

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

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

FULL BOARD MINUTES

DATE: April 18, 2019
TIME: 6:30 P.M.
PLACE: P.S. 41, 116 W. 11th St., Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Carter Booth, Chair; Katy Bordonaro, Anita Brandt, Amy Brenna, Ritu Chatterjee, Erik Coler, Tom Connor, Valerie De La Rosa, Doris Diether, Robert Ely, Cormac Flynn, Joseph Gallagher, Susan Gammie, Susan Kent, Ryder Kessler, Patricia Laraia, Daniel Miller, Brian Pape, Bo Riccobono, Robin Rothstein, Sandy Russo, Rocio Sanz, Frederica Sigel, Georgia Silvera Seamans, Shirley Smith, Susan Wittenberg, Adam Zeldin

BOARD MEMBERS ABSENT WITH NOTIFICATION: William Bray, Lisa Cannistraci, Terri Cude, Kathleen Faccini, Jonathan Geballe, Janet Liff, Edward Ma, Lois Rakoff, Scott Sartiano, Shirley Secunda, Kristin Shea, Cathy Sullivan

BOARD MEMBERS ABSENT: Nicholas Gottlieb

BOARD MEMBERS PRESENT/ARRIVED LATE: Richard Caccappolo, Coral Dawson, David Gruber, Jeanine Kiely, Antony Wong

BOARD MEMBERS PRESENT/LEFT EARLY: Coral Dawson, Maud Maron, Chenault Spence

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

GUESTS: Robert Atterbury, Congressman Jerrold Nadler's office; David Kruger, Senator Brad Hoylman's office; Venus Mullins, Senator Brian Kavanaugh's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Charles Anderson, Assembly Member Deborah Glick's office, Jordan Feiner, and Teddy Hoger-Paris, Council Speaker Corey Johnson's office; Irak Cehonski, Council Member Carlina Rivera's office; Tony Simone, David Juracich, Greg Wasserman, William Rogers, Noreen Doyle, Pierre-Philippe Fallone, Greg Miller, Peter Siris, Michael Levine, Armand Le Gardner, Mariella Shirak, Taiko Ninomiya, Jessica Saab, Melissa Wasserman, Demetri Ganiaris, Ben Garrett, Hank Dombrowski, Connie Fishman, Brian Egan, Deborah Clearman, Lowell Kern, Claudia Rossi, Ka Ming Wong, Isaac-Daniel Astrachan, Harold Levy, Bill Bialosky, Natalie White, Ben Jenkins, Joli Golden, Brandon Zwagerman, Rob Magill, Ronnie Wolf, Tom Framball, Mori Ninomiya, Rosa Chang, Zazel Loven, Martin Sweeney, Laine Nouney, Tom Mullarkey, Philip Yee, Mike De Rosa, Carin Envonberg, Kristina Kahn, Claudia Zhu, Tracy Jackson, Jill Havekamp, Anne Mitchettree, Kevin McCarthy, Andy Lin, Lenny Grolsh, Ronnie Cropper, Alejandra Naranjo, Andy Scruton, Neal Goodwin, Rob Penotti, Ed Panta, Maggie Rashid, Nafel Khan, Maria Hatzioanidis, Ian Chan, Mariella Shirak

MEETING SUMMARY

Meeting Date – April 19, 2019
Board Members Present – 36
Board Members Absent With Notification – 12
Board Members Absent - 1
Board Members Present/Arrived Late - 4
Board Members Present/Left Early – 3

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	2
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
BUSINESS SESSION	3
STANDING COMMITTEE REPORTS	3
FUTURE OF PIER 40 WORKING WORKING GROUP	3
LAND USE & BUSINESS DEVELOPMENT	8
LANDMARKS AND PUBLIC AESTHETICS	10
PARKS/WATERFRONT	12
QUALITY OF LIFE	14
SCHOOLS & EDUCATION	22
SLA LICENSING	24
SOCIAL SERVICES	49
TRAFFIC AND TRANSPORTATION	50

II. PUBLIC SESSION

Non-Agenda Items

Census 2020

Joli Golden spoke regarding this topic.

Earth Day Block Party

Brandon Zwagerman, from the SoHo Broadway Initiative, spoke regarding the upcoming event.

Annual Dance Parade

Greg Miller invited everyone to this annual, upcoming event.

Health Care Reform

Susanna Aaron spoke regarding this topic.

Land Use

SoHo/NoHo Planning Study

Ronnie Wolf and Eddie Panta, spoke regarding this land use study.

Pier 40 Working Group

Future of Pier 40

The following individuals spoke regarding the future of Pier 40:

Noreen Doyle, Carin Envonberg, Kevin McCarthy, Alejandra Naranjo, Mariella Shirak, Jessica Saab, Bill Bialosky Zazel Loven, William Rogers, Deborah Clearman, Ka Ming Wong, Peter Siris, Tom Mullarkey, Philip Yee, Rosa Chang, Nafel Khan, Demetri Ganiaris, Mori Ninomiya, Andy Scruton, Connie Fishman, Tony Simone, David Juracich, Lowell Kern, Greg Wasserman, Andy Lin, and Isaac-Daniel Astrachan.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congressman Jerrold Nadler's office

David Kruger, Senator Brad Hoylman's office

Venus Mullins, Senator Brian Kavanagh's office;

Charles Anderson, Assembly Member Deborah Glick's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Jordan Feiner, and Teddy Hoger-Paris, Council Speaker Corey Johnson's office

Irak Cehonski, Council Member Carlina Rivera's office

IV. ADOPTION OF MINUTES

Adoption of March minutes

V. BUSINESS SESSION

1. **Chair's Report** Carter Booth reported.

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

STANDING COMMITTEE REPORTS

FUTURE OF PIER 40 WORKING GROUP

A resolution responding to a letter dated March 19, 2019, from local elected officials to CB2, Man. asking questions about CB2's positions regarding possible legislation to allow development of commercial offices at Pier 40 and specifically with respect to limits on building height, length of leases, how much square footage to allow, and minimum park space requirements.

Whereas,

1. Community Board 2 Manhattan received a letter dated March 19, 2019, from our local elected officials requesting clarification of our board's positions regarding possible changes to the Hudson River Park Act to allow development of currently prohibited commercial offices at Pier 40.
2. It is difficult for Community Board 2 to recommend parameters for a large office building in Hudson River Park but we are cognizant of the importance of responding in a timely and direct way to the questions asked by our elected officials who must balance citywide and statewide considerations.
3. Community Board 2 has over twenty years of involvement with the park project and Pier 40, including resolutions in 1998 first opposing and then supporting the Act, lengthy participation in two failed RFP projects, leadership of a seven-month long public discussion in 2017, and most recently two public hearings regarding our response to the letter.
4. The Hudson River Park Act was crafted in the aftermath of the defeat of Westway as a compromise between those who advocated for a traditional public park with minimal allowances for water-related commercial access and those who saw more value in opening the waterfront to commercial and residential development opportunities. The Act would declare that park uses in the public interest and "encourage park uses and allow limited park/commercial uses" such that the costs of maintenance and operations of the park would "*to the extent practicable and consistent with the purposes of the park*" be paid by revenues generated within the park with all such revenues being used exclusively for that purpose and with the caveat that "additional funding by the state and the city may be allocated as necessary to meet those costs". "Park uses" would be public park uses; outdoor and indoor public recreation and entertainment; small scale boating for recreation and education; environmental education and research; historic and cultural preservation; wildlife and habitat protection; and facilities incidental to public access. "Park/commercial uses" would have to be compatible with park use and not among prohibited uses. Prohibited uses would be residential; commercial office and warehousing; hotel; incompatible governmental uses; casino and riverboat gambling; and airports.
5. Commercial office use is therefore contrary not only to the words of the act; it upsets the balanced compromise that the Act provides.
6. In April 1998, CB2 passed a resolution supporting adoption of the Hudson River Park Act. This CB2 resolution in support was essential at the time for adoption of the legislation which did not have the full support of our legislative delegation, and the resolution documents that our support would not have been forthcoming had the Act allowed for a commercial office building with a 90+ year lease at Pier 40. Among the key reasons for CB2 support was a promise that at least 80% of the pier would be for park uses. By the time it was signed by Governor Pataki only the "equivalent of 50% of the footprint would be active and passive public open space", thereby taking back promised space and causing the open space to be part of a commercial development instead of the park.
7. Nothing has changed over the past 20+ years to make a commercial office building more compatible with the park. It remains contrary to the legislated purposes of the creation of the park because those purposes have not changed. It will still cast a privatized aura over the park. A large private tenant will still powerfully seek to impose restrictions that support its needs. With the bike path more popular now than could have been imagined a generation ago, thousands of workers arriving and departing in high concentrations, including during hours when the bike path is busiest, will more than ever disrupt the flow of park users and detriment their safety and their sense of ease essential to quiet, safe, and active enjoyment of a park.

8. The impact on adjacent communities of an office building at Pier 40 is now worse than it would have been when the Act was adopted. The balance of uses in the adjacent mixed-use areas has shifted substantially in the past decade. Nightlife and retail have exploded in the Meatpacking District. In Hudson Square multiple new luxury residential towers have been built and more will open soon; more than 3 million square feet of offices are under construction and more than 3 million more are in design, including almost one million right across the street at 550 Washington Street. Meanwhile, the promise of a more diverse residential community has fallen short with only a small percentage of anticipated affordable housing being built.
9. The only justification given for allowing commercial offices is to increase the funding that can be achieved for operating and maintaining the park. The Trust explains this need by stating that early projections for the costs of maintaining and operating the park did not consider the added cost of maintaining a waterfront park. Some of these costs are for “capital maintenance” of infrastructure such as the historic bulkhead that is essential for the habitation, commerce, and resiliency of the city. These needs that should not be the responsibility of the park especially because they were turned over to the park in poor condition and because this infrastructure is more essential than ever to resiliency as seas rise.
10. The balance that was struck by the core language of the Act is contrary to allowance of incompatible uses solely because full funding of maintenance and operations is not “practicable”. Rather the Act anticipates a possible shortfall of revenue to cover maintenance and operations and specifically states in such case the City and State may provide additional funding.
11. Further, as the anticipated cost of operating the park has increased, many of the political and financial considerations that justified allowing even park/commercial uses in the park have changed. The creation of the park was the most significant essential condition encouraging massive development on the west side of Manhattan thereby providing substantial new vitality to a large area and billions of dollars of new revenue to the City and State. A part of these funds should now contribute to maintaining the park that brought the boom.
12. Building a park on the dilapidated old piers, once a vision of a few, is now an intensively enjoyed public resource with universal support of public officials and populace. Where decay and dilapidation pervaded when the Act was passed, now a string of pearls along the waterfront connect adjacent neighborhoods (which nevertheless remain among the most park-starved in New York City).
13. Offices can be developed anywhere but when they are built on public land its potential public value is lost forever so it is short-sighted to permanently dispose of scarce opportunities for new open space while ongoing massive office and residential development on available private land continues to increase the need and demand for public open space. The Trust and its partners inside and outside government should no longer be reticent to fight to secure the public funding needed to assure the fullest achievement of the goals and opportunities of the park and should commit to protecting its irreplaceable resources from incompatible private development in keeping with the compromise hammered out when the Act was passed.
14. Pier 40 is a completely unique extraordinary and irreplaceable 15+ acre public open space resource. It is time to celebrate the good fortune of the past failures of bad plans to develop Pier 40. It is time to recognize that building a massive new office building at Pier 40 may be regretted for generations to come.
15. Demolition of the old building may allow development of commercial uses on a smaller footprint but adaptive reuse of the existing building is more consistent with community preferences for preservation and reuse. The courtyard ball field, the result of a massive community effort supported by CB2, is a wondrous wind-shielded space enjoyed year-round by thousands of young

ball players. While the existing building is not beautiful, as an old maritime building it is more place-appropriate than would be a modern 800-foot long 6-story office building. Development of adaptive reuse would be less disruptive of current uses and less wasteful. Including the roofs it would provide substantially more opportunity for open space and indoor park uses than a six-story building. While providing less opportunity to create new openness to the river, it should allow for attractive and creative architectural solutions more consistent with neighborhood scale and character and possibly more attractive for many of the tech companies most likely to be interested in locating at Pier 40. It is therefore more likely to generate proposals that can win community support.

16. To resolve the future of pier 40, park users and the community will need to be brought together. A radical change to the Act that will allow a new building on the pier housing corporate headquarters with more than 6000 workers on the pier is not the way to start.
17. Such development will have grave, unforeseen, and irreversible impacts on the pier and the park and does not present a viable compromise as would a development with a mix including more sports, arts, and water related uses.
18. The Hudson River Park Act requires the Uniform Land Use Review Procedure for city-owned sites but unreasonably denies appropriate public oversight on State-owned properties such as Pier 40, leaving the details of any future subject to the vote of the Trust's board which includes no representatives appointed by our council members.
19. Community Board 2 has long-standing opposition to private control of public open space.
20. Limiting zoning floor area will reduce the negative impacts of any project and is the only way to support opportunities to redevelop the existing building.
21. Exposure to high winds on the waterfront severely reduces the real availability of ball fields, especially for young children.
22. The existing building also shields the south cove from winds and currents, making it the best place in the park for launching small human-powered boats. A building 500 feet away on the north edge of the pier may not offer this important protection that allows thousands of New Yorkers of all ages to enjoy the experience of being actually on the river.
23. The importance of indoor space for sports, whether public or private, has been emphasized by CB2 over a period of many years without success, and in fact availability of indoor sports was greatly reduced with the loss to the park of Basketball City.
24. Car parking has provided substantial income to the Trust for over 20 years and serves a popular community use. Changing patterns of car use may decrease demand or at least in the short-term increase demand for example if Pier 40 is not inside the congestion pricing fee zone so its continued value to the park as a source of needed revenue is hard to predict.
25. Prior RFPs for Pier 40 have failed largely because they were implemented without sufficient engagement of adjacent communities.
26. The likely alternative to adaptive reuse presented by the Trust would be a taller more traditional office building structure forming a four-block long wall along the north side of the pier and exposing the park uses to high and unpredictable waterfront winds.

Therefore, it is resolved that CB2, Man. opposes amendment to the Hudson River Park Act to allow a commercial office use or a lease exceeding 30 years and,

It is further resolved that CB2, Man. considers the following to be the minimum mitigations needed to lessen the adverse impacts on the park and the community of such an amendment to the Act:

1. A New York City ULURP to be required for any project at Pier 40 that includes commercial offices and/or a lease exceeding 30 years.
2. The City and State to assume responsibility for certain maintenance and operations costs in Hudson River Park that were not anticipated when the Act was adopted and in particular assume full responsibility for costs of reconstruction, repair, and maintenance of the bulkhead and any other infrastructure in the park that serves other than just park related purposes.
3. All public open space on the pier to be designated for “park use” with assurance such space will not be privately controlled or operated.
4. The total allowed zoning floor area of all buildings on the pier to be equal to no more than two times the footprint of the existing building for a total of 848,000 square feet to include a mix of commercial offices and park/commercial uses.
5. Allowed zoning floor area to be reduced to the extent to which such uses do not include at least 50,000 square feet of net floor area for Trust offices and at least 50,000 square feet of net floor area for indoor sports (which may be park/commercial use with low fee time set aside for youth and school use).
6. The designed capacity of commercial offices to be no more than 3000 workers.
7. Any development that includes commercial offices will substantially reuse the existing structure with no portion of any building enlargement exceeding 88 feet height including mechanical equipment and bulkheads but not sports nets.
8. The existing courtyard fields and surrounding loading dock to be retained with the fields raised above grade only as minimally required to protect them from rising water or as needed for structural support of the pier.
9. In addition to the current courtyard fields and the perimeter docks, additional park space to be provided so that the equivalent of 80% of the footprint of the pier will be dedicated to park use 80% of which will be for active recreational uses (thus requiring the addition of approximately 250,000 square feet of park space which may be located at any level and may include indoor space for sports).
10. A community boathouse to be included in any project to be at least as big as the current boathouse in approximately the same location adjacent to the south dock.
11. Either separately or in connection with the boathouse a public dock to be provided for human powered craft including boat storage availability at a low fee.
12. First story uses that do not count as zoning square feet to prioritize Trust operations, sports courts, support space for human powered boating, practice areas, lockers, an indoor skate park, rehearsal space for performing arts, and car parking.
13. Retail space and other park/commercial to prioritize supporting park uses, water-related uses, and uses to support community needs such as space for sports and arts.
14. To the extent commercial use is allowed in the act such use is allowed by language such as “notwithstanding any other provision of this Act to the contrary commercial office use is allowed at Pier 40 but only to the extent found to be necessary to sustain maintenance and operations of the park as determined by the Trust and documented in a written report to the Trust board prior to its approval of any project including such use.”
15. Prior to adoption an agreement is reached with the Trust to assure any RFP encourages high participation and proposals that are responsive to community needs and concerns, for example by

- a. Committing to any of the above that cannot be incorporated into legislation.
- b. Encouraging RFP respondents to include park/commercial uses that offer special benefits to the community such as additional indoor and outdoor sports or arts uses;
- c. Encouraging RFP respondents who propose office use to provide an alternative proposal replacing some of the office use with park/commercial uses, especially uses that provide special benefits to the community.
- d. Including RFP targets for Trust revenues but no lower limit;
- e. Engaging CB2 and the community in the RFP process including review of the draft scope, the draft RFP, and project proposals;
- f. Requiring RFP project review based on overall benefits to the park and community including avoiding disruption to current uses during construction;
- g. Requiring respondents to minimize disruption to current uses and requiring respondents to fully describe such disruptions and impacts on the park as a whole in the project description materials and timeline and describe how disruptions will be minimized;
- h. Encouraging respondents to submit alternative project details and construction methods that will reduce such disruptions;
- i. Requiring any RFP to facilitate access by respondents to information regarding positions of the community boards and other stakeholder groups;
- j. Allowing CB2 representatives to attend site visits and Q&A sessions for RFP applicants and to share with CB2 all written Q&A.
- k. Encouraging RFP applicants to address questions to CB2 at a public meeting sponsored by CB2 and by means of the Q&A process;
- l. Requiring a full EIS and engaging CB2 and the community in the EIS process including public review of the draft scope and draft EIS.

Vote: Passed with 30 Board members in favor, and 6 members in opposition (R. Kessler, S. Smith, R. Sanz, T. Conner, S. Aaron, S. Russo), and one abstention (D. Diether).

LAND USE AND BUSINESS DEVELOPMENT

SoHo NoHo Planning Study - A presentation by the sponsors of the SoHo NoHo Planning Study (Department of City Planning, Manhattan Borough President Gale Brewer, and Council Member Margaret Chin) providing an overview of the of process, Advisory Group deliberations and how any report or recommendations will be created.

Whereas:

1. The same failed sense of history, lack of appreciation for art and architecture, ignorance of the roots of urban vitality, and lack of vision that led to the demolition of Penn Station in the 1960's also threatened SoHo and NoHo, the destruction of which would have precluded the great success of New York City in the post-industrial era.
2. The rescue and adaptive reuse of these two neighborhoods was led by artists, who built a special and internationally-renowned arts community that supercharged the real estate values here and beyond.
3. The long-term and stable regulatory framework for this success was a combination of the creative amendment of the M1-5A and M1-5B zoning texts, including the Special Permit requirements, the Loft Law, and the creation of the Historic Districts.

4. An assessment of the need for any changes cannot be properly conducted while existing regulations (such as limitations on size of retail stores) are not being consistently enforced.
5. Continued success of this established community depends on ensuring that the civic values that created it are always prioritized over individual property interests.

Therefore, CB2, Man. recommends that any process intended to amend any part of the regulatory framework:

1. Must acknowledge the special and essential value of artists as community leaders and must sustain, protect and rebuild the community of artists living and working in SoHo and NoHo, whose contribution represents the heritage and soul of the neighborhoods.
2. Must recognize the great importance of not doing harm to SoHo and NoHo by making changes (such as consideration of legalizing unrestricted residential occupancy) that would further drive up the value of property or fundamentally change the underlying character of SoHo and NoHo, thereby displacing current artists and residents.
3. Must include artists and arts-related businesses as part of any advisory group or deliberative body.
4. Must limit its goals to the resolution of specifically-described issues and concerns.
5. Must be fully transparent if it is to earn the trust of the people who live and work here; and

Further recommends that:

1. The Planning Study sponsors' current timeline for the publication of a report in June be substantially lengthened, with all emphasis on accuracy, not speed.
2. A mission statement should be created to guide this process.
3. Any work products produced by the sponsors should be based on accurate census data and information specifically collected for this planning study, and that data and information should also be made accessible to the public.
4. Detailed minutes of all closed-door meetings must be made public and, going forward, video recordings of all meetings should be made available online.
5. All future public meetings should be held at venues in SoHo and NoHo, and when possible, meeting flyers should be posted in advance throughout SoHo and NoHo.
6. Any report generated from this study should not recommend any specific actions, but should function only as a draft scope for public review and comment, identifying areas of concern and enumerating specific regulations that will be under consideration for change.
7. After comment is considered by the public, Community Board 2, and Advisory Group member organizations, a final scope should be created that will become the basis for further discussion.
8. The final report should lead with a description of the strengths of the neighborhood and the vulnerability of stakeholders to unintended consequences of change, most importantly the dislocation of artists and residents and changes to the character of SoHo and NoHo likely to be caused by such changes. It should enumerate and respond to all public comment during the draft stage.

Vote: Unanimous, with 36 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1. **Northwest corner of 7th Ave. So. & W. 10th St. – Application is to install a newsstand on the sidewalk.**

Whereas, the applicant did not appear at the Landmarks Committee meeting and did not request a layover; now

Therefore be it resolved that CB2, Man. recommends that the Landmarks Commission **not entertain** this application until the applicant has made the required presentation to the Landmarks Committee and the Board has made a recommendation to the Commission.

Vote: Unanimous, with 36 Board members in favor.

2. ***200 Mercer St.** - Application is to remove and replace fencing, canopies, security gates, and finishes in an existing residential entry courtyard and install new security gates, fence, entryway, and patio.

Whereas,

- A. There is no objection to removing the existing fencing, canopies, and security gates; and
- B. The new black iron work is in a modest design and does not detract from the building and new fence and entry gates are aligned with the existing transom and blend well with the building; and
- C. The garden area seen in a limited way through the fence is attractive and adds a pleasant touch to the neighborhood; now

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

Vote: Unanimous, with 36 Board members in favor.

3. ***623 Broadway** - Application is to install a rooftop 1-story and mezzanine addition for commercial use set back more than 20' from the street walls and not visible from either Broadway or Mercer Street.

Whereas,

- A. The addition in metal and glass and new elevator shaft are not visible from any public thoroughfare as illustrated by assorted drawings and photographs with a mockup in place; and
- B. The applicant represented that the windows in the Cable Building that would be blocked by the addition are non-historic and therefore are not protected; and
- C. The south wall of the proposed construction is a few inches from the north wall of the Cable Building and the applicant represented that DOB would require that they be covered, but not filled and that the fire shutters on the Cable Building, though obstructed, can be preserved in situ; and
- D. There was written testimony that windows of the adjacent Cable Building that would be blocked by the proposed addition are historic and therefore protected; now

Therefore be it resolved that CB2, Man. recommends **denial** of the application unless the Commission finds that the Cable Building windows that would be blocked by the proposed addition are non-historic and are therefore not protected.

Vote: Unanimous, with 36 Board members in favor.

4. ***186 Sullivan St. - Application is to legalize exterior painting of the building done without LPC permits, and to paint the entryway and door.**

Whereas,

A. A distinctive feature of the houses in the Sullivan-MacDougal Gardens, both on Sullivan Street and MacDougal Street, reflects the historic practice of “dressing up” brick row houses by painting the houses and, in the Gardens, using a variety of subdued colors; and

B. The existing blue color of the front facade is brighter in tone than neighboring houses and is out of harmony with the row; and

C. The yellow color of the rear facade is not objectionable; and

D. The entry is to be painted white, as is the case with many neighbors and the door is to be painted a dark blue; now

Be it resolved that CB2, Man. recommends:

A. **Denial** of the approval of the existing blue color unless it is softened to a more subdued tone to bring it in harmony with the neighboring buildings in the complex; and

B. **Approval** of the white entryway, the dark blue front door, and the yellow color of the rear facade.

Vote: Unanimous, with 36 Board members in favor.

5. ***Presentation by Village Preservation regarding a request for consideration of interior landmark designation for the White Horse Tavern located at 567 Hudson Street.**

Whereas,

A. Village Preservation has made a request to the Landmarks Commission that the interior of the White Horse Tavern be designated as an interior landmark; and

B. The interior of the White Horse Tavern is a remarkably intact representation of the emblematic Irish bars once prevalent in the district and throughout the city; and

C. The tavern is worthy of preservation as an historic and cultural landmark due to the richly layered past that is embodied within its walls. Its interior reflects the unique narrative of the Village itself, and tells the stories of Irish immigration, political activism, and vibrant mid century literary, artistic, and cultural life that are all elements of the Tavern’s legendary history; now

Therefore be it resolved that CB2, Man. **supports** the Village Preservation’s position calling for the preservation of the White Horse Tavern bar as an interior landmark.

Vote: Unanimous, with 36 Board members in favor.

6. Presentation by Village Preservation regarding a request for Consideration of a resolution in support of expanding landmarks protection beyond the individual buildings that have been identified by the Commission for individual landmark designation in the area south of 14th Street along Broadway and neighboring avenues and side streets.

Whereas,

A. Village Preservation has made a request to the Landmarks Commission for designation of the area south of 14th Street along Broadway and neighboring avenues and side streets as a landmark district.

B. The area is rich in a variety of industrial and residential buildings that in the aggregate make up an important historic and well preserved area; and

C. The designation of a sampling of buildings in the district will permit development around these buildings in a way that will diminish the historic character which is reflected both in the buildings themselves and in their context in the neighborhood; and

D. The designation of a development zone adjacent to the area on 14th Street invites massive redevelopment of the area and there is an extreme urgency for the area to be protected forthwith; now

Therefore be it resolved that CB2, Man. **supports** the Village Preservation's request calling for landmark designation of the area south of 14th Street along Broadway and neighboring avenues and side streets.

Vote: Unanimous, with 36 Board members in favor.

PARKS/ WATERFRONT

1. A Resolution In Support of Revisions to Preliminary Designs for DEP Water Tunnel Sites at East 4th Street and Grand Lafayette

Whereas:

1. In December 2015, CB2, Man. a resolution urging the Department of Environmental Protection (DEP) to stand behind its prior commitments to turn the water tunnel sites in Community Board 2 over to the Department of Parks and Recreation (Parks Department) for promised open space and for the Parks Department to follow a design process that incorporates community input and review to the fullest extent possible;
2. In October 2018, the Parks Department held scoping sessions for two water tunnel sites, the East 4th Street site (31b) and the Grand Lafayette site (30b);
 - a. The East 4th Street site in the NoHo neighborhood is 0.23 acres (9,835 square feet) and was first promised as a park in 2001;
 - b. The Grand Lafayette site in the SoHo neighborhood is 0.29 acres (12,560 square feet) and was first promised as a public park in 2004;
3. In April 2019, the Parks Department presented preliminary design plans for East 4th Street and Grand Lafayette and solicited community feedback;
4. The proposed designs seek to create new passive open spaces, public seating and DEP access to the water tunnel sites;

5. The CB2, Man. open space ratio remains 0.60 acres per 1,000 residents, well below the city standard of 2.5 acres and the city average of 1.5 acres, both before and after the addition of these two much needed and long-promised parks, given the density of population in our community, and neither site can be considered a substitute for Elizabeth Street Garden;
6. Specific considerations regarding the East 4th Street proposed design are as follows:
 - a. The proposed design is 90-95% porous and includes a planted buffer designed to avoid graffiti, porous pavers, synthetic turf, benches, pebble seating, picnic tables, foot-pedaled solar powered trash receptacles, a combined bottle filler and drinking fountain and a five-foot-tall fence in accordance with Parks Department standards;
 - b. The Parks Department is still developing options for including artifacts from Colonnade Row and coordinating with the Merchants House Museum for an ADA accessible opening into the Merchants House Garden;
 - c. Design feedback is to:
 - i. Add significantly more green space, both organic and artificial, at ground level and vertical along walls;
 - ii. Add moveable seating, curved benches, more attractive picnic tables and, if permissible, benches outside the gates;
 - iii. Add more curves to the design, which currently is all right angles;
 - iv. Select a bird-friendly evergreen tree species to screen the rear (north) wall such as Eastern Red Cedar (non-toxic to humans unless consumed in large amounts) or Eastern Arborvitae;
 - v. Add historical details and markers describing the neighborhood and underlying water tunnel; and,
 - vi. Design fence with posts above top rail;
7. Specific considerations regarding the Grand Lafayette proposed design are as follows:
 - a. The proposed design is 80-85% porous, includes an artificial turf center with a mound, a planted western buffer, porous pavers, rows of picnic tables with permanent umbrellas, pebble seating, three outdoor concrete tennis tables, one bocce / petanque court, foot-pedaled solar powered trash receptacles, combined bottle filler and drinking fountain and a five foot tall fence in accordance with Parks Department standards
 - b. The proposed design lacks seating with back support;
 - c. The Public Art Coordinator at the Parks Department is continuing to reach out to local galleries and organizations on options for rotating public art installations;
 - d. Design feedback is to:
 - i. Add significantly more green space, both organic and artificial, at ground level and vertical along walls;
 - ii. Eliminate rows of picnic tables and replace with seating with backs for seniors, moveable seating, curved benches or seating areas and fewer but more attractively designed tables;
 - iii. Add more playful features for children;
 - iv. Add a central shade element;
 - v. Add a fountain or water feature;
 - vi. Eliminate some tennis tables;
 - vii. Select a bird-friendly evergreen tree species to screen the rear (north) wall such as Eastern Red Cedar (non-toxic to humans unless consumed in large amounts) or Eastern Arborvitae;
 - viii. Add historical details and markers describing the neighborhood and underlying water tunnel; and,
 - ix. Design fence with posts above top rail.

Therefore, Be it Resolved that CB2, Man.:

1. Welcomes the Parks Department's preliminary designs for long promised public park space at East 4th Street and Grand Lafayette;
2. Reiterates its 22-year goal for public open spaces to be built and maintained for public use on all three water tunnel sites in CB 2, East 4th Street, Grand Lafayette and 388 Hudson Street;
3. Requests that the Parks Department add more green space, improve seating and incorporate other design feedback into the East 4th Street and Grand Lafayette designs; and,
4. Urges the Parks Department to return to the CB 2 Parks Committee to solicit feedback on revised designs before presenting plans to the Public Design Commission and the Landmarks Commission.

VOTE: Unanimous, with 36 Board Members in favor.

2. A Resolution Requesting Additional Funding to Renovate Mercer Playground

Whereas:

1. In January 2019, CB2, Man. passed a resolution to request that the NYC Department of Parks and Recreation initiate a project to renovate Mercer Playground;
2. Mercer Playground is mapped parkland under the jurisdiction of the Parks Department;
3. The Parks Department is meeting with New York University to discuss how NYU will hire a landscape architect to design and renovate Mercer Playground and maintain it after renovations are complete;
4. As part of NYU's 2012 rezoning, NYU committed \$380,000 for renovations, which for the 0.43-acre Mercer Playground equates to \$20 per sq. ft.;
5. In comparison, the design budget for the park at Grand Lafayette is nearly seven times larger at \$1,696,000 for 0.29 acres or \$135 per sq. ft.;

Therefore, Be it Resolved that CB2, Man.:

1. Urges New York University, our elected officials and the Parks Department to secure additional funding to renovate Mercer Playground, and,
2. Requests that the Parks Department return to the CB2 Parks Committee to present design plans for Mercer Playground as soon as possible.

VOTE: Unanimous, with 36 Board Members in favor.

QUALITY OF LIFE

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

1. BL 98 Kenmare NY, LLC, d/b/a Bluestone Lane, 19 Kenmare St. between Bowery and Elizabeth St. with 8 tables & 16 chairs (1952-2019-ASWC)

Whereas, this establishment, a full-service, Australian-inspired restaurant and cafe, is located in a mixed-use 1900 residential/commercial building and is operated by the same company with cafe locations at 30 Carmine Street and 55 Greenwich Avenue and coffee shop locations at 35 Spring Street and 51 Astor Place; and

Whereas, the CB2 SLA committee recommended approval for an on-premises liquor license in January 2019 for this establishment which included this sidewalk café and at which time the applicant stipulated that the sidewalk café would not operate past 10 PM, seven days a week; and

Whereas, the sidewalk café plan the applicant presented did not comport with sidewalk café regulations in that there was an absence of any service aisle to access most of the tables within the sidewalk café and when this deficiency was recognized and the applicant agreed to amend the sidewalk café application and reduce it from 12 tables and 24 chairs to 8 tables and 16 chairs to accommodate a three-foot service aisle; and

Whereas, the applicant stated that amended plans would be submitted to CB2, Man. and the Department of Consumer Affairs (DCA) reflecting the reduction in the number of tables and chairs; and

Whereas, concerns were raised about the numerous complaints received by CB2, Man. concerning the applicant's operation of sidewalk cafes at the locations at 30 Carmine Street and 55 Greenwich Avenue; and

Whereas, the other two locations, like the one proposed, do not utilize railings or other markers and the café tables and chairs have a tendency to "creep" outside of the bounds of the sidewalk café footprint and often obstruct pedestrian access on the remaining part of the sidewalk and often cause pedestrians to resort to walking into the bike lane or street to get by the café; and

Whereas, the applicant expressed regret that these complaints have been received and stated the operator wants nothing more to be compliant with the regulations and to be a good neighbor and pointed to the removal of an oversized storm enclosure at the Carmine Street location that was being used to house an unpermitted sidewalk café earlier this winter; and

Whereas, the committee was grateful that this operator has been successful in keeping these desirable cafes open in CB2, Man. and hoped that the operator, in its expansion, did not lose the ability to rectify community concerns about the sidewalk cafes in a timely manner; and

Whereas, the applicant's representative stated that he would personally communicate all concerns to each individual location including the concern that any A-frame store signage would be kept within three-feet of the building façade at all times and not adjacent to the sidewalk café, further obstructing the sidewalk; and

Whereas, the applicant confirmed that all food and beverage in the sidewalk café would be served and cleared by waitstaff; and

Whereas, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

Therefore Be It Resolved that CB2, Man. recommends approval of the application for revocable consent to operate an unenclosed sidewalk café for **BL 98 Kenmare NY, LLC, Bluestone Lane, 19 Kenmare St. with 8 tables & 16 chairs (1952-2019-ASWC)**, and

Therefore Be It Further Resolved, that DCA will not consider this sidewalk café unless the applicant has submitted amended plans reflecting the reduction from **12 tables and 24 chairs to 8 tables and 16 chairs**; and provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 36 Board Members in favor.

2. Alfred B Hospitality, LLC, d/b/a Katana Kitten, 531 Hudson St. between Charles and West 10th Sts. with 1 table & 4 chairs (3362-2019-ASWC)



Whereas, this establishment, is a full-service café and bar serving izakaya fare, traditional American food, and specialty cocktails, and is located in a mixed-use 1901 residential/commercial building in a designated historic district and has been in operation since July of 2018; and

Whereas, the interior of the establishment comprises roughly 2,000 sq. ft. (ground floor & basement 1,000 sq. ft. each), and the applicant states a letter of no objection exists which provides for no more than 25 persons in the basement and 30 persons on the ground floor at any time; and

Whereas, in September 2017 the applicant appeared before the CB2 SLA committee and stated that there is a small outdoor area in the front of the establishment that is completely enclosed by a pre-existing railing and recessed from the sidewalk with 4 stools that it believed to be within their property line; and

Whereas, the applicant stated that in September 2017 the CB2 SLA Committee instructed the applicant that a sidewalk café permit must be attained for the outdoor area of the establishment and ultimately the CB2 Executive Committee recommended denial for the on-premises liquor license; and

Whereas, in September 2017, the applicant told the CB2 SLA committee that the outdoor area, if permitted by DCA, would only be used by patrons until 10PM; and

Whereas, the previous operator of this location, Swine, utilized this outdoor space without a sidewalk café permit from DCA and CB2, Man. recommended approval for the on-premises liquor license in February 2012; and

Whereas, the committee was grateful that the applicant was following the advice of the CB2 SLA committee in striving to comply with all applicable City rules and regulations and wished to attain revocable consent to operate this small café from the DCA with the community's recommended approval; and

Whereas, the members of the committee expressed that the area proposed for the sidewalk café would have little to no impact on the adjoining public sidewalk since the area was wholly enclosed and the only access point to and from the café would be through the establishment's interior door; and

Whereas, the applicant was informed that a sidewalk café may not utilize permanent fixtures, such as the railing enclosing this café, as part of the service area of the sidewalk café, at which time the applicant stated that it would not use the railing for service but would instead use one small table in the corner of the café with 4 adjoining seats; and

Whereas, there is no prohibition on a sidewalk café existing on a surface that is recessed from the main sidewalk and this style is utilized by other restaurants in CB2, Man. such as Crispo at 240 West 14th Street; and

Whereas, the applicant stated that the railing enclosing the sidewalk café predated both the current owner and the previous occupant, Swine, and the current operator would continue to maintain the area with planters and would not utilize amplified sound in the café; and

Whereas, the applicant will offer full-service waitstaff who will deliver all food and drink to patrons at their seats; and

Whereas, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **Alfred B Hospitality, LLC, d/b/a Katana Kitten, 531 Hudson St. with 1 table & 4 chairs (3362-2019-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 36 Board Members in favor.

3. C7 Ave South, LLC, d/b/a N/A, 1 7th Avenue South between Carmine and Leroy Sts. with 18 tables & 36 chairs (3268-2019-ASWC)

Whereas, this establishment, to be operated by the owners of Greenwich Street Tavern in TriBeCa, is located in a mixed-use residential/commercial building built in 2006 in this landmarked district of Greenwich Village, and the sidewalk café will be located wholly on 7th Avenue South with no tables or chairs on the Carmine Street side of the restaurant; and

Whereas, in May 2016, CB2, Man. unanimously recommended approval for a sidewalk café at this location for the previous operator, El Gallo de Oro, with the same number of tables and chairs; and

Whereas, the CB2 SLA committee recommended approval for an on-premises liquor license in September 2018 for this establishment which included this sidewalk café and at which time the applicant stipulated the café will close no later than 11 PM Sundays through Thursdays, and midnight on Fridays and Saturdays; and

Whereas, the applicant will offer full-service waitstaff who will deliver all food and drink to patrons at their seats; and

Whereas, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **C7 Ave South, LLC, d/b/a N/A, 1 7th Avenue South between Carmine and Leroy Sts. with 18 tables & 36 chairs (3268-2019-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 36 Board Members in favor.

Street Activities Applications:

4. Sunday, April 28, 2019-Tuesday, April 30, 2019 — TriBeCa Film Festival Chanel Artists Award Dinner —: 1) Spring St. between Broadway and Crosby St. (full street closure) 2) Crosby St. between Spring and Prince Sts. (sidewalk and curb lane closure) 3) Crosby St. between Broome and Spring Sts. (sidewalk and curb lane closure)

Whereas, CB2, Man. unanimously recommended denial for the application for this event in 2018, yet the application was approved by the Street Activities Permit Office (SAPO); and

Whereas, the application is for a complete street closure of Spring Street from Broadway to Lafayette during weekday rush hour, from 5:30 PM until 9 PM, in order to allow unimpeded access to the VIP guests and press at Balthazar; and

Whereas, TriBeCa is not part of CB2, Man. nor is SoHo part of TriBeCa, and therefore the committee was confused as to the geographic appropriateness of this event especially since the closure of Spring Street during rush hour creates such a disturbance to the adjoining businesses, pedestrians, and residents; and

Whereas, CB2, Man. has repeatedly heard concerns from representatives of the SoHo Broadway Initiative and the Broadway Residents Coalition about the excessive backup of motor vehicles turning left (east) from Broadway onto Spring St., and the highly congested traffic conditions in the area; and

Whereas, this area of SoHo is frequently plagued by blocked crosswalks, clogged sidewalks, and stopped traffic and it only follows that this rush hour closure of Spring Street will exacerbate these problems; and

Whereas, it seems incongruous that that this committee expects nonprofit sponsored street activity applications to demonstrate how the activity is a benefit to the community and how the nonprofit intends to use the proceeds from the fair, yet SAPO offers a full street closure permit to a for profit entity for the price of ~\$25,000, yet the community has no practical input, nor knows how the proceeds of that \$25,000 are being used to benefit the community; now

Therefore Be It Resolved that CB2, Man. recommends **denial of TriBeCa Film Festival Chanel Artists Award Dinner —: 1) Spring St. between Broadway and Crosby St. (full street closure) 2) Crosby St. between Spring and Prince Sts. (sidewalk and curb lane closure) 3) Crosby St. between Broome and Spring Sts. (sidewalk and curb lane closure)** from April 29-30, 2019.

Vote: Unanimous, with 36 Board members in favor.

5. Wednesday, May 15, 2019 — New York Red Bulls Team Autograph Signing (Werner Hellman Security): East Houston St. between Broadway and Crosby St. (sidewalk and curb lane closure)

Whereas, this sidewalk and curb lane closure application is to accommodate an autograph signing event within the Adidas store on the corner of Houston and Broadway from 4 PM until 9 PM; and

Whereas, the curb lane closure is to accommodate the NY Red Bulls team bus that would park in front of the Adidas store on Houston Street but would not impede access to the bus and subway stop on that block; and

Whereas, the applicant would also use approximately 150 feet of sidewalk space, if necessary, to queue members of the public for this event, though in the past, this event has not attracted a crowd large enough to require an exterior queue; and

Whereas, the security firm hired by Adidas, Werner Hellman, has also monitored other Adidas events on Spring and Greene Sts. and has been successful in minimizing the impact of those events; and

Whereas, Werner Hellman will employ staff to direct any diverted cars away from the curb and to allow the flow of pedestrian traffic; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of —**New York Red Bulls Team Autograph Signing (Werner Hellman Security): East Houston St. between Broadway and Crosby St. (sidewalk and curb lane closure)** on May 15, 2019.

