a week, there is no sidewalk cafe, all doors and windows will be closed by 9PM 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 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 Vegetarian Restaurant.
2. The hours of operation will be 12PM to 10 PM every day/night seven days a week.
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 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.
6. The premises will not have DJ’s, live music, cover charges or promoted events.
7. The premises will not have French doors, operable windows or open facades.
8. The premises will close all doors & windows at 9PM 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.

v. Whereas, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a transfer for the existing restaurant wine license for **KJ Natural, Inc., d/b/a Quantum Leap, 226 Thompson 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 43 Board members in favor.

4. DOL F&C Corp., d/b/a Tofu Tofu, 96 Bowery 10013 (New 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 a new Restaurant Wine License to operate a full-service restaurant specializing in Korean dishes on the ground floor of a mixed-use, 5-story building (Circa 1910) on the ground floor on Bowery between Hester and Grand Streets; and

ii. Whereas, the storefront premise was previously operated as a restaurant (Almond Flower Bistro), there is no sidewalk cafe or operable facades, the space being roughly 1,710 sq. ft. premise (ground floor only) with 14 tables and 58 seats, one counter with no seats for a total of 58 interior seats; the premise also includes a licensed New York City Department of Consumer Affairs sidewalk café which has 9 tables and 24 Chairs; and

iii. Whereas, the applicant presented a certificate of occupancy from 1952 but did not submit the updated certificate of occupancy pertaining to the storefront premises from 1986, there being questions as to whether eating and drinking was permitted, the applicant agreeing to obtain a proper, updated certificate of occupancy or letter of no objection permitting the use/operation of a restaurant at the premises prior to obtaining his restaurant wine license; and,

iv. Whereas, the hours of operation of the interior of the premises will be 11 AM to 10 PM every day/night seven days a week, there are no outdoor areas for the service of alcohol included in this application, there are no French or operable facades included in this application, all doors and windows will be closed by 9 pm 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,

v. 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. Premise will be advertised and operated as a full-service Korean restaurant specializing in Tofu and BBQ dishes.
2. The hours of operation will 11 AM to 10 PM every day/night seven 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 play quiet ambient-recorded background music only.
7. The premises will not have DJ’s, live music, cover charges or promoted events.
8. The premises will not have French doors, operable windows or open facade.
9. The premises will close all doors & windows at 9PM every night and anytime there is amplified music.

10. There will be no 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, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant wine application for **DOL F&C Corp., d/b/a Tofu Tofu, 96 Bowery 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 43 Board members in favor.

5. Chalait, LLC, d/b/a Chalait, 375 Hudson Street (Restaurant Wine – previously unlicensed location)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant Wine license to operate a Neighborhood Café in a storefront location entered from Houston Street, located within a commercial building (Saatchi & Saatchi) with a Hudson Street address that has never been previously licensed for the sale of liquor; and

ii. Whereas, the storefront premise is approximately 2,336 sq. ft. and entirely on the ground floor with two patron bathrooms, 12 tables with an aggregate 36 seats and one (1) food counter with 10 seats for a total patron seating capacity of 46, there is no sidewalk café and no other outdoor areas for patrons, the location does not have and will not install operable windows; and,

iii. Whereas, the hours of operation will be from 7 AM to 6 PM Sunday through Thursday and 8 AM to 5 PM Friday and Saturday, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, and no television sets; and,

iv. 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 Restaurant Wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a neighborhood cafe.
2. The hours of operation will be from 7 AM to 6 PM Sunday through Thursday and 8 am to 5 PM on Friday and 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 no television.
5. The premises will not permit dancing.
6. The premises will play quiet ambient recorded background music only.
7. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.

8. All exterior doors and windows will be kept closed by 6 PM every night and anytime there is amplified music.
9. The premises not install French doors, operable windows, or open facades.
10. There will be no unlimited food and drink specials, “boozy brunches, or pitchers of beer.
11. There will be no “bottle service” or sale of bottles of alcohol except for the sale of wine products.
12. Will not have DJs, live music, promoted events, scheduled performances, or any event where a cover is charged.

v. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine application to **Chalait, LLC, d/b/a Chalait, 375 Hudson Street** **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 Restaurant Wine License.

Vote: Unanimous, with 43 Board members in favor.

6. The Press Shop, LLC, d/b/a The Press Shop, 74 Bleecker St. 10012 (New Tavern Wine – previously unlicensed)

i. **Whereas**, the applicant and his 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 operate a sandwich shop on a ground floor storefront in a 9-story mixed-use building (Circa 1900) located on Bleecker St. between Broadway and Crosby St.; and,

ii. **Whereas**, the sandwich shop has operated since 2016 and prior to the sandwich shop, a Two Boots pizzeria operated out of the same storefront space, the premises having never been licensed for the service of alcohol, there being existing non-operable front facades, no outdoor areas or sidewalk cafe, the interior storefront premises being 1,587 sq. ft. (922 sq. ft. ground floor, 653 sq. ft. basement, patron use of ground floor only) with 1 table and 12 table seats, 5 window counter seats, no standup bar with no bar seats; there is an existing certificate of occupancy for the entire building that permits six retail stores and one eating and drinking establishment; and,

iii. **Whereas**, the hours of operation are from 11AM to 9PM seven days a week, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The premises will be advertised and operated as a sandwich shop.
2. The interior hours of operation will be from 11AM to 9 PM seven days a week.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.

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.
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. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.

v. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Tavern Wine application for **The Press Shop, LLC, d/b/a The Press Shop** **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 43 Board members in favor.

7. Topthai, Inc., d/b/a Top Thai, 235 Sullivan St. 10012 (New 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 a new Restaurant Wine License to operate a small Thai food take out Restaurant in a mixed-use five story building (Circa 1900) located on a residentially zoned block (R7-2) in a landmark district on Sullivan Street between Bleecker and West 3rd Sts.; and,

ii. **Whereas**, the premises was previously operated since 2016 as Khao Thai Eatery with a restaurant wine license and before 2016 operated as Freshco Burrito Taco and had never been previously licensed for the service of alcohol, there being existing non-operable front facades, no outdoor areas or sidewalk cafe, the interior storefront premises being small at roughly 800 sq. ft., there is a full service kitchen, 1 bathroom, with 9 patron tables and 25 patron table seats, 1 food counter with no seats, no standup bar and no bar seats; no certificate of occupancy or letter of no objection from the NYC DOB was presented to operate as an eating and drinking establishment; and,

iii. **Whereas**, the applicant originally provided notice to CB2, Man. for an on-premise license at these premises but changed and altered that application before CB2 Man. SLA Committee to a Restaurant Wine license and agreed to proceed to the NYS SLA with a Restaurant Wine license in place of and instead of an application for an on premise, the applicant not satisfying the public interest standard required for an on-premise license at these premises; and,

iv. **Whereas**, the applicant also met with the Bleecker Area Merchants and Resident's Association ("BAMRA") and failed to tell BAMRA that he would be seeking an on premises license and instead obtained their support by informing them he would be operating with a Restaurant Wine license with its stated method of operations as a small take-out restaurant specializing in Thai food; and

v. **Whereas**, the hours of operation are from 11:30 AM to 10:30 PM seven days a week, 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,

vi. **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 Restaurant Wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a Thai Restaurant with take out services.
2. The interior hours of operation will be from 11:30 AM to 10:30 PM seven days a week.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
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.
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. There will be no unlimited food and drink specials, “boozy brunches, or pitchers of beer.

vii. **Whereas**, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Restaurant Wine application for **Topthai, Inc., d/b/a Top Thai, 235 Sullivan 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 43 Board members in favor.

8A. A not-for-profit entity to be formed by Scott Sartiano, d/b/a Zero Bond, 0 Bond St. aka 670 Broadway, 4th, 5th, & 6th Floor, 10012 (New OP – Private Members Club – Previously Unlicensed)

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 Club Liquor License to operate a Members Club with two restaurants and three bars on three floors with a rooftop extension (6th floor) within an existing five story commercial landmarked building (Circa 1874) previously known as one of the Brook Brothers buildings, well preserved with historic features, located on the corner of Broadway and Bond Street with its patron entrance being located on Bond Street approximately 200 feet off of Broadway; and,

ii. Whereas, the commercially landmarked building known with three addresses all on Broadway and none on Bond (670-672-674 Broadway) is located in a M1-5B manufacturing district, a certificate of occupancy was presented permitting manufacturing and office uses from floors 2 through 5 with retail store uses permitted for the ground floor; neither the retail nor the upper floors having previously been licensed or operated for the sale of alcohol or eating and drinking; and,

iii. Whereas, the upper floors of the landmarked building were previously used in the recent past for commercial office space, and before that for decades by various manufacturing companies, the entrances for the building having previously been located only on Broadway and not on Bond Street, but after recent renovations to the building, two new entrances to the building were built mid-block on Bond Street with an new addresses identified as “Zero Bond”, the first now being used by an Equinox Fitness Club and the second to be the entrance for the proposed members club; and

iv. Whereas, the total membership club premise is roughly 17,000 sq. ft. (4th Floor 3,500 sq. ft., 5th floor 10,000 sq. ft. and 3,500 sq. ft. “to be constructed” roof top addition), with 17 bathrooms, a two lane bowling alley, 62 tables with 267 patron seats, 3 stand up bars with 32 additional patron seats, a sushi counter with 7 additional seats for a total of 306 patron seats for eating and drinking, there will no TVs, no DJs or live music at entertainment levels and that the entire interior premise over three floors will operate with background music only; a diagram was presented which identifies a “Recreation Hall” on the 4th floor including the bowling alley, game room and stand up bar, a Great Hall with an open floor plan, including reception area, two small private meeting rooms, a third larger meeting room with dividers, a large full service kitchen, a conference room called “The Library”, a stand up bar with additional tables, a dining area referred to as “The Grill” with miscellaneous lounge type seating throughout the rooftop extension including a “Billiards Room” and “Conservatory” with stand up bar and lounge seating; and,

v. Whereas, the application presented to CB2 Man. included hours of operation from 10:00 AM to 4:00 AM every day/ night of the week with patrons coming and going throughout the day and night with a total patron capacity/occupancy of 500 at any given time, but thereafter the applicant reduced his closing hours to 2:00 AM every night and reduced his patron capacity/occupancy to 450 patrons, but was not willing to reduce the late-night hours of operation any further or to midnight on week nights or to a patron capacity/occupancy under 450 members; and

vi. Whereas, eating and drinking establishments of over 5000 sq. ft. are prohibited at this location by zoning, but the Applicant states an exception exists for the Applicant’s proposed method of operation as a non-profit membership club not open to the general public as an exception for a meeting hall; it not being clear as to whether the application for a private non-profit members club could qualify for meeting hall exemption; there are also questions as to whether bowling lanes are also not permitted under the zoning either; and

vii. Whereas, the Applicant indicating that he will form a nonprofit corporation for the management of the club that would charge members approximately \$2500 per year for membership dues, for use of the premises, that members would apply through a formal nomination process, memberships would be annual only (no daily, weekly or monthly memberships), and the new corporation would limit the number of members to 1500 and each member would be permitted to invite 4 guests each visit and,

viii. Whereas, the Applicant stated that there would be no outdoor areas for the service of alcohol to patron members for the club on the rooftop or elsewhere, there will be no operable windows designed or constructed to the exterior addition planned to the roof top, no access to the rooftop by anyone other than for emergency egress, nor would there be in the future, and that all doors and windows (despite such windows being operable) to the outside will remain closed at all times; and,

ix. Whereas, many people living on Bond Street appeared in opposition to this application, including those families residing within 2 Bond Street, a four story loft building to the east and immediately adjacent to and across a narrow (20') cobble stone alleyway (Great Jones Alley) to the windows of the membership club on the fourth and fifth floors, many of those living in this landmarked building having single pane windows that cannot be altered and would be expensive to replace, with bedroom windows of families and children located directly across the alley way from the windows used by the membership club creating concerns of privacy and noise during the late night hours and operations of the membership club that never existed previously, that the newly created Bond Street entrance to the membership club with a 450 patron capacity being located immediately adjacent to their building (as well as other residences on Bond Street), there never being such an entrance until recently, the entrances to the commercial building for tenants in the past being located on Broadway or just off of the corner of Broadway and not mid-block on Bond Street where this one is located, Bond Street being a quiet cobble stone roadway with a significant residential presence, the designation/use of this entrance for the club being inappropriate in that it will have a significant late night impact on their lives when patrons are smoking on the street from the club, entering, exiting, there being a significant addition of vehicles picking up/dropping off patrons on Bond street in front of their residences that did not previously exist, as well as black cars and limousines lining up, idling and remaining on Bond Street for patrons to exit, this being an exclusive club designed to attract only the wealthy on a global basis, there being no plan in place to prevent this unwanted build-up of cars and/or traffic and no stipulations or rules that could be enforced to prevent the private vehicles from disrupting what is now a relatively quiet block at night; the applicant's previous business establishments in NYC carrying a great deal of notoriety;

x. Whereas, it was unclear to many residents what public interest would be served with a non-profit private exclusive club that would still generate a profit and was only filing with this type of entity because the ABC Law only allows a non-profit to hold this type of liquor license and what public interest was served by a private club that would generate this type of impact at this specific location in this configuration and which just further creates a disparity within the community for an exclusive club designed to attract only the wealthy; and,

xi. Whereas, CB2 Man. also received numerous correspondence in opposition to the application, including from residents living at 35 Bond, 52 Bond, 24 Bond Street, 548 Broadway and 77 Bleecker Street, a cooperative residential building facing the Broadway side of 670-674 Broadway citing many different concerns, 2009 correspondence was provided from CB 4 Manhattan to the NYPD Manhattan South Precinct outlining problems with noise complaints, crowd control and high volumes of late night vehicular traffic (black cars and taxis), honking and news articles and letters from CB4 Man. relating certain violations/disciplinary proceedings and actions brought against the Applicant's prior club known as "1 Oak" located in Chelsea; and,

xii. Whereas, the opposition also questioned the permits and zoning at the proposed premises to operate a membership club with eating and drinking until 2 AM where only manufacturing and office uses are currently permitted and where no special permit has been obtained, only the 4th and 5th floors currently exist and the 6th floor has yet to be constructed, and where zoning regulations contradict eating and drinking establishments in excess of 5,000 sq. ft. in this area; it was pointed out that along Bond Street, just about every building from the 2nd floor up is residential; and,

xii. Whereas, the Applicant who would be the ABC Officer described his background and stated that his first nightlife premise was located a few blocks away which he opened in 2002 and since then he has opened and operated venues throughout the country and around the world including premises within CB2, he stated that he has since sold all of his interests in nightlife venues, including 1 Oak; he also made it clear that the proposed membership club would not operate with the same method of operation as 1 Oak, a

night club operating until 4 AM every night, stating his desire to separate from the club business, worked with the Community when complaints were brought and left the Community around 1 Oak in good standing, further stating that the total square footage of the space may be closer to 15,000 sq. ft. rather than 17,000 sq. ft. as originally presented, that he would make space available within his membership club for non-profit groups and Community groups to conduct meetings and use the space, that there may be only one interior restaurant space and not two as originally presented, while also showing a willingness to come to some sort of compromise with the Community by agreeing in the instant application to place permanent black out shades over the windows facing 2 Bond St. and in the evenings after dark on any windows on the 6th Floor, agreeing to place plantings around the rooftop extension to block unwanted intrusions to neighboring buildings, agreeing to keep all windows to the outside closed to prevent an unwanted intrusion on the privacy and quiet enjoyment of the residents living immediately across the alley way from his proposed club, agreeing to provide security every night until closing at the front door of the club on Bond street and to attend to crowd control and noise on the sidewalk and out in the street by preventing liveries to park on Bond Street, that liveries would be summoned at the time of a member's departure and that an interior waiting area would be made available for members at the entrance/exit to the extent that such was reasonable for his business to undertake or even possible being that outside presents a public thorough way for pedestrians and vehicular traffic; and,

xiv. Whereas, in response to and at the request of CB2 Man., the Applicant presented a letter from an attorney explaining how, notwithstanding apparent specific prohibition in section 42-14(3)c of the zoning code of a group 6E non-profit private club, such a membership club could be permitted at these premises, explaining that an M1-B5 zoning district use group 6C, which includes "meeting hall", with the eating and drinking uses being designated as an accessory use for the meeting hall; the lawyer further stated his opinion that zoning concerns are tangential to liquor license discussions and should not play a role for the Community Board's consideration at this time, the approval of the zoning being separate and distinct from the approval of the liquor license; and,

xv. Whereas, the Applicant also received significant support for his proposed membership club, and people appeared in support speaking to the Applicant's integrity, his previous hiring from the local community where his businesses have been located, his community involvement and responsiveness to complaints, including correspondence of residents living on Bond Street and others living on Lafayette Street, in addition to the Noho Bowery Stakeholders, as well as a petition in support: and,

xvi. Whereas, this application being subject to the 500 ft. Rule requiring the applicant to establish that the public interest will be served to the Community by the granting of the instant license, there being 14 on premise licenses within 500 ft. of the applicant's entrance mid-block on Bond Street, 23 on premise licenses with 750 ft. of the Zero Bond entrance, with 6 additional pending liquor license applications for the same geographic area, and not including the many existing beer/wine licenses within this same area; and,

xvii. Whereas, as a part of its determination as to whether an on premise liquor license application would be in the public interest, the NYS Liquor Authority is mandated to consult with the Community Board in which the establishment seeking the license is located; which may consider the following factors in determining if the public interest is served: the number of licenses near the location, whether the necessary permits have been obtained, the effect that granting the license would have on vehicular traffic and parking near the location, the history of liquor violations and reported criminal activity and any other relevant facts to determine whether the public interest of the community would be served by the granting of the license: and,

THERE WAS A MOTION MADE AT THE FULL BOARD TO DENY THE ABOVE APPLICATION. SEE NEW RESOLUTION BELOW.

8B. A not-for-profit entity to be formed by Scott Sartiano, d/b/a Zero Bond, 0 Bond St. aka 670 Broadway, 4th, 5th, & 6th Floor, 10012 (New OP – Private Members Club – Previously Unlicensed)

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 Club Liquor License to operate a Members Club with two restaurants and three bars on three floors with a rooftop extension (6th floor) within an existing five story commercial landmarked building (Circa 1874) previously known as one of the Brook Brothers buildings, well preserved with historic features, located on the corner of Broadway and Bond Street with its patron entrance being located on Bond Street approximately 200 feet off of Broadway; and

ii. Whereas, the commercially landmarked building known with three addresses all on Broadway and none on Bond (670-672-674 Broadway) is located in a M1-5B manufacturing district, a certificate of occupancy was presented permitting manufacturing and office uses from floors 2 through 5 with retail store uses permitted for the ground floor; neither the retail nor the upper floors having previously been licensed or operated for the sale of alcohol or eating and drinking; and,

iii. Whereas, the upper floors of the landmarked building were previously used in the recent past for commercial office space, and before that for decades by various manufacturing companies, the entrances for the building having previously been located only on Broadway and not on Bond Street, but after recent renovations to the building, two new entrances to the building were built mid-block on Bond Street with an new addresses identified as “Zero Bond”, the first now being used by an Equinox Fitness Club and the second to be the entrance for the proposed members club; and

iv. Whereas, the total membership club premise is roughly 17,000 sq. ft. (4th Floor 3,500 sq. ft., 5th floor 10,000 sq. ft. and 3,500 sq. ft. “to be constructed” roof top addition), with 17 bathrooms, a two lane bowling alley, 62 tables with 267 patron seats, 3 stand up bars with 32 additional patron seats, a sushi counter with 7 additional seats for a total of 306 patron seats for eating and drinking, there will no TVs, no DJs or live music at entertainment levels and that the entire interior premise over three floors will operate with background music only; a diagram was presented which identifies a “Recreation Hall” on the 4th floor including the bowling alley, game room and stand up bar, a Great Hall with an open floor plan, including reception area, two small private meeting rooms, a third larger meeting room with dividers, a large full service kitchen, a conference room called “The Library”, a stand up bar with additional tables, a dining area referred to as “The Grill” with miscellaneous lounge type seating throughout the rooftop extension including a “Billiards Room” and “Conservatory” with stand up bar and lounge seating; and,

v. Whereas, the application presented to CB2, Man. included hours of operation from 10:00 AM to 4:00 AM every day/night of the week with patrons coming and going throughout the day and night with a total patron capacity/occupancy of 500 at any given time, but thereafter the applicant reduced his closing hours to 2:00 AM every night and reduced his patron capacity/occupancy to 450 patrons, but was not willing to reduce the late-night hours of operation any further or to midnight on week nights or to a patron capacity/occupancy under 450 members; and

vi. Whereas, eating and drinking establishments of over 5,000 sq. ft. are prohibited at this location by zoning, but the Applicant states an exception exists for the Applicant’s proposed method of operation as a non-profit membership club not open to the general public as an exception for a meeting hall; it not being

clear as to whether the application for a private non-profit members club could qualify for meeting hall exemption; there are also questions as to whether bowling lanes are also not permitted under the zoning either; and

vii. Whereas, the Applicant indicating that he will form a nonprofit corporation for the management of the club that would charge members approximately \$2,500 per year for membership dues, for use of the premises, that members would apply through a formal nomination process, memberships would be annual only (no daily, weekly or monthly memberships), and the new corporation would limit the number of members to 1,500 and each member would be permitted to invite 4 guests each visit and,

viii. Whereas, the Applicant stated that there would be no outdoor areas for the service of alcohol to patron members for the club on the rooftop or elsewhere, there will be no operable windows designed or constructed to the exterior addition planned to the roof top, no access to the rooftop by anyone other than for emergency egress, nor would there be in the future, and that all doors and windows (despite such windows being operable) to the outside will remain closed at all times; and,

ix. Whereas, many people living on Bond Street appeared in opposition to this application, including those families residing within 2 Bond Street, a four-story loft building to the east and immediately adjacent to and across a narrow (20') cobble stone alleyway (Great Jones Alley) to the windows of the membership club on the fourth and fifth floors, many of those living in this landmarked building having single pane windows that cannot be altered and would be expensive to replace, with bedroom windows of families and children located directly across the alley way from the windows used by the membership club creating concerns of privacy and noise during the late night hours and operations of the membership club that never existed previously, that the newly created Bond Street entrance to the membership club with a 450 patron capacity being located immediately adjacent to their building (as well as other residences on Bond Street), there never being such an entrance until recently, the entrances to the commercial building for tenants in the past being located on Broadway or just off of the corner of Broadway and not mid-block on Bond Street where this one is located, Bond Street being a quiet cobble stone roadway with a significant residential presence, the designation/use of this entrance for the club being inappropriate in that it will have a significant late night impact on their lives when patrons are smoking on the street from the club, entering, exiting, there being a significant addition of vehicles picking up/dropping off patrons on Bond street in front of their residences that did not previously exist, as well as black cars and limousines lining up, idling and remaining on Bond Street for patrons to exit, this being an exclusive club designed to attract only the wealthy on a global basis, there being no plan in place to prevent this unwanted build-up of cars and/or traffic and no stipulations or rules that could be enforced to prevent the private vehicles from disrupting what is now a relatively quiet block at night; the applicant's previous business establishments in NYC carrying a great deal of notoriety; and

x. Whereas, it was unclear to many residents what public interest would be served with a non-profit private exclusive club that would still generate a profit and was only filing with this type of entity because the ABC Law only allows a non-profit to hold this type of liquor license and what public interest was served by a private club that would generate this type of impact at this specific location in this configuration and which just further creates a disparity within the community for an exclusive club designed to attract only the wealthy; and,

xi. Whereas, CB2, Man. also received numerous correspondence in opposition to the application, including from residents living at 35 Bond, 52 Bond, 24 Bond Street, 548 Broadway and 77 Bleecker Street, a cooperative residential building facing the Broadway side of 670-674 Broadway citing many different concerns, 2009 correspondence was provided from CB4, Man. to the NYPD Manhattan South Precinct outlining problems with noise complaints, crowd control and high volumes of late night

vehicular traffic (black cars and taxis), honking and news articles and letters from CB4, Man. relating certain violations/disciplinary proceedings and actions brought against the Applicant's prior club known as "1 Oak" located in Chelsea; and,

xii. Whereas, the opposition also questioned the permits and zoning at the proposed premises to operate a membership club with eating and drinking until 2 AM where only manufacturing and office uses are currently permitted and where no special permit has been obtained, only the 4th and 5th floors currently exist and the 6th floor has yet to be constructed, and where zoning regulations contradict eating and drinking establishments in excess of 5,000 sq. ft. in this area; it was pointed out that along Bond Street, just about every building from the 2nd floor up is residential; and,

xii. Whereas, the Applicant who would be the ABC Officer described his background and stated that his first nightlife premise was located a few blocks away which he opened in 2002 and since then he has opened and operated venues throughout the country and around the world including premises within CB2, Man. he stated that he has since sold all of his interests in nightlife venues, including 1 Oak; he also made it clear that the proposed membership club would not operate with the same method of operation as 1 Oak, a night club operating until 4 AM every night, stating his desire to separate from the club business, worked with the Community when complaints were brought and left the Community around 1 Oak in good standing, further stating that the total square footage of the space may be closer to 15,000 sq. ft. rather than 17,000 sq. ft. as originally presented, that he would make space available within his membership club for non-profit groups and Community groups to conduct meetings and use the space, that there may be only one interior restaurant space and not two as originally presented, while also showing a willingness to come to some sort of compromise with the Community by agreeing in the instant application to place permanent black out shades over the windows facing 2 Bond St. and in the evenings after dark on any windows on the 6th Floor, agreeing to place plantings around the rooftop extension to block unwanted intrusions to neighboring buildings, agreeing to keep all windows to the outside closed to prevent an unwanted intrusion on the privacy and quiet enjoyment of the residents living immediately across the alley way from his proposed club, agreeing to provide security every night until closing at the front door of the club on Bond street and to attend to crowd control and noise on the sidewalk and out in the street by preventing liveries to park on Bond Street, that liveries would be summoned at the time of a member's departure and that an interior waiting area would be made available for members at the entrance/exit to the extent that such was reasonable for his business to undertake or even possible being that outside presents a public thorough way for pedestrians and vehicular traffic; and,

xiv. Whereas, in response to and at the request of CB2, Man., the Applicant presented a letter from an attorney explaining how, notwithstanding apparent specific prohibition in section 42-14(3)c of the zoning code of a group 6E non-profit private club, such a membership club could be permitted at these premises, explaining that an M1-B5 zoning district use group 6C, which includes "meeting hall", with the eating and drinking uses being designated as an accessory use for the meeting hall; the lawyer further stated his opinion that zoning concerns are tangential to liquor license discussions and should not play a role for the Community Board's consideration at this time, the approval of the zoning being separate and distinct from the approval of the liquor license; and,

xv. Whereas, the Applicant also received significant support for his proposed membership club, and people appeared in support speaking to the Applicant's integrity, his previous hiring from the local community where his businesses have been located, his community involvement and responsiveness to complaints, including correspondence of residents living on Bond Street and others living on Lafayette Street, in addition to the Noho Bowery Stakeholders, as well as a petition in support: and

xvi. Whereas, this application being subject to the 500-ft. Rule requiring the applicant to establish that the public interest will be served to the Community by the granting of the instant license, there being 14 on premise licenses within 500 ft. of the applicant's entrance mid-block on Bond Street, 23 on premise licenses with 750 ft. of the Zero Bond entrance, with 6 additional pending liquor license applications for the same geographic area, and not including the many existing beer/wine licenses within this same area; and,

xvii. Whereas, as a part of its determination as to whether an on premise liquor license application would be in the public interest, the NYS Liquor Authority is mandated to consult with the Community Board in which the establishment seeking the license is located; which may consider the following factors in determining if the public interest is served: the number of licenses near the location, whether the necessary permits have been obtained, the effect that granting the license would have on vehicular traffic and parking near the location, the history of liquor violations and reported criminal activity and any other relevant facts to determine whether the public interest of the community would be served by the granting of the license:

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **A not-for-profit entity to be formed by Scott Sartiano, d/b/a Zero Bond, 0 Bond St. aka 670 Broadway, 4th, 5th, & 6th Floor, 10012** on its application seeking a new On Premises Club Liquor License; 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 Liquor Authority, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the Liquor Authority and that sufficient notice be provided well in advance to interested parties and CB2, Manhattan.

Vote: Passed, with 25 Board members in favor, 17 in opposition (S. Aaron, K. Berger, W. Bray, R. Caccapolo, T. Connor, C. Dawson, D. Diether, S. Fitzgerald, J. Geballe, R. Goldberg, N. Gottlieb, P. Laraia, E. Ma, M Maron, R. Sanz, S. Smith, E. Young), and 1 abstention (D. Gruber).

9. Sud 123 Incorporated, d/b/a Ciao, 178 Mulberry St. 10013 (New OP/Upgrade – 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 Italian restaurant in a five-story mixed use building located on the corner of Mulberry and Broome Streets in Little Italy; and,

ii. Whereas, the storefront premises previously operated for years with a Restaurant Wine license but has never previously operated with an on premises license, the existing premises having French doors and a sidewalk cafe running along the Broome Street facade but not along Mulberry Street, there being a letter of no objection issued by the NYC DOB for eating and drinking at the premises; and

iii. Whereas, the storefront premise is roughly 875 sq. ft., two entrances, two bathrooms, 8 tables with 32 seats and 1 bar with 10 seats, 1 TV, music is 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 and no private parties; and

iv. Whereas, members of the SLA Committee have observed loud music coming from the establishment in the past and there have been complaints generated about noise emitting from the Restaurant later into the evening past 10 PM, mostly because the operator does not closed their French doors and would operate the sidewalk cafe late into the evening beyond 10 PM, also failing to remove the tables and chairs from the sidewalk after closing as required by the sidewalk cafe rules governed by the NYC DCA; and,

v. Whereas, to alleviate the late-night noise emitting from the restaurant and to satisfy the public interest standard set forth in the 500 ft. Rule, the applicant agreed to close its French doors by 10 PM every night, to close the sidewalk cafe and cease operations at the sidewalk cafe by 10 PM during the week and 11 PM on the weekends and to remove the tables and chairs from the sidewalk (as required by the NYC DCA) after closing every evening; and

vi. Whereas, the agreed upon hours of operation are from 10 AM to 12 AM every day/night, seven days per week; and,

vii. Whereas, this application being subject to the 500 ft. Rule requiring the applicant to establish the public interest standard, the area around the applicant's premises being already saturated with liquor licenses and eating and drinking establishments, there being 21 on premise licenses within 500 ft. of the applicant's storefront premises, 49 on premise licenses with 750 ft. of the storefront premises, with 8 additional pending liquor license applications for the same geographic area and not including the many existing beer/wine licenses within this same area; and,

viii. 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 Restaurant on premise license and the stipulations are as follows:

1. The premises will be advertised and operated as a full-service Italian Restaurant.
2. The interior hours of operation will be from 11:00 AM to 12:00 AM 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 have 1 television.
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 any time.
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. All doors and windows will be closed by 10 PM every night.
10. The sidewalk cafe will close and cease all operations Sunday through Thursday by 10 PM and Fridays and Saturdays by 11 PM. All patrons will be cleared and no patrons will remain after stated closing times.
11. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Restaurant on premise license for **Sud 123 Incorporated, d/b/a Ciao, 178 Mulberry 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 on premise license.

Vote: Unanimous, with 43 Board members in favor.

10. Timoni, Inc. d/b/a Tre Giovani, 548 LaGuardia Pl. 10012 (New OP/Upgrade – 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 license to operate a full-service Italian restaurant in a four-story mixed use building located on the corner of LaGuardia Place between West 3rd and Bleecker Streets within a Landmarked Historic District of Greenwich Village; and,

ii. Whereas, the storefront premises previously operated for years with a Restaurant Wine license but has never previously operated with an on premises license, the existing premises having French doors running along the front façade on LaGuardia Place and an existing sidewalk cafe; and

iii. Whereas, the storefront premise is roughly 1,872 sq. ft. (926 sq. ft. ground floor, 936 sq. ft. basement, patron use of ground floor only), with one entrance, two bathrooms, a full service kitchen, 19 tables with 50 seats and 1 counter/bar with no seats for a total of 50 patron seats, 1 TV, music is 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 and no private parties; and

iv. Whereas, to alleviate the late-night noise emitting from the restaurant and to satisfy the public interest standard set forth in the 500-ft. Rule, the applicant agreed to close its exterior French doors by 10 PM every night, to close the sidewalk cafe by 10 PM during the week and by 11 PM on the weekends and to remove all tables and chairs from the sidewalk cafe as required by the NYC DCA after closing every evening; and

v. Whereas, the interior hours of operation will continue to be from 12 PM to 11 PM every day/night, seven days per week; and,

vi. Whereas, this application being subject to the 500-ft. Rule requiring the applicant to establish the public interest standard, the area around the applicant’s premises being already saturated with liquor licenses and eating and drinking establishments, there being 26 on premise licenses within 500 ft. of the applicant’s storefront premises, 51 on premise licenses with 750 ft. of the storefront premises, with 4 additional pending liquor license applications for the same geographic area and not including the many existing beer/wine licenses within this same area; and,

vii. 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 Restaurant on premise license and the stipulations are as follows:

1. The premises will be advertised and operated as a full-service Italian Restaurant.
2. The interior hours of operation will be from 12:00 PM to 11:00 PM seven days a week.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have 1 television.
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 sidewalk café will close by 10 PM Sunday through Thursday night and by 11 PM Friday and Saturday nights.
8. The premises will play quiet ambient-recorded background music only.
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. All doors and windows will be closed by 10 PM every night.
11. There will be no patron use of basement.
12. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Restaurant on premise application for **Timoni, Inc. d/b/a Tre Giovani, 548 LaGuardia Pl. 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 license.

Vote: Unanimous, with 43 Board members in favor.

11A. Ethos Labs, LLC, d/b/a Gin Lane, 446 W. 14th St. 10014 (Seasonal OP – Bar Lounge – Previously unlicensed location)

- 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 new seasonal temporary on premise license to operate a pop-up whisky lounge in a ground floor storefront on 14th Street between Washington Street and 10th Avenue in the Meat Packing District through April 30, 2018; and,
- ii. Whereas**, the first-floor store front premise is located in a three-story commercial use building (c1936) in a roughly 7,730 sq. ft. premise (ground floor 3,766 sq. ft., basement 3,964 sq. ft.); there will be lounge seating with 27 tables and 67 table seats proposed and 1 standup bar with 28 seats, for a total patron capacity of 95; there is no outdoor seating or service proposed, there are no operable facades to the storefront and a Certificate of Occupancy was presented permitting "Mercantile" uses on the ground floor only with storage rooms including boiler and gas meter rooms designated for the cellar; and,
- iii. Whereas**, the storefront premise has never been licensed previously and there has never been eating and drinking at this location in the past; and,
- iv. Whereas**, the proposed hours of operation are from 3:00 PM to 2:00 AM every day/night seven days per week, there is no full-service kitchen or mechanical systems proposed for installation, the proposed menu is for small plates, bites and desserts only, music is 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 and no private parties; and
- v. Whereas**, this application being subject to the 500 ft. Rule requiring the applicant to establish the public interest standard, the meatpacking district being an area greatly saturated with liquor licenses and late night eating and drinking establishments, vehicular traffic, noise and congestion and other quality of life issues, there being 12 on premise licenses within 500 ft. of the applicant's storefront premises, 28 on

premise licenses with 750 ft. of the storefront premises, with 5 additional pending liquor license applications for the same geographic area and not including the many existing beer/wine licenses within this same area; and,

THERE WAS A MOTION MADE AT THE FULL BOARD TO DENY THE ABOVE APPLICATION, INSTEAD OF A DENIAL UNLESS. SEE VOTES AND NEW RESOLUTION BELOW.

Vote: Failed, with 24 Board members in opposition, 17 in favor (T. Bergman, C. Booth, K. Bordonaro, R. Chattree, T. Cude, C. Dwyer, K. Faccini, C. Flynn, S. Gammie, S. Kent, D. Miller, L. Rakoff, R. Riccobono, R. Rothstein, F. sigel, S. Smith, A. Wong), and 2 abstentions (D. Diether, D. Gruber).

11B. Ethos Labs, LLC, d/b/a Gin Lane, 446 W. 14th St. 10014 (Seasonal OP – Bar Lounge – Previously unlicensed location)

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 new seasonal temporary on premise license to operate a pop-up whisky lounge in a ground floor storefront on 14th Street between Washington Street and 10th Avenue in the Meat Packing District through April 30, 2018; and,

ii. Whereas, the first-floor store front premise is located in a three-story commercial use building (c1936) in a roughly 7,730 sq. ft. premise (ground floor 3,766 sq. ft., basement 3,964 sq. ft.); there will be lounge seating with 27 tables and 67 table seats proposed and 1 standup bar with 28 seats, for a total patron capacity of 95; there is no outdoor seating or service proposed, there are no operable facades to the storefront and a Certificate of Occupancy was presented permitting “Mercantile” uses on the ground floor only with storage rooms including boiler and gas meter rooms designated for the cellar; and,

iii. Whereas, the storefront premise has never been licensed previously and there has never been eating and drinking at this location in the past; and,

iv. Whereas, the proposed hours of operation are from 3:00 PM to 2:00 AM every day/night seven days per week, there is no full-service kitchen or mechanical systems proposed for installation, the proposed menu is for small plates, bites and desserts only, music is 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 and no private parties; and

v. Whereas, this application being subject to the 500 ft. Rule requiring the applicant to establish the public interest standard, the meatpacking district being an area greatly saturated with liquor licenses and late night eating and drinking establishments, vehicular traffic, noise and congestion and other quality of life issues, there being 12 on premise licenses within 500 ft. of the applicant’s storefront premises, 28 on premise licenses with 750 ft. of the storefront premises, with 5 additional pending liquor license applications for the same geographic area and not including the many existing beer/wine licenses within this same area; and,

vi. 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 Restaurant Wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a temporary pop-up whisky lounge.

2. The hours of operation will be from 3:00 PM to 2:00 AM every day/night seven days per week seven days a week.
3. The premises will not have televisions.
4. The premises will not permit dancing.
5. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
6. The premises will play quiet ambient-recorded background music only.
7. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
8. The Premises will not have French doors, operable windows or open facades and will close all doors and windows at all times except for patron ingress and egress.
9. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Restaurant Wine application for **Ethos Labs, LLC, d/b/a Gin Lane, 446 W. 14th 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 their temporary SLA OP license.

Vote: Passed, with 42 Board members in favor, and 1 in opposition (R. Rothstein).

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

12. Hello Lafayette, LLC, d/b/a Bricia Soho, 267 Lafayette St. aka 54 Prince St. 10012 (RW – Restaurant/Pizzeria)(laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 10, 2017, the Applicant requested to lay over this application for an on premise license to November/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 **Hello Lafayette, LLC, d/b/a Bricia Soho, 267 Lafayette St. aka 54 Prince St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

13. 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 October 10, 2017, the Applicant requested to lay over this application for an on-premise license to November/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 43 Board members in favor.

14. Chick & Co, LLC, d/b/a Cocu, 26 Carmine 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 casual chicken rotisserie restaurant; and,

ii. Whereas, this application is for a new restaurant wine license on the ground floor of a mixed use building on Carmine St. between Bleecker St. and Bedford St. for a roughly 720 sq. ft. premise with 5 tables and 10 seats and 1 standup bar with 8 seats, there may be a future sidewalk cafe but there are no other outdoor areas for patrons, there is a Letter of no Objection; 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 chicken rotisserie 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. No music will be audible in any 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.
10. Will play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
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. Any future sidewalk cafe will close at 10PM. All tables and chairs will be removed at that time.

v. Whereas, the applicant contacted the local block association and there were no objections; and,

vi. 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 **Chick & Co, LLC, d/b/a Cocu, 26 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 43 Board members in favor.

15. Whitmans 261 Hudson, LLC, d/b/a Whitmans, 261 Hudson St. 10013 (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 in a newly constructed building for a local restaurant focusing on sandwiches, hamburgers and salads; and,

ii. Whereas, this application is for a new on-premise liquor license for a restaurant on the ground floor of a newly built residential building located on Hudson Street between Broome and Dominick with 25 tables and 50 table seats and 1 standup bar with 11 bar seats for a total of 61 interior seats; because this is a newly built building with a temporary Certificate of Occupancy which does not yet reflect this usage on the ground floor, the applicant and building owner are in the processing of filing proper applications to revise the temporary Certificate of Occupancy to include an eating and drinking establishment on the ground floor; and,

iii. Whereas, the hours of operation will be Sunday from will be 10AM to 12AM Sunday to Thursday and 10AM to 1AM Friday and Saturday, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be 2 televisions as stipulated, 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 on-premise liquor license stating that:

1. Premise will be advertised and operated as a local restaurant focusing on sandwiches, hamburgers and salads.
2. The hours of operation will be 10AM to 12AM Sunday to Thursday and 10AM to 1AM Friday and Saturday. 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 more than 2 televisions no larger than 50 inches. There will be 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. No music will be audible in any 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. There will be no French Doors, operable windows or open facades.

10. Will play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
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. No sidewalk Café is included in this application.

v. Whereas, the applicant’s principals, Larry Kramer and Craig Koenig, operate 4 other premises under the “Whitmans” brand RW SN#1244344, OP SN#1295007, RW SN#1284095, and OP SN#1295007, additionally, the applicant’s principals have operated two other establishments one now closed and the other now significantly reduced by eliminating half the premises; the first OP SN#1181774 Flats Avalon Iron Group, Inc., license surrendered on 9/12/2012 has an adverse history with CB5, Man. and the Liquor Authority with a number of significant violations including availing, failure to conform and failure to supervise and at the SLA Full Board meeting on 11/20/2012 after the license was surrendered received a “Cancellation for the record plus bond claim” and, the other OP SN#1205823 Bowery Time, LLC and Aguila & Sol as manager d/b/a Hecho en Dumbo and King Cross which is located in CB2, Man. at 354-356 Bowery, has an adverse history (see past CB2 resolutions) as well as disciplinary history with under age tickets, failure to comply, unauthorized alterations, etc. and received a significant number of 311 complaints – 7 in 2010, 16 in 2011, 46 in 2012, 17 in 2013, 29 in 2014, 89 in 2015, and 55 in 2016; the portion of the premises, King Cross which generated the adverse history and which was operated by Mr. Kramer and Mr. Koenig closed last year; and

vi. Whereas, the Applicant and their Attorney pledged that the adverse history was well behind them and that the 2 premises that received violations were late-night bar operations, the current concept Whitmans was a very different concept and they promised would not be run in any manner that would adversely impact anyone’s quality of life or create any adverse situations where the premises would be subject to enforcement activity; the applicant stated that the location would not be a viable unless they were open until 1am on the weekends; and,

vii., Whereas, this location is part of an area which was recently rezoned and is in the process of transitioning including the development of new residential buildings and diversified commercial uses and CB2, Man. recognizes that new well run restaurants are a part of this transition and takes this applicant and their attorney’s word that they will run this establishment in the manner described, lawfully and without any deviation or other actions which would adversely impact anyone’s quality of life or be disruptive in any other manner; and,

viii. Whereas, there are currently approximately 7 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 **Whitmans 261 Hudson, LLC, d/b/a Whitmans, 261 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 On Premise Liquor License.

Vote: Unanimous, with 43 Board members in favor.

16. Onion Soup, LLC, d/b/a Bistro Pierre Lapin, 99 Bank 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 French bistro focusing on traditional home recipes operating as an all day café; and,

ii. Whereas, this application is for a new Restaurant On-Premise Liquor License for a previously licensed location located on the northeast corner of Bank St. and Greenwich St. in a residential cooperative building for a restaurant on the ground floor and basement (2,000 sq. ft. ground floor, 1,400 sq. ft. basement), with 25 tables and 102 seats on the ground floor, 5 tables and 28 seats in a basement private dining room and 1 stand up bar with 7 seats on the ground floor, there may be 1 service bar, for a total of 137 seats throughout the premises as indicated on provided diagrams; there is an existing temporary certificate of occupancy which indicates patron use of the ground floor and basement for an eating and drinking establishment; an updated Certificate of Occupancy that is not expired will be presented prior to the issuance of the license and will be then be kept current at all times; there will not be a sidewalk café and there are no French doors or operable windows; and,

iii. Whereas, the hours of operation will be 8AM to 11PM 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 dj, 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 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 bistro focusing on traditional home recipes operating as an all day cafe.
2. The hours of operation will be 8AM 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. No music will be audible in any 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 play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
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. No physical changes will be made to the premises.

v. **Whereas**, the applicant previously operated Commerce restaurant in CB2, Man. at 50 Commerce St. and currently operates Harold's Meat and Three at 2 Renwick St. in CB2; and,

vi. **Whereas**, the applicant reached out to a number of local residents and community groups and presented a petition in support, a member of the community appeared to state they had no objections to the application as presented, and one members of the community wrote to express reservations should the new Licensee expand any aspect of the operation or alter the method of operation beyond a high end full service dining establishment; and,

vii. **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 **Onion Soup, LLC, d/b/a Bistro Pierre Lapin, 99 Bank St. 10014, unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 43 Board members in favor.

17. RH NY Guesthouse F&B, LLC, d/b/a RH (Restoration Hardware related brand), 55 Gansevoort St. 10014 (OP – Hotel with Restaurant, bar, rooftop pool, outdoor music, acoustic music and DJ)

i. **Whereas**, the applicant appeared before CB2's SLA Licensing committee to present an application for a new Hotel liquor license for a 12-room guest house with a "wine vault cellar" bar in the basement, a restaurant on the ground floor, hotel rooms on the 2nd through 5th Floors and a rooftop pool area with varying proposed hours of operation for different areas with provisions for acoustic live music, DJ's and outdoor music on the rooftop; and

ii. **Whereas**, after presenting before CB2, Man., the applicant requested to return to CB2 in November 2017 to further discuss the application and make changes they felt were significant and worthy of reconsideration by the Committee especially as it relates to outdoor music and hours of operation after CB2's SLA Licensing Committee had unanimously recommended to Deny the proposed application, but prior to its presentation to the full board of CB2; the applicant will not submit the application to the SLA in the interim until after they appear before CB2 in November;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed hotel liquor license, 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 **RH NY Guesthouse F&B, LLC, d/b/a RH, 55 Gansevoort St. 10014 until** the Applicant has returned to re-present the application before CB2 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 without reappearing before CB2, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

18. Dumpling 516 Hudson NY, Inc., d/b/a Benedict's, 516 Hudson 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 previously unlicensed location for a restaurant serving all day breakfast/brunch that will focus on local residents and families with children; and,

ii. Whereas, this application is for a new Restaurant Wine License for a previously unlicensed location located on Hudson St. between Christopher St. and West 10th St. in a mixed-use building for a roughly 1,200 sq. ft. premise located on the ground floor with 8 tables and 18 seats and 1 standup bar with 5 seats for a total of 23 seats, the applicant indicated that there would not be a sidewalk café because of the location of the sidewalk hatch which would prohibit him from having outdoor seating, *there is **no** Certificate of Occupancy* which shows a business is located on the ground floor (Last Certificate of Occupancy # 55059 dated January 3, 1962 indicates apartments on ground floor – this supersedes a previous C of O #35240) and *no Letter of No Objection was provided* indicating that the use is allowed; unless documentation dated after 1/3/1962 is submitted showing that this is an allowed use, no liquor license or restaurant wine license should be issued; the applicant subsequently informed CB2 that they are in the process of applying for a Letter of No Objection from the NYC Dept. of Buildings; and,

iii. Whereas, the hours of operation will be 8AM 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 wine license stating that:

1. Premise will be advertised and operated as a restaurant serving all day breakfast/brunch.
2. The hours of operation will be 8AM 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. No music will be audible in any 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 10PM except for patron ingress and egress.
10. Will play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
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. The premises will not have a sidewalk café.

v. **Whereas**, CB2, Man. was first notified by the Applicant via 30-Day Notice that this application was for a full on-premise liquor license; the applicant assured CB2 that this was an error and that they never intended to apply for a full liquor license at this location; and,

vi. **Whereas**, the applicant reached out to the local block association which expressed reservation regarding this application in a previously unlicensed location and with the hours past 11PM and a fully retractable front façade serving brunch all day and stated they were somewhat assured by the applicants statements that there would never be a boozy brunch atmosphere and that instead there would be a cookie bar and other types of menu items focused on families and children; and,

vii. **Whereas**, there are currently approximately 20 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 **Dumpling 516 Hudson NY, Inc., d/b/a Benedict's, 516 Hudson St. 10014**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 43 Board members in favor.

19. Barrow West Village, LLC (formerly Entity to be formed by Alessandro Borgognone) d/b/a TBD, 13 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 restaurant on-premise liquor license for a full service Italian restaurant; and,

ii. **Whereas**, this application is for a new restaurant on-premise liquor license at a currently licensed location in a mixed-use building on Barrow St. between West 4th St. and 7th Avenue South for a roughly 4,250 sq. ft. premise (ground floor 2,346 sq. ft., cellar 1,904 sq. ft. no patrons); there are 11 tables and 41 table seats, 1 standup bar with 5 seats for a total of 46 seats; there is no outdoor seating, there is an existing Certificate of Occupancy; and,

iii. **Whereas**, the proposed hours of operation presented by the applicant will be from 12PM to 12AM 7 days a week (no patrons will remain after closing time); music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will remain closed at all times 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 new restaurant on-premise liquor license stating that:

1. Premise will be advertised and operated as a full service Italian restaurant.
2. The hours of operation will be 12PM 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. No music will be audible in any 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 play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
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. There will be absolutely no changes to the historic façade. May change the physical front doors with NYC LPC permission only.
14. Trash will be stored/refrigerated inside until regular daily collection.

v. Whereas, a letter from the local block association was received stating that they had no objection provided that the applicant strictly adhere to the above referenced stipulations and adhere to a good neighbor policy; and,

vi. Whereas, several letters in opposition were received reminding CB2, Man. that the applicant is also a principle of another licensed establishment, Sushi Nakazawa located 2 blocks away, which has an adverse history with CB2, Man. and with local residents in immediate proximity to that premises which have stemmed from complaints which were presented to the Liquor Authority with regards to serious landmarks violations, working without permits, tearing down a landmarked façade, removing fire stopping partition walls, all without permits, and opposition from local elected officials representing this area including City Council, State Assembly and State Senate as well as the Manhattan Borough President, those issues and opposition resulted in the Liquor Authority not approving a request to upgrade the Restaurant Wine License SN#1272297; CB2, Manhattan's Resolution and correspondence on the matter is a part of the file for that premises and application to upgrade the license at the SLA and CB2, Manhattan's resolution on the matter is available on pages 36 to 39 here: [http://www.nyc.gov/html/mancb2/downloads/pdf/fullboard_2016/11%20November%202016%20\(a\).pdf](http://www.nyc.gov/html/mancb2/downloads/pdf/fullboard_2016/11%20November%202016%20(a).pdf); CB2 Manhattans concern and opposition to that location at 23 Commerce continues irrespective of any recommendation in this matter; and,

vii. Whereas, CB2, Man. was assured by the Applicant and his representative that all stipulations would be adhered to at all times without question, that all Landmark regulations would be adhered to, that there would be no adverse impacts from his operation at this location at all and there would be no impacts on those who would be immediately and directly impacted by this licensed premises; and,

viii. Whereas, a number of CB2, Man. members continue to have concerns regarding the character of this applicant as it relates to his conduct at Sushi Nakazawa SN#1291310 located at 23 Commerce St; and,

ix. Whereas, there are currently 43 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 on premise liquor license for a restaurant for an **Barrow West Village LLC (formerly Entity to be formed by Alessandro Borgognone), d/b/a TBD, 63 Bedford St. 10014, unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 43 Board members in favor.

- 20. Thor James Hotel Leasco, LLC and Highgate Hotels LP (as manager), d/b/a TDB, 27 Grand St. 10013 (Hotel Liquor – transfer of existing SN1270229)**
Thor James Hotel Leasco, LLC and 6 Grand LLC (as manager), d/b/a TDB, 23 Grand St. – Ground level and upper terrace, 10013 (OP – Restaurant – transfer of existing SN1270238 & SN#1270239)
Thor James Hotel Leasco, LLC and 6 Grand LLC (as manager), d/b/a TDB, 23 Grand St. Basement, 10013 (OP – Restaurant – transfer of existing SN1270232)
Thor James Hotel Leasco, LLC and DLJ Bar LLC (as manager), d/b/a TDB, 27 Grand St. – 17th Floor Roof Level, 10013 (OP – transfer of existing SN#1270235)

i. Whereas, the applicant Thor James Hotel Leasco, LLC and a representative from Highgate Hotels LP and their Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for the four above “transfer” applications for existing separately licensed premises located within a hotel built in 2010 known as the James Hotel; the applications were heard as a block; and

ii. Whereas, the four applications are for the 4 different locations encompassing the entire hotel covered by the existing licenses which are sought to be transferred to the new entities; they are for the four areas covered by the existing Serial numbers #1270229 (James Hotel Soho), 1270238 & 1270239 (David Burke Garden and Treehouse Bar), #1270232 (David Burke Kitchen) and #1270235 (roof level – Jimmy’s); and,

iii. Whereas, the Applicants and Attorney under the name “Jensen 27 Grand, LLC” had previously appeared in November 2016 before CB2 for a similar application but with hours of operation until 4AM for all areas, with DJ’s, Dancing, Live Music, Music in Outdoor areas etc. for which CB2, Man. had recommended denial, which the 500 ft. hearing report recommended denial; The Members of the Authority denied those applications at the August 16th, 2017 SLA Full Board Meeting; and,

iv. Whereas, the existing licenses which the current applicants seek to transfer are governed by an extensive set of stipulations executed with a community group and with stipulations with CB2 in March 2013 that were incorporated into the “method of operation” on the current existing licenses; the same 4 existing licenses which were transferred to the current licensees in 2013 were governed by the same stipulations which were agreed to in January 2010 and March 2010 when the Hotel was first licensed as a part of an agreement for the issuance of these 4 licenses across 4 separate spaces within the new hotel; at the time the hotel was built in 2010, there was significant opposition and the stipulations agreement which was entered into in 2010 and 2013 represented what those in opposition felt were very generous terms in which the hotel could operate and generate a sufficient return while still maintaining a balance of Quality of Life; and,

v. Whereas, by way of history, a portion of this location prior to building and completion of the Hotel in 2010 was the location of the Moondance Diner (Dancing in the Moonlight, Inc) which had a restaurant wine license SN# 10292851 and,

vi. Whereas, below are two previous resolutions passed by CB2, Man. in January and March 2010 referencing the above 4 existing liquor licenses as they are currently licensed:

At its Full Board meeting on January 21, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

7. BCRE Grand Hotel, BCRE Grand Restaurant and BCRE Grand Bar, 23-31 Grand Street (Thompson and 6th Avenue), NYC

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

Whereas, this application is for On Premise licenses for an upscale Hotel Lobby Bar, Cellar Floor Restaurant and Rooftop Bar collectively 5,600 s.f. (Hotel Bar is 1,000 s.f., Ground Floor Restaurant is 2,400 s.f. and Rooftop Bar is 2,200 s.f) on Grand Street between Thompson and 6th Avenue; and,

Whereas, this application is for 20 table seats with a maximum legal capacity of 50 persons for the Hotel Lobby Bar; and 85 table seats, 1 bar with 12 bar seats and a maximum legal capacity of 92 persons for the Cellar Floor Restaurant; and 50 table seats, 1 bar with 15 bar seats and a maximum legal capacity of 150 persons for the Rooftop Bar; and,

Whereas, the applicant stated the hours of operation are 7:00 a.m. – 12:00 a.m. Sunday – Wednesday and 7:00 a.m. – 1:00 a.m. Thursday – Saturday for the Hotel Lobby Bar and Cellar Restaurant; and 7:00 a.m. – 1:00 a.m. Sunday – Wednesday and 7:00 a.m. – 2:00 a.m. Thursday – Saturday for the Rooftop Bar; there will not be a sidewalk café application and no backyard garden; music will be background and live only for the Cellar Floor Restaurant; and music will be background only in the Rooftop Bar and played exclusively in the enclosed area; and music will be background and DJ only for the Hotel Lobby Bar, and,

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

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

- 1. The applicant has agreed to no amplified music of any kind in any of the outdoor areas.*
- 2. The applicant has agreed that during evening hours the restaurant exit will be on 6th Avenue; and the applicant will direct its customers to this exit.*
- 3. The applicant has agreed to have a taxi line on 6th Avenue to reduce traffic on Grand Street.*
- 4. The applicant has agreed to conduct sound tests on the Rooftop Bar.*
- 5. The applicant has agreed to community outreach measures including but not limited to hosting a monthly meeting with nearby residents.*
- 6. The applicant has agreed to not have any advertisement signs on the Hotel.*
- 7. The applicant has agreed to have food service available during all hours of operation.*
- 8. The applicant has agreed to not seek or apply for a Cabaret License.*
- 9. The applicant has agreed to arrange a discussion with acoustical consultants to address soundproofing for the neighboring building.*

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

Whereas, several members of the community appeared to express their willingness to work with the applicant under the proposed operating guidelines; and,

Whereas, the applicant has executed an agreement with the community, and that agreement is attached;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **BCRE Grand Hotel, BCRE Grand Restaurant and BCRE Grand Bar, 23-31 Grand Street** unless the conditions agreed to by applicant relating to the sixth and seventh “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Passed, with 35 Board members in favor and 2 in opposition (D. Diether, I. Dutton).

AND

At its Full Board meeting on March 18th, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

Whereas, the applicant appeared before the committee; and,

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

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

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

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

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

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

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

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

vii. Whereas, the previously existing method of operation listed was memorialized as a stipulations agreement with CB2, Man. dated 3/14/2013,

viii. Whereas, the applicant did reach out to the original Community Group, the “Moondance Community Group” again; and

ix. Whereas, a member of the “Moondance Community Group” appeared representing many residents immediately and directly impacted by the proposed licenses and stated that they were very concerned that there would be entirely different operators in every area of the hotel and that they would not respect or adhere to the existing stipulations; there was significant concern that outdoor music would come in the future, dancing, and later hours of operation; she stated that the original terms were very generous and represented a good faith agreement between the parties, she felt that because this applicant had applied in November 2016 for dancing, 4AM and outdoor music, that represented poor intentions and raised significant concerns; the Applicant stated in November 2016 that their purchase of the Hotel would not be viable without the expansion of the exiting operation as described in November (but no longer included here) at that time they also would not state that they would not go through with the purchase if those changes were not approved by the liquor Authority; the application was subsequently denied by the SLA; For the current application addressed by this resolution, the Applicant stated in very clear terms in Oct 2017 that this would not be the case and that they would adhere to all stipulations and representations as outlined in this resolution; and,

x. 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 4 separate liquor license applications stating that:

A. The 4 separate Applications covered by this Stipulations Agreement are:

1. Thor James Hotel Leasco, LLC and Highgate Hotels LP (as manager), d/b/a TDB, 27 Grand St. 10013 (Hotel Liquor – transfer of existing SN1270229)
2. Thor James Hotel Leasco, LLC and 6 Grand LLC (as manager), d/b/a TDB, 23 Grand St. – Ground level and upper terrace, 10013 (OP – Restaurant – transfer of existing SN1270238 & SN#1270239)
3. Thor James Hotel Leasco, LLC and 6 Grand LLC (as manager), d/b/a TDB, 23 Grand St. Basement, 10013 (OP – Restaurant – transfer of existing SN1270232)
4. Thor James Hotel Leasco, LLC and DLJ Bar LLC (as manager), d/b/a TDB, 27 Grand St. – 17th Floor Roof Level, 10013 (OP – transfer of existing SN#1270235)

B. Thor James Hotel Leasco, LLC and Highgate Hotels LP, DLJ Bar LLC and 6 Grand, LLC (as managers) will adhere to the attached community agreements/memorandum of understandings/ stipulations and previous representations to CB2 that the previous operators at this location had agreed to including but not limited to: The Hotel will operate 24 hours a day/7 days a week. The 17th floor rooftop level restaurant will operate Monday to Wednesday from 5PM to 1AM, Thursday to Saturday from 3PM to 2AM and Sunday from 3PM to 1AM. The basement restaurant will operate Sunday to Wednesday from 7AM to 12AM and Thursday to Saturday from 7AM to 1AM. The ground floor restaurant will operate Sunday to Wednesday from 7AM to 12AM and Thursday to Saturday from 7AM to 1AM. The Upper terrace attached to the ground floor restaurant will operate from 7AM to 11PM 7 days a week. No patrons will remain after the indicated closing times. The service of alcohol will commence no earlier than 10AM in any of the above areas. There will be no outdoor music of any kind. There will be no DJ’s or live music and music volumes will be at quiet background levels only. All doors will remain closed at all times when not in active use. Will use entrance doors as agreed to in MOU.

C. In addition to what is indicated above in Item B, the memorandums of understanding/community agreements/stipulations agreed to previously that Thor James Hotel Leasco, LLC and Highgate Hotels LP, DLJ Bar LLC and 6 Grand LLC (as managers) will continue to adhere to in there entirety are attached to this document as pages 3 to 30. The first

agreement on pages 3 to 14 is dated January 21, 2010 and is between Grand Street Hotel, LLC, Grand Street Restaurant LLC, Grand Street Bar, LLC and Moondance Community Group. The second agreement on pages 15 to 30 is dated March 11, 2013 in which PR Grand Hotel Leaseco, LLC agrees that it will abide by all the conditions set forth in the Community Agreement that is attached which is between BCRE Grand Hotel, LLC, BCRE Grand Restaurant, LLC, BCRE Grand Bar, LLC, BCRE Grand Café, LLC and Moondance Community Group. These agreements, memorandums of understanding and stipulations all encompass the premises known as the James Hotel.

D. The Applicants will attach a complete copy of this stipulations agreement to any and all issued licenses and keep them together and available for review by any authorized entity.

E. This agreement is subject to CB2's recommendation in favor of granting the liquor license with these stipulations (Deny Unless).

xi. Whereas, there are currently 21 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the presented transfer applications for (1) Thor James Hotel Leasco, LLC and Highgate Hotels LP (as manager) d/b/a TDB, 27 Grand St. 10013 (Hotel Liquor – transfer of existing SN1270229), (2) Thor James Hotel Leasco, LLC and 6 Grand LLC (as manager), d/b/a TDB, 23 Grand St. – Ground level and upper terrace, 10013 (OP – Restaurant – transfer of existing SN1270238 & SN#1270239), (3) Thor James Hotel Leasco, LLC and 6 Grand LLC (as manager), d/b/a TDB, 23 Grand St. Basement, 10013 (OP – Restaurant – transfer of existing SN1270232), and (4) Thor James Hotel Leasco, LLC and DLJ Bar LLC (as manager), d/b/a TDB, 27 Grand St. – 17th Floor Roof Level, 10013 (OP – transfer of existing SN#1270235), unless the statements the Applicant has presented are accurate and complete, and that those conditions, representations and stipulations agreed to by the Applicant above for each license application are incorporated into the “Method of Operation” on the hotel liquor licenses and the other 3 on premise liquor licenses as described above.

Vote: Unanimous, with 43 Board members in favor.

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

21. Murray's Cheese, LLC, d/b/a Murray's Cheese, 254 Blecker St. 10014 (Corporate Change TW- Tavern Wine - layover]

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 12, 2017, the Applicant requested to layover this application for a corporate change for an existing tavern wine license; CB2, Man. indicated that the applying corporate entity had to be the same corporate entity that is currently licensed and not a new corporate entity; this would be a transfer application if that were the case; the current Licensed entity is Cornelia Street Group, Inc. d/b/a Murray's Cheese, the corporate entity that submitted the 30 day notice for a corporate change is Murray's Cheese, LLC, the applicant indicated that Murray's Cheese, LLC had bought Cornelia Street Group, Inc.; the representative still felt this was a corporate change application despite the obvious problematic explanation but agreed to come back in November after having researched the matter and clarifying the issues, the applicant is

undertaking the filing paperwork themselves without a filing representative or attorney; 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 **Murray's Cheese, LLC, d/b/a Murray's Cheese, 254 Bleecker St. 10014, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

22. Slice West Village, Ltd. d/b/a Slice, The Perfect Food, 535 Hudson St. 10014 (Renewal - RW – Restaurant - layover]

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 12, 2017, the Applicant agreed to return to CB2, Man. in December to further address issues and complaints raised by local residents; the complaints are the same that have been raised year over year and were last memorialized by CB2 in 2013 in a resolution to the Liquor Authority; residents and the applicant agreed to try to once again resolve these issues which center around issues with operation of the sidewalk café and not adhering to Department of Consumer Affairs regulations and ongoing Quality of Life Issues centering around an inability to resolve issues with noisy ventilation fans which the applicant has promised to fix for YEARS but still continues to cause problems; as a good faith gesture, CB2, Man. extended the courtesy to the Applicant of a 2-month layover during which time he can meet with local residents and hopefully resolve the matter once and for all;

THEREFORE BE IT RESOLVED that CB2, Man. recommends that the applicant, **Slice West Village, Ltd. d/b/a Slice, The Perfect Food, 535 Hudson St. 10014**, resolve with local immediately impacted residents the issues surrounding the operation of their sidewalk café and the quality of life issues, particularly the noise issues associated with their vent fan which is left on 24 hours a day causing unnecessary noise and vibration and that they return to CB2 in December 2017 to update the Board on these matters and CB2 requests that the Liquor Authority await further advisement on this situation from CB2, Man. regarding any recommended course of conduct.

Vote: Unanimous, with 43 Board members in favor.

23. PAALI Enterprises, Inc., d/b/a Nisi, 298/300/302 Bleecker St. 10014 (Alteration OP – Restaurant) (withdrawn)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 12th, 2017, the Applicant requested to **withdraw** this application and will resubmit the application in November 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, August 10th, 2017 and September 14, 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 43 Board members in favor.

24. Caudalie USA, LLC, d/b/a Caudalie Paris, 825 Washington St. 10014 (TW – Tavern Wine)(withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 12, 2017, the Applicant requested to **withdraw** this application for a new tavern 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 **Caudalie USA, LLC, d/b/a Caudalie Paris, 825 Washington St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

25. Caudalie Washington Street, LLC, d/b/a Caudalie Vinotherapie Spa, 823 Washington St. 10014 (RW – Wine Lounge in a Spa) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on October 12, 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 **Caudalie Washington Street, LLC, d/b/a Caudalie Vinotherapie Spa, 823 Washington St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee

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

Vote: Unanimous, with 43 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of Hudson Square Streetscape Improvements Project

Whereas the Hudson Square Connection (HSC) Business Improvement District (BID) presented an update with more detailed design than previously (although not yet final) on its Hudson St. Streetscape Improvements plan, which the HSC BID has been working on, getting feedback and modifying accordingly as part of its Hudson Sq. Master Plan; and

Whereas this Streetscape Improvements plan is being done by the HSC BID in partnership with the Economic Development Corp. (EDC) and the NYC Dept. of Transportation (DOT), ½ paid by the HSC BID and 1/2 by City funds, and AKRF is the design engineer. The HSC BID will maintain the improvements; and

Whereas the goals of this project are to achieve a balance of transportation modes, balance greening with a vibrant commercial street, continuation of street character from the Village south, have a distinctive look and feel for Hudson Sq., and capture usable open space on sidewalks; and

Whereas the boundaries of this project are on Hudson St. from Houston to Canal St., with focus on the west side of Hudson and widening the sidewalks there to allow for new improved design elements and public amenities; and

Whereas the plan includes:

- A continuing band of greenery, including newly planted trees along with already existing trees and pocket gardens
- Social seating
- Mid block access for drop-off-pickup
- Permeable pavers allowing water to absorb underground; 250 trees capturing rainwater
- Opportunities for sidewalk cafes
- A protected bike lane on Hudson St. from Houston to Canal St., joining and consistent with the Hudson St. bike lane above Houston St.
- Bicycle corrals in unused space next to pedestrian crossings (for bike parking); and

Whereas the social seating that is shown includes backless benches or benches with very low backs as well as armrests, and benches with higher backs are preferred to provide both comfort and support for the many varied users; and

Whereas although there will be a protected bike lane, there is no Citi Bike station between Houston and Canal Sts.; and

Whereas the plan will be presented to the Public Design Commission in Dec. 2017, and the further developed plan is expected to be presented to CB2, Man. Estimated project completion is Summer 2020; and

Whereas this plan represents a welcome potential for transforming Hudson St. into a vibrant place for people;

Therefore be it resolved that CB2, Man. strongly supports the Hudson Square Streetscape Improvements Project and looks forward to seeing the completed design; and

Be it further resolved that CB2, Man. suggests that a higher back be added to the proposed social seating; and

Be it finally resolved that CB2, Man. recommends that at least one Citi Bike station be included on Hudson St. between Houston and Canal Sts.

Vote: Unanimous, with 42 Board Members in favor.

2. Resolution in support of co-naming the n.w. corner of Bank St. at Greenwich Avenue. Bella S. Abzug Way

Whereas a request was presented to co-name the n.w. corner of Bank St. at Greenwich Avenue Bella S. Abzug Way in honor of Bella S. Abzug (1920-1998) who was Congresswoman representing Greenwich Village and other parts of Lower Manhattan, from 1971 to 1977; and

Whereas during her tenure as Congressional Representative, Bella Abzug avidly championed the many progressive causes that her Village constituents supported, from women's rights to labor rights to gay rights, working for social and political changes she spent all of her life advocating; and

Whereas Congresswoman Abzug lived and worked at 37 Bank Street (on the block where the co-named street location is proposed) for over 20 years. She lived here when she was in Congress representing the Greenwich Village community, and she worked here on constituent issues when she wasn't in Washington. Her work was informed by frequent chats with her Bank Street neighbors and other community people. She was often seen just outside her building speaking to people and getting their input; and

Whereas Bella Abzug fought tirelessly for women's rights as well as civil rights in general:

- She helped found the National Women's Political Caucus.
- She wrote legislation making it illegal to discriminate against women trying to get credit, credit cards, loans and mortgages.
- She was chair of the Mayor's Commission on the Status of Women.
- In 1973, she introduced the first gay rights bill in Congress.
- She co-authored the Freedom of Information and Privacy Acts.
- She was a founder and member of the National and State New Democratic Coalition, dedicated to speaking out against poverty, racism and violence.
- She helped create the Women Strike for Peace Movement; and

Whereas in keeping with her lifelong concern for women's rights and right to work, Abzug established one of the first Day Care Centers, at the Duplex on Christopher St. and 7th Avenue S. where she opened an office when she first ran for Congress in 1970; and

Whereas a petition supporting the co-naming of the n.w. corner of Bank St. at Greenwich Avenue Bella S. Abzug Way was submitted with 200 signatures, almost all from within the immediate few blocks, and the rest from the surrounding CB2 Manhattan community; and

Whereas the proposal for co-naming the n.w. corner of Bank St. at Greenwich Avenue Bella S. Abzug Way meets the requirements of Manhattan CB2's *Street Co-Naming Guidelines*;

Therefore be it resolved that CB2, Man. supports remembering Bella Abzug by co-naming the n.w. corner of Bank St. at Greenwich Avenue Bella S. Abzug Way.

Vote: Unanimous, with 42 Board Members in favor.

EXECUTIVE

CAPITAL BUDGET REQUESTS – FY 2019

1. Allocate funds for the permanent preservation of the Elizabeth Street Garden, in its entirety, on land owned by NYC Department of Citywide Administrative Services, on a through lot on Elizabeth Street and Mott Streets, between Prince and Spring Streets. (DPR)
2. Allocate funds for the 100,000 square foot Bleecker Street School. (SCA)
3. Allocate funds for a new full service hospital with a Level 1 Trauma Center needed by the CB2 community since the closing of St. Vincent's Hospital. (DOH)
4. Request for funds to be allocated for resiliency efforts to shore up the west side of Community District 2 along the Hudson River Park. (DPR)
5. Allocate funds to renovate the Tony Dapolito Recreation Center. (DPR)
6. Allocate funds to refurbish walls, floors and ceilings in the West 4th Street subway station and add full disabled access by elevator at the northern end of the station. (NYCT)
7. Allocate funds for a homeless youth center, including those who are LGBTQ, where they are safe, respected, counseled, and cared for, becoming healthy and productive adults. (DHS)
8. Allocate funds to provide ADA accessibility to the landmark-quality Hudson Park Library from the 7th Avenue South entrance, including the creation of an interior ramp and vestibule, installation of a new elevator, modernization of toilet facilities, and modifications to mechanical and electrical system components required for the installation of the new elevator. (NYPL)
9. Allocate funds to reduce speeding and directional impacts at the pedestrian crossing on the east side of W. 8th St. at 6th Ave. and at the intersection of W, 8th St., 6th and Greenwich Aves, considering solutions such as installation of a traffic diverter on the northern lane of Greenwich Ave. at 6th Ave. and/or continuing the 6th Ave. protected bike lane south with an extended median. (DOT)
10. Allocate funds for epoxy-gravel sidewalk widening on the northern side of Grove St. bet. W. 4th St and 7th Ave. S. and alongside Christopher Park, and install signage, to avoid dangerous pedestrian and vehicular conflicts at the pedestrian island on 7th Ave. S. at Grove St. and to add pedestrian space. (DOT)
11. Allocate funds to reduce pedestrian/vehicular conflicts at the southwest side of Christopher St. and Greenwich Avenue (DOT)

12. Allocate funds for technology improvements for MS 297, PS 3, PS 41 and PS 130. (DOE)
13. Allocate funds for traffic safety improvements at the intersection of Waverly Place Christopher and Grove Streets., including neckdowns, sidewalk extensions, daylighting, stop signs, and improved directional signage. (DOT)
14. Allocate funds to install traffic safety improvements, such as added crosswalks and striping, bollards, planters, a speed hump and street re-grading, on W. 4th St. approaching 6th Ave. (Ave. of the Americas), including Cornelia St., and change the traffic light signal phasing to a split phase cycle for a separate conflict-free pedestrian crossing on 6th Ave. at W. 4th St. (DOT)
15. Allocate funds for redesign of the flagpole and planting area in Vesuvio Park. (DPR)
16. Allocate funds to repair and restore Belgian Blocks on Bond Street from Broadway to the Bowery. (DOT)
17. Allocate funds to PS 3 to replace ten water fountains with a place to refill water bottles. (DOE)
18. Allocate funds to install a speed hump on Washington St. between Gansevoort and Horatio Streets and daylight the northeast and northwest sides of Washington St. at Horatio St. (DOT)
19. Allocate funds for NYC iSchool Green Roof Program. (DOE)
20. Allocate funds for capital replacement of Bluestone and brick pavers on 6th Avenue from Houston to West 14th Street (excluding the Jefferson Market Library and Ruth Wittenberg blocks) with tinted concrete, along with new granite curbs and uniform tree pit treatment, basins, ramps and other amenities. (DOT)
21. Allocate funds to plant new street trees throughout Community District 2. (DPR)

EXPENSE BUDGET REQUESTS – FY 2019

1. Allocate funds for outreach services to homebound older adults and for programs that allow the elderly to age in place by increasing programmatic funding to Visiting Neighbors. (DFTA)
2. Restore and increase funds for outreach to LGBTQ youth by increasing programmatic funding for The Door. (DYCD)
3. Allocate funds for staffing of gates and expanded hours at Jefferson Market Garden. (DPR)
4. Allocate funds to study the quantity and condition of trash containers, evaluate pick-up schedules and adjust them as necessary, and improve trash removal by providing more frequent litter basket collection. (DSNY)
5. Allocate funds for more frequent trash removal, and/or for larger-capacity, sanitary, trash bins in Parks. (DPR)
6. Allocate funds to hire additional enforcement agents to address taxi and for-hire vehicle violations in Community District 2. (TLC)

7. Allocate funds to increase staffing levels so the Department of Buildings can respond more efficiently and effectively monitor compliance with approvals and check on violations and complaints. (DOB)
8. Allocate funds to hire additional Landmarks enforcement officers. (LPC)
9. Allocate funds for increased arts education, faculty and classrooms in our service area's public schools. (DOE)
10. Allocate funding for a study of a) signage, b) illuminated interior retail, and c) merchandising displays, including outward-facing LED, neon and similar fixtures, to determine and implement appropriate illumination limits. (LPC)
11. Allocate funds to provide and expand NYC organics collection program for more efficient composting by CB2 residents and businesses. (DSNY)
12. Allocate funds for effective rat control – including the use of dry ice – throughout downtown parks. (DPR)
13. Allocate funds for a study to determine and implement pedestrian safety measures, including traffic calming and related traffic controls on both W. 3rd and Bleecker Streets. between LaGuardia Place and Mercer Street. (DOT)
14. Allocate increased operating funding for the New York Public Library by \$34 million to expand 7-day service. (NYPL)
15. Allocate funds to hire additional DCA inspectors to work nights and weekends to conduct enforcement and compliance of sidewalk café regulations. (DCA)
16. Allocate funds to enable the Street Activity Permit Office (SAPO) to conduct enforcement and compliance of street activity permits. (CECM)
17. Allocate funds to enable the Mayor's Office of Media and Entertainment (MOME) to conduct enforcement and compliance of film and television permits. (MOME)
18. Fund a "Safe Space" Shelter Program for homeless transgender individuals in the NYC Shelter System. (DHS)
19. Allocate funds to provide supplemental transit for senior citizens who need to get to a hospital. (DFTA)
20. Allocate funds to enhance or expand noise pollution abatement and enforcement programs. (DEP)
21. Allocate funds to increase enforcement in CB2 (e.g. traffic policing near the Holland Tunnel, enforcement of idling engine laws and enforcement of motor vehicle laws for trucks and enforcement of distracted driving rules, such as calling and texting on cell phones). (NYPD)

22. Allocate increased operating funding for local non-profit theater spaces and other non-profit arts organizations to better sustain and improve the quality and quantity of performance, rehearsal and office spaces, and spaces for visual artists to create and present their work. (Dept. of Cultural Affairs)
23. Allocate funds to install low-hanging gates at Washington Square Park entrances. (DPR)
24. Allocate funds to study heavy traffic areas frequented by the elderly and the disabled for the purpose of designating areas for benches. (DOT)
25. Allocate funds to add benches at Minetta Triangle Park. (DPR)

ELECTION COORDINATING COMMITTEE

At the end of the meeting the following Board Members were selected to comprise the Election Coordinating Committee:

Tobi Bergman
Cormac Flynn
Georgia Silvera Seamans
Frederica Sigel; and
Dr. Shirley Smith

Dr. Shirley Smith was selected as the committee chair.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan