

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:** March 22, 2018

**TIME:** 6:30 P.M.

**PLACE:** P.S. 41-Greenwich Village Elementary School, 116 W. 11<sup>th</sup> St., Auditorium

**BOARD MEMBERS PRESENT:** Susanna Aaron, Keen Berger, Anita Brandt, William Bray, Richard Caccappolo, Tom Connor, Terri Cude, Chair; Doris Diether, Cristy Dwyer, Robert Ely, Kathleen Faccini, Stella Fitzgerald, Joseph Gallagher, Jonathan Geballe, Robin Goldberg, Susan Kent, Jeannine Kiely, Patricia Laraia, Maud Maron, Daniel Miller, Lois Rakoff, Robert Riccobono, Robin Rothstein, Sandy Russo, Shirley Secunda, Frederica Sigel, Georgia Silvera Seamans, Antony Wong, Elaine Young

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Tobi Bergman, Katy Bordonaro, Lisa Cannistraci, Ritu Chatree, Susan Gammie, Nicholas Gottlieb, David Gruber, Rocio Sanz, Kristin Shea, Shirley Smith, Chenault Spence

**BOARD MEMBERS ABSENT:** Coral Dawson, Jon Giacobbe

**BOARD MEMBERS PRESENT/ARRIVED LATE:** Carter Booth, Erik Coler, Cormac Flynn, Edward Ma, Susan Wittenberg

**BOARD MEMBERS PRESENT/LEFT EARLY:** None

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

**GUESTS:** Jacqueline Hsia, Congresswoman Nydia Velazquez's office; Jeremy Crimm, Congresswoman Carolyn Maloney's office; Elena Sorisi, Senator Brad Hoylman's office; Fiona Jung, Senator Brian Kavanaugh's office; Michael Stinson, Comptroller Scott Stringer's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Mauricio Pazmino, Assembly Member Yuh-Line Niou's office; Irak Cehonski, Council Member Carlina Rivera's office; Marian Guerra, Council Member Margaret Chin's office; Andrew Amer, Anne Sophie Plisson, Pau; Adams, Cordelia Persen, Nicole Lopera, Eric Einstein, Patrick Stuyver, Jennifer Murray, Rachel Yarmulinsky, Karen Kligerman, Basil Walter, Ben Darche, Zella Jones, Ali Raslon, Vance Trimble, Colleen Brooks, Jamie Weinberg, Ashlynn Mustafa, Matt Hobbs, Kathryn Posin, Kurt Nelson, Euynis McNaughton, John Mark, Elizabeth Velazquez, Ilka Sobie, Elisa Monte, Rob Houtenbos, Mary Clarke, Michael McGuigan, Casper Luard, Diane Kolyer, Troy Germano, Camryn Hellwarth, George Wachtel, Alastair McKimm, Michael Borowski, Jeanne Wilcke, Elliott Barcowitz, William Rosser, Danielle Nazinitsky, Suzanne Seggerman, Diane Mendez, Carol Conway, Hailey Brooks, Diane Cooper, Amy Troost, Nancy Brous, Lisa Loren, Richard Pasquarelli, Alan Fierstein, Jay Talbot, Mayssa Ackawi, Kevin Williams, Jane Barowitz, Emily Yuan, Chester Pennock, Lorine McAlpin, Kayla Guajardo, Susan Breindel, Nancy English, Rachel Mauro, Joan Melnick, John Schyer, Lori Roberto Fine, Dorothy Lamonaca, Donald Bernstein, Brenda Bello, Matthew Muline, Louis Bernier-Heroux

**MEETING SUMMARY**

Meeting Date – March 22, 2018  
Board Members Present – 34  
Board Members Absent With Notification – 11  
Board Members Absent - 2  
Board Members Present/Arrived Late - 5  
Board Members Present/Left Early – 0

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**II. PUBLIC SESSION**

**Non-Agenda Items**

Event Spaces

Nancy Brous spoke against the negative impact of parties and promotional events at event spaces on West 12<sup>th</sup> Street.

Various Announcements

Lois Rakoff reported on the Community Advisory Board at Bellevue Hospital. She also made an announcement regarding the Edgar Alan Poe event on April 20<sup>th</sup>.

Sprouts Cooking Club

Camryn Hellwarth made an announcement regarding cooking classes for children at local restaurants.

Five Boro Bike Tour

Louis Bernier-Heroux spoke regarding education programs and the upcoming bike tour.

Clean Up Soho

Danielle Nazinitsky spoke regarding this initiative.

Dianne Mendez spoke in favor of Wildcat, but against the Soho BID regarding this issue.

## **SLA Licensing Items**

Entity to be formed by Eric Einstein, d/b/a N/A, 100A 7<sup>th</sup> Ave. South 10014

Eric Einstein, the principal, and Michael Borowski, spoke in favor of the proposed liquor license.

Entity to be formed by The Groucho Club Limited, d/b/a TBD, 363 Lafayette St. 10012

Troy Germano, Paul Adams, Richard Pasquarelli, Brenda Bello, Douglas Carter Beame, Alan Fierstein, Karen Kligerman, Matt Hobbs (principal), and Donald Bernstein (representing the applicant), all spoke in favor of the proposed application.

Kevin Williams spoke regarding traffic and was in favor of the proposed application

Bill Rosser spoke in favor of the application with stipulations.

Caspar Luard, George Wachtel, Jeanne Wilcke, Amy Troost, Alastair McKimm, Kathryn Posin, Jennifer Murray, Patrick Stuyer, Ben Darche, Elisa Monte, Matthew Muline, Rob Houtenbos, Susan Breindel, Zella Jones, Mary Clarke, Carol Conway, Joan Melnick, Ilka Sobie, Nancy English, Michael McGuigan, Rachel Mauro, Vance Trimble, and Suzanne Meyer, all spoke against the proposed liquor license application.

## **Social Services Items**

Greenwich House Proposal to Move Outpatient Drug Counseling Program to 190 Mercer St.

Andrew Emer spoke against the proposal.

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

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

Jacqueline Hsia, Congresswoman Nydia Velazquez's office;

Jeremy Crimm, Congresswoman Carolyn Maloney's office;

Elena Sorisi, Senator Brad Hoylman's office

Fiona Jung, Senator Brian Kavanaugh's office;

Mauricio Pazmino, Assembly Member Yuh-Line Niou's office

Michael Stinson, NYC Comptroller Scott Stringer's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Marian Guerra, Council Member Margaret Chin's office

Irak Cehonski, Council Member Carlina Rivera's office

### **V. ADOPTION OF MINUTES**

Adoption of February minutes

## **VI. EXECUTIVE SESSION**

1. **Chair's Report** Terri Cude reported.
2. **Treasurer's Report** Antony Wong reported.
3. **District Manager's Report** Bob Gormley reported.

## **STANDING COMMITTEE REPORTS**

### **LANDMARKS AND PUBLIC AESTHETICS**

1. **LPC Rules Changes - Consideration of a resolution with recommendations to the Landmarks Preservation Commission relating to proposed changes in rules and regulations.**

#### **Whereas:**

1. Public review by members of the community is an essential step to ensure that the consideration of landmarks application decisions has the benefit of input from those who are most familiar with a neighborhood, and who have a vested interest in preservation, most especially with respect to a designated landmark district; and
2. Only with open community hearings can transparency of the application process be guaranteed; and
3. While certain guidelines are useful, the best decision with respect to each building, the streetscape, and the neighborhood requires careful consideration of each application and its details by members of the community (Community Board) both for its expertise with respect to the community and as a forum for hearing the views of the public; and
4. Review by members of the community is especially important in providing a balance to applicants who are frequently from outside the neighborhood and come with commercial rather than preservation interests; and
5. Criteria such as minimal visibility, scale with respect to the immediate surroundings, appropriateness of materials, and historic context within specific landmark districts such as NOHO, SOHO, Greenwich Village and its extensions, Gansevoort and the recently designated South Village are best reviewed initially by those most closely associated with the neighborhood, and
6. Careful community review is essential in the very delicate task of making decisions that elevate the quality of newly designated districts that have undergone years of haphazard change prior to designation; and
7. Circumvention of the public review process in order to favor a uniform codification of practices and solutions designed for the ease of the agency's administration, will inevitably result in a one size fits all standard that will negatively impact the richly varied landmarked districts in CB2, Man.; and
8. The pragmatic basis of the proposed amendments will remove the particular and nuanced consideration of each application, most especially with respect to visible work such as storefront infills, which, as currently configured is serving the public well in the present system; and

9. Treatment of individual landmarks in an historic district in the same manner as other buildings in the district diminishes the importance of the buildings which are presumably set apart by some special characteristics. *For example, it may be appropriate to approve a penthouse that is minimally visibility on a building in a designated district that would not be appropriate to approve on an individual landmark;* and
10. As of right and situations with conflicts between zoning and landmarks regulations can frequently be resolved with community input at a community board hearing; and
11. Historic prototype approval without public review has resulted in shockingly inappropriate approvals such as PokeRice, at 162 West 4th Street; and
12. By codifying much of what is proposed in the new rules, much of what is now based in recommendations by boards and decisions by the commission will become codified in a way that future commissions will be bound by the views of the commission in place and at the time the rule changes would be enacted; now

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

The proposed rule changes that remove the important step of public consideration and recommendation through the Community Boards and their committees from the review process not be adopted.

Vote: Unanimous, with 34 Board members in favor.

2. **\*100-110 Bleecker St.- Application is to replace existing signs and install new signs at University Village to standardize the overall signage program.**

**Whereas:**

The signage will designate the several kinds of areas and information in a uniform way, are in keeping with the architecture of the complex and will not detract from the overall cohesiveness of the space; now

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

Vote: Unanimous, with 34 Board members in favor.

3. **\*147 Waverly Pl. - Application is to replace the 12<sup>th</sup> floor windows to match existing, to demolish existing penthouse and to replace it with a new penthouse, and to replace private roof terrace pavers.**

**Whereas:**

- a. The windows on the 12th floor are to be replaced in kind; and
- b. The existing minimally visible north-south oriented penthouse is to be demolished; and
- c. The proposed penthouse occupies a more visible space between the west elevator bulkhead and the interior stairs and is extended with an 8' overhang on the south side; and

- d. The materials are primarily glass with some portions in stucco and new brick to match existing materials; and
- e. A new window is proposed in the north existing brick wall to the east of the proposed construction; and
- f. There is a completely visible glass safety railing above the west and south parapet; and
- g. The proposed penthouse is obtrusively visible from the west and north and appears to be an added story in glass rather than a penthouse from the North; and
- h. The building next to an especially important historic building and close by an important garden area; both of which would be adversely impacted by the addition; and
- i. The pavers are not visible from any public through; now

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

- a. **Approval** of the replacement of the 12<sup>th</sup> floor windows and
- b. **Denial** of the penthouse and associated modifications to the existing rooftop.

Vote: Unanimous, with 34 Board members in favor.

- 4. **\*159 Bleecker St. - Application to install double brass doors modeled after the original doors with framed sidelights, and to install windows similar to openings shown in the 1940's photograph and to modify the existing marquee with light bulbs in the front and on the underside.**

**Whereas:**

- a. The window design adheres faithfully to the historic photograph with modifications necessitated by modern entrance to the upper floors; and
- b. The doors, while reproduction of the graphics of the original doors, lack depth and weight and a bulkhead resulting in an undistinguished, sketchy appearance; and
- c. The heavy tri-face marquee does not draw from the original design nor from the modified design of The Circle in the Square shown in historic photographs; and
- d. The light bulbs under the marquee are numerous and are not evident in pictures of either of the historic configurations; now

**Therefore be it resolved** that CB2, Man. recommends **denial** of the application and that the applicant return to the Committee with a design for the doors that more closely adheres to the original doors as depicted in the historic photograph and a design for the marquee that is more faithfully drawn from the original marquee or the later modification for The Circle in the Square.

Vote: Unanimous, with 34 Board members in favor.

5. **\*144 W. 14th St. – Application is to replace existing storefront and install new signage, repaint 2nd story window frames, add 2 poles to support the bottom of the existing banners, replace 4 window sashes within the interior light well and replace select rear yard skylight glass panes.**
- a. The proposed infill replacement is black steel, with a 18” bulkhead and a proportional signboard in a building where wood would be more appropriate; and
  - b. The second story windows are to be painted to match the windows in the upper floor; and
  - c. The infill in the main entrance bay is a continuation of the storefront configuration infill and does not properly fill not respond to the monumental surround; and
  - d. The black storefront infill is not in keeping with the design and color of facade and would be more appropriate in the same color as the windows; and
  - e. Two poles are proposed at the bottom of the existing banners to better secure them and will be anchored into the mortar joints; now

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

**Approval** of the application provided that the ground floor infill is in wood, painted to match the windows in the upper floors, and that the main entrance doors be wider and higher in proportion to the surround.

Vote: Unanimous, with 34 Board members in favor.

6. **\*275 Canal St. - Application is to install new ground floor infill and new windows in the upper floors on the Canal Street facade.**

**Whereas:**

- a. The existing infill and windows are an untidy collection of windows and doors and the facade is deteriorated in certain places; and
- b. The proposal is to restore the facade, install two over two windows with transoms on the second and third floor and one over one windows the upper floors, reproducing the original windows throughout; and
- c. The historically referenced minimally recessed infill and windows’ wood are painted black and the pilasters and sign band, with unusually large lettering for the width of the band, are painted off white; and
- d. One discreet blade sign of an acceptable size is to be installed on the eastern pilaster; now

**Therefore be it resolved** that CB2, Man. recommends **approval** of the application provided that the size of the lettering in the sign band be reduced.

Vote: Unanimous, with 34 Board members in favor.

## **QUALITY OF LIFE**

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

**Northwest Corner of Gansevoort Street and Ninth Avenue, in front of 3 Ninth Avenue (1906-2018-ANWS) Applicant: Farhan Chowdhury**

**Whereas**, the area was posted, community groups notified, and the applicant was present, and

**Whereas**, this area is currently without a newsstand for many blocks and this stand is near several hotels, the Highline, and The Whitney, all of which will provide pedestrian traffic to this stand; and

**Whereas**, the applicant has been an employee at a different newsstand since 2000 and will be a first-time owner and will operate the proposed newsstand with one other employee from 8 AM to 10 PM, seven days a week; and

**Whereas**, the managing agent of 3 Ninth Avenue appeared and stated that a survey had been completed which shows a Department of Transportation (DOT) vault under the sidewalk on which this newsstand would be located and that DOT has been provided with the survey and stated that a newsstand would not be approved by DOT if the newsstand did not clear the DOT vault by 2 or more feet; and

**Whereas**, the applicant stated that he was aware of the DOT vault under the sidewalk near this location and that the proposed newsstand location was not over the vault and it did in fact meet the DOT clearance requirements; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** for a newsstand at the corner of Gansevoort Street and Ninth Avenue, provided that the proposed location is scrutinized by DOT to ensure that all vault clearance requirements are met before the application is approved by Department of Consumer Affairs.

Vote: Unanimous, with 34 Board Members in favor.

### **2. New Applications for revocable consents to operate an unenclosed sidewalk café for:**

**West 4th & Barrow, LLC, d/b/a The Spaniard, 190 W. 4th St. with 7 tables & 16 chairs (1888-2018-ASWC)**

**Whereas**, the applicant's original application requested approval for 8 tables and 18 chairs but the applicant agreed to remove one table and 2 chairs from the application in order to create greater service area space near the front entrance to the establishment and the applicant amended the application and plans to reflect this change; and

**Whereas**, the applicant stipulated in its SLA application in November 2015 that it would meet with the Central Village Block Association (CVBA) for feedback prior to ever applying for a sidewalk café permit, and

**Whereas**, CVBA sent a letter stating that the applicant "has been a positive presence in our community and a welcome addition to West 4<sup>th</sup> Street. CVBA is happy to recommend approval" of this sidewalk café application; and



**Whereas**, the applicant was informed that two letters were received by CB2, Man. from area residents expressing opposition to this application due to the increased congestion in this area, and the fear that the café will encourage loitering by drunk and disorderly individuals outside this establishment and the applicant expressed its intention to minimize any noise and activity connected with this sidewalk café and confirmed that the café would not use any amplified sound and that the buildings original windows were in the process of being replaced which should help diffuse some of the noise heard by residents above this establishment; and

**Whereas**, the applicant stated that the café would operate from 11:30 AM-11:00 PM, seven days a week; and

**Whereas**, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored either within the restaurant or in the cellar of the establishment when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all food and drink would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of a sidewalk café for **West 4th & Barrow, LLC, d/b/a The Spaniard, 190 W. 4th St. with 7 tables & 16 chairs (1888-2018-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 34 Board Members in favor.

**Fiftytwo Merchants, LLC, d/b/a Pisellino, 52 Grove St. with 20 tables & 40 chairs (2200-2018-ASWC)**

**Whereas**, the applicant's original application requested approval for 24 tables and 48 chairs which didn't appear possible to meet the clearance requirements from a tree bed on the Grove Street side of the café and, once alerted of this, the applicant agreed to amend the application and plans and reduced the application to 20 tables and 40 chairs; and

**Whereas**, the applicant confirmed that it intended to comply with the stipulations agreed to in before the CB2 SLA committee in April 2017 including that the café would close before 11 PM, 7 days a week; and

**Whereas**, a neighboring resident appeared to speak in favor of this application citing that this applicant currently operates Via Carota across the street from this establishment and has been an exemplary neighbor and is always available to discuss any concerns and that a café at this location will help to brighten the spirit of this block; and

**Whereas**, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored inside the establishment when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all drinks would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of a sidewalk café for **Fiftytwo Merchants, LLC, d/b/a Pisellino, 52 Grove St. with 20 tables & 40 chairs (2200-2018-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 34 Board Members in favor.

**Bold Food Lafayette St., LLC, d/b/a Gato, 324 Lafayette St. with 13 tables & 26 chairs (2201-2018-ASWC)**

**Whereas**, this establishment has been in operation for over four years and the applicant appeared before the CB2 SLA committee in March of 2013, at which time the applicant stated that there would be no sidewalk café at this location; and

**Whereas**, in 2013 the applicant entered into a Memorandum of Agreement with NoHo Bowery Stakeholders (NBS) that similarly stated that there would be no sidewalk café with the application but that the applicant agreed that they would meet and discuss any proposed change in method of operation with NBS before applying for a sidewalk café permit; and

**Whereas**, a representative from NBS appeared before the committee and stated that the applicant did meet and discuss this application with NBS and that NBS was in support of this application; and

**Whereas**, NBS and the applicant agreed that the sidewalk café would close by 10 PM, 7 days a week and any extension in hours of operation would not occur without consulting with NBS and the community first; and

**Whereas**, two area residents appeared before the committee expressing opposition to this application due to the increased sidewalk activity in this area; and

**Whereas**, there is a unique standpipe and two bollards near the curb of the proposed sidewalk café location and the applicant stated that these items require 5 feet of clearance from the proposed sidewalk café; and

**Whereas**, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored inside the establishment when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all food and drink would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of a sidewalk café for **Bold Food Lafayette St., LLC, d/b/a Gato, 324 Lafayette St. with 13 tables and 26 chairs (2201-2018-ASWC)**, provided that DCA conducts a qualifying inspection of this sidewalk café and confirms that the application meets all clearance requirements and conforms with all applicable zoning and sidewalk café laws.

Vote: Unanimous, with 34 Board Members in favor.

**Dez Mulberry LLC, d/b/a Dez, 227 Mulberry St. with 4 tables & 8 chairs (2811-2018-ASWC)**

**Whereas**, the applicant appeared before the CB2, Man. SLA committee in December 2017 and confirmed that it intended to comply with all stipulations agreed to, including the stipulation that the sidewalk café would not operate past 10 PM Sunday-Thursday and not past 11 PM on Fridays and Saturdays; and

**Whereas**, the applicant was informed that a letter was received by CB2, Man. from an area resident expressing opposition to this application due to the fact that no other storefronts on this block of Mulberry Street operate a sidewalk café and that a café would present safety, noise, and nuisance concerns; and

**Whereas**, the applicant stated that this block is indeed zoned for sidewalk cafes and that this is a small application for 4 tables and 8 chairs and that the owner would make all efforts to reduce any impact on the block; and

**Whereas**, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored inside the establishment when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all alcoholic drinks would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of a sidewalk café for **Dez Mulberry LLC, d/b/a Dez, 227 Mulberry St. with 4 tables and 8 chairs (2811-2018-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 34 Board Members in favor.

**Chick & Co LLC, d/b/a Cocu, 26 Carmine St. with 6 tables & 14 chairs (3344-2018-ASWC)**

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, the applicant agreed that the sidewalk café would not operate past 10 PM Sunday-Thursday and not past 11 PM on Fridays and Saturdays; and;

**Whereas**, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored in the cellar of the establishment when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all food and drink would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of a sidewalk café for **Chick & Co LLC, d/b/a Cocu, 26 Carmine St. with 6 tables & 14 chairs (3344-2018-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 34 Board Members in favor.

**3. Modification Application for revocable consent to operate an unenclosed sidewalk café for:**

**151 Blecker LLC, d/b/a Red Lion, 151 Blecker St. with 7 tables & 17 chairs (2056566-DCA)**

**Whereas**, the applicant has operated an unenclosed sidewalk café at this location for over 20 years and recently the City removed and replaced an existing fire hydrant at this location to a new location that requires a modification of the sidewalk café application; and

**Whereas**, the applicant is waiting on the City to return the fire hydrant to the original location and when it does, the applicant plans to arrange the sidewalk café as reflected in this current application, and

**Whereas**, the applicant confirmed that it intends operate the sidewalk café in the same manner and fashion as it has for many years; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of this modification application for a sidewalk café for **151 Bleecker LLC, d/b/a Red Lion, 151 Bleecker St. with 7 tables & 17 chairs (2056566-DCA)**, provided that the City relocates the moved fire hydrant and the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 34 Board Members in favor.

#### **4. Street Activities Applications**

**Tuesday, March 27, 2018 - Mini NYIAS Press Event at 356 W. 12th St., Bethune St. between Washington St. and Greenwich St.**

**Whereas**, this application is for the use of three parking spaces in front of the indicated location in order to load in and out equipment for an auto show related commercial event; and

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, the applicant intends to use the allotted spaces for loading and unloading starting at 12 AM and ending at 11:59 PM; and

**Whereas**, the applicant wishes to host the event from from 11 a.m. until 8 pm 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 1<sup>st</sup> Precinct for the event; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of the **Mini NYIAS Press Event at 356 W. 12th St., Bethune St. between Washington St. and Greenwich St.** on March 27, 2018.

VOTE: Unanimous, with 34 Board members in favor.

**Thursday, May 30, 2018—The New School 22nd Annual Block Party, East 13th St. between 5th Ave. and University Place**

**Whereas**, this application is for a full street closure to host New School University students, staff, faculty, and surrounding residents to celebrate the beginning of the school year with food, games, university and neighborhood resource information and to collect donations from community partners and this is the second year that this event will be held on this block; and

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, the applicant intends to use the block starting at 11:30 AM and ending at 8:30 PM and the event itself will run from 3 PM to 7 PM; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the **The New School 22nd Annual Block Party, East 13th St. between 5th Ave. and University Place** on May 30, 2018.

VOTE: Unanimous, with 34 Board members in favor.

**Sunday, May 20, 2018—Children’s Museum of the Arts: Spring Family Day 2018, Charlton St. between Hudson and Varick Sts.**

**Whereas**, this application was approved by CB2 in January 2017 but for once block east of this location but that block is currently partly blocked by a construction project and the applicant returned to request the block at issue; and

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, the applicant intends to use the block starting at 11:30 AM and ending at 8:30 PM; and

**Whereas**, the fair is free and open to the public and features local family-friendly vendors as well as free community art activities facilitated by museum teaching artists; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the **Children’s Museum of the Arts: Spring Family Day 2018, Charlton St. between Hudson and Varick Sts** on May 20, 2018.

VOTE: Unanimous, with 34 Board members in favor

1. **Friday, June 1, 2018—Village Alliance District Management Association (VADMA): Astor Blaster Silent Disco, Astor Place Plaza South**
2. **Saturday, June 16, 2018—Village Alliance District Management Association (VADMA): Astor Live with Joe’s Pub—Choir Choir Choir, Astor Place Plaza South**
3. **Thursday, June 21, 2018—Village Alliance District Management Association (VADMA): Joe’s Pub Block Party Make Music New York, Astor Plaza South**
4. **Friday, July 27, 2018—Village Alliance District Management Association (VADMA):Astor Alive Cabaret with Joe’s Pub, Astor Place Plaza South**
5. **Saturday, September 22, 2018—Village Alliance District Management Association (VADMA): Astor Alive with Joe’s Pub, Astor Place Plaza South**

**Whereas**, these applications are being presented by the Village Alliance District Management Association in partnership with Joe’s Pub and are a continuation of the Astor Alive festival that was first presented two years ago to celebrate the re-opening of Astor Place; and

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, the varied events all use the same footprint of Astor Plaza and provide an eclectic array of arts and performance; and

**Whereas**, the applicant is partnering with Joe’s Pub in order to better facilitate the artists who will be involved with the varied events; and

**Whereas**, a representative from NoHo Bowery Stakeholders appeared to speak in favor of these events but wished to express that the part of Astor Plaza south of this location is not maintained by the current caretaker of this section of the Plaza and as a result the area suffers from litter after any events in Astor Plaza; and

**Whereas**, the applicant employs a private security team during these events who work in conjunction with the NYPD; and

**Whereas**, the applicant employs a sanitation taskforce that will sweep the area for all debris after the events; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the **five events produced by the Village Alliance District Management Association in Astor Place South** on June 1, June 16, June 21, July 27, and September 22, 2018; and

**Be It Further Resolved** that CB2, Man. recommends that SAPO contact the caretaker of the southern part of Astor Plaza in order to encourage the caretaker to maintain their area of Astor Plaza.

VOTE: Unanimous, with 34 Board members in favor

**Sunday, June 24, 2018—NYC Pride—Pride Fest, 1. University Place between Waverly Place and East 13<sup>th</sup> Street, 2. East 8<sup>th</sup> Street between University Place and Greene Street.**

**Whereas**, the City is planning a redirection of the traditional Pride March that will take the Pride March from the meatpacking district south down 7<sup>th</sup> Avenue South, east to cross in front of the Stonewall on Christopher Street and eventually north on 5<sup>th</sup> Avenue with the terminus around 30<sup>th</sup> Street; and

**Whereas**, the terminus of the Pride March has traditionally been near the prior location of Pride Fest on Hudson Street between Bethune Street and West 13<sup>th</sup> Street; and

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, the new proposed location will keep Pride Fest in the Village and closer to the new terminus of the Pride March; and

**Whereas**, the applicant plans to hold this Pride Fest as close in fashion to the one on Hudson Street and will be filled with non-profit community vendors and local entertainment with the only performance platform to be located on East 8<sup>th</sup> Street; and

**Whereas**, a representative from the Village Alliance appeared before the committee and expressed that the residents and businesses on University Place feel fatigued by the amount of multi-block festivals that occur on University Place and he hoped that Pride Fest would make all efforts to include these businesses in the festival if they so choose; and

**Whereas**, the applicant stated that the NYPD will be on site for the duration of the event and the street would be cleared by 8 PM after a thorough Dept. of Sanitation cleaning of the streets; and

**Whereas**, the Village is home to the Stonewall Uprising of 1969 and it is important to keep the pride festivities within the community; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the NYC Pride—Pride Fest, **1. University Place between Waverly Place and East 13<sup>th</sup> Street, 2. East 8<sup>th</sup> Street between University Place and Greene Street** on June 24, 2018; and

**Be It Further Resolved** that CB2, Man. encourages the NYC Pride Fest to make all efforts to include the businesses on University Place in the festival should the businesses, so choose.

VOTE: Unanimous, with 34 Board members in favor

#### **FYI/Renewal Street Activities**

- 1. 4/20/18 – NYU Student Activities: Earth Day, West 3rd St. between Mercer St. and LaGuardia Place,**
- 2. 5/4/18 - NYU Strawberry Festival, West 3rd St. between Mercer St. and Washington Square East**
- 3. 6/2/18 – Jane Street Block Association Street Sale, 1) Jane St. between Eighth Ave. and Hudson St.**
- 4. 6/16/18 – Police Athletic League Festival, University Place between Waverly Place and East 14th St.**
- 5. 7/1/18 – Pride Democrats: Pride on Astor Fair, Astor Place between Broadway and Lafayette St.**
- 6. 7/14/18 – Village Alliance: Positively 8th Street, West 8th St. between 5th Ave and 6th Ave.**
- 7. 8/25/18 – Village Reform Democratic Club University Place Co-Sponsored Festival, University Place between East 14th St. and Waverly Place**
- 8. 9/1/18 – 9/9/18 – Washington Square Outdoor Art Exhibit Fall, University Place between Waverly Place and East 13th St.**
- 9. 9/8/18 – Congress of Racial Equality/Union Square Partnership: Broadway Village Fair, Broadway between Waverly Place and East 14th St.**
- 10. 9/15/18 – Basilica of St. Patrick’s Old Cathedral/St. Stephen Our Lady of Scapular: University Place Fair, University Place between East 8th St. and East 14th St.**
- 11. 10/13/18 – Bedford Downing Block Association Sidewalk Sale, Downing St. between Bedford St. and 6th Ave.**

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

VOTE: Unanimous, with 34 Board members in favor.

## SCHOOLS AND EDUCATION

### **Resolution In Support of Improved Funding for Public Schools and In Support of Public Access to Department of Education and Charter School Data Regarding PTA/PAs and Nonprofit Boards for Public District and Charter Schools**

#### **Whereas:**

1. CB2, Man. discussed and considered the proposed New York City Council legislation Int. No. 561 requiring reporting of information regarding parent teacher associations (PTAs) and parent associations (PAs) for public schools;
2. The Schools and Education Committee of Community Board 2, heard from parents from neighborhood schools who were concerned that this proposed law may have foreseen and unforeseen negative consequences on the PTA/PA fundraising efforts of their schools, which could adversely affect their ability to fundraise and to support their schools' programming needs;
3. The need for fundraising arises because New York City public schools remain woefully underfunded:
  - a. New York State has not funded the phase-in of the Foundation Aid Formula, the 2007 law responding to the landmark case, Campaign for Fiscal Equity v. State; and,
  - b. New York City does not currently fund, nor has it ever funded 100% of Fair Student Funding for the three elementary schools in Community Board 2 – PS 3 receives 87.00%, PS 41 receives 88.31% and PS 130 receives 87.02% (as a new school, MS 297 receives 100%);
4. While well intended, Int. No. 561 might not only burden PTA/PAs with more work but may also further undercut the full funding of our public schools;
5. The Chancellor's Regulation A-660 governs all aspects of PTA/PAs including fundraising activities and already requires substantial financial record keeping, but the Department of Education (DOE) does not publish this information currently;
6. The DOE already collects and reports, in aggregate, demographic information regarding each school's "race and ethnicity and English language learner status;"
7. Int. No. 561 would require additional reporting from PTA/PAs that does not reflect the way PTA/PAs actually function, such as the "registration lists" of parents and teachers; and,
8. Int. No. 561 fails to seek comparative information from charter schools regarding their fundraising efforts, including the total funds raised by their PTA/PAs and nonprofit boards.

**Therefore be it resolved** that CB2, Man. does not support Int. No. 561 as currently drafted;

**Be it further resolved** that CB2, Man. supports disclosure of public school fundraising activities, *only if* it:

1. Requires the DOE to provide public access to data it already collects from PTA/PAs in compliance with the Chancellor's Regulation A-660; and
2. Also requires Charter schools to report total funds raised by their PTA/PAs and nonprofit boards; and,

**Be it further resolved** that CB2, Man. urges our Governor to fully fund the phase-in of the Foundation Aid Formula and our Mayor and City Councilmembers to allocate greater funds to our public schools.

VOTE: Unanimous, with 34 Board Members in favor.



## SOCIAL SERVICES

### **Presentation by Greenwich House regarding the proposed move of their full-day out patient drug counseling program from 122 W. 27<sup>th</sup> Street to co-locate with their existing morning methadone treatment program at 190 Mercer Street**

**Whereas** Greenwich House Executive Director Roy Leavitt and three Greenwich House Chemical Dependency Program clinical directors presented details of a plan to co-locate their full-day outpatient drug counseling program (consisting of 135 clients) from 122 W. 27<sup>th</sup> Street with their existing morning methadone treatment program at 190 Mercer Street (735 clients); and

**Whereas** *Greenwich House* is a West Village settlement house founded in 1902 in *New York City*, whose mission is to help individuals from all walks of life lead more fulfilling lives by offering arts and education programs, senior services, after-school and summer arts camps, pottery and music classes and behavioral health programs; and

**Whereas** the methadone treatment program on 190 Mercer Street currently operates Monday, Wednesday and Friday between the hours of 6:15am and 1:45pm, on Tuesday from 6:15am to 2:00pm and Saturdays from 8:00am to 11:45am and consists of 735 clients; and

**Whereas** the proposed co-location of the outpatient program to 190 Mercer Street would bring an additional 135 clients *who do not receive medication of any kind* and on any given day 50 of those 135 clients are expected to attend individual and group counseling sessions which will operate Monday through Thursday from 9:00am to 8:00pm and Fridays from 9:00am to 5:00pm; and

**Whereas** the Mercer Street location space is approximately 14,000 square feet, half of which is on each of the 4<sup>th</sup> and 5<sup>th</sup> floors with a lease expiration in September 30, 2024 with an additional 5 year option to renew; and

**Whereas** while neighbors expressed general support for the program, all stressed concern over the expansion of a drug treatment facility in a residential neighborhood, pointing in particular to the lack of a lobby at 190 Mercer Street to serve as a reception area for clients, requiring clients to line up on the sidewalk awaiting the building's elevator which holds approximately 8 individuals and opens directly onto the street; and

**Whereas** six members of the community representing neighboring residential properties each described witnessing incidents of loitering, reported observations of exchanges of money for small packages from their apartment windows and arguments among some people believed to be program participants; and

**Whereas** Greenwich House specified that its clients are required to adhere to a policy that prohibits loitering within a two-block radius of 190 Mercer Street and explained these violations by clients can result in discharge from the program; and

**Whereas** Greenwich House stated several of its staff, including program directors, monitor adherence to this policy via daily staff patrols of 15 minutes each several times a day and that the building has a surveillance camera that allows it to monitor its entrance with video replay in case of incidence, but for reasons of neighborhood privacy its camera's viewpoint is limited to the sidewalk in front of 190 Mercer Street; and

**Whereas** Greenwich House’s Executive Director expressed a shared alarm and concern over these alleged activities and promised to assume responsibility for their immediate correction, committing to consider steps such as increased monitoring of clients, coordination with local neighborhood police, improved video surveillance and others; and

**Whereas** Greenwich House suggested methods for immediate direct communication between neighbors and staff in order to bring any and all concerns to their attention for immediate monitoring and correction; and

**Whereas** members of the Committee suggested Greenwich House, in the absence of a lobby, increase their staff presence by placing a “Greeter” near the elevator during peak hours to provide oversight and ensure adherence to program policy rules and regulations and to address any quality of life issues as they may occur.

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

1. Supports Greenwich House’s mission to provide drug treatment to New Yorkers and
2. Supports the co-location of services at 190 Mercer Street if as promised Greenwich House proves responsible and effective at curing quality of life concerns expressed by community members and
3. Asks that Greenwich House return to the Social Service Committee in November or December of this year to provide an update of its interventions demonstrating their ongoing commitment to addressing neighborhood quality of life concerns as they may occur.

VOTE: Unanimous, with 34 Board Members in favor.

## **SLA LICENSING**

### **1. West 4<sup>th</sup> & Barrow LLC, d/b/a The Spaniard, 190-192 W. 4<sup>th</sup> St. 10014 (OP – Restaurant alteration to *add sidewalk cafe*)**

**i. Whereas**, the Licensee appeared before CB2, Manhattan’s SLA Licensing Committee add a sidewalk café with 7 tables and 16 seats to an existing on-premise liquor license SN# 1293296; the original CB2 resolution was voted on at the November 19<sup>th</sup>, 2015 CB2 Full Board meeting and contains the pertinent details concerning the interior of the licensed premises; and

**ii. Whereas**, as required in the existing stipulations, the Licensee met with the local block association, the Central Village Block Association (CVBA) prior to filing for the sidewalk café license and agreed to a number of additional terms and conditions with respect to operation of the sidewalk café; those conditions and stipulations have been incorporated into the updates stipulations agreement as indicated below; the CVBA indicated that the Licensee was a conscientious operator; and,

**iii. Whereas**, several letters in opposition were received, those letters primarily indicating issues with late night operations and voicing opposition to the addition of a sidewalk with late night operating hours; and,

**iv. Whereas**, the applicant executed an updated stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their OP license with respect to the alteration application to add a sidewalk café to the licensed premises and the stipulations are as follows:

1. This application is for an alteration application to a restaurant on-premise liquor license to add a sidewalk café for a neighborhood restaurant welcoming families and couples.
2. Premise will be advertised and operated as a neighborhood restaurant.
3. The interior hours of operation will be from 11AM to 4AM Sunday, and 12PM to 4AM Monday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will not have more than 1 television, no larger than 60 inches (there will be no projectors).
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. Will operate a licensed sidewalk café no later than 11PM 7 days a week. All tables and chairs will be removed at 11pm and there will be no patrons in the sidewalk café at 11PM.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at all times.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal.
16. There will be doorman and security personnel Thursday to Saturday.
17. All sidewalk café tables will be reserved for dining patrons only. Licensee will make every effort to ensure the noise and disruption, if any, from the sidewalk café is minimal as possible for neighbors and residents and will take active steps to ensure compliance.
18. Will have signage advising patrons to be mindful of neighbors
19. Café will have a railing or barrier fence along west 4<sup>th</sup> St. separating the café from the sidewalk.
20. All other stipulations agreed to with the Central Village Block Association in 11/6/2015 are included and incorporated into this agreement.
21. Any other additional sidewalk café furniture will be in agreement with the Central Village Block Association i.e. umbrellas, etc.
22. There will be 7 tables and 16 seats in the sidewalk café located along West 4<sup>th</sup> St. and no tables along Barrow St.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an alteration to an existing full On Premises license for **West 4<sup>th</sup> & Barrow, LLC, 192 W. 4<sup>th</sup> St., 10014 SN# 1293296 to add a sidewalk café 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 above are incorporated into the existing “Method of Operation” on the existing On Premise Liquor License.

Vote: Unanimous, with 34 Board member in favor.

**2. Archbishop Fulton J. Sheen Center, Inc., d/b/a The Sheen Center for Thought and Culture, 18 Bleecker St. (TW – Modify stipulations)**

**i. Whereas**, the Licensee appeared before CB2 Manhattan’s SLA Licensing Committee to modify their existing stipulations agreement to add beer/wine service to include a 30 minute time period following events with all beer/wine service and events to end by 11PM; the original CB2 resolution was voted on at the May/2015 CB2 Full Board meeting and contains the pertinent details concerning the interior of the licensed premises; and,

**ii. Whereas**, the applicant executed an updated stipulations agreement for Stipulation #11 with CB2, Man. specifically referencing changes to Stipulation #11 which will replace the existing Stipulations #11 on the Stipulations agreement dated May 21, 2015, the new language for Stipulation 11 is as follows:

11. Beer and Wine Service Plans - The Sheen Center will have a total of 4 service stations: [1] Black Box Concessions Area [2] Loreto Theatre Bleecker Lobby [3] Loreto Theatre Mezzanine Lobby [4] Loreto Theatre Gallery Lobby. The Black Box concessions area [1], and the Loreto Theatre Bleecker Lobby [2] are both fixed service areas. The Loreto Theatre Mezzanine Lobby [3] and the Loreto Theatre Gallery Lobby [4] will consist of one mobile cart each. The mobile carts in areas [3] and [4] will have a fixed location when in use, and are only mobile for storage needs when not in use. All service areas are clearly designated on diagrams presented to CB2, Manhattan and do not include areas of the Sheen Center which are used for temporary housing, for rehearsal spaces, office space or other uses. All concessions staff responsible for overseeing or serving patrons beer and wine will be TIPS trained.

*Beer and Wine Service Times – Service will only occur as follows:*

Live Performances - 30 minutes prior to the beginning of a performance, during intermission and for 30 minutes following a performance. The service of beer and wine after a performance for 30 minutes may only take place if the performance ends by 10:30PM. The service stations will be closed during any live performances. All patrons will be ticketed or on a guest list.

Special Events/Fundraising Galas - The Sheen Center will occasionally hold post-show receptions during which wine and beer will be served. These receptions will not last longer than an hour past the performance, and patrons will not be served any beer or wine past the closing of the building (11pm). All patrons will leave the premises by 11:15pm. These post-show receptions will be limited to no more than 4 times per year. It is also anticipated that The Sheen Center will host fundraising galas quarterly. Beer and wine will be served at the galas. Galas will not serve beer or wine past midnight. All patrons will have exited the premises by 12:15am. Fundraising galas will be limited to no more than 4 times per year. CB2 and local community organizations will be notified of all such post-show receptions and galas no less than 10 ten days in advance of each occurrence.

Gallery Openings and events in the Loreto Theatre Gallery Lobby/Space [4] – Occasionally the Sheen Center will host a gallery opening for the presenting artist. Gallery openings normally occur between 5pm – 9pm and are by invitation only. Additionally, the Loreto Theatre Gallery Lobby/Space may be used by other groups for small receptions or gatherings. Beer and Wine service in the Loreto Theatre Gallery Lobby/Space will never occur outside the hours of 5pm to 9pm and all events will be by invitation only. At no time will any use of the Loreto Theatre

Gallery Lobby/Space overlap with another event that is using the main Loreto Theatre Space, and as such, there will not be two events attempting to be served wine or beer at the same time at the same service station.

Film Screenings - The same procedure as a “Live Performance” will be followed (detailed above).

Festivals - The same procedure as detailed under “Live Performance” will be followed for festivals.

Matinees and Festivals Times - On matinee and festival days, no wine or beer will be served prior to 12:30pm. After 12:30 pm, wine and beer will only be served 30 minutes prior to each performance, during intermission, if applicable, and for 30 minutes following the matinee or festival performance. At the end of the 30 minutes following any performance, service will be suspended until the following use of the space or performance.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an alteration to an existing tavern wine license for **Archbishop Fulton J. Sheen Center, Inc., d/b/a The Sheen Center for Thought and Culture, 18 Bleecker St. SN# 1292596 to change stipulation #11 as indicated above unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those changes to the conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the existing On Premise Liquor License.

Vote: Unanimous, with 34 Board member.

**3. 13 Sullivan Gents LLC, d/b/a No. 142 Bar, 142 Sullivan St. 10012 (TW – alteration to seek extension of hours of operation)**

**Whereas**, the Licensee appeared before CB2’s SLA Licensing committee to modify the hours of operation that were originally stipulated to in May/2015 for an existing Tavern Wine License SN# 1286543; and,

**Whereas**, this applications was first presented to CB2, Man. in May/2015 for a “quiet neighborhood sitting room where patrons can gather with friends or come to study or work during the day” in a small 600 SF storefront (300 SF first floor and 300 SF basement), patrons on the ground floor only, with one entrance/exit, one bathroom located on a narrow street in a historic district in the north storefront of 142 Sullivan Street between Houston and Prince Streets in a mixed use building (Circa 1900); and

**Whereas**, the May/2015 resolution states “residents who live on the same block and who live directly across from the storefront premises appeared and wrote letters in opposition to the license application, voicing significant concerns about noise, music, late night operations and crowds on the sidewalk that previously existed at these same premises when it was operated as the Room; while also outlining their concerns as to the proliferation and over-saturation of liquor licenses on this particular block, which prior to 2009 only had one such licensed premises whereas now in 2015 there are six such licensed premises, with additional notices currently received for additional applications, with a significant increase in noise levels with late night hours that did not previously exist” and “they [Applicants] have no desire to operate with late night hours like ‘The Room’ previously did and assured CB2, Man. SLA Committee that they would be good neighbors to the other residents living immediately adjacent and across the street from the storefront premises”; and,

**Whereas**, in May/2015 Licensee agreed to the current hours of operation from 1 PM to 11 PM Sunday through Thursday and from 1 PM to 12 AM (Midnight) on Fridays and Saturdays, It was originally stated in May/2015 that there would be 7 tables with 24 seats, one bar with 4 seats for a total number of interior patron seats at 28, The seating has been revised to include only 1 Stand Up Bar with 10 seats and 2 other seats for a total of 12 seats; there is only one bathroom, there are no TVs and music will be background only; and

**Whereas**, the Licensee presented a request to modify the hours of operation to closing at 1AM Sunday to Thursday and 2AM Friday and Saturday; they subsequently agreed to operating times of 5PM to 1AM, 7 days a week; and,

**Whereas**, the Licensee also presented a petition in support signed by many local residents and a member of the community who originally spoke in opposition in May 2015 also appeared and spoke in support advising the Committee that the Licensee were conscientious operators who lived on the block and were great neighbors and operators; and,

**Whereas**, as a part of their verbal presentation, the Principals explained that they were having difficulty operating their business given that their neighbor immediately next door, a licensed restaurant wine establishment, had recently change the manner in which they operate and the Principals felt that the limitation on their current hours of operation for their tavern wine license were infringing on their ability to compete with their neighbor and were therefore requesting later hours of operation; the neighboring business having no such restriction on their hours of operation and who never appeared before CB2, Man. at the time of their original license application in 2009 or any time subsequent; the closing hour of 1AM unanimously supported by the Committee is in keeping with the closing hours of the other Restaurant Wine license across the street for a new restaurant who recently appeared before CB2; and,

**Whereas**, the applicant executed an updated stipulations agreement with CB2, Man. reflecting the new agreed upon hours and other previous stipulations that they agreed would be attached and incorporated in to their method of operation on their Tavern Wine license and the stipulations are as follows:

1. This application is for an alteration to an existing tavern wine license to extend the hours of operation until 1AM 7 days a week for a tavern wine bar serving beer/wine/cider.
2. The hours of operation will from 5PM to 1AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times for each area.
3. Will operate with less than a full service kitchen, but will serve food during all hours of operation.
4. The premises, or any portion of the premises will not operate as a sports bar.
5. The premise will have not have televisions or projectors.
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. Will close all doors & windows at 9PM every night and anytime there is music.
9. Will not make changes to the existing façade except to change signage or awning. – There are existing French doors.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

13. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an alteration application to extend the hours of operation for Tavern Wine License SN#1286543, **13 Sullivan Gents LLC, d/b/a No. 142 Bar, 142 Sullivan St. 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 Tavern Wine License SN#1286543.

Vote: Unanimous, with 34 Board members in favor.

**4. Off Cuts LLC, d/b/a Quality Eats, 19 Greenwich Ave. 10012 (OP – Restaurant alteration make windows operable and changes to their seating configuration)**

**i. Whereas**, the Licensee appeared before CB2, Manhattan’s SLA Licensing Committee to present an alteration application to an existing on-premise liquor license SN# 1288502 to convert 2 tables and 4 seats in the interior of the premise to booth/banquet seating and to add LPC Landmark approved operable windows to the existing façade; the original CB2 resolution was voted on at the June/2015 CB2 Full Board meeting and contains the pertinent details concerning the interior of the licensed premises; and

**ii. Whereas**, a representative of the local neighborhood association and signer of the original stipulations submitted correspondence in opposition to the alteration of the façade to add operable windows; and,

**iii. Whereas**, the applicant executed an updated stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their OP license with respect to the alteration application to convert seating to banquet/booth seating and alter the façade to add operable windows and the stipulations are as follows:

1. This application is for an alteration application to a restaurant on-premise liquor license to add operable windows to the existing façade and to convert several tables and table seats into booth/banquette seating in front of the newly operable façade.
2. Premise will be advertised and operated as a family friendly American restaurant.
3. The interior hours of operation will be from 11AM to 12:30AM Sunday to Thursday and 11AM to 2AM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will not have more than 1 television, no larger than 46 inches (there will be no projectors).
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. Will operate a licensed sidewalk café no later than 11PM 7 days a week. All tables and chairs will be removed at 11pm and there will be no patrons in the sidewalk café at 11PM.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at 9Pm any time music is played.
10. Will not make changes to the existing façade except to change signage or awning after this change to alter the façade to add operable windows.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. There will be doorman and security personnel Thursday to Saturday.
17. All stipulations agreed to and executed in “Draft Stipulations for an on-premise liquor license for an entity to be formed by Michael Stillman at 19 Greenwich Avenue” dated 6/2/2015 and executed 6/4/2015 will continue and be a part of this agreement.
18. This alteration application includes only a change in seating and installation of windows that open in the façade. Those new windows will be closed at 9PM 7 days a week.
19. Two, Two Top Tables will become booth/banquette seating. Licensee will make every effort to ensure the noise and disruption, if any, from the sidewalk café is minimal as possible for neighbors and residents and will take active steps to ensure compliance.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of an alteration to an existing full On Premises liquor license for **Off Cuts LLC, d/b/a Quality Eats, 19 Greenwich Ave. 10012 SN# 1288502 to alter interior seating to booth/banquet seating and add operable windows 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 above are incorporated into the existing “Method of Operation” on the existing On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

**5. Omakasa 56 Spring, LLC, d/b/a Omakasa, 56 Spring St. 10012 (RW – Restaurant, Previously Unlicensed)**

**i. Whereas**, a representative of the principal, but not the principal, appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a new application to the Liquor Authority for a restaurant wine license for an elevated fast casual dining experience that serves healthy Asian cuisine in a modern and welcoming space; and,

**ii. Whereas**, this application is for a new restaurant wine license for a previously unlicensed location on Spring St. between Lafayette and Mulberry St. in a recently constructed mixed use building most recently used as a beauty salon; the premises is located across two floors, the ground floor and basement, according to the questionnaire and floor plans the premises will have on the ground floor 20 tables and 48 seats and 1 standup bar with 8 bar seats for a total of 56 seats on the ground floor, the basement will have 5 coffee style tables with seating arranged around in couches and chairs with 28 seats and one coffee bar with 3 bar seats for total of 31 seats in the basement; the total number of seats is 87 in the entire premises across both floors; the applicant provided a certificate of occupancy for a building which no longer exists; the correct Certificate of Occupancy, CO# 104758308F, issued on 4/8/2011 indicates a total capacity of 72 persons on the ground floor and 24 persons in the basement; No place of assembly was provided for the use of the combined space which is required pursuant to current SLA Policy; and,

**iii. Whereas**, the hours of operation will from 11AM to 12AM Sunday to Wednesday and from 11AM to 1AM Thursday to Saturday; the basement level will close at 12AM 7 days a week, no patrons shall remain at closing when each area closes, music will be ambient quiet background only consisting of



recorded 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; no live music; and,

**iv. Whereas**, the principal was not present and the representative was not willing to close at earlier hours than 1AM Sun-Wednesday and 2AM Thursday to Saturday; the attorney subsequently informed CB2, Man. after the meeting after inquiry that they would be willing to close at the times indicated in the stipulations which the Committee had voted to adopt as a recommendation at the committee meeting; and,

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

1. This application is for a new restaurant wine license for an elevated fast casual dining experience that serves healthy Asian cuisine in a modern and welcoming space.
2. The hours of operation will from 11AM to 12AM Sunday to Wednesday and from 11AM to 1AM Thursday to Saturday. The basement level will close at 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times fro each area.
3. The premises will operate a full service restaurant, specifically an elevated fast casual healthy Asian cuisine restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. No Sidewalk Café is included with this application.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at all times.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJ's, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. The music in the basement will specifically be quiet background music only. The applicant has clearly stated that there will never be any confusion as the volume levels in the basement will be quiet background.
17. All staff will be Atap/Tips trained.
18. There will only be one standup bar located on the ground floor.
19. Occupancy on the ground floor is listed as 72 People and as 24 people in the basement on the existing Certificate of Occupancy dated 4/8/2011 CO# 104758308F. Pursuant with existing SLA Procedures, the applicant is required to provide a Place of Assembly Permit.

**vi. Whereas**, several members of the community appeared in opposition and stated that the original proposed operating hours until 1AM/2AM were completely out of line with other fast casual restaurants in the immediate area and that despite the applicants statements, this type of Asian concept was far from unique and even with operating hours until 12AM/1AM was far later than comparable operations in this

immediate area and there were concerns that the basement in the evening would be operated as a lounge environment with music other than quiet background music as the applicant insists; several other concerns were articulated as well; and,

**vii. Whereas,** the applicant did not provide a petition in support; and,

**viii. Whereas,** there are currently approximately 22 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant wine license for **Omakasa 56 Spring LLC, d/b/a Omakasa, 56 Spring St. 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

**6. Noodlelove LLC, d/b/a Noodlelove, 192 Mott St. 10012 (RW – Quick Service 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 wine license for a quick-serve restaurant that will focus on healthy Asian noodles and stir fry; and,

**ii. Whereas,** this application is for a new restaurant wine license; the premises is located in a in a mixed used residential/commercial building located on the ground floor on the corner of Kenmare and Mott St. for a roughly 2,105 sq. ft. premise (1,170 sq. ft. ground floor and 935 sq. ft. basement – accessory use only in basement) with 9 tables and 18 seats, 1 stand up bar with no seats and two food counters with no seats; there is no sidewalk café; there are no other outdoor seating areas and a Letter of No Objection from the New York City Buildings Department indicating this is an allowable use was provided; and,

**iii. Whereas,** the hours of operation will be no later than 10AM to 11PM 7 days a week, there is no Sidewalk café included in this application, all doors and windows will be closed 9PM, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; one non operable window will be converted into an operable window on the Mott St. façade to match the existing operable window; 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 wine SLA license stating that:

1. This application is for a new restaurant wine license for a quick serve restaurant that will focus on healthy Asian noodles and stir-fry.
2. Premise will be advertised and operated as a quick serve healthy Asian restaurant.
3. The hours of operation will be no longer than 10AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will not have televisions.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.

7. A sidewalk café is not included in this application.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at 9PM and anytime there is music.
10. Will not install or have French doors or open facades.
11. Will not make changes to the existing façade except to change signage or awning and replace one window to match existing operable window as described.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. There will be 9 tables, 18 table seats and 1 standup bar with no seats, there will be 2 standing only counters.
17. No food will be served through windows.
18. There will be no outdoor seats or benches or outdoor furniture.
19. All service will be from the main counter/customer pickup area.

v. **Whereas**, the applicant presented a petition in support and no one appeared in opposition; and,

vi. **Whereas**, there are currently approximately 49 On Premise Liquor Licenses and Beer and Wine Licenses within 500 ft. of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant wine license for **Noodlelove LLC, d/b/a Noodlelove, 192 Mott St. 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board in favor.

**7. Shake Shack New York LLC, d/b/a Shake Shack, 225 Varick St. 10014 (RW – Restaurant with future Sidewalk Cafe)**

i. **Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present a new application to the Liquor Authority for a new restaurant wine license for a widely known chain restaurant known as Shake Shack which is a family/community focused fast casual restaurant serving American cuisine consisting of hamburgers, hotdogs, French fries and shakes; and,

ii. **Whereas**, this application is for a new restaurant wine license on the ground floor and basement for a previously licensed location on the corner of Clarkson St. and Varick St. in a 12-story commercial building; the premises is located across two floors, the ground floor and basement, the ground floor will have 20 tables and 85 seats and one stand up bar/food counter where all food and drinks are handed to guests; the basement will be a private event space with 4 tables and 24 seats; there are a total of 109 seats in the premises; the Certificate of Occupancy will be amended to 176 people and a Place of Assembly permit will be obtained; and

**iii. Whereas**, the hours of operation will be from 7AM to 1AM 7 days a week; music will be ambient quiet background only consisting of recorded 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; no live music; there will be a future sidewalk café which will close by 11PM 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 wine SLA license stating that:

1. This application is for a new restaurant wine license for a family/community focused fast casual restaurant serving American cuisine consisting of hamburgers, hotdogs, French fries and shakes.
2. The hours of operation will from 7AM to 1AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will have no more than 2 televisions no larger than 46 inches. There will be no projectors.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
6. There will be a future sidewalk café. The sidewalk café will be operated no later than 11PM 7 days a week. All sidewalk café tables and chairs will be removed at that time.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. All doors and windows will be closed at 10PM and anytime there is music.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
13. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
14. Will manage patron lines and exterior area as needed. There will be no exterior lines.
15. There will be no sound on any televisions.
16. Will not use the Clarkson St. Door for patron ingress or egress. That door will be used for emergency exit only.
17. Basement seating will be for reserved groups only.

**v. Whereas**, the applicant did not reach out to local community block associations but presented a petition in support; and,

**vi. Whereas**, there are currently approximately 18 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a new restaurant wine license for **Shake Shack New York LLC, d/b/a Shake Shack, 225 Varick St. 1001412** 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 Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

**8. Blossom on Carmine NYC, Inc. d/b/a Urban Vegan Kitchen, 41-43 Carmine 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 an vegan restaurant; the premises was previously operated as vegan restaurant; and,

**ii. Whereas**, this application is for a Restaurant On-Premise Liquor License; the premises is in a mixed used residential/commercial building located on the ground floor on Carmine St. between Bedford St. and Bleecker St. for a roughly 1,710 sq. ft. premise with 9 tables and 23 seats, and one stand up bar with 7 seats; there is no sidewalk café; the premises is located with an R-6 zone which precludes a sidewalk cafe; there are no other outdoor seating areas and there is an existing Certificate of Occupancy; and,

**iii. Whereas**, the hours of operation will be from 10AM to 10:30PM Sunday, 11AM to 11PM Monday to Thursday and 11AM to 11:30PM Friday and Saturday; music will be ambient quiet background only consisting of recorded music from ipod/CDs (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; no live music; 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. This application is for on-premise liquor license for a vegan restaurant.
2. Premise will be advertised and operated as a vegan restaurant.
3. The hours of operation will be from 10AM to 10:30PM Sunday, 11AM to 11PM Monday to Thursday and 11AM to 11:30PM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will not have televisions.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. A sidewalk café is not included in this application.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at 9PM and every night and anytime there is music.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. There will be no DJ.

v. **Whereas**, the applicant did not reach out to the local community block association and did not presented a petition in support; the local block association President was present and commented on the application; members of the committee stated that they had observed DJ's at the premises prior and the new Principal indicated that there would not be DJs going forward as he had not been aware that DJs were not part of the approved "method of operation"; and,

vi. **Whereas**, there are currently approximately 26 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant On-Premise Liquor License for **Blossom on Carmine NYC, Inc. d/b/a Urban Vegan Kitchen, 41-43 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 On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

**9. Ilili Box Canal Street, LLC, d/b/a ilili Box, 261-267 Canal St. – Stall #9 10013 (RW with common elements located in Canal Street Market)**

i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee along with a representative of the operator of the Canal Street Market, Goods & Carriage, LLC to present an application to the Liquor Authority for a new restaurant wine license for a food stall located within an indoor market and food hall with common elements shared with other licensed food stall operators and the market place operator; each of the food stall operators who are licensed would share a portion of the responsibility of each individual food stall restaurant wine license with the indoor market and food hall operator who would be responsible for and manage the common areas and seating within the licensed area; and,

ii. **Whereas**, Canal Street Market is an 12,000 sq. ft. indoor market and food hall located on the ground floor of a 6 story commercial building with 37 Stalls/Vendors and a common seating area located in the rear of the Easterly portion of the premises with 5 tables and 50 seats located at 261-267 Canal Street a/k/a 21 to 23 Howard St. that has been open for 1-2 years; the building circa 1900 with a total ground floor lot coverage of 17,229 sq. ft. is located with an M1-5B zoning area and also has joint live work quarters located on the 2<sup>nd</sup> and 3<sup>rd</sup> floors which were legalized pursuant to a special permit by the City Planning Commission on July 6, 1988 (C 850115 ZSM); the area subject to be licensed in this application includes the individual food stall indicated above which will sell food and beer/wine/cider to patrons and a common area occupying one half of the Canal Street Market as indicated on provided diagrams which occupies roughly half the ground floor space on the Eastern portion of the Canal Street market premises; and,

iii. **Whereas**, there is no existing certificate of occupancy for the ground floor; the applicant provided a Letter on No Objection issued by the New York City Department of Buildings indicating that the DOB records indicate that a store, use group 6 is the use on the first floor; the DOB has no objection to a Store/Eating & Drinking Establishment on the First Floor for less than 75 persons; and

iv. **Whereas**, the food stall portion covered by this application will be operated by Ilili Box Canal Street, LLC, d/b/a ilili Box and will focus on Lebanese inspired takeaway food; ilili box will employ 2 people during normal operations and 3 people during peak operations to prepare and sell food in addition to beer,

wine and cider offerings; the common elements of this application which will be shared with other food stall operators seeking a restaurant wine license include common operating hour, a common supervision plan and a common seating area which has 5 tables and 50 seats; and,

**v. Whereas,** the hours of operation will be from 10AM to 10:30PM Sunday, 11AM to 11PM Monday to Thursday and 11AM to 11:30PM Friday and Saturday; music will be ambient quiet background only consisting of recorded 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; no live music; and,

**vi. Whereas,** both the food stall operator, Ilili Box Canal Street, LLC, and the Canal Street Market operator, Goods & Carriage, LLC jointly executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on any restaurant wine license or similar license issued to the food stall operator at the Canal Street Market stating that:

1. Hours of operation for the Canal Street Market and each Food Stall will not be early than or later than 11AM to 11PM Sunday to Thursday. Entire Premises will close no later than stated closing time & no patrons will remain in the market at closing time.
2. Will operate a food stall operating and focusing on Lebanese inspired takeaway food with the kitchen open and full menu items available until closing every night. There will be no service of beer/cider/food without food being available.
3. The Canal Street Market will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. The Market will not have televisions for any type of tv programming in the dining/eating/drinking area. There may be screens used for menus only or screens used for occasional event programming for limited time durations of not more than 3 hours.
5. There are no outdoor areas.
6. The licensed area is the Eastern portion of the Canal Street Market on the Ground Floor Only as indicate in diagrams. The common seating area in the rear of the premises as shown on provided diagrams will not exceed 5 tables and 50 seats. Signs will be posted indicating that beer/wine/cider may not be removed from the licensed portion of the Canal Street Market.
7. Canal Street Market may play quiet ambient, recorded background music only throughout the premises. No music will be audible outside the Market. DJs will not be used. There will be no live music. There will be no dancing.
8. All doors and windows will be closed at 9PM every night and will not be propped open past 9PM and anytime there is amplified music or live music audible outside the premises. Doors/Windows will not be propped open prior to 11AM.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. No Food Stall will have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer will be available for sale.
12. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
13. Canal Street market will provide 3-4 Security Personnel to monitor all patrons.
14. Any events managed by the Canal Street Market will end no later than 10PM. There will never be DJ run music at events. There will be no cover charges, but there may be fees to participate in events. There will be no scheduled performances.
15. All beer/cider/wine sold by Food Hall Vendors will be served in cups only displaying each operators name.

16. There will be no lines or queuing of any patrons for any portion of the Canal Street Market permitted outside the establishment. Any waiting patrons will be accommodated within the Canal Street Market.

**vii. Whereas**, CB2, Man. has no opposition to the issuance of a restaurant wine license with common elements to Iili Box Canal Street, LLC, d/b/a ilili Box with the common elements managed by Goods & Carriage LLC, provided that the applicant and Goods & Carriage, LLC are able to affirmatively provided building permits and affirmative documentation which reflects the actual operation of the Canal Street Market covering 12,000 sq. ft., with 38 vendor stalls of which it appears 10 are within the licensed portion of the Canal Street Market along with 5 tables and 50 seats; the Applicant's attorney stated the Letter of No Objection was for only the seating area in the rear, but was unable to identify the walls and/or boundaries of the area covered under the Letter of No Objection; it is common understanding that a letter of no objection which indicates 1 store located on the ground floor covers the entire lot coverage area or at least a store with four fixed walls; the Canal Street Market is fully accessible throughout once entering the front door and is located within an individual building; each individual food stall applicant is using the same Letter of No Objection for their application so it only seems logical the Letter of No Objection covers the entire premises but the Applicant was not able to answer this question; and,

**viii. Whereas** there is also concern with respect to public safety because no coherent explanation was provided for why or how the provided Letter of No Objection could apply to this application which as a common attribute shares the Canal Street Market which has 38 Stalls and covers 12,000 sq. ft.; without some sort of affirmative finding; there is also a concern for safety risks in that no Place of Assembly has been sought or provided and no explanation as to why one will not be sought was provided; The total occupancy of the premises, even ½ the premises covering the licensed area handles occupancy in excess 74 people; NYC City Regulations pertaining to Place of Assembly Certificate of Operation plainly state that a "Place of Assembly (PA) Certificate of Operation is required for premises where 75 or more members of the public gather indoors or 200 or more gather outdoors, for religious, recreational, educational, political, or social purposes, or to consume food or drink."; and

**ix. Whereas**, concerns were raised by a member of the public as to the accuracy of the Letter of No Objection, the aforementioned Special Permit issued by the City Planning Commission dated July 6, 1988 (C 850115 ZSM) indicates the use on ground floor is for a wholesale company, which to our understanding is not a use group 6 store; since the issuance of the CPC Special Permit, it appears no Alt 1 filings have been made to alter the ground floor use and there is no existing Certificate of Occupancy; additionally M1-5B zoning regulations prohibit as of right eating and drinking establishment below the story of the 2<sup>nd</sup> floor, and further, the zoning prohibits eating and drinking establishments in excess of 5,000 sq ft.; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a restaurant wine license with common elements for **Iili Box Canal Street LLC, d/b/a ilili Box, 261-267 Canal St. – Stall #9 10013** and **Goods & Carriage LLC** overseeing the common elements; and

**THEREFORE BE IT FURTHER RESOLVED** that if the Applicant and Goods & Carriage, LLC are able to affirmatively show that the Canal Street Market is operating in compliance with all building and zoning regulations and that all permits are in place, and that there are no open DOB or ECB violations or complaints with respect to any improper use or construction or other violations and a letter from a registered architect stating all of the above and appear before the Full Board of the Liquor Authority, then CB2, Man. would amend its recommendation to approval of a restaurant wine license with common elements conditioned upon including the above stipulations on the restaurant wine license agreed to by the applicants; and,



**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. respectfully requests that unless otherwise informed by CB2, Manhattan, CB2, Man. requests that this matter be placed before the Members of the Authority for Determination.

Vote: Unanimous, with 34 Board members in favor.

**10. Mission Ceviche Canal LLC, d/b/a TBD, 261-267 Canal St. – Stall #8 10013 (RW with common elements located in Canal Street Market)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee along with a representative of the operator of the Canal Street Market, Goods & Carriage, LLC to present an application to the Liquor Authority for a new restaurant wine license for a food stall located within an indoor market and food hall with common elements shared with other licensed food stall operators and the market place operator; each of the food stall operators who are licensed would share a portion of the responsibility of each individual food stall restaurant wine license with the indoor market and food hall operator who would be responsible for and manage the common areas and seating within the licensed area; and,

**ii. Whereas**, Canal Street Market is an 12,000 sq. ft. indoor market and food hall located on the ground floor of a 6 story commercial building with 37 Stalls/Vendors and a common seating area located in the rear of the Easterly portion of the premises with 5 tables and 50 seats located at 261-267 Canal Street a/k/a 21 to 23 Howard St. that has been open for 1-2 years; the building circa 1900 with a total ground floor lot coverage of 17,229 sq. ft. is located with an M1-5B zoning area and also has joint live work quarters located on the 2<sup>nd</sup> and 3<sup>rd</sup> floors which were legalized pursuant to a special permit by the City Planning Commission on July 6, 1988 (C 850115 ZSM); the area subject to be licensed in this application includes the individual food stall indicated above which will sell food and beer/wine/cider to patrons and a common area occupying one half of the Canal Street Market as indicated on provided diagrams which occupies roughly half the ground floor space on the Eastern portion of the Canal Street market premises; and,

**iii. Whereas**, there is no existing certificate of occupancy for the ground floor; the applicant provided a Letter on No Objection issued by the New York City Department of Buildings indicating that the DOB records indicate that a store, use group 6 is the use on the first floor; the DOB has no objection to a Store/Eating & Drinking Establishment on the First Floor for less than 75 persons; and,

**iv. Whereas**, the food stall portion covered by this application will be operated by Mission Ceviche Canal, LLC and will focus on ceviche – a Latin American staple; Mission Ceviche Canal, LLC will employ 2 people during normal operations and 3 people during peak operations to prepare and sell food in addition to beer, wine and cider offerings; the common elements of this application which will be shared with other food stall operators seeking a restaurant wine license include common operating hour, a common supervision plan and a common seating area which has 5 tables and 50 seats; and,

**v. Whereas**, the hours of operation will be from 10AM to 10:30PM Sunday, 11AM to 11PM Monday to Thursday and 11AM to 11:30PM Friday and Saturday; music will be ambient quiet background only consisting of recorded 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; no live music; and,

**vi. Whereas,** both the food stall operator, Mission Ceviche Canal, LLC, and the Canal Street Market operator, Goods & Carriage, LLC jointly executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on any restaurant wine license or similar license issued to the food stall operator at the Canal Street Market stating that:

1. Hours of operation for the Canal Street Market and each Food Stall will not be early than or later than 11AM to 11PM Sunday to Thursday. Entire Premises will close no later than stated closing time & no patrons will remain in the market at closing time.
2. Will operate a food stall operating and focusing on ceviche – a Latin American staple with the kitchen open and full menu items available until closing every night. There will be no service of beer/cider/food without food being available.
3. The Canal Street Market will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. The Market will not have televisions for any type of tv programming in the dining/eating/drinking area. There may be screens used for menus only or screens used for occasional event programming for limited time durations of not more than 3 hours.
5. There are no outdoor areas.
6. The licensed area is the Eastern portion of the Canal Street Market on the Ground Floor Only as indicate in diagrams. The common seating area in the rear of the premises as shown on provided diagrams will not exceed 5 tables and 50 seats. Signs will be posted indicating that beer/wine/cider may not be removed from the licensed portion of the Canal Street Market.
7. Canal Street Market may play quiet ambient recorded background music only throughout the premises. No music will be audible outside the Market. DJ's will not be used. There will be no live music. There will be no dancing.
8. All doors and windows will be closed at 9PM every night and will not be propped open past 9PM and anytime there is amplified music or live music audible outside the premises. Doors/Windows will not be propped open prior to 11AM.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. No Food Stall will have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer will be available for sale.
12. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
13. Canal Street market will provide 3-4 Security Personnel to monitor all patrons.
14. Any events managed by the Canal Street Market will end no later than 10PM. There will never be DJ run music at events. There will be no cover charges, but there may be fees to participate in events. There will be no scheduled performances.
15. All beer/cider/wine sold by Food Hall Vendors will be served in cups only displaying each operators name.
16. There will be no lines or queuing of any patrons for any portion of the Canal Street Market permitted outside the establishment. Any waiting patrons will be accommodated within the Canal Street Market.

**vii. Whereas,** CB2, Man. has no opposition to the issuance of a restaurant wine license with common elements to Mission Ceviche Canal, LLC with the common elements managed by Goods & Carriage, LLC, provided that the applicant and Goods & Carriage, LLC are able to affirmatively provided building permits and affirmative documentation which reflects the actual operation of the Canal Street Market covering 12,000 sq. ft., with 38 vendor stalls of which it appears 10 are within the licensed portion of the Canal Street Market along with 5 tables and 50 seats; the Applicant's attorney stated the Letter of No Objection was for only the seating area in the rear, but was unable to identify the walls and/or boundaries

of the area covered under the Letter of No Objection; it is common understanding that a letter of no objection which indicates 1 store located on the ground floor covers the entire lot coverage area or at least a store with four fixed walls; the Canal Street Market is fully accessible throughout once entering the front door and is located within an individual building; each individual food stall applicant is using the same Letter of No Objection for their application so it only seems logical the Letter of No Objection covers the entire premises but the Applicant was not able to answer this question; and,

**viii. Whereas** there is also concern with respect to public safety because no coherent explanation was provided for why or how the provided Letter of No Objection could apply to this application which as a common attribute shares the Canal Street Market which has 38 Stalls and covers 12,000 sq. ft.; without some sort of affirmative finding; there is also a concern for safety risks in that no Place of Assembly has been sought or provided and no explanation as to why one will not be sought was provided; The total occupancy of the premises, even ½ the premises covering the licensed area handles occupancy in excess 74 people; NYC City Regulations pertaining to Place of Assembly Certificate of Operation plainly state that a “Place of Assembly (PA) Certificate of Operation is required for premises where 75 or more members of the public gather indoors or 200 or more gather outdoors, for religious, recreational, educational, political, or social purposes, or to consume food or drink.”; and

**ix. Whereas,** concerns were raised by a member of the public as to the accuracy of the Letter of No Objection, the aforementioned Special Permit issued by the City Planning Commission dated July 6, 1988 (C 850115 ZSM) indicates the use on ground floor is for a wholesale company, which to our understanding is not a use group 6 store; since the issuance of the CPC Special Permit, it appears no Alt 1 filings have been made to alter the ground floor use and there is no existing Certificate of Occupancy; additionally M1-5B zoning regulations prohibit as of right eating and drinking establishment below the story of the 2<sup>nd</sup> floor, and further, the zoning prohibits eating and drinking establishments in excess of 5,000 sq. ft.; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a restaurant wine license with common elements for **Mission Ceviche Canal LLC, d/b/a TBD, 261-267 Canal St. – Stall #8 10013** and **Goods & Carriage LLC** overseeing the common elements; and

**THEREFORE BE IT FURTHER RESOLVED** that if the Applicant and Goods & Carriage, LLC are able to affirmatively show that the Canal Street Market is operating in compliance with all building and zoning regulations and that all permits are in place, and that there are no open DOB or ECB violations or complaints with respect to any improper use or construction or other violations and a letter from a registered architect stating all of the above and appear before the Full Board of the Liquor Authority, then CB2, Man. would amend its recommendation to approval of a restaurant wine license with common elements conditioned upon including the above stipulations on the restaurant wine license agreed to by the applicants; and,

**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. respectfully requests that unless otherwise informed by CB2, Manhattan, CB2, Man. requests that this matter be placed before the Members of the Authority for Determination.

Vote: Unanimous, with 34 Board members in favor.

**11. Luke's Lobster XVI, LLC, d/b/a Luke's Lobster, 261-267 Canal St. - Stall #5 10013 (RW with common elements located in Canal Street Market)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee along with a representative of the operator of the Canal Street Market, Goods & Carriage, LLC to present an application to the Liquor Authority for a new restaurant wine license for a food stall located within an indoor market and food hall with common elements shared with other licensed food stall operators and the market place operator; each of the food stall operators who are licensed would share a portion of the responsibility of each individual food stall restaurant wine license with the indoor market and food hall operator who would be responsible for and manage the common areas and seating within the licensed area; and,

**ii. Whereas**, Canal Street Market is an 12,000 sq. ft. indoor market and food hall located on the ground floor of a 6 story commercial building with 37 Stalls/Vendors and a common seating area located in the rear of the Easterly portion of the premises with 5 tables and 50 seats located at 261-267 Canal Street a/k/a 21 to 23 Howard St. that has been open for 1-2 years; the building circa 1900 with a total ground floor lot coverage of 17,229 sq. ft. is located with an M1-5B zoning area and also has joint live work quarters located on the 2<sup>nd</sup> and 3<sup>rd</sup> floors which were legalized pursuant to a special permit by the City Planning Commission on July 6, 1988 (C 850115 ZSM); the area subject to be licensed in this application includes the individual food stall indicated above which will sell food and beer/wine/cider to patrons and a common area occupying one half of the Canal Street Market as indicated on provided diagrams which occupies roughly half the ground floor space on the Eastern portion of the Canal Street market premises; and,

**iii. Whereas**, there is no existing certificate of occupancy for the ground floor; the applicant provided a Letter on No Objection issued by the New York City Department of Buildings indicating that the DOB records indicate that a store, use group 6 is the use on the first floor; the DOB has no objection to a Store/Eating & Drinking Establishment on the First Floor for less than 75 persons; and,

**iv. Whereas**, the food stall portion covered by this application will be operated Luke's Lobster XVI, LLC, d/b/a Luke's Lobster and will focus on Maine style seafood sandwiches and soups; Luke's Lobster XVI LLC, d/b/a Luke's Lobster will employ 2 people during normal operations and 3 people during peak operations to prepare and sell food in addition to beer, wine and cider offerings; the common elements of this application which will be shared with other food stall operators seeking a restaurant wine license include common operating hour, a common supervision plan and a common seating area which has 5 tables and 50 seats; and,

**v. Whereas**, the hours of operation will be from 10AM to 10:30PM Sunday, 11AM to 11PM Monday to Thursday and 11AM to 11:30PM Friday and Saturday; music will be ambient quiet background only consisting of recorded music from ipod/CDs (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; no live music; and,

**vi. Whereas**, both the food stall operator, Luke's Lobster XVI, LLC, d/b/a Luke's Lobster, and the Canal Street Market operator, Goods & Carriage, LLC jointly executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on any restaurant wine license or similar license issued to the food stall operator at the Canal Street Market stating that:

1. Hours of operation for the Canal Street Market and each Food Stall will not be early than or later than 11AM to 11PM Sunday to Thursday. Entire Premises will close no later than stated closing time & no patrons will remain in the market at closing time.
2. Will operate a food stall operating and focusing on Maine style seafood sandwiches and soups with the kitchen open and full menu items available until closing every night. There will be no service of beer/cider/food without food being available.
3. The Canal Street Market will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. The Market will not have televisions for any type of tv programming in the dining/eating/drinking area. There may be screens used for menus only or screens used for occasional event programming for limited time durations of not more than 3 hours.
5. There are no outdoor areas.
6. The licensed area is the Eastern portion of the Canal Street Market on the Ground Floor Only as indicate in diagrams. The common seating area in the rear of the premises as shown on provided diagrams will not exceed 5 tables and 50 seats. Signs will be posted indicating that beer/wine/cider may not be removed from the licensed portion of the Canal Street Market.
7. Canal Street Market may play quiet ambient, recorded background music only throughout the premises. No music will be audible outside the Market. DJ's will not be used. There will be no live music. There will be no dancing.
8. All doors and windows will be closed at 9PM every night and will not be propped open past 9PM and anytime there is amplified music or live music audible outside the premises. Doors/Windows will not be propped open prior to 11AM.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. No Food Stall will have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer will be available for sale.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Canal Street market will provide 3-4 Security Personnel to monitor all patrons.
14. Any events managed by the Canal Street Market will end no later than 10PM. There will never be DJ run music at events. There will be no cover charges, but there may be fees to participate in events. There will be no scheduled performances.
15. All beer/cider/wine sold by Food Hall Vendors will be served in cups only displaying each operators name.
16. There will be no lines or queuing of any patrons for any portion of the Canal Street Market permitted outside the establishment. Any waiting patrons will be accommodated within the Canal Street Market.

**vii. Whereas,** CB2, Man. has no opposition to the issuance of a restaurant wine license with common elements to Luke’s Lobster XVI, LLC, d/b/a Luke’s Lobster with the common elements managed by Goods & Carriage, LLC, provided that the applicant and Goods & Carriage, LLC are able to affirmatively provided building permits and affirmative documentation which reflects the actual operation of the Canal Street Market covering 12,000 sq. ft., with 38 vendor stalls of which it appears 10 are within the licensed portion of the Canal Street Market along with 5 tables and 50 seats; the Applicant’s attorney stated the Letter of No Objection was for only the seating area in the rear, but was unable to identify the walls and/or boundaries of the area covered under the Letter of No Objection; it is common understanding that a letter of no objection which indicates 1 store located on the ground floor covers the entire lot coverage

area or at least a store with four fixed walls; the Canal Street Market is fully accessible throughout once entering the front door and is located within an individual building; each individual food stall applicant is using the same Letter of No Objection for their application so it only seems logical the Letter of No Objection covers the entire premises but the Applicant was not able to answer this question; and,

**viii. Whereas** there is also concern with respect to public safety because no coherent explanation was provided for why or how the provided Letter of No Objection could apply to this application which as a common attribute shares the Canal Street Market which has 38 Stalls and covers 12,000 sq. ft.; without some sort of affirmative finding; there is also a concern for safety risks in that no Place of Assembly has been sought or provided and no explanation as to why one will not be sought was provided; The total occupancy of the premises, even ½ the premises covering the licensed area handles occupancy in excess 74 people; NYC City Regulations pertaining to Place of Assembly Certificate of Operation plainly state that a “Place of Assembly (PA) Certificate of Operation is required for premises where 75 or more members of the public gather indoors or 200 or more gather outdoors, for religious, recreational, educational, political, or social purposes, or to consume food or drink.”; and,

**ix. Whereas,** concerns were raised by a member of the public as to the accuracy of the Letter of No Objection, the aforementioned Special Permit issued by the City Planning Commission dated July 6, 1988 (C 850115 ZSM) indicates the use on ground floor is for a wholesale company, which to our understanding is not a use group 6 store; since the issuance of the CPC Special Permit, it appears no Alt 1 filings have been made to alter the ground floor use and there is no existing Certificate of Occupancy; additionally M1-5B zoning regulations prohibit as of right eating and drinking establishment below the story of the 2<sup>nd</sup> floor, and further, the zoning prohibits eating and drinking establishments in excess of 5,000 sq. ft.; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a restaurant wine license with common elements for **Luke’s Lobster XVI, LLC, d/b/a Luke’s Lobster, 261-267 Canal St. - Stall #5 10013** and **Goods & Carriage, LLC** overseeing the common elements; and,

**THEREFORE BE IT FURTHER RESOLVED** that if the Applicant and Goods & Carriage, LLC are able to affirmatively show that the Canal Street Market is operating in compliance with all building and zoning regulations and that all permits are in place, and that there are no open DOB or ECB violations or complaints with respect to any improper use or construction or other violations and a letter from a registered architect stating all of the above and appear before the Full Board of the Liquor Authority, then CB2, Man. would amend its recommendation to approval of a restaurant wine license with common elements conditioned upon including the above stipulations on the restaurant wine license agreed to by the applicants; and,

**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. respectfully requests that unless otherwise informed by CB2, Manhattan, CB2, Man. requests that this matter be placed before the Members of the Authority for Determination.

Vote: Passed, with 33 Board members in favor, and 1 recusal (E. Coler).

**12. LSMC, LLC, d/b/a C. Dipalo, 151 Mott St. 10013 (TW – Italian Market)**

**i. Whereas,** the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new tavern wine license for an Italian Food Market with seating offering Panini’s and Italian Small Bites serving wine & beer with educational classes

conducted frequently; the Italian Food Market will offer another shopping experience with sit down service to complement Di Palo's located next door; and,

**ii. Whereas**, this application is for a tavern wine; the premises is in a mixed-used residential/commercial building located on the ground floor on Mulberry St. between Grand St. and Broome St. for a roughly 1,360 sq. ft. premise with 19 tables and 42 seats, and one stand up bar with 9 seats; there is no sidewalk café; there are no other outdoor seating areas and a letter of no objection from the NYC Department of Buildings was provided indicating that this is an allowed use; and,

**iii. Whereas**, the hours of operation will be from 9AM to 12AM Sunday to Thursday and from 9AM to 1AM Friday and Saturday; music will be ambient quiet background only consisting of recorded 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, no velvet ropes, no movable barriers; no live music; and,

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

1. This application is for a new tavern wine license for an Italian Food Market with seating for Panini's and Italian Small Bites with wine & beer. Will offer another shopping experience to Di Palo's located next door.
2. The hours of operation will from 9AM to 12AM Sunday to Thursday and from 9AM to 1AM Friday and Saturday's. All patrons will be cleared and no patrons will remain after stated closing times.
3. Will operate with less than a full service kitchen, but will serve food during all hours of operation – Panini's and Italian small bites.
4. The premises, or any portion of the premises will not operate as a "lounge", tavern or sports bar.
5. The premise will have no more than 2 televisions no larger than 46 inches. There will be no projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. No Sidewalk Café is included with this application.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at 9PM and anytime there is music.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
14. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. There will be 19 tables and 42 seats and 1 standup bar with 9 seats; the maximum occupancy is 74 people.
17. There will be frequent seminars on Italian food & wine/educational component.
18. There may be cover charges for educational events and seminars.

v. **Whereas**, the Principals and their family have owned and operated businesses in Little Italy for 100 years; this business will allow opportunities for their adult children to run this business, the family also runs an Italian food store next door as well as an adjacent wine store focusing on Italian Wines; a local resident appeared and spoke in support and indicated that the educational classes would fulfill a unique educational component which lacks space in the families' other businesses; and,

vi. **Whereas**, there are currently approximately 24 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new tavern wine license for **LSMC LLC, d/b/a C. Dipalo, 151 Mott 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 34 Board members in favor.

**13. 219 Mulberry LLC, d/b/a Ruby's, 219B Mulberry St. 10012 (RW) [LAYOVER at meeting]**

**Whereas**, this Licensee was requested to appear before CB2, Manhattan's SLA Licensing Committee #1 Meeting on March 13th, 2018 to address longstanding complaints and operation contrary to approved stipulations and method of operation; the Principal was not present and a manager and senior manager appeared to answer questions; it become apparent that no adequate responses would be arrived at without the Principal present and as a result the Senor Manager agreed to **layover** this matter until April at which time the Principal will be available to be present;

**THEREFORE BE IT RESOLVED** that CB2, Man. has no position on the ongoing complaints and violations pursuant to the existing method of operation, but looks forward to hearing from the Principal to address this matter.

Vote: Unanimous, with 34 Board members in favor.

**14. 219B LLC, d/b/a Ruby's, 219C Mulberry St. 10012 (RW) [LAYOVER at meeting]**

**Whereas**, this Licensee was requested to appear before CB2, Manhattan's SLA Licensing Committee #1 Meeting on March 13th, 2018 to address longstanding complaints and operation contrary to approved stipulations and method of operation; the Principal was not present and a manager and senior manager appeared to answer questions; it become apparent that no adequate responses would be arrived at without the Principal present and as a result the Senor Manager agreed to **layover** this matter until April at which time the Principal will be available to be present;

**THEREFORE BE IT RESOLVED** that CB2, Man. has no position on the ongoing complaints and violations pursuant to the existing method of operation, but looks forward to hearing from the Principal to address this matter.

Vote: Unanimous, with 34 Board members in favor.



**15. Little Italy Speak Easy, Inc., d/b/a Aunt Jake's (Current d/b/a My Little Secret Restaurant), 149 Mulberry St. 10013 (OP SN# 1221377 – Bar with rear yard – expand to 2<sup>nd</sup> floor, alter method of operation, change name to Aunt Jake's - Layover)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on March 13th, 2018, a new manager who will be operating the 2<sup>nd</sup> floor which will be added to the existing license appeared with the Attorney, but the Principal was not in attendance, to present an alteration; at the meeting, the Attorney requested to **layover** this application for an alteration to an on-premise liquor license, SN# 1221377 to expand to the 2<sup>nd</sup> floor, alter the method of operation and change the d/b/a name for an existing restaurant with outdoor bar in rear yard in order to be able to explain why the rear yard was not operating in accordance with stipulations and in order to fully clarify the existing method of operation for the basement, rear yard and new ground floor area being added; it was unclear what the intentions were for the operation of the basement in conjunction with the ground floor and the relationship with the separate operation in the rear yard; the licensee will resubmit the application for consideration at a future CB2, Man. 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 alteration or changes to any existing license for **Little Italy Speak Easy, Inc., d/b/a Aunt Jake's (Current d/b/a My Little Secret Restaurant), 149 Mulberry St. 10013 SN# 1221377** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board member in favor.

**16. Aramark Educational Service LLC, d/b/a N/A, 60 Washington Square So. 10th Fl. 10012 (OP – Catering Facility-Private events only)**

**Whereas**, the Licensee sent a Standardized Notice Form for Providing 30-Day Advanced Notice to a Local Municipality or Community Board in March 2018 to CB2, Man. to provide notice of a corporate change application due to internal restructuring that has resulted in changes to the officers of the corporation and principals; and,

**Whereas**, the Licensee has stated that there are no changes to the method of operation for this catering establishment; and,

**Whereas**, CB2, Man. chose not to hear this application;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** this corporate change application as described in the Standardized Notice Form for Providing 30-Day Advanced Notice to a Local Municipality or Community Board dated March 3, 2016 for **Aramark Educational Service, LLC, 60 Washington Square S. 10th Fl. 10012 SN1022656** **unless** the statements the Licensee has made to CB2, Man. in correspondence are accurate and complete, and that there are no changes to the existing "Method of Operation" on the SLA Catering Establishment On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

**17. Moon Wrap LLC, d/b/a Wolfnights, 235 Bleecker St. 10014 (Withdrawn / Beer & Cider – Quick Service 4AM Closing)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on March 13th, 2018, the Applicant stated that they were **withdrawing** 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; and;

**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 **Moon Wrap LLC, d/b/a Wolfnights, 235 Bleecker St. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

**18. Udacha LLC, d/b/a Udacha, 357 W. Broadway 10013 (Withdrawn / OP – Restaurant/Bar with Live Music)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on March 13th, 2018, the Applicant stated that they were **withdrawing** this application for a new restaurant on-premise liquor license; should they proceed, they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA;

**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 **Udacha LLC, d/b/a Udacha, 357 W. Broadway 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

**19. Perry & Hudson LLC, d/b/a TBD, 551 Hudson St. 10014 (Layover / OP – Restaurant with Sidewalk Café)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #1 Meeting on March 13th, 2018, the Applicant requested to **layover** this application for a new restaurant on-premise liquor license with a sidewalk café 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 **Perry & Hudson LLC, d/b/a TBD, 551 Hudson St. 10014** **until** the Applicant has presented

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

Vote: Unanimous, with 34 Board in favor.

**20. Tippy Shanghai Restaurant Management, Inc., d/b/a Tippy Shanghai Restaurant, 228 Thompson St. 10012 (Layover / OP – Restaurant)**

**Whereas**, prior to this months CB2, Manhattan's SLA Licensing Committee #1 Meeting on March 13th, 2018, the Applicant requested to layover this application for a new restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**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 **Tippy Shanghai Restaurant Management, Inc., d/b/a Tippy Shanghai Restaurant, 228 Thompson St. 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

**21. Mev Bond Street, LLC, d/b/a Mile End, 53 Bond St. 10012 (RW – Transfer)**

**i. Whereas**, the applicant appeared with his attorney before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a transfer of an existing Beer/Wine license (Ser. 1272107) to continue to operate a small restaurant serving deli-style sandwiches and Jewish comfort food, the existing owner and principle seeking to change the company structure that owns the license, there being no plan to change the existing method of operation as a small restaurant serving deli style sandwiches and Jewish comfort food; and

**ii. Whereas**, the premises is located with a ground floor storefront in a two-story commercial building (Circa 1950) within a ground floor storefront on Bond Street between Lafayette Street and the Bowery for a roughly 1,250 sq. ft. premise with 8 tables and 39 seats, there are no stand up bar, no sidewalk café; there are no other outdoor seating areas and there is an existing occupancy of 68; and,

**iii. Whereas**, the hours of operation will continue to be from 8am to 12 am Sunday through Saturday seven days a week, all doors and windows will be closed by 9 pm every night except for ingress and egress, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. This application is for a beer and wine license.
2. Premise will be advertised and operated as a to operate as a restaurant serving Jewish Deli comfort food and specialty sandwiches.
3. The hours of operation will be from 8am to 12 am Sunday through Saturday seven days a week.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will not have televisions.
6. The premises will not 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. All doors and windows will be closed by 9 PM every night.
9. Will not install or have French doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a transfer of an existing beer and wine license for **Mev Bond Street, LLC, d/b/a Mile End, 53 Bond 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 On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

**22. Entity to be formed by Roberto Passon, d/b/a Attraversiamo, 14-16 Bedford St. 10014** (New OP—Restaurant)

**i. Whereas**, the Applicant appeared with their attorney before Community Board 2, Manhattan’s SLA Licensing committee to present a new application to the Liquor Authority for an on premise license to operate a small restaurant serving Italian fare within a ground floor storefront in a six-story mixed use building on Bedford Street between Sixth Avenue and Downing Street in a historic district of Greenwich Village; and,

**ii. Whereas**, the premises previously operated at a full service Italian restaurant (Quinto Quarto, Inc., d/b/a Abbotega (aka Da Tommy Osteria), being approximately 800 sq. ft. (with no patron use of the basement), with 14 tables and 34 seats and 1 stand up bars with 10 seats; the maximum occupancy as stated by the applicant is 74 people, there is a “letter of no objection” from the NYC Department of Buildings, the premises is located within a residentially zoned (R6) block and lot with no commercial overlay, the applicant states this is a “grandfathered” location for use as a commercial space, use group 6 on the ground floor, there is no sidewalk café and no backyard or outdoor areas in use or part of this application; and there will be no French doors or operable windows; and,

**iii. Whereas**, the hours of operation will be Sunday to Thursday from 11AM to 11:30PM and 11AM to 12:30AM Friday and Saturday (no patrons shall remain at closing), music will be ambient quiet background only consisting of recorded music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be remain closed at all times except of patron egress, there will be no dj, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; no live music; and,

**iv. Whereas,** the Bedford Downing Street Block Association compromised with applicant as to hours of operation, the prior business at the same location having operated until 10:30 PM during the week and 12 AM on the weekends, the location being on a narrow residentially zoned street; and,

**v. Whereas,** the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the new tavern wine license stating that:

1. This application is for an on premise license.
2. The premises will be advertised and operated as a small full service restaurant serving Italian farer
3. The hours of operation will be Sunday to Thursday from 11AM to 11:30PM and 11AM to 12:30AM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will not have televisions.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes 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. Will close all doors & windows at all times.
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
15. There will be no outdoor benches or tables.

**vi. Whereas,** this application being subject to the 500-foot rule requiring the applicant to establish the public interest standard, there being approximately 28 On Premise Liquor Licenses within 500 ft. of the premises and approximately 47 On Premise Liquor Licenses within 750 ft. of the premises, as well as five pending licenses and not including the significant number of eating/drinking establishments in the area holding beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a new tavern wine license for **Entity to be formed by Roberto Passon, d/b/a Attraversiamo, 14-16 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 On Premise License.

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

**23. Entity to be formed by Eric Einstein, d/b/a N/A, 100A 7<sup>th</sup> Ave. South 10014** (OP –Bar with entertainment music)

**i. Whereas,** the Licensee appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a new on premise license application to the Liquor Authority to operate a Bar and Tavern within a

2,700 sq. ft. the basement premises in a mixed-use three story building (Circa 1910) located on Seven Avenue South between Grove and Barrow Streets in a historic district in Greenwich Village; and

**ii. Whereas**, the premises was previously operated by a Bar (Boots & Saddles) with a similar method of operation as being requested in this application, there being one entrance/exit on Seventh Avenue for patrons, with a staircase leading to the basement premises, two bathrooms, there will be 6 tables with 24 seats, 1 full service bar with 20 seats for a total of 44 patron seats; there is no sidewalk café and no backyard use, all doors and windows being closed at all times except for patron egress; and,

**iii. Whereas**, the hours of operation will continue to be from 2 PM to 3 AM Sunday through Thursday and from 2 PM to 4 AM Fridays and Saturdays, there will be 3 TVs, DJs with entertainment level music but it will not operate as a live music venue, there will be no dancing, there will be no scheduled performances, outside promoters, promoted events or cover charges to enter the premises, no velvet ropes, no movable barriers and there will be security personnel at street level at all times to address vehicular traffic and crowd control on the public sidewalk; and,

**iv. Whereas**, there was support for this application from local block associations as long as security remained at street level at all times and a number of supporters appeared and drafted email correspondence to CB2, Man. in support of this applicant, the applicant also being a principal and operator of another similar type business in CB2, Man called “Pieces”; and,

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

1. Premises will be advertised and operated as a bar/tavern with entertainment level music.
2. Will operate with hours of operation from 2 PM to 3 AM Sunday through Thursday and from 2 PM to 4 AM Fridays and Saturdays.
3. There will be no live music, promoted events, scheduled performances or any events for which a cover fee is charged.
4. Food will be served at all times.
5. There will be 3 TV but the premises will not operate as a Sports Bar.
6. Will close all doors and windows at all times.
7. There will be one entrance/exit on Seventh Avenue South for patrons.
8. Will employ bonded security personnel at the premises until closing every night.
9. Security personnel shall be placed at the front door, whose job will include not permit large groups of patrons from congregating in front of the premises and to prevent or limit vehicles from double-parking at or near the premises.
10. Will not allow lines to form on the sidewalk in front of premises for patrons to enter.
11. There will be no ropes or barriers on the public sidewalk in front of the premises and applicant shall take all reasonable measures to prevent any line from accumulating on the sidewalk, instead providing space inside the premises for patrons to queue/wait.
12. Will provide a roped off area for smokers whose noise will also be managed by security.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. The premises will not have dancing, scheduled performances, velvet ropes or metal barricades or security personnel.
16. There will be no outside promoters, promoted events or cover charges to enter the premises

**vi. Whereas**, this application being subject to the 500-foot rule requiring the applicant to establish the public interest standard, there being approximately 49 On Premise Liquor Licenses within 500 ft. of the premises and approximately 76 On Premise Liquor Licenses within 750 ft. of the premises, as well as 7 additional pending licenses and not including the significant number of eating/drinking establishments in the area holding beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an OP license to **Entity to be formed by Eric Einstein, d/b/a N/A, 100A 7<sup>th</sup> Ave. South 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” for the OP License.

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

**24. An Entity to be formed by The Groucho Club Limited, d/b/a TBD, 363 Lafayette St. 10012 (OP – Private Member’s Club)** (located on 1<sup>st</sup> and 5<sup>th</sup>-10<sup>th</sup> Floors, 7<sup>th</sup> Floor Outdoor Terrace)

**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 private members club on the five upper floors, with wrap around exterior terrace of floors on the 7<sup>th</sup> Floor, of a 10-story building currently under construction located on Lafayette Street between Bond and Great Jones Street with its patron entrance being located on Great Jones approximately 35 feet off of Lafayette Street; and,

**ii. Whereas**, the proposed venue will include a restaurant and bar on the fifth floor, bar and lounge space on sixth floor, lobby bar with outdoor terrace on seventh floor, guest rooms on eighth and ninth floors and large penthouse suite on the 10<sup>th</sup> floor, access will be through a private ground-level lobby entrance on Great Jones Street, the building under construction being located in a Historic District in the NoHo section of Manhattan, the zoning designation being a M1-5B manufacturing district, no certificate of occupancy was presented as there is currently none on file, as the building is still under construction, the premises and building having previously not been licensed for the sale of alcohol nor operated for eating and drinking purposes; and,

**iii. Whereas**, the members club premises is roughly 14,090 sq. ft., the ground floor entrance and lobby being 705 sq. ft., the 5<sup>th</sup> Floor restaurant and bar being 3,155 sq. ft., including one stand up bar with 17 seats, [add tables chairs for 5<sup>th</sup> floor] there being a connecting staircase from the 5<sup>th</sup> floor space to the 6<sup>th</sup> floor bar and lounge space, the connected 6<sup>th</sup> floor bar and lounge space being an additional 1838 sq. ft., with second stand up bar with 8 seats, 19 tables and 60 patron seats, the combined two floor space (stated as being) 4,993 sq. ft., the 7<sup>th</sup> floor having a 3<sup>rd</sup> stand up bar with 9 patron seats and interior lounge seating for 31 patrons in a 1,095 sq. ft. space with three doors leading from the interior space to a wrap around 1,560 sq. ft. exterior terrace facing both Lafayette and Great Jones Streets, with an outdoor patron capacity (as stated) of 46, there being 5 one-bedroom hotel rooms on the 8<sup>th</sup> floor and a second set of one-bedroom hotel rooms on the 9<sup>th</sup> floor, the 10<sup>th</sup> floor plans (as presented) calling for 1,465 sq. ft. penthouse suite limited to a 14 person occupancy only with one bedroom for 2 persons, one full bathroom, kitchen, dining and living room areas; with a total patron capacity/occupancy of 377 for the private members club; and,

**iv. Whereas**, the application presented to CB2, Man. included interior hours of operation from 8 AM to 4 AM Wednesday through Saturday on the 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> floors but thereafter indicated that it would be willing to reduce those hours to 3 AM on the 7<sup>th</sup> to 10<sup>th</sup> floors, with the 5<sup>th</sup> & 6<sup>th</sup> floor restaurant and bar closing by 2 AM with the exception the hours of operation on Sundays closing at 12 AM; the interior music levels will include live piano, acoustic and Jazz music, as well as live DJs, but the expected volume levels proposed are for background only on every floor, there will be no patron, guest or member dancing permitted within the premises; there will be no music at all on any portion of the 7<sup>th</sup> floor, there will be private parties and private events, such events being requested and hosted by members only and not by third parties, events described as birthdays and anniversaries with more than 30 patrons but limited to 60 patrons and not more than 4 per week, the applicant also describing large charity events sponsored by the club generally on two occasions over the year where the entire club will be utilized for this purpose; there will also be 3 TVs for members “in common areas” of the club, as well as a 1,260 sq. ft. gym on the 6<sup>th</sup> floor; and,

**v. Whereas**, the exterior hours of operation presented and proposed for the outdoor terrace was until 12 AM Wednesday through Saturday, 11 PM on Mondays and Tuesdays and 10 PM on Sundays but thereafter the applicant agreed that it would agree to close the outdoor terrace every night by 10 PM, all exterior doors will be closed with no patrons or staff remaining on the terrace, there would be no music or exterior outdoor speakers, privacy/sound barriers were proposed to be built on the two ends of the terrace, at the east side along Great Jones Street due to adjacent residential building to the east and on the south end along Lafayette Street due to adjacent residential building to the south; the northwest portion of the Lafayette side terrace also being designated for smoking and no more than the 25% of seats on the terrace; and

**vi. Whereas**, the Applicant will form a nonprofit corporation for the management of the club that would charge members an initiation fee to join and yearly membership fees for entrance to the premises, the target membership being 2,300 but there being no limit to the numbers of future members that may join, the applicant speaking about its club in England for membership comparison purposes; and,

**vii. 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 proposed premises, 32 on premise licenses with 750 ft., and 6 additional pending liquor license applications all within this same geographic area; including the NoHo Cultural Society d/b/a Zero Bond, a 17,000 sq. ft. private members club on multiple floors with a 450 patron capacity until 2 AM located within a block’s distance from the instant application, in addition to the Great Jones Distillery, a 15,000 sq. ft. distillery and eating/drinking establishment on multiple floors of a large building on Broadway within this same area also with a block’s distance, both operations being new, both locations having never previously licensed for the service of alcohol or for the use of late night operations, thus presenting a cluster of eating/drinking establishments in the same immediate NoHo neighborhood posing significant, combined impacts to those living there; and,

**viii. 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; and in determining whether such a license is granted, the Authority may further consider the following factors in determining if the public interest is served: the numbers of licenses near the location, any increase in noise that would be generated by the addition of the new licensed premises, 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,



**ix. Whereas**, the Applicant received support for his proposed membership club, and people appeared in support, albeit only one speaker from the immediately impacted neighborhood appeared in support, and several people from several blocks away including a local business owner stating they believed this was a good addition to the neighborhood and would reverse the decline of the area streetscape; those who spoke in favor spoke generally about the rich history of the club originating in London and its clientele, being based in the arts, film, theater and music, a few speakers identified themselves as current members spoke to the high quality operations and the importance to them of their experiences at the club and the benefits of membership; also included in the questionnaire package was correspondence, including correspondence from local business owners and several residents each outlining reasons for their support, as well as a petition in support, there being plans for noise reduction, a doorman at the street level entrance, and a plan for traffic peak periods where personnel are assigned to discourage drop-off vehicles and taxi from standing and idling knowing that most patrons will arrive by vehicle to the club with only use of the Lafayette Street side pursuant to club rules and moral suasion of club members directing taxi, Uber and for hire drivers; and,

**x. Whereas**, 15 neighbors living in the immediate area (including residents living on Great Jones, Bond and E. 4<sup>th</sup>) appeared and spoke out against this application while an additional 5 appeared in opposition to this application but did not speak, including families with children residing at 20 Bond Street, a seven story residential building located immediately to the south with windows facing the proposed club and at 27 Great Jones Street, the residential building located immediately to the east of the terrace and club ground floor entrance, as well as other residents living on Great Jones and Bond Streets, as well as the NoHo Bowery Stakeholders, all of which voiced concerns about privacy and noise during the late night hours and operations of the membership club that never previously existed, the membership club and outdoor terrace being located on multiple upper floors of a building directly exposing those operations to the residential community, a community already located on the upper floors of adjacent building (as is the norm) and not at ground level where eating and drinking establishments already exist, where such business can be properly absorbed into the existing fabric of the neighborhood and where they belong, the proposed membership club being an example of irresponsible planning in a growing residential neighborhood; the grave and immediate impact of the proposed entrance on Great Jones Street, the club having a significant patron capacity of 377, that will bring outsiders not living in the neighborhood via black car, Uber or taxi at all hours of the day and until very late at night, the concern of idling, lined up and circling black cars, limos and Ubers waiting for members to exit the club at all hours of the night, and when large events and parties occur, establishing real and burdensome impacts on the local community, there being no public interest served for those living in the immediate area, the entrance being located immediately adjacent to a number of residential buildings that line the south side of Great Jones Street, not to mention that this entrance will also be used for all deliveries to large member club and all waste removal, adding delivery trucks and further congestion and burdens to this block, Great Jones Street already being highly congested, there being a Firehouse located immediately across the Street with existing and returning fire trucks from Engine 33, ladder 9 which command a very large turning radius and where no parking or stopping of vehicles are permitted; the existing community having already been exposed for years of loud construction occurring for this building, the developer previously appearing for its landmarking status in the past, advising the community and those living thereby that the building would be used for office space, there being no mention of an outdoor terrace or late night eating and drinking operations on the upper floors, the building under construction being surrounded by scaffolding obscuring any view of it, the local residents expressing that they were duped, the building under construction currently advertising “NoHo’s Newest Office Building,” while also explaining that the owner/developer has already lined up a number of alternative tenants (who have signed letters of intent) to lease the same portion of the building but will use the space for offices, bringing people into the neighborhood that is less impactful to the neighborhood and where those coming into the neighborhood will have good reason to use the existing storefront businesses, enhancing and spurring economic growth

to those existing businesses already existing and properly located at ground level; there being issues raised that additional Floor Area Ratio (right to build a larger building) was provided to the developer in the amount of 5,905 sq. ft. in exchange for incorporating community use facility on the lower floors; and,

**xi. Whereas**, an additional 24 persons appeared in opposition to the proposed application at CB2, Man.'s full board meeting, those in opposition also presented alternative architectural plans for the entrance to be located on Lafayette Street instead of on Great Jones, the plans incorporating one of the designated storefronts on Lafayette Street, incorporating and adding that storefront into the membership club to reduce the significant impacts that will occur on Great Jones Street by relocating them on Lafayette Street, the applicant clearly declining such plans, stating at the outset that there could be no compromise or relocation of the proposed entrance to the club on Great Jones;

**xii. Whereas**, still other residents were vehemently against the outdoor terrace, arguing that no terrace should be permitted, the terrace being located immediately adjacent to residences, that congregating members and guest would generate considerable noise even without music despite sound mitigation techniques, there existing no benefit to introducing outdoor commercial activity within a residential sky envelope at that level; one resident counting approximately 340 windows of residential apartments facing the proposed membership club, that smoking on the terrace would impact residential units, and that smokers congregating outside the 377 capacity venue would contribute to the noise level in the evenings and late night hours of operation being located immediately adjacent and across from residential buildings; and,

**xiii. Whereas**, individuals questioned what public interest would be served by adding a for-profit, private exclusive club that would have a tremendous impact on this block, coupled with the newly licensed membership club located only a block away from this one (Zero Bond), the Zero Bond application adding a 450 patron occupancy until 2 AM every night to the same neighborhood, the Zero Bond application having been approved by the NYS SLA despite CB2. Man.'s opposition to that application, where neither Zero Bond nor the instant Groucho membership club previously existed, the two membership clubs adding too many late night patrons and vehicles into the area, turning NoHo into an entertainment district, the current planning and addition of these two clubs being inappropriate, indicating it was all about planning and that the addition of these two large membership clubs at the same time was not appropriate, as well as the addition of the above-referenced Great Jones Distillery, there being additional concerns about a potential failure of club leaving an open door for other late night establishments being added to the same area; and,

**xiv. Whereas**, there being extensive confusion as to how a for profit enterprise managing the Groucho Club internationally with large global investors would be operating as a non-profit in New York with investors, funders and an expectation of a profit for those entities; questions were raised as to what entity would be the leaseholder and whether a sublease would be utilized and if so who the leaseholder would be and what profit they would make from the sublease; and,

**xv. Whereas**, the Applicant conducted a number of outreach meetings with local residents both with the principal and with representatives and via email at which local residents expressed their concerns which were the same concerns presented at CB2's SLA Committee Meeting, but the Applicant did not modify their presentation/application to adequately reflect resident's concerns and changes they were willing to make prior to hearing public testimony, only doing so after public testimony despite significant time and energy people took to meet with Applicant and Representatives and prepare comments leaving those who appeared unable to adequately comment on those proposed changes and fully address those changes; and,

**xvi. Whereas**, for those in opposition the main issues are **(1)** request to eliminate the outdoor Terrace, **(2)** move the entrance to Lafayette St., **(3)** significantly reduce the hours of operation to mirror local restaurants with hours of operation until 12AM/1AM; it being apparent that other stipulations proffered would not address those concerns and that many of the proposed stipulations or agreements were simply complying with the law or being a good neighbor and therefore not sufficient in value to rise to meeting the public interest standard; it being abundantly clear to most in opposition the nature of the private membership club and it's intended operation; and,

**xvii. Whereas**, there being significant opposition to this private members club, the club's location presenting significant disruption and vast and lasting negative impacts on the existing local community, the proposed location not being representative of responsible community planning that promotes the public interest of the community, or the City of New York, which offers vast alternative sites throughout its five boroughs where the Groucho club would not only be welcomed but where it would be wholly consistent with the public interest required by the 500 ft. rule, all of which poses, and with due deliberation, sound basis for the denial of this application consistent with the community's best interest; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** for **An Entity to be formed by The Groucho Club Limited, d/b/a TBD, 363 Lafayette St. 10012** on its application seeking a new OP license; and

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

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB2 respectfully requests that this item be Calendared to appear before the Full Board of the SLA for consideration with at least two weeks notice to CB2, Man. and any members of the public who have submitted correspondence to the SLA.

Vote: Passed, with 31 Board members in favor, 2 in opposition (R. Caccappolo, T. Connor), and 1 abstention (D. Diether).

**25. Soho Village Hotel, LLC & San Marino at Soho Inc., d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton St. 10014** (OP – Hotel Restaurant – alteration adding bar to exterior area in front of Hotel)

**i. Whereas**, the applicant and his attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for an alteration to an existing hotel liquor license #1203960 to add an outdoor stand up bar serving beer and wine only to an outdoor café space in front of the hotel and to extend its outdoor seating hours of operation early in the day or for lunch, the existing hotel being located on Charlton Street between Hudson Street and Varick Street in the Hudson Square area; and,

**ii. Whereas**, the outdoor space in front of the hotel will have 4 tables and 16 seats and one stand up bar with 10 seats for a total exterior seating of 26 patron seats; and,

**iii. Whereas,** the stand up bar will be 7'8" in length and the applicant agreed and stipulated that this bar will only be for the service of beer and wine, with hard liquor and spirits being sold and served from the interior premises (restaurant or bar) via waiter service to the exterior; and,

**iv. Whereas,** the applicant has reached out to the surrounding residential community and adjusted his plans to address their concerns and needs, there being residential apartments and people living immediately adjacent to and over the outdoor patio; and,

**v. Whereas,** to alleviate the concerns of adjacent neighbors the applicant stipulated that service of beer and wine would cease by 9 PM every night to the exterior patio space and that the entire outdoor space would be closed and empty by 10PM every night, there would be no exterior TV, no music, or exterior speakers; and,

**vi. Whereas,** the applicant further stipulated that they would construct a soundproof wall behind the exterior bar, and a roof enclosure over the entire outdoor patio areas; and,

**vii. Whereas,** the interior hours of interior operation will be unchanged at 6AM to 2AM Sunday to Saturday, all doors will be closed by 10PM daily, interior music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), and there will continue to be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**viii. Whereas,** the Applicant executed a stipulation 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 license stating that:

1. Premise will be advertised and operated as a Hotel with ground floor Restaurant
2. The hours of operation will be: Sunday to Saturday 6AM to 2AM for the interior and Sunday to Saturday 11AM to 10PM for the exterior outdoor space. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate a full service restaurant, specifically an Italian restaurant focusing on Northern Italian cuisine, with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will have no more than 3 televisions – all in the interior.
6. Will play quiet ambient, recorded background music only within the interior premises. No music will be audible in any adjacent residences at any anytime.
7. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
9. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.
10. The hours of operation for the exterior patio area will be from 11AM to 10PM Sunday to Saturday but the service of alcohol to patrons at the exterior bar will cease by 9PM every evening/night.
11. The exterior area will have no TV's, music, or speakers.
12. The entire exterior area will have a roof enclosure.
13. Service from the exterior stand-up bar will be beer and wine only.
14. A full height soundproof wall will be constructed behind the exterior bar.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application for **Soho Village Hotel, LLC & San Marino at Soho Inc., d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton 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 Hotel O.P. License.

Vote: Unanimous, with 34 Board members in favor.

**26. Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 10003** (OP – Bar/Tavern – Alteration/Change in method of operation)

**i. Whereas**, the applicant appeared with his attorney before Community Board 2, Manhattan’s SLA Licensing committee to present an application for an alteration to an existing on-premise liquor license (#1024183) for an establishment described as “a bar/tavern with recorded music, with patio serving Mexican food” in a five-story 1900 mixed-use building on University Place between East 11<sup>th</sup> Street and East 12<sup>th</sup> Street in the Greenwich Village neighborhood; and,

**ii. Whereas**, this alteration/change in method of operation application is to add patron dancing and security guards to the licensed premises, albeit only in response to certain disciplinary proceedings at the SLA regarding the operators existing method of operation license; and,

**iii. Whereas**, the interior licensed premise includes a 1,020 sq. ft. ground floor storefront and a 900 sq. ft. second floor for a total of 1,920 interior sq. ft., where there are 10 tables and 26 table seats and one (1) bar counter with nine (8) seats, for a total of 34 interior seats; and,

**iv. Whereas**, the application reports hours of operation Sunday to Wednesday 11:30AM to 11PM, Thursday 11:30Am to 2AM, Friday and Saturday 11:30AM to 4AM, with live DJs and entertainment music levels on the second floor, 5 TVs, as well as a rear patio space which was acknowledged in the application but no diagram, no picture, no dimensions and no indication as to the number of patron seats or tables were provided as to this exterior patio space; and

**v. Whereas**, a residential neighbor living directly behind the patio appeared and reported that the patio space is loud and disruptive very late in the evenings when the weather gets warm, keeping him and his children up at night, there is music coming from the patio late into the night, directly contradicting the applicant’s initial statements to CB2, Man. that the neighbors living directly above the restaurant are the source of the noise when it was initially reported to CB2 Man. by the local block association, the local block association also appearing in opposition to this application, stating that over the past number of years the method of operation for this establishment turned from one of operating as a quiet Mexican Restaurant into one where loud music projects from the second floor windows every night, where DJs entertain until 4AM and music can be heard through the front door, which is regularly left open permitting entertainment level music to escape from both floors of the establishment out toward the public sidewalk; and,

**vi. Whereas**, the existing operator and licensee did not deny the current use of DJs or Dancing within the establishment until 4AM, the licensee and applicant stating that he has always operated his business in this manner and reported that he has received no complaints which was contrary to the local block association and to his residential neighbor who appeared in opposition; and,

**vii. Whereas**, when the licensee first appeared before CB2, Man. for his liquor license, his application to CB2, Man. stated that he would operate as a Mexican Restaurant with background music no later than 1 AM, there being no mention of ancillary service to patrons in a rear patio space, where no permits, certificate of occupancy or letter of no objection has ever been presented that legally permits the licensee to operate such outdoor space in conjunction with the interior restaurant; and,

**viii. Whereas**, since the time of the applicant's initial application for an on premise license for these premises, CB2, Man. has no record and the applicant has provided no evidence or history of any alteration application to change its stated method of operation as a full service (interior only) Mexican Restaurant with background music for the purpose of including the exterior rear patio, to operate with DJs and/or dancing, these unlawful changes occurring without notice to the local Community Board in derogation of the NYS ABC laws; and,

**ix. Whereas**, since the inception of the Standardized 30 Day Notice Form, the Standardized 30 Day Notice Forms sent to CB2, Man. dated 1/21/2011, 1/17/2014, 1/20/2016 do not indicate the use of disc jockey or patron dancing; those forms self-identifying the establishment as a tavern – alcohol sales primarily, meets legal minimum food availability requirements; and,

**x. Whereas**, CB2, Man. as a matter of course requests from applicants copies of their current permits to operate, including a copy of the current existing Certificate of Occupancy, the Licensee was unable to produce a current Certificate of Occupancy because none exists, Temporary Certificate of Occupancy (TCO) CO Number 104238629T004 for the Premises having expired 11/30/2011, that TCO also being an underlying required document for an active Place of Assembly Permit; the Licensee provided an old Certificate of Occupancy dated July 15<sup>th</sup>, 1991, CO Number M000098786 which was superseded by the TCO which expired on 11/30/2011; and,

**xi. Whereas**, despite the above-referenced on-going problems and complaints relating to the interior and exterior late night operations at this establishment CB2 Man's SLA Committee was willing to support the application for adding security but not adding patron dancing to the Method of Operation **if** the Applicant executed stipulations which the Committee deemed fair and appropriate to resolve the on-going problems and complaints, those stipulations have been declined by the applicant; and,

**x. Whereas**, the stipulations the applicant declined to finalize are as follows:

1. Premise will be advertised and operated as a Mexican Restaurant and Bar.
2. The hours of operation will be: Sunday to Wednesday 11:30AM to 11PM, Thursday 11:30Am to 2AM, Friday and Saturday 11:30AM to 4AM. May remain open later (to 4AM) on holidays when they fall on Sunday to Thursday. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a Mexican Restaurant with the kitchen open and full menu items available until closing every night.
4. Will have no more than five (5) televisions no larger than 60" (there will be no projectors).
5. Will operate the outdoor rear patio area for dining purposes, with NO MUSIC, and hours of no earlier than 12PM (Noon) to no later than 10PM (all patrons and staff will be cleared at this hour and the area closed) every day. Patio door will be kept closed at all times.
6. Will play background music only on the ground floor level. On the 2nd Floor, amplified music will be played.
7. Will close all doors & windows at 8PM every night and anytime there is amplified music, or a DJ. Second floor windows will be closed at all times.
8. Will not make changes to the existing façade except to change signage or awning.

9. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer. (Pitchers of Margaritas are specifically allowed, however.)
10. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
11. Will not have: Dancing, live music, promoted events, velvet ropes or metal barricades, at any time.
12. Security will be provided Thursday, Friday, and Saturdays and at special events such as holiday parties.

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of alteration to the existing on premise liquor license SN# 1024183 or any other changes for **Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 10003**; and

**THEREFORE BE IT FURTHER RESOLVED** that should this alteration application be considered by the SLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA for consideration with at least two weeks notice to CB2, Man. and any members of the public who have submitted correspondence to the SLA.

Vote: Unanimous, with 34 Board members in favor.

**27. Juicerie 3 LLC, d/b/a The Butcher’s Daughter, 581 Hudson St., South Store 10014** (OP – Restaurant – adding sidewalk café)

**i. Whereas**, the applicant appeared with his representative before Community Board 2, Manhattan’s SLA Licensing committee to present an application for an alteration to an existing on-premise liquor license (#1291280) to add service to its existing sidewalk café; and,

**ii. Whereas**, the applicant operates a “Vegetarian restaurant/café” with an on premise liquor license in a ground floor storefront within a five story 1930 mixed-use building on Hudson Street between West 11th Street and Bank Street in the Abington Square area of the West Village neighborhood; and,

**iii. Whereas**, the licensed premises is 1,920 interior sq. ft. (1,020 sq. ft. ground floor storefront with additional 900 sq. ft. basement; the basement use not being for patron use or service) with 10 interior tables and 26 interior table seats, one (1) interior bar counter with eight (8) additional seats, for a total of 34 interior seats; and,

**iv. Whereas**, the applicant presented an Unenclosed Sidewalk Café License from the NYC Department of Consumer Affairs for the existing sidewalk café for 14 tables and 26 seats in a 261 sq. ft. space on the public sidewalk, but 3 residents/neighbors living adjacent to the premises, as well as representatives from the West Village Block Association, appeared in opposition to this application, providing photos clearly demonstrating problems with an overcrowded sidewalk, with patrons waiting to gain entrance to the restaurant blocking pedestrians from walking on the public sidewalk, as well as the use of larger picnic style tables placed side by side with no service isles in the café area, in derogation of the DCA permit, the photos showing waiters on the public portion of the sidewalk serving patrons, the neighbors explaining that this was an everyday occurrence the sidewalk being blocked and the restaurant commandeering the entire sidewalk instead of just a portion of it as required by their existing DCA permit, thereby causing the applicant to layover and adjourn their presentation in an attempt to correct the problems, remove the inappropriate tables and create the proper service isles, the applicant demonstrating a desire to fix the problems recognizing the neighbors opposition, there also being no indication that the applicant was serving alcohol illegally at the sidewalk café without a proper license from the NYS SLA; and

**v. Whereas**, when the applicant reappeared the following month, it presented a new sidewalk café diagram removing 5 tables and leaving a total of 9 tables and 18 patron seats for the sidewalk café, demonstrating sufficient room for proper service isles at all times without crossing over the edge or impinging on the sidewalk portion remaining for pedestrian traffic, replacing the picnic tables with two top tables as was originally permitted for the café, while also taking steps to keep the sidewalk in front of premises unobstructed and by implementing an electronic paging system to prevent waiting lines from forming; and,

**vi. Whereas**, the interior hours of interior operation will be unchanged at 8AM to 11PM Sunday to Tuesday, and 8AM to 12AM Wednesday to Saturday (all patrons will be cleared from the premises and no patrons will remain after stated closing time), all doors will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/CDs (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,

**vii. Whereas**, the proposed sidewalk café will close no later than 10 PM every day of the week (all tables and chairs will be removed at this hour); and,

**viii. Whereas**, the Applicant executed a stipulation 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 license stating that:

1. Premise will be advertised and operated as a “full service Vegetarian restaurant café and juice bar serving breakfast, lunch and dinner”
2. The hours of operation will be: Sunday to Tuesday 8AM to 11 PM, Wednesday to Saturday 8AM to Midnight.
3. Will operate full service restaurant, specifically a vegetarian restaurant/café with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will operate sidewalk café no later than 10PM, every night (all tables and chairs will be removed at this hour)
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at 10 p.m. every night.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
13. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.
14. The permanent sidewalk café will have 14 tables and 26 seats.
15. There will be an interim café of 9 tables and 18 seats while scaffolding is erected in front of the premises.
16. A service aisle will be maintained at all times and there will never be service from the sidewalk.
17. Operator will take steps to keep sidewalk in front of premises unobstructed.



18. Operator will implement electronic paging system to prevent lines from forming.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application to add alcohol services to a sidewalk café for **Juicerie 3 LLC, d/b/a The Butcher's Daughter, 581 Hudson St., South Store 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 O.P. License.

Vote: Unanimous, with 34 Board members in favor.

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

**28. LXC, Inc. d/b/a PokeRice, 162 W. 4th St. 10014 (RW – Restaurant - Layover)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on March 15th, 2018, the Applicant requested to **layover** this application for a new beer/wine/cider license in order to meet with the local block association who they had not met with after being requested to do so and to clarify landmarks violations incurred in the changes to the façade of the premises; they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for an **LXC, Inc. d/b/a PokeRice, 162 W. 4th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

**29. Slice West Village, Ltd. d/b/a Slice, The Perfect Food, 535 Hudson St. 10014 (RW – Restaurant)**

**Whereas**, at the October 12<sup>th</sup> CB2, Manhattan SLA Licensing Committee #2 meeting the Applicant agreed to return to CB2 in December to further address issues and complaints raised by local residents; On December 13, 2017, the manager, representative and contractor appeared but not the owner; the manager had only been working at the establishment for a number of weeks; CB2, Man. requested that the owner return in January 2018; On January 11, 2018 another manager and contractor appeared but not the owner to update the committee, but acknowledge that work was done the morning of the meeting and just a few days prior and they had not met with residents as they had said they would to calibrate and review the issues on site; the applicant agreed to return again in February 2018; On February 15<sup>th</sup>, 2018, the contractor and a manager appeared again as well as impacted residents who agreed that they would again return in March as there was still additional steps to take to continue to ameliorate the situation; on March 15, 2018 the applicant did not appear but agreed to appear again in April/2016; the complaints to be addressed 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; in December 2017, the contractor who appeared acknowledged that the timer on the ventilation fan that shuts it off over night may be defective and stated they would mount the ventilation equipment on the roof on rubber mounts; as a continuing good faith gesture, CB2, Man. extended the courtesy to the Applicant of a 2 month layover which was extended to 3 months and now 4 months during which time they 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 April 2018 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 34 Board members in favor.

**30. Little West 12th Street LLC, d/b/a STK, 28 Little W. 12th St. 10014** (OP – Restaurant and Basement Lounge Space alteration - moving interior bar and interior reconfiguration – withdrawn)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on March 15th, 2018, the Applicant requested to **withdraw** this application for an alteration to an existing on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Little West 12th Street LLC, d/b/a STK, 28 Little W. 12th St. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

**31. City Winery New York, LLC, d/b/a N/A, 143 Varick St. 10013** (OP – Restaurant, Live Music and Event Space – to include 1<sup>st</sup> flr, 2<sup>nd</sup> flr and rooftop – Layover)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on March 15th, 2018, the Applicant requested to **layover** this application for an alteration to an on-premise liquor license, and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **City Winery New York, LLC, d/b/a N/A, 143 Varick St. 10013** **until** the Applicant has

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

Vote: Unanimous, with 34 Board members in favor.

**33. LUV TEA HQ LLC, d/b/a N/A, 37A Bedford St. 10014 (TW – Tavern Wine/Bar – laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on March 15th, 2018, the Applicant requested to **layover** this application for a 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 **LUV TEA HQ LLC, d/b/a N/A, 37A Bedford St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

**34. Three Owls LLC, d/b/a N/A, 800 Washington St. 10014 (TW – Tavern Wine/Bar – Café – includes Sidewalk Cafe) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on March 15th, 2018, the Applicant requested to **layover** this application for a 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 **Three Owls LLC, d/b/a N/A, 800 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 34 Board members in favor.

**35. Stereo MC LLC, d/b/a TBD, 18 Ninth Ave. No.2 10014 (OP – Bar/Lounge/Tavern with DJ & Patron Dancing) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on March 15th, 2018, the Applicant requested to **layover** this application for an On Premise 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 **Stereo MC LLC, d/b/a TBD, 18 Ninth Ave. No.2 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

**36. Entity to be formed by John Fraser and Massimo Lusardi, d/b/a TBD, 225 West 4<sup>th</sup> St. 10014** (OP- Restaurant/Bar, DJ, Live Music, Sidewalk Cafe) (laid over)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on March 15th, 2018, the Applicant requested to layover this application for an On Premise 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 **Entity to be formed by John Fraser and Massimo Lusardi, d/b/a TBD, 225 West 4<sup>th</sup> St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

**37. RBSB LLC, d/b/a Rock Bar, 185 Christopher St. 10014** (OP – Tavern, DJ, Live Music, Karaoke) (laid over)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on March 15th, 2018, the Applicant requested to layover this application for an On Premise 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 **RBSB LLC, d/b/a Rock Bar, 185 Christopher St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

## **TRAFFIC AND TRANSPORTATION**

### **Resolution in response to update on plans for the L Train Canarsie Tunnel shutdown**

**Whereas**, NYC Transit (NYCT) and the NYC Dept. of Transportation (DOT) have proposed a plan addressing the Canarsie Tunnel-L Train closure taking place in 2019. This includes a dedicated busway and SBS bus service on 14th St. + shuttle buses, a 2-way protected bike lane on 13th St. and other new bicycle facilities, increased subway service on the G, J, M and Z lines, and added ferry service connecting to the new 14th St. SBS service, all with the goal of discouraging automotive traffic and its impacts during the project by providing alternatives to driving, while aiming to achieve a balance among transport modes that reduces subway crowding and allows for people's diverse travel throughout their communities; and

**Whereas** CB2, Man. thanks NYCT and DOT for their presentation of an update of this plan and for the opportunity for our community to give input, which included many different opinions for and against the proposed plans, including the 14th St. busway and the 13th St. 2-way bike lane; and

**Whereas** the plan also includes adding 70 buses per hour coming across the Williamsburg Bridge with 40-50 of those buses continuing along Kenmare St., then looping around via Cleveland Pl. > Lafayette > East Houston Sts., with bus stops in proximity to local subway stations (Spring St.; Broadway/Lafayette; Prince St.), and with the potential for impacts in these neighborhoods (e.g., on narrow, congested Kenmare and tiny Cleveland where bus turns would be tight and difficult or where many development projects and film and TV shoots in the area's streets block passage) that to date haven't been addressed nor has traffic analysis been done; and

**Whereas** NYCT and DOT have indicated that they've done extensive traffic analysis and modeling of alternative approaches to mitigating impacts during the project and that they are amenable to further modeling of other alternatives to assess potentially less impactful and more efficient changes; and

**Whereas** at this time the plan provides for busway operation at "peak hours," which are typically 6am to 9am and 3pm to 7pm, however, 14th St. is constantly congested, and people now use the L-train all day long and will require similar bus availability, which may call for more continuous, consistent busway service (instead of service on-service off) to avoid confusion and congestion; and

**Whereas** constituents are concerned about the proposed 2-way protected bike lane on the south side of 13<sup>th</sup> St., citing the potential for double parking with no room for vehicles to pass, fully blocked traffic, reduced emergency vehicle access and passing space for access-a-ride, lack of room for deliveries and sanitation trucks, and interference with drop-off/pick up (especially at City & Country School, which also has emphasized concerns for children's safety and submitted a petition with almost 200 signatures opposing the bike lane, but indicating potential support for a westbound bike lane on the north side of 13<sup>th</sup> St. in the event of no other viable alternative), DOT and NYCT indicated that the proposed 2-way bike lane would be temporary for the project; and

**Whereas** the community expressed concern that increased vehicular traffic will be diverted to small neighborhood, mostly residential, side streets and impact them negatively in terms of bad air quality, noise, congestion, and compromised safety; and

**Whereas** the speedy and efficient movement of buses is necessary to motivate the switch from private motor vehicles and FHV's to using the proposed buses instead, and paying fares slows down bus boarding and consequently bus movement, as does single door boarding, a delay that leads to gridlock and slowdowns that would discourage such a switch; and

**Whereas** the plan includes adding 200 diesel buses. While these diesels are supposed to be a newer cleaner technology, even with low sulfur fuel they still have emissions that increase air pollution, while electric buses wouldn't create any pollution; and

**Whereas** closing University Pl. btw. 13<sup>th</sup> and 14<sup>th</sup> Sts. is being considered, however, there are many restaurants and retailers there that receive multiple deliveries; these businesses need the street to be open to accommodate these deliveries as well as garbage pickup; and

**Whereas** even now there's not enough bus stop seating on 14<sup>th</sup> St.; with the heavy increase in buses to come, it will be more important than ever to provide sufficient seating in bus wait areas, especially for the many seniors and disabled bus users in the community's varied residential and working populations; and

**Whereas** NYCT and DOT have explained that no EIS has been done because all the proposed changes are temporary and that they are complying with necessary NEPA requirements and filling a report with FTA; they also have stated that if they consider making any temporary measures permanent, they will do further evaluation, however, further details have been requested by the community; and

**Whereas** CB2, Man. is pleased to learn that there are plans to have all lanes on the Williamsburg Bridge become HOV3, but so far HOV3 is only required during peak hours. Traffic volume needs to be reduced at all times, therefore SOV use needs to be discouraged at all times through HOV3. In addition, steps need to be taken to avoid shifts of traffic to other East River bridges that so far haven't been given an HOV designation; and

**Whereas** NYCT will be doing some station improvements - in capacity, stairs, and platforms, but subway stations need ADA access with elevators and escalators. CB2, Man. understands the need for space to accommodate diverted riders transferring to uptown/downtown subway routes, however, with L-train stations closed, this still is a unique opportune moment to install handicap access, without the difficulty that would be entailed doing so once all stations are open again; and

**Whereas** extensive law enforcement will be needed to monitor and ensure the safe and orderly progression of all vehicular traffic, including buses and bicycles as well as cars and trucks, also to secure pedestrian safety, and to oversee HOV3 compliance; and

**Whereas** the one-way toll on the Verrazano Bridge is a significant reason why a great deal of traffic comes over the Williamsburg Bridge through downtown Manhattan: to avoid the one-way toll, legislated by the Federal government. For 24 years, CB2, Man. has been asking for a 2-way toll to be restored on the Verrazano Bridge, because of the influx of automotive traffic, including heavy trucks, congesting our local streets. With tollbooths being removed from the Staten Island side of the Bridge and electronic tolling now in operation, there's no longer any reason for the one-way toll which originally was put in place to avoid backups on the Staten Island side. Restoring the 2-way toll, even if temporarily, would help redirect and reduce incoming traffic over the Williamsburg Bridge, easing some of the L-Train project's impact on local streets in the Kenmare/Cleveland/Lafayette area; and

**Whereas** DOT and NYCT have indicated that they will be constantly monitoring conditions and evaluating the impact of the proposed changes as the project progresses to make revisions, if necessary;

**Therefore be it resolved** that CB2, Man. urges DOT and NYCT to do a complete study, including community input, to assess neighborhood impacts in the Kenmare/Cleveland/Lafayette/East Houston area from buses and other automotive traffic coming off the Williamsburg Bridge, and investigate alternative solutions to alleviate such impacts, while also considering a limitation on building permits for any construction project and a moratorium on film and TV production for the L Train project's duration in both the Kenmare/Cleveland/Lafayette area and in all other areas affected by the project; and

**Be it further resolved** that CB2, Man. asks that actual peak hours being considered be clarified and that additional modeling be done that evaluates a 24/7 and another lengthier than peak busway option that would still include access for local deliveries and parking garages as well as for emergency vehicular and para-transit access; and

**Be it further resolved** that CB2, Man. requests that modeling be done to evaluate a 2-way bike lane on 14<sup>th</sup> St. design option; also that further assessment of impacts of the proposed bike lane on 13<sup>th</sup> St. be done and investigation of alternatives. Should 13<sup>th</sup> St. be the only viable alternative, CB2, Man. advises that the bike lane be moved to the north side of 13<sup>th</sup> St. (to avoid conflicts with school children) and that removal of parking on the south curb be considered, to allow space for pickup/dropoff and deliveries and passage of emergency vehicles, and that specific curbside management regulations be established there to serve local curb access needs (e.g., loading and unloading and time of day restrictions); and

**Be it further resolved** that CB2, Man. favors implementation of applicable traffic calming measures to discourage vehicular incursions on residential side streets, such as street direction changes for one block or more, 5-10 mph speed limits, and slow zones; and

**Be it further resolved** that CB2, Man. fully encourages instituting free boarding and all-door boarding on all 14th St. bus routes and shuttles during the project, to speed up buses while also adding a money-saving motivation to switch from private vehicles and FHV's to buses; and

**Be it further resolved** that CB2, Man. urges that every effort be made to have electric buses used in preference to diesel buses, preferably entirely, or as much as possible; and

**Be it further resolved** that CB2, Man. opposes the closure of University Pl. btw. 13<sup>th</sup> and 14<sup>th</sup> Sts.; and

**Be it further resolved** that CB2, Man. would like to see more bus stop seating added on 14th St., whether with increased bus shelters (preferable) or CityBenches or both.

**Be it further resolved** that CB2, Man. requests that NYCT and DOT provide further details about their compliance with specific NEPA requirements, e.g. the report they're filing with FTA, and to provide assurance that, should they decide to make temporary changes permanent, the appropriate environmental evaluations, such as an EIS, will be conducted; and

**Be it further resolved** that CB2, Man. highly recommends having HOV3 24/7 on the Williamsburg Bridge and having at least HOV2 on the other East River bridges to avoid diversion of traffic from one bridge to another. CB2, Man. also urges heavy HOV3 enforcement preferably done by the NYPD, with possible use of technology for automated enforcement as a supplementary measure; and

**Be it further resolved** that CB2, Man. again urges NYCT to take advantage of this one-time opportunity, while stations are closed, to install ADA accessibility especially in the 6<sup>th</sup> Ave. station as well as to upgrade the other 2 CB2 stations; and

**Be it further resolved** that CB2, Man. strongly urges DOT and NYCT to work closely with NYPD, including CB2's local police precincts and the NYPD Traffic Division, to organize extensive traffic control and enforcement activities throughout the project area; and

**Be it further resolved** that CB2, Man. encourages DOT and NYCT to confer with our federal lawmakers, both those representing District 2, Manhattan and those representing Staten Island to restore the 2-way Verrazano Bridge toll at least temporarily to provide needed traffic mitigation for the duration of the project; and

**Be it finally resolved** that CB2, Man. urges NYCT and DOT to do continuous monitoring and evaluation of conditions as well as to consult with the local community and commuters for further assessment of both impacts and mitigations for the duration of the project, and to make adjustments where necessary.

Vote: Unanimous, with 34 Board Members in favor.

Respectfully submitted,

Keen Berger  
Secretary  
Community Board #2, Manhattan