Vote: Unanimous, with 36 Board members in favor.

6. Thursday, May 16, 2019 -Saturday, May 18, 2019 — Masters of Design (Outpost Trading Company): 1) Washington Street between W. 12th and Jane Sts. 2) W. 12 St. between Washington and Greenwich Sts. (curb lane closure)

Whereas, the applicant is producing a design conference in Industria, a special event space that has been the recipient of many resident complaints over the years; and

Whereas, the applicant was attentive to resident concerns that were raised by the committee and vowed to minimize the use of the curb lane on W. 12th Street and stated that all loading and unloading would be conducted on the Washington Street side of the location; and

Whereas, the committee was told that the event space, Industria, would soon be leaving this location and moving to Brooklyn, which should alleviate many of the ongoing concerns of residents on this block; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of — **Masters of Design (Outpost Trading Company): 1) Washington Street between W. 12th and Jane Sts. 2) W. 12 St. between Washington and Greenwich Sts. (curb lane closure)** from May 16-18, 2019.

Vote: Passed unanimously with 36 Board members in favor.

7. Saturday, June 8, 2019-Sunday, June 9, 2019 — Apple Pay Local Merchants Event (Factory 360): Bleecker St. between Jones and Carmine Sts. (partial sidewalk closure)

Whereas, this application is for a small pushcart with umbrella that will stay stationary in an unobtrusive area of this block; and

Whereas, the applicant intends to help local merchants accept ApplePay payments faster and more securely and to increase consumer awareness about ApplePay; and

Whereas, the pushcart will be offering a small product such as a succulent, tote bag, or water bottle that will be offered to passerby to purchase for a nominal fee using ApplePay; and

Whereas, the pushcart will be directing passerby to local merchants that have the ability to process ApplePay payments, local participating merchants include Grom, See Eyewear, Taco Mahal, Molly's Cupcakes, DAVID's Tea, Native Leather, Murray's Cheese, Cones, among others; and

Whereas, the applicant, held similar events in CB2, Man. last spring, and the pushcarts would be continuously monitored so that they do not impede foot traffic or negatively impact local merchants; now

Therefore Be It Resolved that CB2, Man. recommends approval of **Apple Pay Local Merchants Event (Factory 360): Bleecker St. between Jones and Carmine Sts. (partial sidewalk closure)** from June 8-9, 2019.

Vote: Unanimous, with 36 Board members in favor.

8. Thursday, August 29, 2019 — The New School 23rd Annual Block Party: East 13th St. between University Place and Fifth Ave. (full street closure)

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 third 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; and

Whereas, there will be no amplified sound at this event and New School security and NYPD will be monitoring throughout the duration of this event; and

Whereas, New School security will work in conjunction with the NYPD to close vehicular access along 13th Street and an emergency lane will be reserved for emergency vehicles and staff will redirect users of the bike lane; now

Therefore Be It Resolved that CB2, Man. recommends approval of **The New School 23rd Annual Block Party: East 13th St. between University Place and Fifth Ave. (full street closure)** on August 29, 2019.

Vote: Unanimous, with 36 Board members in favor.

9A. Thursday, September 12, 2019 — Taste on 8th Food Festival (Village Alliance DMA): W. 8th St. between Fifth and Sixth Aves. (full street closure)

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

Therefore Be It Resolved that CB2, Man. recommends **denial** of **Taste on 8th Food Festival (Village Alliance DMA): W. 8th St. between Fifth and Sixth Aves. (full street closure)** on September 12, 2019.

THIS APPLICATION WAS SENT BACK TO COMMITTEE. PLEASE SEE THE SUBSTITUTE RESOLUTION BELOW.

9B. Thursday, September 12, 2019 — Taste on 8th Food Festival (Village Alliance DMA): W. 8th St. between Fifth and Sixth Aves. (full street closure)

Whereas, the applicant did not appear to speak on behalf of this application; but subsequently requested a layover until the May/2019 meeting;

Therefore Be It Resolved that CB2, Man. Quality of Life committee will recall **Taste on 8th Food Festival (Village Alliance DMA): W. 8th St. between Fifth and Sixth Aves. (full street closure)** at a future meeting.

Vote: Unanimous, with 36 Board members in favor.

FYI/Street Activity Renewals:

- 10 5/25/19 – STONEWALL Democratic Club West 4th Street Festival: West 4th St. between 6th Ave. and MacDougal St. [full street closure]
- 11 6/1/19 – Jane St. Block Assoc. Street Sale: Jane St. between Eighth Ave. and Hudson St.
- 12 6/8/19 – Positively 8th Street Weekend Walks (NYCDOT Weekend Walks – Kyle Gorman): West 8th St. between 5th Ave. and 6th Ave.
- 13 6/20/19 – PopUp Hudson Square Fare (Hudson Square District Management Association): King St. between Hudson St. and Greenwich St. [full street closure]
- 14 6/21/19 – Hudson Sq. BID King St. – PopUp (Hudson Square District Management Association Inc.): King St. between Hudson St. and Greenwich St. [full street closure]
- 15 7/6/19 – 17th Annual Arab-American Street Festival (NAAP-NY): Great Jones St. between Broadway and Lafayette St. [full street closure]
- 16 10/2/19 – Slice Out Hunger: Sullivan St. and West Houston St. and Prince St. [full street closure]

Whereas, these items were on the public agenda and none were requested to be heard for further discussion by any community member; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the subject renewals provided that the applications conform with all applicable zoning and street activity laws, rules, regulations, and clearance requirements.

Vote: Unanimous, with 36 Board members in favor.

SCHOOLS AND EDUCATION

1. Resolution In Support of State Legislation to Mandate Early Screening for Dyslexia for All Children

Whereas:

1. Proposed state legislation [S4341](#) and [A5259A](#) requires school districts to conduct mandatory early screening for dyslexia for all children;
2. Dyslexia affects 15-20% of the population, regardless of primary language or background, according to the International Dyslexia Association¹;
3. Dyslexia is a learning disability, characterized by difficulties with specific language skills, particularly reading, but also spelling, writing and pronouncing words and is often unexpected in relation to other cognitive abilities;
4. The achievement gap between typical and dyslexic readers impacts students as early as first grade and persists and often worsens over time;
 - a. Students who are not reading at grade level by the end of third grade are likely to have very poor reading outcomes after, and while academic recovery can still occur at any grade or age, the chances are lowered if grade-level reading has not occurred at this point, according to the NYC Department of Education²;
 - b. In NYC, only 19% and 18% of NYC Students with Disabilities³ (SWD) passed 4th grade state math and ELA exams, respectively, one of the lowest performing demographic groups, dropping to 10% and 12%, respectively, by 7th grade, based on publicly available DOE data for 2018⁴;
 - c. Children with undiagnosed dyslexia are more likely to drop out of school and as adults have higher rates of unemployment, anxiety and depression⁵; and,
 - d. Some studies estimate that nearly 50% of the prison population is dyslexic⁶;
5. Early screening combined with high-quality, evidenced-based interventions are essential for closing this achievement gap;
6. Low cost screening tests include the Shaywitz Dyslexia Screen⁷, developed by Dr. Sally Shaywitz with the Yale Center for Dyslexia & Creativity, the Colorado Learning Disabilities Questionnaire-Reading Subscale School Age Screener⁸ and others⁹; and,
7. Screening in grades K-2⁹ allows for early identification of children who have dyslexia allowing dyslexic children to be identified sooner and receive interventions and accommodations needed to succeed in school.

Therefore, be it resolved that CB2, Man.:

¹ <https://dyslexiaida.org/dyslexia-basics/>.

² “Indicators for Successful Reading Acquisition”, Esther Klein Friedman, Ph.D. Exec. Director, Literacy and AIS Division of Teaching and Learning, NYC Department of Education, 2014, <http://www.cccnewyork.org/wp-content/uploads/2014/05/CCCEarlyRdg.pdf>.

³ Students with Disabilities (SWD) are 20% of the NYC public school population and are defined as those students who have an Individualized Education Plan (IEP).

⁴ ELA and Math results for 4th grade students in NYC, in aggregate and by race, sex, disability, economic status and English language learner status, are available at infohub.nyced.org/reports-and-policies/citywide-information-and-data/test-results.

⁵ “Dyslexia: It’s impact on the individual, parents and society,” Dr. Lamk Al-Lamki, 2012, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3529660/>.

⁶ “Prevalence of dyslexia among Texas prison inmates,” Dr. Kathryn Currier Moody, 2000. <http://www.educationupdate.com/archives/2008/DEC/html/spec--dyslexia.html> and <https://www.ncbi.nlm.nih.gov/pubmed/10876375>.

⁷ <http://dyslexia.yale.edu/resources/educators/instruction/shaywitz-dyslexiascreen/>.

⁸ <https://dyslexiaida.org/screening-for-dyslexia/dyslexia-screener-for-school-age-children/>.

⁹ <https://dyslexiaida.org/universal-screening-k-2-reading/>.

1. Supports the passage of New York State Senate bill [S4341](#) and New York State Assembly bill [A5259A](#) and urges the Governor to sign them into law; and,
2. Urges our elected officials and the Department of Education to support mandatory early screening for dyslexia for all children.

VOTE: Unanimous, with 35 Board Members in favor.

2. Resolution To Implement a Mental Health Curriculum Across NYC Schools and Provide Each NYC School a Full-Time Social Worker

Whereas:

1. Students experience a range of mental health issues including: anxiety, depression, obsessive-compulsive disorder and eating disorders;
2. 8% of New York City high school students have attempted suicide and 13,000 students report feeling depressed;
3. Many students do not have consistent access to mental health support or clear understanding of mental health issues;
4. Students face barriers to getting mental health services including: transportation, expense, guardian intervention, and social stigma;
5. Mental health significantly impacts a student's academic, social and emotional development;
6. School social workers are trained mental health professionals who address mental health concerns, behavioral concerns, and provide positive behavioral support, academic and classroom support in consultation with guardians, teachers and administrators;
7. New York State is the first state to include mental health in its required health curriculum;
8. NYC teachers and administrators have not received basic training on identifying and escalating issues related to student mental health;
9. For many students there is a stigma attached to mental illness making it less likely those suffering will share with adults or peers;
10. The stigma attached to mental health is so pronounced people wait an average of eight years between development of a mental health issue and treatment;
11. The District 2 Middle School Leadership Council (D2 MSLC) focused on the issue of student mental health throughout the 2017-2018 school year and recommended to the Community Education Council D2 (CECD2) that:
 - a. Each school within District 2 and across New York City be provided dedicated funding for a full-time social worker and maintain a 1:100 ratio of social workers to students;
 - b. The DOE implement a mental health curriculum that helps to socialize mental health issues and provides early-detection training to teachers and administrators; and,
12. In CB2, Man., local schools find that students need social and emotional support and they meet these needs with a combination of DOE-funded social workers and school psychologists, some of whom split their time with other school, or PTA-funded mindfulness and other programs; and,
13. Student mental health impacts student learning, the school environment and school safety.

Therefore, be it resolved that CB2, Man.:

1. Urges the Department of Education (DOE) to implement a mental health curriculum that recognizes the impact of mental health stigma and provides training to school-based staff on identifying and referring cases of mental illness;
2. Urges the DOE to provide a dedicated funding stream toward a social worker in each NYC school with a ratio of at least 1 social worker for every 100 students; and,

3. Urges the DOE to engage the D2 Middle School Leadership Council in a further discussion of student mental health and the need for access to adequate mental health literacy and supports.

VOTE: Unanimous, with 35 Board Members in favor.

SLA LICENSING

1. IL Buco Vineria, LLC d/b/a IL Buco Alimentari & Vineria, 53 Great Jones St. 10012 (OP – adding exterior Terrace on 1st Floor)

i. Whereas, the attorney and other representatives of the applicant appeared before Community Board 2, Manhattan’s SLA licensing committee to present an application to alter their existing On Premises license (SN 1253498; exp. 9/30/2019) to add an outdoor 1st Floor Terrace to their existing “fine Italian [cuisine] restaurant and retail shop” located in an M1-5B zoned 2 story 1920 commercial building on Great Jones Street between Lafayette Street and the Bowery (block #530 lot #31) in the Special Little Italy Zoning District; and,

ii. Whereas, the 3-story premises consist of the entirety of a one-story “taxpayer” type building that has both a cellar and a basement (slightly below grade at ground level) and also a partial first-story added to the back half of the building (appears as a second story), and is approximately 5,496 sq. ft., with 2,300 sq. ft. on the basement floor store (almost at ground level), 1,600 sq. ft. in the cellar, and 1,500 sq. ft. on the partial first floor; the proposed rooftop terrace being the outdoor space of the partial first story, and the interior occupancy is 216; the proposed rooftop terrace occupancy is 49, and there is a Certificate of Occupancy; and,

iii. Whereas, the premises currently has 16 tables with 73 seats and 2 bars with 14 and 6 seats respectively, on the basement floor (which is almost at ground level); and, 8 tables with 46 seats and 12 counter seats on the first floor (appears to casual observer as the second floor), for a total interior seating of 151; and there is no patron access to the cellar space; and there is further an existing sidewalk café of approximately 96 sq. ft. with and additional 6 tables and 12 seats; and,

iv. Whereas, applicant’s current hours for the interior are: 9AM—12AM Sunday, 7:30AM—12AM Monday through Thursday, 7:30am—1AM Friday, 9AM—1AM Saturday; and the current hours for the sidewalk café are 12PM—12AM Sunday, 8AM—12AM Monday through Thursday, 8AM—1AM Friday, 9AM—1AM Saturday; and the hours for the sidewalk café are unusually expansive for the area; and applicant; and,

v. Whereas, the applicant seeks extend their existing license to include the 700 sq. ft. roof top facing Great Jones Street and adjacent to the partial first story (appears as second story); turning said space into a patron accessible outdoor, unenclosed terrace with 6 tables and 24 seats; and to make consequent adjustments reducing interior seating over the two floors by 18; and,

vi. Whereas, applicant proposes to use said rooftop terrace in conjunction with the adjacent partial first story for private events, with “short standing receptions prior to seated dinners inside the restaurant;” and applicant indicated that such receptions might typically be as much as an hour, but perhaps longer or shorter depending on the occasion; and could be characterized as standing despite the existence of 24 seats because the occupancy is 49; and, applicant stipulated that there would not be any seated meal service on the terrace; and applicant stating that all such private events will take place between 10AM and 10PM and the terrace be closed whenever no private event is in progress; and,

vii. Whereas, the committee heard live testimony from community members both for and against the application, and received 10 emails in opposition to the alteration and, further, that the Coop Board of 55 Great Jones Street, immediately adjacent to the location strongly expressed opposition, as did the NoHo Bowery Stakeholders; and, applicant presented one letter and 31 signed form letters in support of their application; and the letter and six of the form letters came from residents or business owners on Great Jones Street; and 15 more of the form letters came from residents or business owners in the NoHo area; and said form letters described what the applicant is proposing; and,

viii. Whereas, community support for any licensed establishment at this location was always strongly and primarily contingent upon this applicant's repeated and formal commitment not to use the roof top in question or the backyard area at all; and, a formal stipulation agreement with a coalition of community associations, coop boards, and owner residents was signed and executed in 2010 and served as the central basis for CB2's subsequent finding of community interest in the granting of the license, the premises having previously operated as a lumber yard; and, said agreement specified that applicant seek in writing the support of said "Community Owners" before seeking an alteration to use either outdoor space; and applicant has in their possession a signed copy of the agreement including the names of all individuals and parties to the agreement; and, applicant's attorney indicated that no such written request or formal consultation of any kind with this "Community Owners" coalition was undertaken before seeking this alteration, despite previous stipulated commitments to both that group itself and CB2, Man. that it would make such a good faith effort; and,

ix. Whereas, notwithstanding the applicants' right to seek the alteration at any time, they failed to make a good faith effort to engage the community on this matter as previously and devoutly promised when they originally applied for their on-premise license and for the purpose of establishing their obligation of demonstrating that the public interest would be served by approval of such license, there failure to engage being contrary to the community interest in upholding stipulations and promises made to the community; and,

x. Whereas, stipulations to the CB and the "Community Owners" group also guaranteed that "no patrons will have rooftop access for any purpose or function, except as may be necessary to provide egress," until a modification such as the instant application was granted; and, in the course of the hearing, applicant's representative confirmed community assertions that the applicant has, in fact, been using the roof top precisely for the purposes described in their current application without approval; and, residents indicated that such usage has indeed had quite negative impacts on the ability to enjoy their homes; and,

xi. Whereas, the proposed 27' wide 2nd floor terrace is located between two sheer 7 story buildings; and both adjoining building have significant numbers of windows belonging to residential apartments directly above the applicant's premises and looking down at the proposed terrace space; and sound in such a narrow canyon will reverberate and echo out into both the rear doughnut of yard and garden spaces and across Great Jones to the double lot 7-story residential coop directly opposite the premises; and,

xii. Whereas, the proposed method of operation for the terrace as a space for private event receptions and cocktail parties before or after seated meals aggravates its negative impact on nearby residents both by ensuring that all event goers are on the patio at once and making the day and hours of the impact irregular and unpredictable for those living or working in impacted residences, the amorphous nature of the alteration also not being subject to enforcement or stipulation to prevent future impacts caused by the outdoor use; and,

xiii. Whereas, notwithstanding the existing authorized zoning uses, CB2, Man. does not believe the premises is an appropriate location for an unenclosed outdoor commercial terrace in the manner proposed, in light of the current community context and the unavoidable impacts on residential life; and,

xiv. Whereas, CB2, Man. has the deepest personal regard for the applicant and her contributions to the community;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the on-premises license for **IL Buco Vineria, LLC d/b/a IL Buco Alimentari & Vineria, 53 Great Jones St. 10012**, on its application seeking an on-premise liquor license; and

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

Vote: Unanimous, with 36 Board members in favor.

2. Mister French NYC, LLC d/b/a Mister French, 218 Bowery 10012 (OP – Restaurant)

i. Whereas, the applicant and attorney appeared before Community Board 2, Manhattan’s SLA licensing committee to present an application for an On Premises license to operate a “High-end French Cuisine Restaurant” in a HH zoned 4-story 1927 mixed use building on the Bowery between Prince and Spring Streets (block #4921 lot #25) in the Special Little Italy Zoning District; and,

ii. Whereas, the 2-story premises are approximately 4,400 sq. ft., with 2,200 sq. ft. on the ground floor store level and an additional 2,200 sq. ft. in the basement, with a proposed occupancy of 152, and applicant presented a valid Certificate of Occupancy consistent with the proposed use and stipulated that they will obtain and maintain a Place of Assembly permit for the premises; and,

iii. Whereas, the premises will have 27 tables with 98 seats, and 1 bar with 10 seats, and an additional 8 seats at the “Chef Bar” counter at the kitchen, for total interior patron seating of 106; all patron seating is on the ground floor, there is no food or drink service in the basement; and no sidewalk café was included in this application; and,

iv. Whereas, the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will be advertised and operated as a High-end French Cuisine Restaurant.
2. The hours of operation will be: 9 AM – 12 AM Sunday to Wednesday and 9 AM – 1 AM Thursday to Saturday. 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 French Cuisine Restaurant, 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. Sidewalk café not included in this application.

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 9 PM every night and anytime there is amplified music, live music, or DJ.
10. Will not install or have French doors, operable windows, or open façades.
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. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
17. May have security on weekends.
18. Will maintain a valid Place of Assembly permit at all times.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine license for **Mister French NYC, LLC d/b/a Mister French, 218 Bowery 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 License.

Vote: Unanimous, with 36 Board members in favor.

3. Two Hands NoHo, LLC d/b/a Pending, 74 Bleecker St. 10012 (OP – Restaurant)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA licensing committee to present an application for an On Premises license to operate an “Australian Influenced Community Café” in a M1-5B zoned 9 story 1900 mixed-use building on Bleecker Street between Broadway and Crosby Streets (block #522 lot #7502) in the NoHo neighborhood; and,

ii. Whereas, the 2-story premises are approximately 1,603 sq. ft., with 950 sq. ft. on the ground floor store level and an additional 653 sq. ft. in the basement, with a proposed occupancy of 46, and a Certificate of Occupancy consistent with proposed use; and,

iii. Whereas, the premises will have 20 tables with 40 seats, and 1 coffee bar with pastry displays and take out and 6 seats for total patron seating of 46 and, all seating and patron areas are on the ground floor level, with no patron access to the basement; and,

iv. Whereas, the applicant runs a licensed establishment with a similar concept in CB1 Manhattan, and is known there as a conscientious operator; operates a second location with similar concept in another location in CB2, Man. with no liquor license; and appeared previously before the CB2 SLA2 committee seeking a license for a similar concept in another part of the district (West 8th Street), and a “deny unless” resolution supporting said application was passed by CB2 in October 2018; and,

v. **Whereas**, applicant describes their concept as “an Australian influenced, community focused café that creates nutritious, simple and delicious food paired with excellent coffee,” a concept not consistent with an on premises license; and to the committee’s knowledge, none of the scores of coffee shops and coffee-centered concepts in CB2, Man. has an on premises license; and, further, applicants’ proposed “farm to table” food program is not in any sense unique in either the immediate are or the greater neighborhood; and,

vi. **Whereas**, applicant was vague and indicated that much was undetermined regarding how they hoped to use the license and redevelop their concept in the near future; the hours of operation were unclear; and, options being actively considered include some with significant alteration of their current concept and method of operation, creating an exceptionally high level of uncertainty about the ultimate community impact of a license at this location; and,

vii. **Whereas**, the immediate area has recently seen a number of new licenses applied for a businesses under construction, none of which have opened to the public yet, and whose aggregate impact on the community remain to be seen; but is likely to be transformative of the immediate neighborhood; and

viii. **Whereas**, the location has no history of having a full on-premises license and were chosen by applicant despite their being comparable spaces with active license histories available in the area; and that it is likely that those licenses will become active again in the near future, adding to the sudden glut of serving establishments in the immediate vicinity; and,

ix. **Whereas**, the applicant presented a petition in support; and, the NoHo Bowery Stakeholders appeared in opposition to the application, citing the high number of existing licenses and recently granted licenses and the risk inherent in granting an on premises license to a space that has no history of such a class of license; and,

x. **Whereas**, this application being subject to the 500 foot rule requiring the applicant to demonstrate a public interest, there being 9 on premises liquor licenses already existing within a 500 foot radius of the subject premises and 22 on-premise liquor licensed within 750 feet of the subject premises; and there being no prior on-premise license at this location in the past, the immediately prior businesses being a sandwich shop and before that pizzeria; and the method of operation after 5 PM being incoherent and not defined; and an on-premise license not being consistent with a coffee shop, a beer and wine license being more appropriate; and the additional license in the area not adding to the character of the neighborhood and thus not satisfying the public interest standard; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the on-premises license for **Two Hands NoHo, LLC d/b/a Pending, 74 Bleecker St. 10012**, on its application seeking an on-premise liquor license; and

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

Vote: Unanimous, with 36 Board members in favor.

4. 207 Mulberry, LLC d/b/a Amboy, 207 Mulberry St. 10012 (OP – Restaurant)

i. **Whereas**, the applicants and their attorney appeared before Community Board 2, Manhattan’s SLA licensing committee to present an application for an On Premises license to operate a “Full Service Filipino Cuisine Restaurant” in a C6-2 zoned 5 story 1900 mixed use building on Mulberry Street between Kenmare and Spring Streets (block #481 lot #22) in the Special Little Italy Zoning District; and,

ii. Whereas, the 2-story premises are approximately 1815 sq. ft., with 1015 sq. ft. on the ground floor store level and an additional 800 sq. ft. in the basement, with a proposed occupancy of 73, and the usage appears to be consistent with zoning; and,

iii. Whereas, the premises will have 23 tables with 58 seats, and 1 bar with 3 seats for total patron seating of 61, bar will be used for seated food service only and is being relocated to the basement from its current ground floor location due to the ground floor exposed kitchen being installed; there will be no operable windows; no sidewalk café was included in this application and applicant stipulated that they will not ever seek a sidewalk café in the future; and,

iv. Whereas, the location has previously been licensed for beer & wine, but has not had an OP license; and applicant showed themselves responsible and responsive to the community, making adjustments to their concept and method of operations to ensure that the establishment operates and is seen as a genuine restaurant serving a cuisine not otherwise common in the area, and does not morph into a bar or night club;

v. Whereas, the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will be advertised and operated as a Full-Service Filipino Cuisine Restaurant.
2. The hours of operation will be: 9 AM – 12 AM Sunday to Wednesday and 9 AM – 1 AM Thursday to Saturday. 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 Filipino Cuisine Restaurant, 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 not have sidewalk café now or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will keep all doors & windows closed at all times.
10. Will not install or have French doors, operable windows, or open façades.
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. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. 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.
17. Will not have Karaoke or other open-mike entertainment.

vi. Whereas, this application being subject to the 500 foot rule requiring the applicant to demonstrate a public interest, there being 28 on premises liquor licenses already existing within a 500 foot radius of the subject premises and 55 on premise liquor licensed within 750 feet of the subject premises; and there being no prior on-premise license at this location in the past; the applicant satisfying public interest by agreeing to enclose and not install open facades to the premises, there being no areas of liquor service to any exterior portion of the license premise, and the applicant agreeing to hours of operation entirely consistent with a full service restaurant adding to the character of the neighborhood despite the overwhelming saturation of liquor licenses in the immediate surrounding area;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine license for **207 Mulberry, LLC d/b/a Amboy, 207 Mulberry 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 License.

Vote: Unanimous, with 36 Board members in favor.

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

5. VAP Union Square, LLC d/b/a Vapiano, 113 University Place 10003 (License # 1243534 & #1243535) (OP – Restaurant)

Whereas, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested to **layover** this application to May/2019 and requested to adjourn and submit 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, alteration, transfer or other changes to the existing license **for VAP Union Square, LLC d/b/a Vapiano, 113 University Place 10003** (License # 1243534 & #1243535) **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

6. 151 Bleecker, LLC d/b/a Red Lion, 151 Bleecker St. 10012 (OP – Bar/Tavern with live music and sidewalk café)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 2nd, 2019, the Applicant requested to **withdraw** this application for an On Premises 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 **151 Bleecker, LLC d/b/a Red Lion, 151 Bleecker St. 10012** **until** the Applicant has

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

Vote: Unanimous, with 36 Board members in favor.

7. French Roast Inc. d/b/a La Contenta Oeste, 78 W. 11th St. 10011 (OP – Restaurant; adding sidewalk café)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, alteration, transfer or other changes to the existing license for **French Roast Inc. d/b/a La Contenta Oeste, 78 W. 11th St. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

8. Black Rose Hospitality, LLC d/b/a TBD, 74 5th Ave. 10011 (RW – Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on April 2nd, 2019, the Applicant requested to **withdraw** this application for an On Premises 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 **Black Rose Hospitality, LLC d/b/a TBD, 74 5th Ave. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

9. Bowery Tea House Inc., d/b/a Prince Tea House, 134 Bowery 10013 (RW – Restaurant)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, alteration, transfer or other changes to the existing license for **Bowery Tea House Inc., d/b/a Prince Tea House, 134 Bowery 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

10. Entity to be formed by Ethan Dupree, d/b/a Pending, 110 Thompson St. South 10012 (RW – Bar)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, alteration, transfer or other changes to the existing license for **Entity to be formed by Ethan Dupree, d/b/a Pending, 110 Thompson St. South 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

11. Entity to be formed by William Bishop, d/b/a N/A, 333 Sixth Ave. 10014 (RW – Restaurant)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, alteration, transfer or other changes to the existing license for **Entity to be formed by William Bishop, d/b/a N/A, 333 Sixth Ave. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

12. 113 Mulberry Restaurant, LLC d/b/a N/A, 113 Mulberry St. 10013 (OP – Restaurant with garden/grounds)

Whereas, in the course of the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, alteration, transfer or other changes to the existing license for **113 Mulberry Restaurant, LLC d/b/a N/A, 113 Mulberry St. 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

13. Areppas 3, LLC d/b/a Areppas, 25 Cleveland Pl. 10012 (OP – Restaurant with exterior patio/deck included)

Whereas, in the course of the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, alteration, transfer or other changes to the existing license for **Areppas 3, LLC d/b/a Areppas, 25 Cleveland Pl. 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

14. Siren Retail Corporation, d/b/a Starbucks Reserve, 10 Waverly Place 10003 (OP – Bar/Tavern)

Whereas, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, alteration, transfer or other changes to the existing license for **Siren Retail Corporation, d/b/a Starbucks Reserve, 10 Waverly Place 10003** **until** the Applicant has

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

Vote: Unanimous, with 36 Board members in favor.

15. Siren Retail Corporation, d/b/a Starbucks Reserve, 155 W. 11th St. 10011 (OP – Bar/Tavern)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, alteration, transfer or other changes to the existing license for **Siren Retail Corporation, d/b/a Starbucks Reserve, 155 W. 11th St. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 32 Board members in favor.

16. Entity to be formed by Joseph Leonard, d/b/a Pending, 20 Prince St. 10012 (OP – Restaurant with DJs and security personnel)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on April 2nd, 2019, the Applicant requested to **withdraw** this application for an On Premises 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 Joseph Leonard, d/b/a Pending, 20 Prince St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

17. Fierce Little, LLC d/b/a N/A, 827 Broadway 10003 (OP – Theatre)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on April 2nd, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, Manhattan strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to the existing license for **Fierce Little, LLC d/b/a N/A, 827 Broadway 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

18. 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 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 interior 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 36 Board members in favor.

19. Moonblu, Inc. d/b/a Seabird, 361 6th Ave. 10014 (RW – Corp. Change and alteration to change method of operation to add occasional live music)

i. Whereas. the Applicant and their Attorney appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for 1) an alteration of its existing Restaurant Wine license to alter its existing method of operation as a full-service Restaurant to add live music within the interior premises and 2) to present a corporate change removing principals; and,

ii. Whereas, other than the above-referenced requested changes, the storefront premises will continue to operate as a full-service restaurant specializing in seafood, sandwiches and hamburgers within a corner storefront (approximately 1350 sq. ft. with 14 tables and 28 seats on the interior, 1 stand up bar with no seats and 1 food counter with 3 seats, for a total of 31 seats on the interior, the storefront being located within a mixed use 4 story brick townhouse building on Sixth Avenue at the corner of Washington Place, the building (circa 1910) falling within NYC LPC’s designated Greenwich Village Historic District; and,

iii. Whereas, the licensed premise has operated with this owner-operator (Elizabeth Green) since 2013, the corporate change resulting from the purchase of shares of the existing corporation, Ms. Green purchasing all shares of the corporation from her former business partners to become the sole shareholder

and owner of the business, the hours of operation for the interior premises will continue to be Sunday to Thursday from 11AM to 11PM, Fridays and Saturdays from 11AM to 12AM, there are existing operable doors along the front facade, along with a sidewalk cafe but no other outdoor areas for the service of alcohol; there is also an existing certificate of occupancy; and,

iv. Whereas, the applicant now seeks to alter the license to add occasional live music performance to the interior premises, the live music will be limited to acoustical jazz/classical/folk without amplification, all music will be performed within the interior of the premises and all doors and windows will be closed at all times during all live music performance, the hours for such music will be between 7PM and 10PM during the evenings or between 1PM and 3PM on the weekends, there will be no DJs, no promoted events, no private parties, no cover fees, no velvet ropes, no moveable barriers or TVs, and music (other than during live performance will be background only consisting of ipod/cds and only passively arranged music; and,

v. Whereas, a neighbor appeared to voice her concerns about loud, live jazz band music emanating from the storefront premises in the recent past with the doors of the premises wide open, the music being unreasonably loud and heard from a block away from the storefront premises; and,

vi. Whereas, the Applicant conceded that she has had live jazz performance at the premises, with small bands to compliment the dining atmosphere, such music performance being in degradation of the previously agreed upon method of operation to play only ambient background music within the interior of the premises; and,

vii. Whereas, despite executing a stipulation agreement in the past with CB2, Man. wherein the Applicant specifically agreed to a method of operation limiting music to background levels only within the premises, she thought live music performance was permitted in light of the recent change in the cabaret law, the Applicant also fully acknowledging her mistake with her attorney present, and further agreed and promised to not deviate from her existing method of operation in the future; and,

viii. Whereas, the Applicant also provided correspondence in support of her application from the Grove Street Block Association and petition in support; and

ix. Whereas, the Applicant executed a new stipulations agreement with CB2, Man., stipulations which she agreed would continue to be attached and incorporated into the method of operation on the existing Restaurant Wine license in the future, and those stipulations are as follows:

1. The premises will be advertised and operated as a full-service restaurant specializing in seafood, burgers and sandwiches.
2. The hours of operation will be from Sunday to Thursday from 11AM to 11PM, Fridays and Saturdays from 11AM to 12PM.
3. The premises will operate with two televisions but will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not permit dancing.
5. The premises will play quiet ambient, recorded background music only, except when occasional live acoustical music or Karaoke is played within the interior premises.
6. Live music will be acoustical only, without amplification between the hours 7PM and 10PM or between the hours of 1PM and 3PM on the weekends and all doors and windows will be closed during all live music performance.
7. When live music is not being performing, music will be background only and doors/windows will be closed by 10 PM during the week and by 11 PM on Fridays and Saturdays.

8. The premises will not have DJ's, live music except for occasional acoustical performances), promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
10. There will be no bottle service or the sale of bottles of alcohol except for the sale of beer products.
11. The licensed sidewalk café will close by 11 PM during the week and by 12 AM on Fridays and Saturdays.
12. Will not have or use velvet ropes or metal barricades, security personnel or a doorman on the sidewalk.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the corporate change and alteration application seeking to change the existing method of operation for an existing Restaurant Wine license to **Moonblu, Inc. d/b/a Seabird, 361 6th Ave. 10014** **unless** the statements of the Applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Restaurant Wine License.

Vote: Unanimous, with 36 Board members in favor.

20. JJW Lavaux, LLC d/b/a The Lavaux, 630 Hudson St. 10014 (New Tavern Wine – Wine Bar)

i. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a new Tavern Wine license to operate a Swiss Wine and Fondue Bar on the ground floor of mixed use, four story building (circa 1905) on Hudson Street between Jane and Horatio Streets in Greenwich Village, the building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the storefront premise is approximately 2,180 sq. ft. premises (1,187 sq. ft. ground floor and 993 sq. ft. storage cellar) and was operated for years as a pet store (Beasty Feast) closing by 7 PM, the storefront having never previously been licensed for the service of alcohol or for eating and drinking, the applicant planning to gut renovate the premises and obtain a letter of no objection from the NYC Dept. of Building to permit use and occupancy for eating and drinking; and,

iii. Whereas, the Applicant agreed—to obtain license approval—that they will not install operable facades in the future at the front or rear facades of the storefront premise and further agreed that all doors and windows will be remain closed at all times in the future, there being no sidewalk café being requested at this time and there being no other exterior areas for the service of alcohol; and,

iv. Whereas, after renovations are performed, the storefront premises will operate as a "Wine and cheese bar with a menu focused on Swiss products, such as wine, cheese, and dry meats", there will be convection kitchen area but there will be no full-service kitchen, with one 1 bar with 6 seats, 12 tables with 36 seats, two bathrooms for patrons, one patron entrance/exit on Hudson Street, no TVs, all doors and existing windows will remain closed and/or fixed at all times, and there will be no French doors/windows installed, no backyard garden or other exterior areas for the service of alcohol; and,

v. Whereas, the Applicant meet with the Jane Street Block Association and the Block Association, as well as neighbors living directly across the street, appeared with significant concerns in that 1) this location had never been licensed previously, 2) there being a proliferation of licensed establishments in

the immediate block over the last decade and when this license is added there will be four storefronts in a row that would now have liquor licenses and 3) the application sought hours of operation that were unreasonably late when compared to the other eating/drinking establishments in the immediate area; and,

vi. Whereas, in light of the concerns expressed by the local Block Association, immediate neighbors and CB2, Man. the applicant agreed to hours of operation which will be Sunday from 10 AM to 10 PM, Monday through Thursday, 12 noon to 11 PM, Friday from 12 noon to 12 midnight and on Saturdays from 10 AM to 12 midnight, all facades will be fixed and there will be no operable doors or windows, no DJs, no promoted events or live music; and,

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

1. The premises will be advertised and operated as a Swiss Wine and Fondue Bar.
2. The hours of operation will be Sunday from 10 AM to 10 PM, Monday through Wednesday from 12 noon to 11 PM, Thursday, 12 noon to 11 PM, Friday, 12 noon to 12 midnight and Saturday from 10 AM to 12 midnight.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. There will be no TVs.
5. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, not including a licensed sidewalk cafe.
6. Sidewalk café is not included in this application.
7. The premises will play quiet, ambient, recorded background music only.
8. Will not install French doors, operable windows, or open façades.
9. All windows and doors will be closed at all times.
10. Will not make changes to the existing façade except to change signage or awning.
11. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
13. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
14. The premises will not permit dancing.
15. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Tavern Wine application to **JJW Lavaux, LLC d/b/a The Lavaux, 630 Hudson St. 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Tavern Wine License.

Vote: Unanimous, with 36 Board members in favor.

21. LLC to be formed by Callum McLaughlin d/b/a t/b/a, 161 West 4th Street 10014 (New OP – Cocktail Lounge)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new On Premise license to operate a cocktail lounge on the parlor floor and basement spaces in a four story townhouse building (circa 1910) on West 4th Street between Cornelia and Jones Streets, the building fallings within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront parlor and cellar premises was previously operated for years as a retail store and boutique Tic Tac Toe, it being approximately 2,300 sq. ft. in size, with 1,000 sq. ft. on the parlor floor and an additional 1,300 sq. ft. in the basement, the licensed premise sharing an entrance with the residential portion of the building on the parlor floor, there being a second set of stairs and second exit from the basement space to the sidewalk; and,

iii. Whereas, the Applicant is planning to renovate the space with one 19 ft. bar/counter on the parlor floor which they state will be for food and non-alcoholic service only during the day and a second 21 ft. stand up bar in the basement, with 21 additional tables with 46 patron seats; and

iv. Whereas, the proposed hours of operation are from 8 AM to 2 AM Sunday through Wednesday and from 8 AM to 3 AM Thursday through Saturday, the Applicant is further planning to open as a Café serving light dishes with a focus on Coffee and other wellness drinks during the day and speakeasy bar at night, there are no televisions, music will be background only, no patron dancing, no sidewalk cafe or any other exterior area for the service of alcohol, a certificate of occupancy being presented for the basement space but not for the parlor floor; and,

v. Whereas, the Applicant met with the Central Village Block Association but was not able to reach compromise on the speakeasy method of operation or with the corresponding late night hours, objections being raised regarding the significant concentration of existing late night bars saturating the immediate area, with six late night bars on West 4th Street in the immediate area and mixed use block (The Spaniard, Oppa Bar, Down the Hatch, Karaoke City, Four Laced Liar, Slaughtered Lamb) there being no public interest in adding yet another late night bar on this particular block, or the surrounding area, the immediate area already greatly saturated with late night bars and lounges, there being 22 on premise liquor licenses within 500 feet of the premises, 63 on premise licenses within 750 feet of the premises not including the numerous eating and drinking establishments in the immediate area holding beer and wine licenses; and,

vi. Whereas, still additional issues were raised, including the entrance to the license premise being a shared entrance with the residential portion of the building, pedestrian traffic and noise from smokers and revelers exiting/entering on the narrow sidewalk in front, there is an existing shared wall with the adjacent residential building, the two connected buildings being antiquated, over 100 years old with a representative of the adjoining building appearing in opposition with concerns of sound which can travel through the shared wall to the adjoining residences, there also be additional concerns raised regarding the storage and disposal of trash, the use of security, the impact of noise emanating from the proposed method of operation late at night when people are sleeping, the lack of architectural drawings demonstrating the full occupancy for the entire two floor space and lack of any plans to mitigate noise or traffic impacts; and,

vii. Whereas, this location is previously unlicensed and this application being subject to the 500 foot rule, the public interest not being served by adding another late night drinking location in a mixed use neighborhood already greatly saturated with late night drinking locations, there being nothing unique about this particular proposal distinguishing itself in an exceptional manner;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **LLC to be formed by Callum McLaughlin d/b/a t/b/a, 161 West 4th Street 10014** on its application seeking a new OP license.

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

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

Vote: Unanimous, with 36 Board members in favor.

22. CKBA LLC d/b/a John’s Lane, 64 Downing Street 10014 (New Restaurant - OP)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new restaurant on premise liquor license for a “family friend restaurant focused on fresh farm to table ingredients” “open for lunch and dinner during the week and brunch service on weekends”; and,

ii. Whereas, this application is for a new Restaurant On-Premise Liquor License in a previously licensed location; the premises is in a mixed use district located on the ground floor with accessory use in the basement on Downing Street between Bedford and Varick Streets for a roughly 2,000 sq. ft. premise of which 1,200 sq. ft. is on the first floor and 800 sq. ft. is in the basement with 6 tables and 30 seats, 1 standup bar with 15 seats and 2 additional window ledge seats for a total of 47 seats; two TVs, two patron bathrooms, the maximum legal capacity is less than 74 persons; there is no sidewalk café; there are no other outdoor seating areas or backyard garden; and,

iii. Whereas, the hours of operation will be Sunday to Tuesday from 10AM to 12AM, Wednesday through Saturday from 10AM to 1AM, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will be no DJ, no promoted events, no scheduled performances or cover fees, no security, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant reached out to the Bedford/Downing Street Block Association, certain objections being raised by the local Block Association, concerned with the proposed late night hours of operation for a restaurant, the proposed hours being inconsistent with other restaurants operating in the immediate area, the Applicant later agreeing and compromising their late night hours of operation with CB2, Man. to support their obligation to satisfy the public interest standard; and,

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

1. The premises will be advertised and operated as a full-service “family friendly farm to table restaurant”; and,
2. The hours of operation will be Sunday to Tuesday from 10AM to 12AM, Wednesday through Saturday from 10AM to 1AM.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no more than 2 televisions and there will be no sound. There will be no projection TV’s.
5. The premises will not permit dancing.
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 any time.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will close all doors and windows at all times.
10. Will not install or have French doors, operable windows or open facades.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.

vi. Whereas, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 19 On Premise Liquor Licenses within 500 ft of the premises, 34 On Premise Liquor Licenses within 750 ft of the premises and an unknown number of beer and wine licenses, the stipulations agreed upon with Community Board 2 being agreed upon and premised to satisfy that statutory obligation; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License for **CKBA LLC d/b/a John’s Lane, 64 Downing Street 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: Passed, with 35 Board members in favor, and 1 recusal (E. Coler).

23. 753 Washington Trattoria, Inc. d/b/a Malaparte, 753 Washington St. 10014 (New OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for a new on premise liquor license to operate a full service restaurant within a ground floor storefront in a three story, townhouse building (circa 1905) on Washington Street at the southeast corner with Bethune Street, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the interior ground floor storefront premise is approximately 1,000 sq. ft., with 1 stand-up bar with 7 seats, 18 tables with 51 additional seats for an interior patron seating capacity of 58, there being operable floor to ceiling French doors running along the entire footprint of the Washington Street

side that open out to the sidewalk, there also being an extensive exterior seating on both the Washington and Bethune Street sides, constituting multiple sidewalk cafes of 6 tables with 18 seats on the Bethune side and 4 additional tables with 8 seats on the Washington Street side for total exterior patron seating of 26; and,

iii. Whereas, there has never been an on premise liquor license at these premises subject to the public interest standard, the prior restaurant “Baby Buddha” operating with a restaurant wine license with the service of alcohol being exclusively interior without any exterior service, the Applicant subsequently renovating and opening the façade and further installing all of the exterior seating after opening; and,

iv. Whereas, neighbors living across the street and immediately next door appeared in opposition to this application, the focus of their opposition being the exterior seating on the Washington Street side, the exterior seating on Washington Street being just a few feet from the adjoining residence, both in opposition stating that the noise from patrons coming from within the restaurant (due to the open facades) and noise from patrons on the sidewalk café was disturbing, unreasonable and prevented them from sleeping at night, the exterior cafés and open facades being open and operating as late as 12 AM during the week and on the weekends, the surrounding area being entirely residential; and,

v. Whereas, additional concerns were voiced in opposition regarding a common wall with an adjoining neighbor, the two connected buildings being antiquated, over 100 years old, all insulation and soundproofing having been removed by the Applicant when past renovations occurred exposing the common brick wall between the two buildings, causing sound to enter the adjacent residence, there also being an operable window from the rear kitchen of the licensed premises; and,

vi. Whereas, the Applicant acknowledged operating with the open facades and sidewalk café until 12 AM or later depending on when his patrons were finished eating and drinking, the Applicant not being willing to close the exterior facades or sidewalk café earlier in compromise, the Applicant indicating that he would rather remain operating with a restaurant wine license without such restrictions despite hearing the concerns of his neighbors, the on premise license being applied for the purpose of adding “ a few cocktails to our menu”; and,

vii. Whereas, still additional concerns were voiced about access to the exterior sidewalk café on Washington Street, as well as noise emanating from the interior portion of the restaurant when the doors were left open at night, there being 5 interior tables with 10 seats located immediately adjacent to the operable French doors, essential adding and expanding the exterior seating and blocking access to the sidewalk café as required, the Applicant indicating that a waiter would have to slip between the interior tables to serve patrons at the sidewalk because the sidewalk seating on Washington St. is only permitted to be served to wait staff through the operable façade as a result of a narrow sidewalk which does not allow appropriate space for a service aisle; and,

viii. Whereas, the Applicant presented a petition, the petition nevertheless indicating closing hours for the restaurant of 11 PM every night, those hours being inconsistent with the application seeking a last seating by 11 PM with closing hours after 12 AM, with no one appearing in support of the application; and,

xi. Whereas, this application being subject to the 500 foot rule, with there being 7 on premise liquor licenses within 500 feet of the premises and 19 on premise liquor licenses within 750 feet of the premises, the public interest not being served due to the late night exterior dining and open facades on Washington Street being disturbing and unreasonable with the licensed premise being surrounded and immediately adjacent to its residential neighbors, it being entirely unreasonable and inappropriate that the Applicant

would not compromise on those exterior hours by closing the front façade by 9 PM and sidewalk café on Washington Street by 10 PM, the Applicant still having a significant exterior seating on Bethune Street that could be accessed separately; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **753 Washington Trattoria, Inc. d/b/a Malaparte, 753 Washington St. 10014** on its application seeking a new OP license; and,

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

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the NYSLA, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing and that any approval of said license be subject to the following stipulations included in the license’s Method of Operation:

1. The premises will be advertised and operated as a full service restaurant.
2. The interior hours of operation will be 5:30 p.m. to 12:00 a.m. Monday through Friday and 12 p.m. to 12:00 a.m. on Saturdays and Sundays.
3. Will operate with the full menu available until closing every night.
4. Will not have televisions.
5. Will not operate a backyard garden or any outdoor area for commercial purposes other than a sidewalk cafe.
6. Music will be quiet, ambient recorded background music only.
7. All doors & windows will be closed by 9 PM every night except for patrons entering and exiting.
8. The sidewalk café on the Washington Street side will close by 10 PM every night.
9. The sidewalk café on the Bethune Street side will close by 11 PM every night.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches” or offer 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 and beer products.
12. Will appear before CB2, Manhattan prior to submitting any changes to stipulation herein.
13. Will not have dancing, DJs, live music or scheduled performances, promoted events, any event where cover fee is charged, velvet ropes or metal barricades, security personnel, or a doorman.

Vote: Unanimous, with 36 Board members in favor.

24. East Village Hospitality Group LLC, d/b/a Double Chicken Please, 615 ½ Hudson Street 10014 (New OP – Cocktail Bar)

i. Whereas. the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 (SLA 2) to present an application to the NYS Liquor Authority for a new on-premises liquor license to operate what was described as “a casual restaurant” “pairing unusual and quirky cocktails with an Asian inspired theme” in a four-story townhouse building constructed (circa 1900) on Hudson St. between Jane and W. 12th Sts. (Block #625/Lot #12), this building being located within NYC LPC’s Greenwich Village Historic District; and

ii. **Whereas**, the business, which will be a new branch of the Applicant’s international chain of conceptual “road trip” themed cocktail bars which pair cocktails with a limited menu of Asian-inspired food offerings, will occupy the ground and basement floors, with a licensed street-level square footage of approximately 550 sq. ft. and basement square footage of approximately 300 sq. ft., out of a total licensed area of 1,350 sq. ft.; there will be a total of 10 tables with 22 seats, with an additional 11 seats at the counter in front of the food prep area, for a total of 33 seats in the premises.

iii. **Whereas**, the storefront premise was previously operated as a Restaurant known as Bespoke Kitchen with a full-service kitchen, but since closing the existing storefront premise and building was renovated, the storefront premise having now been reduced in size, the kitchen within the premises having been removed, the rear portion of interior storefront having been converted to residential use and occupancy; and,

iv. **Whereas**, the instant application—unlike the prior restaurant—is to operate without a full-service kitchen, the food services and food being preparations occurring at another location and being delivered to the premises; and,

v. **Whereas**, there was significant community opposition to the Applicant’s requested closing time of 2:00 AM, seven days a week, which was identified as being far later than the 10:00 PM weekday, 11:00 PM weekend closing hours of nearby neighborhood establishments, including the prior business Bespoke Kitchen; and,

vi. **Whereas**, the chairperson of the Jane Street Block Association (JSBA), who, along with other local residents, spoke against the application, stated that members of the JSBA met with the Applicant to request earlier closing times similar to those of existing local liquor-serving businesses and noted that the planned establishment would have a very limited food menu and no actual kitchen space, and

vii. **Whereas**, this application being subject to the 500 foot rule requiring the applicant to demonstrate that the public interest would be served, there being 17 On Premise Liquor Licenses within 500 ft. of the premises, 42 On Premise Liquor Licenses within 750 ft. of the premises and an unknown number of beer and wine licenses; and,

viii. **Whereas**, to satisfy the statutory obligation and public interest requirement, and in response to community concerns CB, 2 Man. recommended earlier closing hours, suggesting a closing time 12:00 AM seven days a week, which suggestion was rejected by the Applicant;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **East Village Hospitality Group LLC, d/b/a Double Chicken Please, 615 ½ Hudson Street 10014** on its application seeking a new OP license; and,

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

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the NYSLA, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing and that any approval of said license be subject to the following stipulations included in the license’s Method of Operation:

1. The premises will be advertised and operated as a casual restaurant serving cocktails paired with an Asian-inspired menu.
2. The hours of operation will be 5:00 p.m. to 12:00 a.m. seven (7) days a week.
3. Will operate with the full menu available until closing every night.
4. Will not have televisions.
5. Will not operate a backyard garden or any outdoor area for commercial purposes.
6. Music will be quiet, ambient recorded background music only.
7. Will keep all doors & windows closed at all times except for patron entering and exiting.
8. Will not make changes to the existing facade, except to change signage or awning.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches” or offer 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 and beer products.
12. Will appear before CB2, Manhattan prior to submitting any changes to stipulation herein.
13. Will not have dancing, DJs, live music or scheduled performances, promoted events, any event where cover fee is charged, velvet ropes or metal barricades, security personnel, or a doorman.

Vote: Unanimous, with 36 Board members in favor.

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

25. Fortuna Realty Hotel SoHo, LLC & 523 Greenwich Restaurant LLC d/b/a Hotel Hugo, 523 Greenwich St. 10013 (OP – Hotel) (OP – Hotel/adding 19th floor rooftop bar/dining area to license) (withdrawn)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on April 4th, 2019 the Applicant with assigned Counsel present requested **to withdraw** this application from further consideration and indicated that it will return to CB2 Manhattan at a future time to present a coherent plan to acknowledge and admit to the NYSLA its digressions of operating an exterior rooftop bar with entertainment levels of music over the last three years without permission or prior approval from the NYSLA, in derogation of its prior agreements and statements on inception of the license approval in 2013 subject to the 500 foot rule that the licensed premise would not include any exterior areas for the service of alcohol, with no alteration application having occurred since inception for this purpose;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Fortuna Realty Hotel SoHo, LLC & 523 Greenwich Restaurant LLC d/b/a Hotel Hugo, 523 Greenwich St. 10013 10011 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

26. KLT Venture LLV d/b/a Harwood Hudson, 430 Hudson Street 10014 (OP – Corporate Change/add service to sidewalk cafe)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on April 4, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **KLT Venture LLV d/b/a Harwood Hudson, 430 Hudson Street 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

27. Corp. to be formed by Tsion Bensusan, 396 Ave. of the Americas 10011 (OP – Live Music, DJs and Rooftop Venue)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee Meeting on April 4th, 2019 the Applicant requested **to withdraw** this application for a new on premise liquor license and indicated that it would represent this application at a later time in May/2019;

THEREFORE BE IT RESOLVED that CB2, Man, strongly recommends that the SLA **deny** any type of proposed liquor license, corporate change, alteration, transfer or other application for **Corp. to be formed by Tsion Bensusan, 396 Ave. of the Americas 10011** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

28. Jajaja West Village, LLC d/b/a Jajaja, 63 Carmine Street 10014 (OP – Alteration to add basement to licensed premise)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on April 4, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Jajaja West Village, LLC d/b/a Jajaja, 63 Carmine Street 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

29. Claypot 270, Inc. d/b/a t/b/a, 270 Bleecker Street 10014 (New RW)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 4, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Claypot 270, Inc. d/b/a t/b/a, 270 Bleecker Street 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

30. Sarpar, LLC d/b/a N/A, 64 Downing Street 10014 (New OP – withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 4th, 2019 the Applicant requested **to withdraw** this application for a new on premise liquor license from further consideration with the NYSLA and failed to appear;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed liquor license, corporate change, alteration, transfer or other application for **Sarpar, LLC d/b/a N/A, 64 Downing Street 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

31. Red Cat Bar, LLC d/b/a Red Cat Bar, 286 Spring Street 10014 (New OP)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 4, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Red Cat Bar, LLC d/b/a Red Cat Bar, 286 Spring Street 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

32. Houston Hospitality Group, LLC d/b/a Biamo, 178 West Houston Street 10014 (New OP)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on April 4, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Houston Hospitality Group, LLC d/b/a Biamo, 178 West Houston Street 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

33. Aunt Connie, LLC d/b/a t/b/a, 50 Commerce Street 10014 (New OP)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on April 4, 2019 the Applicant requested **to layover** this application to May/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Aunt Connie, LLC d/b/a t/b/a, 50 Commerce Street 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

SOCIAL SERVICES

A resolution calling for improvements to the city’s process for approving contracts with social service providers

Whereas:

- 1) The Office of the New York City Comptroller has conducted two annual analyses of the City’s procurement process, the latest report entitled “Still Running Late: An Analysis of NYC Agency Contracts in Fiscal 2018,” published in January of 2019; and
- 2) The Comptroller’s office is required to review and register every City procurement contract before payment can be made to a service provider. The Comptroller’s office has 30 days to register (or to return) a contract. However, it can take months or even years of delay and review by up to five other city agencies—none of which has a required timeline for review—before the Comptroller’s office receives it for registration; and

- 3) When registration is made only after the contract period has already begun, a contract is deemed “retroactive”; and
- 4) The Comptroller’s report concluded that 89% of human service contracts were “retroactive”: that they arrived at the Comptroller’s Office long after the actual contract start date, meaning that these non-profit organizations were already fulfilling their contract and providing services before being paid to do so; and
- 5) The report determined that the average length of retroactivity for human service contracts in 2018 was 224.7 days; and
- 6) Delaying payment by months puts tremendous strain on the finances of social service organizations, especially small-volume providers working on slim margins; it creates inefficiencies by frequently requiring organizations to acquire a line of credit to cover cash deficits, adding to the cost of their debt service; it forces providers to decide between delaying the start of service and beginning service without payment; and it threatens the fiscal sustainability of organizations providing needed services; and
- 7) The Comptroller’s report proposes two specific policies to ameliorate contract delays:
 - a. “Assign each City agency with a role in contract oversight a specific timeframe for their contract review work. By holding agencies to specific contract timeframes, the contracting process can be expedited and standardized”; and
 - b. “Create a public facing tracking system to allow vendors to monitor the progress of their contract through each stage of the contract process. Making the contract process more transparent would introduce real accountability to the City’s oversight agencies.”

Therefore, be it resolved that CB2, Man.

- 1) considers delays in the payment of city contracts to be reprehensible; and
- 2) urges the City Council to adopt immediate measures to eliminate retroactivity in human service contracts, including serious consideration of the Comptroller’s proposed solutions; and
- 3) is grateful for the commitment of our not-for-profit organizations that continue to help residents despite long delays in reimbursement by the city for their services.

VOTE: Unanimous, with 36 Board Members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in response to L Train Canarsie Tunnel Reconstruction Project update by MTA-NYC Transit (MTA-NYCT) and NYC Dept. of Transportation (DOT), including street design and M14A/M14D SBS proposals

Whereas, MTA NYC Transit (NYCT) and the NYC Dept. of Transportation (DOT) presented an update on service changes and enhancements as well as proposed street design options and M14A and M14D SBS proposals as part of the revised plan for the L Train Canarsie Tunnel Reconstruction Project; and

Whereas, the service changes will now include subway service on the L train from Brooklyn to Manhattan and within Manhattan. During peak and midday weekday times, the L train will run as usual, with reduced service on weeknights and weekends. On weeknights, L trains will run every 20 minutes btw. Brooklyn and Manhattan from 8 pm to 5 am. On weekends, L trains will run every 20 minutes btw. Brooklyn and Manhattan from 8 pm Friday to 5 am Monday; and

Whereas, enhanced service (e.g. increased frequency, extended hours and routes, added trips, depending on which line) will be available on the M, G and 7 to provide other subway travel options, while added M14A bus service will be operating to connect users to subway stations with enhanced service; and

Whereas, project work will include ensuring that safety measures such as a dust control and monitoring plan and care in sealing vents will be taken, as well as attention to the proficient implementation of needed improvements such as a new fiber optic system to monitor stability, substations allowing more trains to be running, track replacement, switch renewals, a new rack cable system, and increasing fan plant and pump capacity + installation of some ADA accessible elevators, including at 14th St. and 6th Ave.; and

Whereas, two 14th St. street design options were presented:

- Option 1 - Retention of existing markings, but without the very huge increase of buses originally anticipated on the busway. Retention of parking/loading space for private vehicles on both sides of every residential block. 20-35% projected speed improvement. The complicated traffic pattern may divert through traffic to other crosstown streets.
- Option 2 - Installation of standard bus lanes (curbside). Parking/loading on only one side of the block and at designated times; removed on some block faces. Extensive bus priority outside the tunnel construction zone. 12-20% projected speed improvement; and

Whereas, the original L train project plan called for HOV3 on the Williamsburg Bridge, thereby helping to reduce incoming traffic to Manhattan and therefore the incidence of traffic diverting to other crosstown streets; and

Whereas, bus boarding access as well as sidewalk access in both street design Options 1 and 2 needs to be clarified, as does the actual distribution of traffic by mode on 14th St.; and

Whereas, a proposal was presented to convert the M14A and M14B bus routes into totally SBS (Select Bus Service) routes, which would eliminate local bus stops (the 5th Ave. bus stop on 14th St. already has been removed and combined with the University Pl. stop). The plan (to speed up buses' movement) is to have a stop at least every four blocks with stops on every avenue on 14th St. SBS fare machines, some already installed on the sidewalks, would allow for off-board fare collection; and

Whereas, these more spread out SBS stops will lead to substantially greater walking distances that would be either extremely difficult or, in many cases, impossible for our many disabled, senior, and frail constituents, as well as for parents with baby carriages, strollers and small children, people with walkers and shopping carts, i.e. those many who use the public bus as their major means of transportation as opposed to the subway where there's no elevator access at most stations (and these people either can't or have difficulty maneuvering subway stairs). This is a true hardship and unfair penalty in the name of speed, penalizing those who are most in need of bus accessibility, especially considering there are many other ways to promote speed (e.g., bus stop bump-outs, a combination of local and SBS service, transit signal priority, etc.); and

Whereas, the original L train Canarsie Tunnel project called for an M14 SBS route from 10th Ave. to Stuyvesant Cove ferry with local bus service on the M14A and M14D, an eminently well-balanced route plan that would accommodate the great variety of users (there is no *average* user to accommodate at the expense of others) who need bus service; and

Whereas, providing both local and SBS services together for different people's needs is exemplified by both the M15 Local and M15 SBS service that have been running and working in balance on 1st and 2nd Aves. in Manhattan since 2010, allowing the opportunity for those who seek speedier access to have the SBS option, while those who are physically challenged have the Local option; and

Whereas, it is proposed that the M14A be removed from its Abingdon Sq. destination and instead extended on 14th St. to 10th Ave. and Horatio St., yet Abingdon Sq. is a hub where several streets come together. including Bleecker, a major thoroughfare heading south and then east in Greenwich Village, and the 14A route to Abingdon provides southerly access to an area lacking in transit options. It also has been pointed out that with new development occurring on the far west side of the Village to south of Houston St., it might be worth investigating the potential to extend the 14A further south than Horatio St., on 11th Ave./West St.; and

Whereas, the NYPD will have additional towing capacity, providing an opportunity to remove vehicular and other obstructions from bus lanes;

Therefore be it resolved that CB2, Man. is appreciative of DOT's and MTA NYCT's diligent efforts in quickly responding to plan reversals regarding the L Train Canarsie Tunnel Reconstruction Project; and

Be it further resolved that CB2, Man. understands and is thankful for the hard work that has gone into keeping the L train running 24/7, ensuring that safety measures are taken to safeguard users and people on the street, and carrying out implementation of multiple needed improvements; and

Be it further resolved that CB2, Man. urges that DOT and MTA NYCT revisit their plan for the L Train Canarsie Tunnel Reconstruction Project, carefully assess it in terms of street design, bus service, bus access, balance of buses, trucks, cars and other vehicular use, pedestrian needs, and regulatory requirements, all in view of community input, and revise it to better serve the community and minimize vehicular and user conflicts; and

Be it further resolved that CB2, Man. also urges that, in the expected follow-up presentation that has been promised, boarding access and sidewalk access recommendations for both Options 1 and 2 (and potential other options) be clearly laid out with detailed visual representations, including blowups of specific relevant sections of the broader plan layout (e.g. intersections, crosswalks, sidewalk extensions, street lane design and usage, etc.); and

Be it further resolved that CB2, Man. asks that recommended changes in parking and loading regulations as well as in traffic restrictions be carefully specified along with the rationale behind them; and

Be it further resolved that CB2, Man. strongly recommends the installation of HOV3 on the Williamsburg Bridge and reiterates its support as well for HOV3 on the other East River Bridges; and

Be it further resolved that CB2, Man. firmly opposes having only SBS service on 14th St. and throughout the 14A and 14D routes, and emphasizes our support for a balance of Local and SBS service. CB2, Man. also is in favor of off-board fare collection, camera enforced bus lanes, as well as other approaches to facilitating and speeding up the movement of buses, such as bus stop bump-outs (to accommodate waiting and boarding passengers and keep buses in a moving lane), transit signal priority, and fare payments through technologies such as smart cards and smart phones; and

Be it further resolved that CB2, Man. sees the necessity for constant awareness of development projects that present obstacles along the bus routes in question, and encourages extensive coordination between the involved agencies and developers; and

Be it further resolved that CB2, Man. suggests that DOT and MTA NYCT conduct a survey of bus users and others in the vicinity of Abingdon Sq. to assess the need for service there and gauge interest in (and need for) the proposed 14A extension to 10th Ave. CB2 also proposes that the possibility of extending the 14A down 11th Ave. and West St. to Houston St. be investigated; and

Be it finally resolved that CB2, Man. strongly advocates extensive NYPD enforcement to ensure the smooth and safe operation of buses and control of traffic along 14th St.

Vote: Unanimous, with 36 Board Members in favor.

2. Resolution requesting relocation of the bus layover on the south side of Houston St. btw. Greene and Wooster Sts.

Whereas, a bus layover was recently installed on the south side of Houston St. btw. Greene and Wooster Sts. to accommodate Staten Island express buses without notifying the community; and

Whereas the residents of 61 W Houston, aka 160 Wooster, which is adjacent to the bus layover, have reported that buses are now laying over there 3-8 pm with their engines idling and spewing dangerous exhaust, as well as threatening the safety of pedestrians, including many children, by obstructing visibility and impeding safe access to cross the street, including for people with strollers and for children getting off school buses; and

Whereas the sidewalk adjacent to 61 W. Houston is very narrow, bringing the buses and their negative impact (which also includes bus drivers smoking and loudly arguing) very close to the residential building and its windows, where the effects reverberate; and

Whereas residents have suggested several nearby alternatives to consider for the bus layover, which are not adjacent to residential buildings, such as btw. Broadway & Mercer St., btw. 6th Ave. and West Broadway, btw MacDougal and Sullivan Sts., btw. West Broadway & Thompson Sts., and btw. West Broadway and Wooster Sts.; and

Whereas MTA NYC Transit (NYCT) and the NYC Dept. of Transportation (DOT) have expressed their willingness to consider other locations to relocate the bus layover and have offered to do a site visit to its current location in order to review surrounding sites and identify a potential alternative location;

Therefore be it resolved that Community Board 2, Manhattan (CB2) thanks MTA NYCT and DOT for their willingness to consider other locations for the bus layover on the south side of Houston St. btw. Greene and Wooster Sts., to re-locate the layover to a suitable site, and to do a site visit with the community to identify such a site; and

Be it further resolved that CB2 looks forward to having the bus layover on the south side of Houston St. btw. Greene and Wooster Sts. be relocated as soon as possible.

Vote: Unanimous, with 36 Board Members in favor.

3. Resolution in opposition to installing No Parking Mon. & Thurs. 9-11 am and No Parking Tues. & Fri. 9-11 am Street Cleaning Regulatory signage in place of current No Parking Mon.-Fri. 8 am-6 pm signage on Renwick St. btw. Spring & Canal Sts.

Whereas Renwick St. btw. Spring & Canal Sts., which used to be largely commercial has now become more residential than before; and

Whereas residents have asked to change the current No Parking Mon.-Fri. 8 am-6 pm regulations on both sides of the street to regulations that allow for street cleaning entailing No Parking Mon. & Thurs. 9-11 am on one side of the street and No Parking Tues. & Fri. 9-11 am on the other side; and

Whereas consultation with the NYC Dept. of Transportation indicated that all streets get cleaned and that, in this case, the street would get cleaned btw. 8am and 6pm when the curb is clear; and

Whereas the street is quite narrow, and DOT also indicated that the street space would be very tight for the maneuvering required for the type of alternate side street cleaning requested with parking on both sides; and

Whereas a number of back entrances of buildings face the street, and clearance is needed for the deliveries and other services they accommodate; and

Whereas there is overnight parking (6 pm-8 am);

Therefore be it resolved that CB2, Man. opposes the installation of No Parking Mon. & Thurs. 9-11 am and No Parking Tues. & Fri. 9-11 am Street Cleaning Regulatory signage in place of current No Parking Mon.-Fri. 8 am-6 pm signage on Renwick St. btw. Spring & Canal Sts.

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

Resolution commenting on proposed new double parking rules from the NYC Dept. of Transportation (DOT) to amend double parking provisions in order to help reduce traffic congestion in the City of New York.

Whereas the following changes in double-parking rules within Chapter 4 of Title 34 of the Rules of the City of New York are proposed:

- Section 4-08(f)(1) - Amended to clarify that double parking restrictions allow for double parking for no more than 20 minutes while actively engaged in making pickups, deliveries or service calls, provided there's no unoccupied parking space or designated loading zone on the same side of the street within the same block....and to clarify that No person should double park a commercial vehicle when it blocks the only lane of travel in the same direction. No person shall stand, stop or park a vehicle on a street, at any time in such a manner or under such conditions as to leave fewer than 10 feet of roadway width available for the free movement of vehicular traffic....
- Section 4-08(l)(1) is repealed in its entirety and replaced by Midtown and other special zones.
- Sections 4-08(l)(2) and 4-08(1)(3)(i) are amended to expand the area in Midtown from 14th to 60th Sts. where double parking is prohibited from 8th Avenue to 12th Avenue.

Whereas there are certain highly congested areas in the Community Board 2 Manhattan (CB2) district where double parking needs to be limited, e.g., near the entrances and exits of the Holland Tunnel, and on Kenmare, Grand, Broome and Varick Sts.;

Therefore be it resolved that CB2 is in favor of the proposed new double parking rules **to** amend double parking provisions in order to help reduce traffic congestion in the City of New York; and

Be it further resolved that CB2 requests that a study be done within CB2's boundaries of highly congested areas such as near the entrances and exits of the Holland Tunnel, and on Kenmare, Grand, Broome and Varick Sts., and others, to identify, propose rules for, and implement stronger double parking limitations in these areas.

Vote: Unanimous, with 36 Board Members in favor.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan