

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: September 19, 2019
TIME: 6:30 P.M.
PLACE: Scholastic Building, 130 Mercer Street, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Carter Booth, Katy Bordonaro, Anita Brandt, Amy Brenna, Richard Caccappolo, Ritu Chattree, Tom Connor, Valerie De La Rosa, Doris Diether, Robert Ely, Mar Fitzgerald, Joseph Gallagher, Susan Gammie, Jonathan Geballe, Jeanine Kiely, Ryder Kessler, Patricia Laraia, Janet Liff, Edward Ma, Matthew Metzger, Daniel Miller, Brian Pape, Lois Rakoff, Bo Riccobono, Robin Rothstein, Sandy Russo, Rocio Sanz, Scott Sartiano, Shirley Secunda, Frederica Sigel, Georgia Silvera Seamans, Shirley Smith, Antony Wong, Adam Zeldin

BOARD MEMBERS ABSENT WITH NOTIFICATION: Erik Coler, Cormac Flynn, Wayne Kawadler, Donna Raftery

BOARD MEMBERS ABSENT: Kathleen Faccini, Maud Maron

BOARD MEMBERS PRESENT/ARRIVED LATE: Coral Dawson, David Gruber, Susan Kent, Kristin Shea, Chenault Spence, Cathy Sullivan

BOARD MEMBERS PRESENT/LEFT EARLY: None

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

GUESTS: Robert Atterbury, Congressman Jerrold Nadler's office; Jacob Priley, Senator Brad Hoylman's office; Daniel Morote, Senator Brian Kavanagh's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Claudia Zhu, Assembly Member Yuh-Line Niou's office; Assembly Member Deborah Glick, Charles Anderson, Assembly Member Deborah Glick's office; Patrice Comerford, Council Speaker Corey Johnson's office; Irak Cehonski, Council Member Carlina Rivera's office; Rush Perez, Council Member Margaret Chin's office; Daniella Cardia, Carmine Sevogin, Michael Levine, Chandler Forsythe, Jelysa Roberts, Jane Carey, Pete Davies, Tilly Holmes, Graeme Birchall, Andy Cantu, Jamyn Edis, Jackie Xue, Malcom Sage, Minister Frances Mejias, Julia Metraux, Ada Li, Michelle Quin, Paola Lay, Darlene Lutz, Kima Hibbert, Katherine Smith, Andrew Brouhilis, Alex Liscio, Ronnie Wolf, Gabe Herman, Merrie Snead, Emily Pisareta, Chelsea Frazer, Elaine Kelly, Dingzhang Yu, Mary Ann Pizza, Liana Babikyan, Kelly Robshan

MEETING SUMMARY

Meeting Date – September 19, 2019
Board Members Present – 42
Board Members Absent with Notification – 4
Board Members Absent - 2
Board Members Present/Arrived Late - 6
Board Members Present/Left Early – 0

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	2
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
BUSINESS SESSION	3
STANDING COMMITTEE REPORTS	4
LAND USE & BUSINESS DEVELOPMENT	4
LANDMARKS AND PUBLIC AESTHETICS	4
PARKS/WATERFRONT	10
QUALITY OF LIFE	12
SCHOOLS & EDUCATION	34
SLA LICENSING	39
SOCIAL SERVICES	95
TRAFFIC & TRANSPORTATION	96

II. PUBLIC SESSION

Non-Agenda Items

Landmarks Violation Amendment

Daniella Cardia spoke regarding this topic.

Whitney Museum of American Art

Jane Carey spoke regarding the museum’s upcoming events.

The New School Centennial

Merrie Snead spoke regarding the school’s upcoming event in October.

SAPO/Quality of Life Info

Pete Davies spoke regarding this committee and information.

Theater

Jonathan Geballe spoke regarding his wife’s upcoming play.

Parks/Waterfront

Discussion of Gansevoort Peninsula Design Concept

Graeme Birchall spoke regarding this topic.

Rob Buchanan spoke against this topic.

SLA Licensing Items

Entity to be formed by Roberto Passon, d/b/a Ariccia, 14 Bedford St. 10014

Mary Ann Pizza spoke against the proposed Restaurant Wine license.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congressman Jerrold Nadler's office;

Jacob Priley, Senator Brad Hoylman's office

Daniel Morote, Senator Brian Kavanagh's office;

Claudia Zhu, Assembly Member Yuh-Line Niou's office

Assembly Member Deborah Glick

Charlie Anderson, Assembly Member Deborah Glick's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Patrice Comerford, Council Speaker Corey Johnson's office

Rush Perez, Council Member Margaret Chin's office

Irak Cehonski, Council Member Carlina Rivera's office

IV. ADOPTION OF MINUTES

Adoption of July minutes

V. BUSINESS SESSION

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

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

STANDING COMMITTEE REPORTS

LAND USE AND BUSINESS DEVELOPMENT

1. **678 Broadway (Between Bond and Great Jones Streets)** - BSA Cal No 2019-163- BZ is an application for a new special permit to allow the operation of a physical culture establishment (PCE) called the Bar Method to be located on the second floor, pursuant to ZR 73-36.

Whereas:

1. The site is in a M1-5B zoning district within the NoHo Historic District and contains a five-story commercial building.
2. The PCE opened in June 2019. It includes two group exercise rooms on the second floor; total floor area of the PCE is 2867 square feet.
3. The premises comply with all applicable accessibility law and required fire safety measures; it is ADA-accessible.
4. No noise issues are anticipated with the PCE use. The classes have background music for keeping pace; all movements have the patron sitting on the floor or standing in one place and there is no gym machinery.
5. The site is well-served by public transportation.
6. Hours of operation are 5:30 am to 9:30 pm daily. It is anticipated that the site will offer 7-10 classes per day.
7. The PCE does not contain courts or a pool nor does it offer massage or other relaxation therapy.
8. The PCE does not interfere with any public improvement project or existing street system nor will it have any negative impact on traffic on the surrounding streets.
9. The operation of the facility does not impair the essential character or future use of development of the surrounding area and is in keeping with the mixed-use character of the neighborhood.
10. There is no portion of the PCE on the roof.
11. There are no potential hazards that impact the privacy, light and air in the neighborhood.
12. There are no ECB violations and two open DOB violations that pertain to elevator work and will be corrected during the course of the Alteration 1 application.
13. The building has a Certificate of Occupancy.
14. A maximum term of ten years is requested per ZR 73-76.
15. No one from the neighborhood appeared to speak against the application.

Therefore, CB2, Man. has no objection to this application.

Vote: Unanimous, with 42 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

August Resolutions Adopted in September

1. **421 W. 13th St.** – Application is to legalize the installation of signage without LPC permits

Whereas:

A. The sign is of the general size and appearance of many approved signs along the row and in the district; and

B. The positioning of the sign appears to conform to applicable regulations; now

Therefore, be it resolved that CB2, Man. recommends **approval** of the application provided that staff ensure that it conforms to all applicable regulations.

Vote: Unanimous, with 42 Board members in favor.

2. ***534 Hudson St.** – Application is to replace existing cooling tower with same in-kind tower.

(laid over)

3. ***199-201 Prince St.** – Application is to install a new awning and entry doors, new exterior light fixtures and renovate the vestibule and interior hallways and stairs.

Whereas:

A. The existing apartment entry door, awning above entry door, and lighting fixtures are to be removed; and

B. The door is to be replaced with a ten light door more in keeping with the facade and the transom light will be restored; and

C. The sloping glass canopy over the entry is without historical reference to the style of the building or neighborhood.

D. Lighting fixtures on either side of the entry are without historical reference to the style of the building or to the neighborhood and were represented by the applicant as being specified as matching the interior lighting fixture; now

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

A. **Approval** of the removal of the canopy, door and lighting fixtures; and

B. **Approval** of the proposed door; and

C. **Denial** of the canopy and lighting fixtures as without historical reference to the style of the building or to the neighborhood.

Vote: Unanimous, with 42 Board members in favor.

4. ***17 Commerce St.** – Application is to install 3 extenders on the chimney.

(will be reviewed at LPC staff level).

5. ***22 Bank St.** - Application is to expand an existing rear yard extension and modify rear window openings.

Whereas:

A. The shed structure on the roof of the addition will be demolished; and

- B. The proposal will add an enclosed room atop an existing 14' addition, the design of which references typical tea house additions to row houses in the district and in this row of houses as illustrated in historical photographs; and
- C. They casement windows are in three sections with a panel below; and
- D. The addition is set back minimally from the full width of the existing addition to accommodate details of an existing cornice and the sides are clad in landmarks approved fireproof material to simulate clapboard; and
- E. There is a simple, light colored metal railing on the top of the addition to create a deck at the third floor; and
- F. Certain rear windows will be modified to a more symmetrical and presumably historic configuration and style and the central window on the third floor will be changed to a door to provide access to the deck; and
- G. The visibility from Waverly Place is moderate and the addition lies well and unobtrusively with the various additions and roofs in the view; and
- H. There were comments, in person and written, from neighbors seeking assurance that the addition conforms to regulations and usual Landmarks Commission practice; now

Therefore, be it resolved that CB2, Man. recommends approval of this sensitively designed addition.

Vote: Unanimous, with 42 Board members in favor.

6. *90 Prince St. –Application is to amend the artwork guidelines for painted wall sign master plans that have been previously approved by LPC.

(will be reviewed at LPC staff level)

7. *838 Greenwich St. - Application is to amend the artwork guidelines for painted wall sign master plans that have been previously approved by LPC.

(will be reviewed at LPC staff level)

September Resolutions

1. **534 Hudson St.** – Application is to replace existing cooling tower with same in-kind tower.

(laid over)

2. **12 Wooster St.** - Application is to install a stair bulkhead and an elevator with the shaft enclosure extending above the roof.

Whereas:

A. The stair bulkhead is 17'5" high from the roof and the elevator bulkhead with an adjacent spiral stair is 24' from the roof; and

- B. The spiral stair is decorative and not in the utilitarian industrial design common to rooftop installations where a switch-back stair is more usual; and
- C. The placement and bulk of the elevator bulkhead make it plainly visible from a public thoroughfare; and
- D. The applicant represented that it is not possible to reduce the height; now

Therefore, be it resolved that CB2, Man. recommends **approval** of the application, provided that the stairs are of an industrial design suitable to a rooftop and that LPC staff verify that there is no modification to the elevator housing that can reduce its size.

Vote: Unanimous, with 42 Board members in favor.

3. **19 Washington Sq. No.** - Application is to replace windows on the primary facade at the rear of the building (19 MacDougal Alley).

(laid over)

4. **841 Broadway** - Application is to establish a Master Plan for storefront infill and signage at the ground floor and undertake considerable restoration of the lower floors of the Broadway and E. 13th St. facades.

Whereas:

- A. The stone pilasters from the ground level to the top of the mezzanine have been removed and a random assortment of infills, differing for each tenant, detracts from the integrity of the design of the building; and
- B. The main entrance to the building, as shown in historic photographs, was a monumental assemblage of smooth pilasters with engaged columns on high bases supporting a balcony (above this entry and located at the mezzanine level), and a sunburst window in the arch; and
- C. The proposal is to restore and extend to the ground the stone pilasters, including the intricate rusticated surface and details clearly seen in historic photographs, and to establish a uniform infill design with bulkheads, plate glass windows and doors and deep transoms on Broadway, turning the corner with shorter bulk heads on 13th Street; and
- D. The infill includes louvers in certain transom openings and four different storefront configurations (left entry, right entry, center entry, solid plate glass) to be determined by the tenants; and
- E. The illustrations of the proposal show that the infill and mezzanine are in a uniform black and some historic photographs show the mezzanine painted to match the upper floors. The applicant represented that a paint analysis will be undertaken and it is believed that the original color will be revealed and will be followed; and
- F. The transom signs are individual solid 18 inches high letters with interior lighting emanating from the back of the letters and modest blade signs with painted lettering; and

- G. The central bay is strangely treated as a typical bay except for the historic smooth pilasters (not rusticated as is elsewhere) and the historic sunburst design, and yet has non-centered entry doors that defy what was the grand entrance –as depicted in historic photographs; and
- H. The applicant stated that they do not wish to make interior modifications to permit the installation of a central double-door entrance; and
- I. The certain entries on 13th Street are fitted with a ramp for ADA access on account of the change in street grade; now

Therefore, be in resolved that CB2, Man:

- A. Commends the sensitive restoration of this important building in the general master plan and the restoration of the pilasters in particular; and
- B. Recommends **approval** of the application except for the main entrance; and
- C. Recommends that the main entrance have central, suitably important double doors and that the ornamentation reflect the designs in the historic photographs in order to respect the integrity of the building’s design.

Vote: Unanimous, with 42 Board members in favor.

- 5. **770 Broadway** – Application is to modify exterior openings (louvres and windows), and install rooftop mechanical equipment.

Whereas:

- A. The 11, 12 and 13 floors have certain windows changed to louvers and louvers changed to windows and in each case the new infill is to match the design of the adjacent window or louver which varies by floor; and
- B. There are three new mechanical equipment units with the largest unit on the west side that is set back 15’- 2” from the parapet and 17’-6” above roof and two smaller units are not visible from any public thoroughfare;
- C. The west unit is plainly visible from a public thoroughfare and detracts from the historic character of the building; now

Therefore, be it resolved that CB2, Man. recommends **approval** of the application, **provided** that LPC staff verify that a smaller unit is not practical or that placing the unit in another position is not possible.

Vote: Unanimous, with 42 Board members in favor.

- 6. **154 Grand St.** – Application is to legalize the construction of a storefront infill and interior construction done without LPC permits

Will be reviewed at staff level.

7. **21 Greenwich Ave.** - Application is to restore the facade and install a rooftop addition, demolish a one-story extension, and construct a new extension and place a penthouse on the roof of the main building.

Whereas:

A. The extension, constructed in 1875 and through assorted modifications to the infill, most recently prior to 1920, has maintained its profile and integrity and is typical to the district with numerous examples of extensions into the rear yard on corner lots of row houses, all of which are one story or in reasonable scale to the building and carefully designed to be in harmony with the modest style of the original building; and

B. The applicant asserted that the infill, having been modified from the original, rendered the extension of no historic merit, however, though the infill has been altered from the original, the structure remains intact and there is no record of permission to demolish an extension on these grounds; and

C. The row house, though in considerable disrepair, especially the neglected rear facade, retains its historic condition and the care with the restoration of the front and side facades and preserve the historic integrity of this part of the building and this is unacceptably diminished by the demolition of the visible rear wall and addition of the proposed modern extension ; and

D. The proposed demolition of the extension would do harm to the historic character of the building and its visual relation to nearby historic buildings; and

E. The proposed building is in an aggressively modern industrial design, and it is without precedents from historic buildings in the district despite the applicant's theoretical assertion that every detail was reflective of details in historic buildings from the neighborhood; and

F. The proposal to unite the row house and the new extension includes complete demolition of the rear wall of the row house apart from a sliver on 10th Street though it is now visible above the first floor and, its elimination reduces the row house to a dimensional facade for the new addition; and

G. The building is out of character with the neighborhood in design, scale, details, bulk, height and materials and it destroys the composition of gradual increase in heights from the corner to the tenement and apartment building along 10th Street and to the small row house, fire house, and tenement along Greenwich Avenue; and

H. The location across from the Jefferson Market Courthouse and garden make the corner especially worthy of protection and the applicant's printed materials lists a feature of the penthouse as "Terrace and views to Jefferson Market park [with] large glass openings" (page 22) without regard to the harm done to the view from the gardens and courthouse and the general area; and

I. The examples of contemporary, industrial design in the district shown are in the extreme northwest corner of the district in an area that is the transition from the historic core of the Greenwich Village neighborhood to the Gansevoort Market Historic District.

J. The addition overwhelms the row house and destroys the view along the open space behind the adjoining buildings that affords a glimpse into a hidden bit of the district, and is not in any way conceived as a rear yard addition, but rather as a unique separate building attached to the row house ; and

K. The penthouse on the roof of the row house is an extension of the modern building in steel and glass is in no way suited to the building or the district and does not approach meeting the standard of minimal visibility for rooftop additions from public thoroughfares in the district and it diminishes the appearance of the unusual, historic stepped down parapet on the 10th Street side of the building; and

L. There was considerable written and oral testimony from the public to the application uniformly in accord with the position of the CB2, Man. board concerning this application; now

Therefore, be it resolved that CB2, Man.:

A. Strongly recommends a **denial** of the demolition of the intact historic extension typical to the neighborhood's character and the demolition of the rear facade of the row house which is completely visible above the first floor; and

B. Recommends that, in the event that the demolition is approved, that the extension and rooftop penthouse in the application be **denied** regardless of any modifications presented and that the applicant submit a new proposal for the property that takes into consideration the points in this resolution and submits a new application to the Commission for review by CB2, Man. before its being considered by the Commission.

Vote: Unanimous, with 42 Board members in favor.

PARKS/ WATERFRONT

A Resolution In Support of the Design Concepts for the Gansevoort Peninsula section of Hudson River Park

Whereas:

1. The design process for Gansevoort Peninsula, the 5.56-acre space in Hudson River Park located between Gansevoort and Little W. 12th Streets, is being run by the Hudson River Park Trust and its hired consultants, James Corner Field Operations; and
2. This design team has met with the community on multiple occasions to date, starting with introduction at our committee meeting on March 6, 2019, followed by a Community Input Workshop on March 26, 2019, followed by a presentation of design concepts on July 24, 2019, and attendance to provide updates and answer questions at our September 10, 2019 CB2 Parks & Waterfront Committee meeting; and
3. The design team has also provided an online system to receive community input contributions; and
4. The design team has pledged to hold at least 3 more Community Input Workshops – in early Fall, late Fall, and early Winter – before the design is finalized; and
5. Our committee held a meeting to gather public opinion in a forum independent of the Trust and the design team and wrote a resolution regarding the design process at our May 2019, committee meeting; and
6. The design concepts and preliminary plan presented at the meeting on July 24, 2019, and discussed at our September 10, 2019, committee meeting included renderings showing an upland beach and the *Day's End* art installation on the south side; a lawn with seating just north of the beach; a sports field; a dog run; an adult fitness area; a one-story building with restrooms, concessions and maintenance storage; a salt marsh to the north of an access road; and a promenade with trees, picnic tables, and lounge chairs on the western edge; and

7. Many who attended our meetings in July and September expressed that they were pleased by the development of the park design, admiring its beauty and the efforts of its designers to balance the interests of different constituents, but attending community members requested that additional considerations be addressed as the design is further refined; and
8. Requests for consideration to be reviewed and included in the design of Gansevoort Peninsula Park included the following:
 - a. Infrastructure be put in place to allow for easier expansion of the recreational amenities should they be desired and funded in the future, such as a stanchion for a bubble to allow winter play, an indoor space for education and training, and locker rooms;
 - b. Plentiful opportunities be spread throughout the peninsula for play and fitness for parkgoers that are not members of permitted sports teams;
 - c. Designs for the southern edge of the peninsula be reviewed and improved to make for expanded, easier, safe pedestrian access to the water and fuller enjoyment of the southern view and of the planned *Day's End* art installation;
 - d. Paving on the truck turnaround in the northwest corner be constructed of materials so as to allow the space to be used as a play area when not occupied by emergency vehicles;
 - e. Finding a location for adult fitness activities, which were in an earlier design but displaced by the larger field option, possibly split across more than one location; the design team pledged to try to incorporate these features in revised designs;
 - f. Water fountains (including for re-filling bottles) be installed within easy reach of playing fields;
 - g. A sufficient number of toilets to accommodate children and adults;
 - h. Neighborhood sports leagues be consulted on questions, opportunities and issues such as lines that will be painted on the playing fields; the height and placement of safety nets; anticipated equipment such as goals, backstops, mounds and storage thereof; and other matters regarding team play; and
9. Requests for consideration involving the operation of Gansevoort Peninsula Park included that:
 - a. A portion of play space on the sports field be non-permitted to accommodate children and adults who are not members of organized sports teams;
 - b. Permits posted online and at the field;
 - c. Access to the water be openly available at all hours that the park is in operation; and
10. Requests for consideration involving the broader operation of HRPT included that:
 - a. HRPT calculate and provide Open Space Data, i.e., acres in HRP classified as passive recreational space; of permitted active recreational spaces; and of non-permitted active recreational space, by park location, both piers and upland areas, including what is DOT vs. HRP, throughout the land area of the Park - similar to what the NYC Parks Department provides;
 - b. HRPT improve online access to parkgoers interested in the occupancy status of playing fields throughout the park, i.e., list of permitted locations in HRP and online list of permits by location, by date and by time, again, similar to what the NYC Parks Department provides.

Therefore, Be it Resolved that CB 2, Man.:

1. Supports the process, design concepts and plans presented to this point in the project; and
2. Supports the decision to choose the option of a larger sports playing field version of the design featuring a field measuring roughly 316' x 220', which will enable age 13 and under regulation fields for soccer and baseball as well as practice opportunities for leagues for older players; and
3. Looks forward to reviewing recommendations by the design team for including adult fitness features in one or more locations; and
4. Seeks to continue to be able to offer input and have its community input addressed in further iterations of the plan; and

5. Is particularly interested in reviewing design alternatives for the southern edge of the peninsula, particularly improved opportunities for access to the water; and
6. Requests open access by the public to data about permits that will be granted for use of permitted fields as well as times for public use of unpermitted open spaces.

VOTE: Unanimous, with 42 Board Members in favor.

QUALITY OF LIFE

August Resolutions Adopted in September

1. **New Revocable consent from DOT, for West 10th Townhouse LLC, to construct, maintain and use a snowmelt system at 21 West 10th Street between 5th and 6th Aves.**

Whereas, the applicant wishes to construct, maintain, and use a snowmelt system on the sidewalk directly in front of this address, a private residence; and

Whereas, the snowmelt system will continue up the private steps of the townhouse; and

Whereas, the applicant stated that installation would take approximately three weeks, at which time sidewalk access will be impeded and hopes to begin installation in the next few months, pending approval; and

Whereas, the applicant's architect appeared and stated that the sidewalk would be repaired and reconstructed from the current state and such reconstruction has been approved by the Landmarks Preservation Commission; and

Whereas, the applicant stated that the neighbors on each side of the residence were aware of the application and possible installation and had no objections; now

Therefore, Be It Resolved that CB2, Man. recommends approval of the application for revocable consent to construct, maintain and use a snowmelt system at **21 West 10th Street** provided that the application conforms with all applicable zoning laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 42 Board Members in favor.

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

2. **Andreas WV, LLC d/b/a Da Andrea, 35 W. 13th St. between 5th and 6th Aves. with 8 tables and 16 chairs (8461-2019-ASWC)**

Whereas, the applicant is the new operator at this establishment and will operate the sidewalk café in the same manner and according to the same parameters as it has since 2009; and

Whereas, the applicant has notified all neighboring residents of this change in ownership; and

Whereas, the applicant stated that the operating hours of the café would remain the same: Monday-Friday from 5 PM-11 PM; Saturday and Sunday from 11 AM-11 PM; and

Whereas, no member of the public appeared to express support for or opposition to this application; and

Whereas, the applicant stated that all chairs and tables would continue to be stored in the restaurant overnight; and

Whereas, the applicant stated that the café would be attended by waitstaff at all times and no amplified music would be played within the café; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **Da Andrea, 35 W. 13th St. with 8 tables and 16 chairs (8461-2019-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 42 Board Members in favor.

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

3. Greene Street Superfoods, LLC d/b/a October, 384 Broome St. between Mulberry and Mott Sts. with 6 tables and 12 chairs (9256-2019-ASWC)

Whereas, this establishment, a small, fast casual restaurant offering plant-based foods and non-alcoholic drinks, is located on the ground floor of a mixed-use residential/commercial building and is expecting to open in the next few months; and

Whereas, the establishment will offer counter service and has nine seats inside and the sidewalk café will be monitored and cleared by restaurant staff; and

Whereas, the applicant stated that the establishment will not offer alcohol and has no intention to in the future and that the sidewalk cafe will be open from 8 AM-10 PM, seven days a week; and

Whereas, this establishment neighbors Sal’s Pizza, which operates a sidewalk café with the same number of table and chairs; and

Whereas, no member of the public appeared to express support for or opposition to this application; 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 **Greene Street Superfoods, LLC d/b/a October, 384 Broome St. with 6 tables and 12 chairs (9256-2019-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 42 Board Members in favor.

Street Activities Applications:

4. Sunday, August 18, 2019 – Cornelia Street Block Association (Cornelia Street Block Association): Cornelia St. between West 4th St. and Bleeker St. [full Street closure]

Whereas, the applicant failed to appear on behalf of this application and no member of the public appeared to express support for or opposition to this application and the event has already occurred; now

Therefore Be It Resolved that CB2, Man. recommends **denial of Cornelia Street Block Association (Cornelia Street Block Association): Cornelia St. between West 4th St. and Bleecker St. [full Street closure] on August 18, 2019.**

Vote: Unanimous, with 42 Board members in favor.

5. Saturday, August 24, 2019 – NYSP Yeezy 500 Bone White Shoe Release (Werner Hellmann): Houston St. between Broadway and Crosby St. [partial sidewalk closure]

Whereas, the applicant is applying for a partial sidewalk closure at this location, in front of one of Adidas' retail locations, to queue expectant customers for the launch of a sneaker designed in collaboration with Kanye West; and

Whereas, the applicant wishes to use the public sidewalk from 8 AM-4PM in order to maintain line control even though the retail space at this location is very large and presumably large enough to house the customers inside the store; and

Whereas, the launch for this sneaker is happening concurrently at three other NYC Adidas locations and will be managed by the security firm, Werner Hellmann, which has worked with Adidas at both the CB2 Adidas locations for the past 2 + years; and

Whereas, Werner Hellmann was not contracted to monitor and maintain the line for the recent Arizona Iced Tea/Adidas collaboration and product launch on Bowery and Rivington which was described by the NY Post this way, “[a] marketing stunt by Adidas and AriZona Iced Tea that promised dirt-cheap limited-edition shoes descended into chaos Thursday morning — with one person carted away in an ambulance and two arrests — when sneakerheads started rioting after learning they might not get their kicks fix;” and

Whereas, it has become clear that the marketing strategy for Adidas in lower Manhattan is to create Instagram-ready publicity stunts, selling limited edition sneakers to a lucky few who often resell purchased sneakers to the highest bidder; and

Whereas, Adidas has recently employed a line-control mobile app that somewhat mitigates the throngs of people lining up to purchase these sneakers; and

Whereas, despite the utilization of this line control app, neighboring residents continue to be inconvenienced by this business model which essentially restricts their access to their own sidewalk for long stretches of time in order to facilitate the business model of this multi-billion, multi-national corporation; and

Whereas, residents of SoHo have been crying out for relief from this business model for many, many years and the City has failed to offer any solutions or even mitigations to improve and restore the quality of life of all the residents and businesses of SoHo; and

Whereas, the applicant was unable to articulate how this product-launch will benefit the community in any way; and

Whereas, CB2, Man. has been inundated with these types of product launches creating disturbances and occasional altercations throughout the district; and

Whereas, six residents of SoHo, including an across-the-street neighbor of Adidas, appeared at the meeting to voice their strong disapproval of this and similar events, describing the deleterious impact these events have had on the neighborhood and on their own quality of life; and

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

Therefore Be It Resolved that CB2, Man. recommends **denial** of **NYSP Yeezy 500 Bone White Shoe Release (Werner Hellmann): Houston St. between Broadway and Crosby St. [partial sidewalk closure]** on August 24, 2019.

Vote: Unanimous, with 42 Board members in favor.

6. Saturday, August 24, 2019 – Spring Street Yeezy 500 Bone White Shoe Release (Werner Hellmann): Spring Street between Greene and Mercer Streets [partial sidewalk closure]

Whereas, the applicant is applying for a partial sidewalk closure at this location, in front of one of Adidas' retail locations, to queue expectant customers for the launch of a sneaker designed in collaboration with Kanye West; and

Whereas, the applicant wishes to use the public sidewalk from 8 AM-4PM in order to maintain line control; and

Whereas, the launch for this sneaker is happening concurrently at three other NYC Adidas locations and will be managed by the security firm, Werner Hellmann, which has worked with Adidas at both the CB2 Adidas locations for the past 2 + years; and

Whereas, Werner Hellmann was not contracted to monitor and maintain the line for the recent Arizona Iced Tea/Adidas collaboration and product launch on Bowery and Rivington which was described by the NY Post this way, “[a] marketing stunt by Adidas and AriZona Iced Tea that promised dirt-cheap limited-edition shoes descended into chaos Thursday morning — with one person carted away in an ambulance and two arrests — when sneakerheads started rioting after learning they might not get their kicks fix;” and

Whereas, it has become clear that the marketing strategy for Adidas in lower Manhattan is to create Instagram-ready publicity stunts, selling limited edition sneakers to a lucky few who often resell purchased sneakers to the highest bidder; and

Whereas, Adidas has recently employed a line-control mobile app that somewhat mitigates the throngs of people lining up to purchase these sneakers; and

Whereas, despite the utilization of this line control app, neighboring residents continue to be inconvenienced by this business model which essentially restricts their access to their own sidewalk for long stretches of time in order to facilitate the business model of this multi-billion, multi-national corporation; and

Whereas, residents of SoHo have been crying out for relief from this business model for many, many years and the City has failed to offer any solutions or even mitigations to improve and restore the quality of life of all the residents of SoHo; and

Whereas, the applicant was unable to articulate how this product-launch will benefit the community in any way; and

Whereas, CB2, Man. has been inundated with these types of product launches creating disturbances and occasional altercations throughout the district; and

Whereas, six residents of SoHo, including an across the street neighbor of Adidas, appeared at the meeting to voice their strong disapproval of this and similar events, describing the deleterious impact these events have had on the neighborhood and on their own quality of life; and

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

Therefore Be It Resolved that CB2, Man. recommends **denial** of **Spring Street Yeezy 500 Bone White Shoe Release (Werner Hellmann): Spring Street between Greene and Mercer Streets [partial sidewalk closure]** on August 24, 2019.

Vote: Unanimous, with 42 Board members in favor.

7. Saturday, August 31, 2019 – Spring Street Yeezy Boot Full Family Shoe Release (Werner Hellmann): Spring Street between Greene and Mercer Streets [partial sidewalk closure]

Whereas, the applicant is applying for a partial sidewalk closure at this location, in front of one of Adidas' retail locations, to queue expectant customers for the launch of a sneaker designed in collaboration with Kanye West; and

Whereas, the applicant wishes to use the public sidewalk from 8 AM-4PM in order to maintain line control; and

Whereas, the launch for this sneaker is happening concurrently at three other NYC Adidas locations and will be managed by the security firm, Werner Hellmann, which has worked with Adidas at both the CB2 Adidas locations for the past 2 + years; and

Whereas, Werner Hellmann was not contracted to monitor and maintain the line for the recent Arizona Iced Tea/Adidas collaboration and product launch on Bowery and Rivington which was described by the NY Post this way, “[a] marketing stunt by Adidas and AriZona Iced Tea that promised dirt-cheap limited-edition shoes descended into chaos Thursday morning — with one person carted away in an ambulance and two arrests — when sneakerheads started rioting after learning they might not get their kicks fix;” and

Whereas, it has become clear that the marketing strategy for Adidas in lower Manhattan is to create Instagram-ready publicity stunts, selling limited edition sneakers to a lucky few who often resell purchased sneakers to the highest bidder; and

Whereas, Adidas has recently employed a line-control mobile app that somewhat mitigates the throngs of people lining up to purchase these sneakers; and

Whereas, despite the utilization of this line control app, neighboring residents continue to be inconvenienced by this business model which essentially restricts their access to their own sidewalk for long stretches of time in order to facilitate the business model of this multi-billion, multi-national corporation; and

Whereas, residents of SoHo have been crying out for relief from this business model for many, many years and the City has failed to offer any solutions or even mitigations to improve and restore the quality of life of all the residents of SoHo; and

Whereas, the applicant was unable to articulate how this product-launch will benefit the community in any way; and

Whereas, CB2, Man. has been inundated with these types of product launches creating disturbances and occasional altercations throughout the district; and

Whereas, six residents of SoHo, including an across the street neighbor of Adidas, appeared at the meeting to voice their strong disapproval of this and similar events, describing the deleterious impact these events have had on the neighborhood and on their own quality of life; and

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

Therefore Be It Resolved that CB2, Man. recommends **denial** of **Spring Street Yeezy Boot Full Family Shoe Release (Werner Hellmann): Spring Street between Greene and Mercer Streets [partial sidewalk closure]** on August 31, 2019.

Vote: Unanimous, with 42 Board members in favor.

8. Thursday, September 5, 2019 – Lands End x Rowing Blazers Launch Party (Grand Street btw. Centre & Lafayette Sts.) [sidewalk and curb lane closure]

Whereas, the applicant is hosting a launch party event with Lands End within the Rowing Blazers store at 161 Grand Street and wishes to use the sidewalk for queueing guests and the curb lane to park a 25-foot airstream trailer to act as a “roving billboard” outside the store which will be open to guests; and

Whereas, the applicant will also use the sidewalk and curb space to place a few clothes racks and mannequins; and

Whereas, the 25-foot airstream and its 20-foot trailer will be parked on Center Street at the intersection of Grand Street; and

Whereas, set-up will begin at 1:00 PM with the event taking place between 6-8:30 PM, with breakdown completed at 11:30 PM; and

Whereas, six frustrated residents of SoHo appeared to express the fatigue these events have caused for SoHo and the residents therein and were concerned that these events were being permitted in this incredibly congested area of Manhattan; and

Whereas, this application is part of an ever increasing trend to commercially exploit lower Manhattan with a bombardment of requests to use public space for private commercial use while the community receives nothing in exchange but crowds, noise, garbage, congestion, and the like; now

Therefore Be It Resolved that CB2, Man. recommends **denial of the Lands End x Rowing Blazers Launch Party (Lands End, Inc.): Grand St. between Centre St. and Lafayette St. [sidewalk and curb lane closure]** on September 5, 2019.

Vote: Unanimous, with 42 Board members in favor.

9. Sunday, September 8, 2019 (set up Friday-Saturday, September 6-7) — West 8th Street Activation (iDEKO Production): West 8th St. between MacDougal St. and 5th Ave. [full street closure]

Whereas, the applicant is an events production company appearing on behalf of Staud, an L.A. based, vintage inspired, women's clothing brand; and

Whereas, the applicant wishes to host Staud's fall fashion show on West 8th Street, a street which has no geographical significance to the fashion label, which has a wholesale showroom in SoHo and a showroom in LA; and

Whereas, the applicant is leasing an event space on West 8th Street which will act as the center of operations for this large-scale event and the applicant intends to begin preliminary set-up of the event on Friday and Saturday prior to the actual event on Sunday; and

Whereas, the applicant presented plans indicating that the entirety of West 8th Street between the east side of MacDougal and the West side of 5th Avenue would be completely enclosed by metal barricades and the event would take place on an elevated runway just to the east of the Marlton Hotel and in front of the New York Studio School and directly in front of the parking garage beneath the large residential building at 2 Fifth Avenue and the applicant gave no indication that any of these neighboring buildings were notified of this large-scale event to occur directly in front of their storefronts and residential windows early on a Sunday morning; and

Whereas, the plans presented by the applicant do not include a required fire and emergency vehicle access lane; and

Whereas, this stretch of West 8th Street is a main thoroughfare for emergency vehicles from Lenox Health Greenwich Village at 7th Avenue and West 12th Street; and

Whereas, the permit on the day of the event is to begin at 12:00 AM with the clearing of cars from the curbside lanes, with West 8th Street being closed to all vehicular traffic at 4 AM, the focus of high intensity production lights will begin at 6:30 AM—this is a Sunday morning—and the full tech rehearsal will begin at 10 AM with 15 minutes of production music at full-volume and 45 minutes at 50% volume, the full show will take place between 11:20-11:30 AM and breakdown will begin soon after with the street open to traffic at 4 PM; and

Whereas, this event will displace and detour several MTA buslines and the applicant did not know the details of how these buses will be rerouted; and

Whereas, this event is within the Village Alliance BID, which, at the time of the meeting, had not been notified about this application or event and the applicant did not indicate that any neighboring businesses or residents had been contacted about this event and the impact it will have on their quality of life and business; and

Whereas, the Village Alliance appeared before CB2, Man. in July 2019 and was unanimously recommended for approval to host the Taste of 8th Food Festival on Thursday, September 12, 2019—four days after this event—which is a full street closure on West 8th Street between 5th and 6th Aves from 3 PM-10:30 PM, for a food and drink festival to showcase and promote the restaurants within the Village Alliance BID, and other Greenwich Village restaurants and, while West 8th Street will be closed to vehicular traffic, it will be completely open and accessible to pedestrians and the general public; and

Whereas, the Taste of 8th event will showcase restaurants on 8th Street and is working in full cooperation and conjunction with the Village Alliance and the event will benefit CB2's small businesses while providing a relaxing environment for residents and the public; and

Whereas, it is unacceptable that the Street Activity Permit Office (SAPO) has worked with this applicant to plan this event during the same week as an existing event which would fully close this main artery for 2 days in one week; and

Whereas, there is concern that events like these are planned without community involvement and become seemingly “too big to deny,” as these events are the most disruptive to the quality of life of the community and offer no benefits in exchange; and

Whereas, this application is part of an ever increasing trend to commercially exploit the Village with a bombardment of requests to use public space for private commercial use while the community receives nothing in exchange but crowds, noise, garbage, congestion, and the like; now

Therefore Be It Resolved that CB2, Man. recommends **denial of West 8th Street Activation (iDEKO Production): West 8th St. between MacDougal St. and 5th Ave. [full street closure]** from September 6-8, 2019.

Vote: Unanimous, with 42 Board members in favor.

10. Saturday-Tuesday, September 7-10, 2019 – CS Global – Tom Ford SS20 Fashion Show (GSS Security Services, Inc.): 1) Kenmare St. between Elizabeth St. and Bowery [curb lane closure only], 2) Bowery between Kenmare St. and Broome St. [partial sidewalk closure]

Whereas, the applicant wishes to use part of the public sidewalk and curb lane at these locations for the loading and unloading of production vehicles and for a stationary “luxury restroom trailer,” generators, and dumpster, and a rope stanchion for queueing guests entering the Tom Ford fashion show which will take place in the decommissioned subway station at the corner of Bowery and Kenmare; and

Whereas, this event is to take place in the midst of set-up and street closures throughout Little Italy for the Feast of San Gennaro and will create further bottle-necks and congestion in this packed area; and

Whereas, this event will divert an MTA bus stop which will inconvenience scores of daily commuters; and

Whereas, six frustrated residents of this area appeared to express the fatigue these events have caused and the residents were concerned that these events were being permitted in this incredibly congested area of Manhattan; and

Whereas, there is concern that events like these are planned without community involvement and become seemingly “too big to deny,” as these events are the most disruptive to the quality of life of the community and offer no benefits in exchange; and

Whereas, this application is part of an ever increasing trend to commercially exploit lower Manhattan with a bombardment of requests to use public space for private commercial use while the community receives nothing in exchange but crowds, noise, garbage, congestion, and the like; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of **CS Global Tom Ford SS20 Fashion Show (GSS Security Services, Inc.): 1) Kenmare St. between Elizabeth St. and Bowery [curb lane closure only], 2) Bowery between Kenmare St. and Broome St. [partial sidewalk closure from September 7-10, 2019.**

Vote: Unanimous, with 42 Board members in favor.

11. Monday, September 9, 2019 – Lela Rose Spring 2020 Fashion Debut (Lela Rose): Minetta St. between Minetta Lane and Bleecker St. [full street closure]

Whereas, the applicant failed to appear on behalf of this application and no member of the public appeared to express support for or opposition to this application; and

Whereas, this same event was proposed for the same date on Gay Street and the application was considered by Community Board 2 in June of 2019, at which time CB2, Man. unanimously recommended denial for the application because the applicant had no geographical connection to Gay Street or to CB2, Man. generally; and

Whereas, this applicant, a NYC based fashion house, does not have a brick and mortar store and its corporate offices are located on 224 W. 30th Street; and

Whereas, the applicant has previously held small scale fashion shows within New York City, including an event in Washington Square Park in the Spring of 2018; and

Whereas, the committee expressed concern about recommending approval for this event because the block is almost exclusively residential and not accustomed to full street closures for commercial events; and

Whereas, the committee did not see a compelling interest in a full street closure on a weekday for an exclusively commercial event; and

Whereas, it would be deeply concerning if SAPO granted approval to this application after the applicant failed to appear before the community especially in light of the fact that the same application was unanimously recommended for denial for a different location a few blocks away; and

Whereas, this application is part of an ever increasing trend to commercially exploit the Village with a bombardment of requests to use public space for private commercial use while the community receives nothing in exchange but crowds, noise, garbage, congestion, and the like; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of — **Lela Rose Spring 2020 Fashion Debut (Lela Rose): Minetta St. between Minetta Lane and Bleecker St. [full street closure]** on September 9, 2019.

Vote: Unanimous, with 42 Board members in favor.

12. Thursday, September 12, 2019 – Heermance Farm Party in NYC (Greenwich Village Chelsea Chamber of Commerce, LLC): Weehawken St. between Christopher St. and West 10th St. [sidewalk and curb lane closure]

Whereas, this event will be held on the sidewalk and curb lane of this one-block portion of Weehawken Street and the applicant owns and operates the Heermance Farm Purveyors shop at 183 Christopher Street and also lives along this block of Weehawken Street; and

Whereas, the event is a free, open-to-the-public event and will take place from 6-9 PM and the applicant will erect small tents to protect refreshments from the elements; and

Whereas, the applicant intends to thoroughly clean this street and sidewalk both before and after the event and will leave the street cleaner than they found it; and

Whereas, the applicant hopes to bring together community members for this event; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **Heermance Farm Party in NYC (Greenwich Village Chelsea Chamber of Commerce, LLC): Weehawken St. between Christopher St. and West 10th St. [sidewalk and curb lane closure]** on **September 12, 2019**.

Vote: Unanimous, with 42 Board members in favor.

13. Wednesday, October 2, 2019 – She’s the First: Sullivan St. between West Houston and Prince St. [full street closure]

Whereas, the applicant amended the original application from September 12, 2019 to October 2, 2019; and

Whereas, this applicant, She’s The First is a non-profit organization with an office at 590 6th Avenue at West 17th Street, not in CB2, Man.; and

Whereas, the applicant is co-hosting this event with a resident of SoHo, who does not live on this block of Sullivan Street; and

Whereas, the applicant did not present any detailed plans indicating what the event was to include; and

Whereas, the block of Sullivan Street has no geographical significance to the applicant; and

Whereas, the applicant did not indicate that any residents or businesses on this block were in support of this application; and

Whereas, CB2, Man. previously recommended approval for a full street closure on this same block for the annual Slice Out Hunger event which is to be held **the day after this event** and would mean a full street closure for this residential block two days in a row, which is an inconvenience for the residents and businesses on this block; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of **She's the First: Sullivan St. between West Houston and Prince St. [full street closure]** on Wednesday, October 2, 2019.

Vote: Unanimous, with 42 Board members in favor.

14. Saturday, September 21, 2019 – Friends 25th Anniversary (Warner Bros. Television): Bedford St. between Barrow St. and Grove St. [full sidewalk closure]

Whereas, the applicant failed to appear on behalf of this application and 7 members of the public appeared to express concern about this application and for a related Friends pop-up store in SoHo—which is not before the committee but is of grave concern because of the impact the crowds will have on the residents and businesses in SoHo; and

Whereas, the applicant has proposed to use the sidewalk at this location for the installation of a couch—modeled after the coffee house couch on the TV show Friends—such sidewalk is incredibly narrow and cannot contain the throngs of people anticipated for this event; and

Whereas, the applicant wishes to place a couch within photo distance of Little Owl—a longstanding neighborhood restaurant that is housed within the façade of a building made famous as the exterior of the building that housed the central characters on Friends; and

Whereas, a representative from Little Owl appeared and expressed concern that the applicant had failed to contact them regarding this planned event; now

Therefore Be It Resolved that CB2, Man. recommends denial of the **Friends 25th Anniversary (Warner Bros. Television): Bedford St. between Barrow St. and Grove St. [full sidewalk closure]** on September 21, 2019.

Vote: Unanimous, with 42 Board members in favor.

15. Saturday-Sunday, September 21-22, 2019 — Window Into Seoul Celebration (Bloomingdales SoHo): Broadway between Spring St. and Broome St. [sidewalk and curb lane closure]

Whereas, the applicant failed to appear on behalf of this application and 6 members of the public appeared to express strong opposition to this application; and

Whereas, Bloomingdales wishes to place a Korilla food truck at this location for two consecutive days to highlight the latest Bloomingdales shop theme; and

Whereas, residents and businesses in this area of SoHo have been working tirelessly to deal with the unpermitted and prohibited food trucks that clog these congested curbs of Broadway and feel that allowing this food truck would send mixed messages to the unpermitted food vendors who operate illegally in this area; and

Whereas, it would be of great concern if SAPO were to approve applications when the applicant has failed to appear before the community to explain the details of these applications; now

Therefore Be It Resolved that CB2, Man. recommends denial of **Window Into Seoul Celebration (Bloomingdales SoHo): Broadway between Spring St. and Broome St. [sidewalk and curb lane closure]** from September 21-22, 2019.

Vote: Unanimous, with 42 Board members in favor.

16. Sunday, September 22, 2019 — Edible Schoolyard NYC II Buco Pig Roast (Edible Schoolyard NYC): Bond St. between Bowery and Lafayette St. [sidewalk and curb lane closure]

Whereas, the applicant failed to appear on behalf of this application and no member of the public appeared to express support for or opposition to this application; and

Whereas, this same event did not take place in 2018, but CB2, Man. unanimously recommended denial in 2017 for the same event stating that “three members of the public spoke about how this event has been conducted in previous years, especially regarding smoke from the fire pit causing apartments and clothes smelling of pig smoke and placement of service areas, tables and chairs on the sidewalk and/or in the curb lane in front of businesses and buildings that did not want aspects of the event in front of their premises;” now

Therefore Be It Resolved that CB2, Man. recommends denial of **Edible Schoolyard NYC II Buco Pig Roast (Edible Schoolyard NYC): Bond St. between Bowery and Lafayette St. [sidewalk and curb lane closure]** on September 22, 2019.

Vote: Unanimous, with 42 Board members in favor.

FYI/Street Activity Renewals:

17. 10/31/19 – NYU and CB2 Children’s Halloween Parade (NYU and CB2): LaGuardia Place between Washington Square South and West 3rd St. [full street closure]

Whereas, CB2, Man., as co-sponsor of this event, has been advised by the Conflicts of Interest Board to refrain from voting on this street activity.

Therefore be it Resolved that CB2, Man. takes no position on this application.

September Resolutions

New Application for Revocable Consent to Operate an Unenclosed Sidewalk Café for:

1. Bosie, LLC d/b/a Bosie, 506 LaGuardia Place between Bleecker and West Houston Sts. with 6 tables and 12 chairs (9603-2019-ASWC)

Whereas, this establishment, a small, café and restaurant offering French food and drink, is located on the ground floor of a mixed-use residential/commercial building that was formerly occupied by the restaurant Freud which operated a sidewalk café with 7 tables and 14 chairs; and

Whereas, the establishment will offer full service in the sidewalk café and the café will be monitored and cleared by restaurant staff; and

Whereas, the operators appeared before CB2’s SLA committee in May 2019, and stipulated that the sidewalk café would not operate past 10 PM, seven nights a week; and

Whereas, no amplified sound will be used in the sidewalk café and all planters will be pushed up against the façade of the establishment overnight; and

Whereas, no member of the public appeared to express support for or opposition to this application; 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 **Bosie, LLC d/b/a Bosie, 506 LaGuardia Place with 6 tables and 12 chairs (9603-2019-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 42 Board Members in favor.

OTHER MATTERS

2. Discussion of a proposal by NYC Small Business Services to streamline the sidewalk café licensing process by eliminating the legally-required public hearing conducted by the Department of Consumer Affairs (DCA).

Whereas, NYC’s Department of Small Business Services (SBS) contacted CB2, Man. and stated that it was “reviewing a proposal related to streamlining the Sidewalk Café licensing process. Currently, the New York City Administrative Code requires that both the Department of Consumer Affairs (DCA) and Community Board each conduct a public hearing. SBS is looking to eliminate the DCA public hearing requirement to streamline this process for business owners, while still allowing for community input during the process through the Community Board hearing. As Community Boards are a partner in this process, we are interested in eliciting your feedback and surfacing any potential impacts;” and

Whereas, Bob Gormley, District Manager of Community Board 2, spoke about his experience as a past employee of DCA and agreed that the DCA public hearing was, by-and-large, unproductive and believes that the Community Board hearing is the best opportunity for the operator to engage with community concerns; and

Whereas, several members of the public appeared to express apprehension at the idea of removing an opportunity for the public to speak regarding a sidewalk café application; and

Whereas, the chair of the sidewalk café review committee of Community Board 1-Manhattan appeared and stated that while he finds the DCA hearing to usually be a formality, there are times when important issues are raised at the DCA hearing and it is also an opportunity to amplify any objections raised in the relevant Community Board’s resolution to DCA; and

Whereas, a member of the committee owns an establishment that operates a sidewalk café and stated, in her experience, the DCA hearing is not productive and rarely do members of the public attend to express support or opposition to an application; and

Whereas, CB2, Man. recently recommended a reduction in the number of tables and chairs in a sidewalk café application and several members of the public attended the DCA hearing to reiterate opposition that was previously raised at the CB2 public hearing; and

Whereas, under current rules and regulations, the relevant Community Board has 45 days to review and recommend approval or denial to each sidewalk café application, and while this is usually sufficient time to review all applications, there are instances when this is not enough time for comprehensive review by the Community Board to pass a resolution before the DCA hearing; and

Whereas, the Community Board hearing is often the best opportunity for the community to hear about the plans for the sidewalk café from the operator and this is frequently where issues arise which are particular to the location of the café and the neighboring residents and businesses are the most knowledgeable about specifics of the location that may not appear in an operator’s application or layout; and

Whereas, if the DCA public hearing is eliminated there must be processes in place to catch all community concerns before a sidewalk café application is voted on by the City Council; now

Therefore Be It Resolved that CB2, Man. recommends that if the Department of Small Business Services and the Department of Consumer Affairs formulate a proposal for a new sidewalk café application process it should maintain the Community Board public hearing and increase the amount of days for the Community Board to hear each application in order to ensure that any issues raised by the community are contemplated and considered by the DCA before a final vote is taken by the City Council; and

Therefore Be It Further Resolved that any new streamlined procedure should not be instituted until Community Boards have ample opportunity to comment.

Vote: Unanimous, with 42 Board Members in favor.

3. Discussion of a proposal by DCA to amend its Sidewalk Café Design and Regulations Guide so that businesses would no longer be required to remove the tables and chairs from the sidewalk when the sidewalk café closes.

Whereas, an applicant appeared before CB2, Man. in Spring 2019 and, when asked by the committee if the operator planned to store the sidewalk café furniture in the restaurant overnight, the operator stated that it had been instructed by the Department of Consumer Affairs (DCA) that this was not a requirement and the applicant could leave the café furniture on the public sidewalk overnight and off-season; and

Whereas, this guidance from DCA was a complete change from previous DCA guidance which was that sidewalk café furniture was to be removed from the public sidewalk each night; and

Whereas, the current DCA regulation directive states that “[t]ables and chairs **MUST** be quietly taken in for the night” (emphasis added); and

Whereas, when contacted, DCA stated that the agency was writing a new design guide which would not list removing tables and chairs as a requirement and will state that businesses may leave their tables/chairs out during spring and summer season, but its recommended to keep them locked up during the fall and winter seasons; and

Whereas, the committee has serious concerns about businesses being permitted to leave their sidewalk café furniture fully set up on the public sidewalk whenever the operator wishes; and

Whereas, leaving a sidewalk café fully set up could create serious quality of life issues including vermin, obstruction of public space, and loitering after-hours; and

Whereas, the committee believes that DCA should continue to encourage operators to store all furniture in the establishment overnight during sidewalk café season and to store all furniture off-premises during sidewalk café off-season; and

Whereas, if sidewalk café furniture is permitted to be left outside the establishment, DCA should formulate clear standards on how the furniture should be stored, including the requirement that all furniture be folded closed and secured as close to the building façade as possible in order to leave the most amount of public sidewalk space for public use (as illustrated below); now



Therefore Be It Resolved that CB2, Man. recommends that the Department of Consumer Affairs should continue to encourage sidewalk café operators to store café furniture inside the establishment off-hours; and

Therefore Be It Further Resolved that if DCA does not require sidewalk café furniture to be stored inside off-hours, it should formulate clear standards on how the furniture should be stored including the requirement that all furniture be folded closed and secured as close to the building façade as possible.

Vote: Unanimous, with 42 Board Members in favor.

Street Activities Applications

4. Friday-Sunday, September 20-22, 2019 – Allied Global Marketing Amazon Treasure Truck Promotion: Wooster St. between Prince and Spring Sts. [curb lane closure]

Whereas, the applicant, Amazon, is renting out the old Room and Board space on Wooster street as a pop-up for this event and wishes to park a “roving billboard” (pictured below) outside the storefront in order to entice customers into the shop and will also use part of the sidewalk for rope stanchions in case a line forms outside the store; and



Whereas, the use of roving billboards has surged in the City as companies begin to use the City’s streets and waterways to advertise their products, including the use of a floating barge that was recently the focus of new State legislation to ban this practice; and

Whereas, the applicant said the City would charge them approximately \$300 to reserve this curb lane in order to park this large, brightly colored, and Amazon-muralled box truck outside the pop-up from 11 AM-6 PM on Saturday September 21; and

Whereas, this area of SoHo is incredibly congested and especially so on a fall weekend; and

Whereas, the City should be striving to find ways to decrease congestion in this area and should not be encouraging private companies to drive oversized vehicles into the area solely for the purpose of sparking interest in one private company’s event; and

Whereas, storefronts serve the purpose of displaying items and events for passerby and the City should not essentially be giving away public space to enable these new marketing practices; and

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

Therefore Be It Resolved that CB2, Man. recommends **denial** of **Allied Global Marketing Amazon Treasure Truck Promotion: Wooster St. between Prince and Spring Sts. [curb lane closure]** from **September 19-22, 2019.**

Vote: Unanimous, with 42 Board members in favor.

5. Sunday, September 20, 2019 – Charlotte Tilbury (Sweeterly Corp.): Broadway between Prince St. and Spring St. [curb lane only];

Whereas, the applicant, Charlotte Tilbury, is launching a new product out of Sephora and wishes to park a “roving billboard” and experiential showroom (pictured below) outside the storefront in order to entice customers into the parked truck to test out foundations and will also use part of the sidewalk to queue people waiting to get into the truck; and



Whereas, the use of roving billboards has surged in the City as companies begin to use the City’s streets and waterways to advertise their products, including the use of a floating barge that was recently the focus of new State legislation to ban this practice; and

Whereas, a representative from the Broadway Residents Coalition (BRC) provided an email between the BRC and event organizers stating that, “[a]fter much discussion and consideration, Broadway Residents Coalition has determined that we cannot offer support for your application...outside of 557 Broadway, or at the alternate site on the block of Broadway to the north. Our decision is due to a number of reasons, including the concurrent and nearby San Gennaro Festival that brings many additional pedestrians to the immediate area. Add to that the overwhelming number of these type of applications that we see in our immediate area; note that the September CB2 Calendar lists nine [9] SAPO applications, and all of those are for locations within a few blocks of our central SoHo block on Broadway. Ultimately, for our already crowded neighborhood, it is not good public policy to lease out public space for private enterprise, especially when the gains to the City bring little if any benefit, financial or otherwise, to our local community;” and

Whereas, this area of SoHo is incredibly congested and especially so on a fall weekend; and

Whereas, the City should be striving to find ways to decrease congestion in this area and should not be encouraging private companies to drive oversized vehicles into the congestion solely for the purpose of sparking interest in one private company's event; and

Whereas, storefronts serve the purpose of displaying items and events for passerby and the City should not be essentially giving away public space to enable these new marketing practices; and

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

Therefore Be It Resolved that CB2, Man. recommends denial of **Charlotte Tilbury (Sweetery Corp.): Broadway between Prince St. and Spring St.** on September 20, 2019.

Vote: Unanimous, with 42 Board members in favor.

6. Saturday, September 21, 2019 – Spring Street Yeezy 350 V2 Non-Reflective Citrin Cloud S Shoe Release (Werner Hellmann): Spring St. between Mercer St. and Greene St. [partial sidewalk closure]

Whereas, the applicant is applying for a partial sidewalk closure at this location, in front of one of Adidas' retail locations, to queue expectant customers for the launch of a sneaker designed in collaboration with Kanye West; and

Whereas, these Adidas events are regularly scheduled and it has become clear that these low-quantity/high-demand sneaker launches are a permanent part of Adidas' business model at these SoHo/NoHo locations and this is an untenable situation for neighboring residents and businesses; and

Whereas, there is no reason that Adidas should not hold these launches entirely on-line as they have the capability to do so; and

Whereas, it seems clear that the Adidas location on Spring Street is not large enough to serve the needs of Adidas if Adidas requires the use of public sidewalk to conduct its business week after week after week; and

Whereas, it is not fair to the neighboring businesses and residents that one tenant on the block routinely requires the use of public sidewalk to conduct business and expects that all other residents and businesses should conform to Adidas' business model; and

Whereas, the applicant wishes to use the public sidewalk from 8 AM-4PM in order to maintain line control; and

Whereas, the launch for this sneaker is happening concurrently at other NYC Adidas locations and will be managed by the security firm, Werner Hellmann, which has worked with Adidas at both the CB2, Man. Adidas locations for the past 2 + years; and

Whereas, Werner Hellmann was not contracted to monitor and maintain the line for the recent Arizona Iced Tea/Adidas collaboration and product launch on Bowery and Rivington which was described by the NY Post this way, “[a] marketing stunt by Adidas and Arizona Iced Tea that promised dirt-cheap limited-edition shoes descended into chaos Thursday morning — with one person carted away in an ambulance and two arrests — when sneakerheads started rioting after learning they might not get their kicks fix;” and

Whereas, it has become clear that the marketing strategy for Adidas in lower Manhattan is to create Instagram-ready publicity stunts, selling limited edition sneakers to a lucky few who often resell purchased sneakers to the highest bidder; and

Whereas, Adidas has recently employed a line-control mobile app that somewhat mitigates the throngs of people lining up to purchase these sneakers; and

Whereas, despite the utilization of this line control app, neighboring residents continue to be inconvenienced by this business model which essentially restricts their access to their own sidewalk for long stretches of time in order to facilitate the business model of this multi-billion, multi-national corporation; and

Whereas, residents of SoHo have been crying out for relief from this business model for many, many years and the City has failed to offer any solutions or even mitigations to improve and restore the quality of life of all the residents of SoHo; and

Whereas, the applicant was unable to articulate how this product-launch will benefit the community in any way; and

Whereas, CB2, Man. has been inundated with these types of product launches creating disturbances and occasional altercations throughout the district; and

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

Therefore Be It Resolved that CB2, Man. recommends **denial** of – **Spring Street Yeezy 350 V2 Non-Reflective Citrin Cloud S Shoe Release Werner Hellmann): Spring St. between Mercer St. and Greene St. [partial sidewalk closure] on September 21, 2019.**

Vote: Unanimous, with 42 Board members in favor.

7. Saturday, September 21, 2019 – Yeezy 350 V2 Non-Reflective Citrin Cloud (Werner Hellmann): East Houston St. between Broadway and Crosby St. [partial sidewalk closure]

Whereas, the applicant is applying for a partial sidewalk closure at this location, in front of one of Adidas’ retail locations, to queue expectant customers for the launch of a sneaker designed in collaboration with Kanye West; and

Whereas, these Adidas events are regularly scheduled and it has become clear that these low-quantity/high-demand sneaker launches are a permanent part of Adidas’ business model at these SoHo/NoHo locations and this is an untenable situation for neighboring residents and businesses; and

Whereas, there is no reason that Adidas should not hold these launches entirely on-line as they have the capability to do so; and

Whereas, it seems clear that the Adidas location on West Houston Street is large enough to contain the entire queue of people that wait outside the store to purchase sneakers yet Adidas continues to require the use of public sidewalk to conduct its business week after week after week; and

Whereas, it is not fair to the neighboring businesses and residents that one tenant on the block routinely requires the use of public sidewalk to conduct business and expects that all other residents and businesses should conform to Adidas' business model; and

Whereas, the applicant wishes to use the public sidewalk from 8 AM-4PM in order to maintain line control; and

Whereas, the launch for this sneaker is happening concurrently at other NYC Adidas locations and will be managed by the security firm, Werner Hellmann, which has worked with Adidas at both the CB2 Adidas locations for the past 2 + years; and

Whereas, Werner Hellmann was not contracted to monitor and maintain the line for the recent Arizona Iced Tea/Adidas collaboration and product launch on Bowery and Rivington which was described by the NY Post this way, "[a] marketing stunt by Adidas and Arizona Iced Tea that promised dirt-cheap limited-edition shoes descended into chaos Thursday morning — with one person carted away in an ambulance and two arrests — when sneakerheads started rioting after learning they might not get their kicks fix;" and

Whereas, it has become clear that the marketing strategy for Adidas in lower Manhattan is to create Instagram-ready publicity stunts, selling limited edition sneakers to a lucky few who often resell purchased sneakers to the highest bidder; and

Whereas, Adidas has recently employed a line-control mobile app that somewhat mitigates the throngs of people lining up to purchase these sneakers; and

Whereas, despite the utilization of this line control app, neighboring residents continue to be inconvenienced by this business model which essentially restricts their access to their own sidewalk for long stretches of time in order to facilitate the business model of this multi-billion, multi-national corporation; and

Whereas, residents of SoHo have been crying out for relief from this business model for many, many years and the City has failed to offer any solutions or even mitigations to improve and restore the quality of life of all the residents of SoHo; and

Whereas, the applicant was unable to articulate how this product-launch will benefit the community in any way; and

Whereas, CB2, Man. has been inundated with these types of product launches creating disturbances and occasional altercations throughout the district; and

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

Therefore Be It Resolved that CB2, Man. recommends **denial** of **Yeezy 350 V2 Non-Reflective Citrin Cloud (Werner Hellmann): East Houston St. between Broadway and Crosby St. [partial sidewalk closure]** on Saturday, September 21, 2019.

Vote: Unanimous, with 42 Board members in favor.

8. Saturday, September 28, 2019 – Spring Street Yeezy 700 V2 Hospital Blue Shoe Release (Werner Hellmann): Spring St. between Greene St. and Mercer St. [partial sidewalk closure]

Whereas, the applicant is applying for a partial sidewalk closure at this location, in front of one of Adidas' retail locations, to queue expectant customers for the launch of a sneaker designed in collaboration with Kanye West; and

Whereas, these Adidas events are regularly scheduled and it has become clear that these low-quantity/high-demand sneaker launches are a permanent part of Adidas' business model at these SoHo/NoHo locations and this is an untenable situation for neighboring residents and businesses; and

Whereas, there is no reason that Adidas should not hold these launches entirely on-line as they have the capability to do so; and

Whereas, it seems clear that the Adidas location on Spring Street is not large enough to serve the needs of Adidas if Adidas requires the use of public sidewalk to conduct its business week after week after week; and

Whereas, it is not fair to the neighboring businesses and residents that one tenant on the block routinely requires the use of public sidewalk to conduct business and expects that all other residents and businesses should conform to Adidas' business model; and

Whereas, the applicant wishes to use the public sidewalk from 8 AM-4PM in order to maintain line control; and

Whereas, the launch for this sneaker is happening concurrently at other NYC Adidas locations and will be managed by the security firm, Werner Hellmann, which has worked with Adidas at both the CB2 Adidas locations for the past 2 + years; and

Whereas, Werner Hellmann was not contracted to monitor and maintain the line for the recent Arizona Iced Tea/Adidas collaboration and product launch on Bowery and Rivington which was described by the NY Post this way, "[a] marketing stunt by Adidas and Arizona Iced Tea that promised dirt-cheap limited-edition shoes descended into chaos Thursday morning — with one person carted away in an ambulance and two arrests — when sneakerheads started rioting after learning they might not get their kicks fix;" and

Whereas, it has become clear that the marketing strategy for Adidas in lower Manhattan is to create Instagram-ready publicity stunts, selling limited edition sneakers to a lucky few who often resell purchased sneakers to the highest bidder; and

Whereas, Adidas has recently employed a line-control mobile app that somewhat mitigates the throngs of people lining up to purchase these sneakers; and

Whereas, despite the utilization of this line control app, neighboring residents continue to be inconvenienced by this business model which essentially restricts their access to their own sidewalk for long stretches of time in order to facilitate the business model of this multi-billion, multi-national corporation; and

Whereas, residents of SoHo have been crying out for relief from this business model for many, many years and the City has failed to offer any solutions or even mitigations to improve and restore the quality of life of all the residents of SoHo; and

Whereas, the applicant was unable to articulate how this product-launch will benefit the community in any way; and

Whereas, CB2, Man. has been inundated with these types of product launches creating disturbances and occasional altercations throughout the district; and

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

Therefore Be It Resolved that CB2, Man. recommends **denial** of – **Spring Street Yeezy 700 V2 Hospital Blue Shoe Release (Werner Hellmann): Spring St. between Greene St. and Mercer St. [partial sidewalk closure]** on **September 28, 2019**.

Vote: Unanimous, with 42 Board members in favor.

9. Saturday-Sunday, September 28-29, 2019 – Brazzers Backroom VHS (THNK1994, LLC): Canal St. between Broadway and Church St. [partial sidewalk Closure]

Whereas, the applicant, THINK 1994, is producing this art exhibit and promotional event in conjunction with Brazzers, an adult entertainment company, at 310 Canal Street, and the event will take place wholly within the storefront and this application is to queue patrons on the sidewalk in front of the store; and

Whereas, the event and line will be on the south side of Canal Street which falls within the boundary of Community Board 1; and

Whereas, a security team will be monitoring the queue at all times of the event; and

Whereas, the event is free and open to the public and the organizers are utilizing an RSVP system to keep the line under control and organized; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the **Brazzers Backroom VHS (THNK1994, LLC): Canal St. between Broadway and Church St. [partial sidewalk Closure]** on **September 28-29, 2019**.

Vote: Unanimous, with 42 Board members in favor.

10. Saturday, October 5, 2019 SoHo Block Party (NYC Strut Organization): Sullivan St. between Prince St. and Spring St. [full street closure]

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

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **SoHo Block Party (NYC Strut Organization)** based solely on the applicant's failure to attend the committee meeting: **Sullivan St. between Prince St. and Spring St. [full street closure]** on October 5, 2019.

Vote: Passed with 28 Board members in favor, 13 Board members in opposition (K. Bordonaro, V. De La Rosa, R. Ely, S. Gammie, J. Geballe, D. Gruber, M. Metzger, B. Riccobono, S. Russo, S. Sartiano, K. Shea, C. Spence, S. Wittenberg) and 1 abstention (A. Zeldin).

FYI/Street Activity Renewals:

10/19/19 – Tavern on Jane 22nd Annual Block Party (Jane Street Block Association): Jane St. between Hudson St. and 8 Ave. [full street closure]

Whereas, this item was on the public agenda and was not requested to be heard for further discussion by any community member; now

Therefore Be It Resolved that CB2, Man. recommends approval of the subject renewal provided that the application conforms with all applicable zoning and street activity laws, rules, regulations, and clearance requirements.

Vote: Unanimous, with 42 Board members in favor.

SCHOOLS AND EDUCATION

1. Resolution in Support of Implementation of Early Screening, Curriculum Development, Teacher Training, Programs and Schools To Support and Teach Children with Dyslexia in NYC Public Schools and The Creation of a DOE Public School Program for Dyslexic Students at the Bleecker School Site

Whereas:

1. *The NYC Department of Education has failed to develop comprehensive early screening, curriculum, teacher training, programs and schools to support and teach children with dyslexia, creating a deeply inequitable system that is out of reach for the vast majority of New York City families;*
2. Dyslexia affects as many as 5-20% of the population, regardless of primary language or background, and represents 80 to 90% of all those with learning disabilities¹;
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. Left untreated, dyslexia increases the risk of anxiety, depression, low self-esteem, peer rejection,² and absenteeism,³ and as a result, children with undiagnosed dyslexia are more likely to drop out

¹ <https://dyslexiaida.org/dyslexia-basics/> and <http://dyslexia.yale.edu/dyslexia/what-is-dyslexia/>.

of school and as adults have higher rates of unemployment, anxiety and depression⁴ and become involved with the criminal justice system⁵;

5. The achievement gap between typical and dyslexic readers impacts students as early as first grade and persists and often worsens over time making addressing the needs of dyslexic students a critical education and equity issue;
 - a. NYC DOE observes that 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 point⁶;
 - b. In NYC, only 19% and 18% of NYC Students with Disabilities⁷ (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 grade⁸;
6. Currently, the DOE has few and inconsistent systems to address the needs of students with dyslexia and other language-based learning disabilities, including:
 - a. Screening in grades K-2⁹ allowing dyslexic children to be identified sooner and receive interventions and accommodations needed to succeed in school;
 - b. Curricula based on the Orton-Gillingham (OG) Approach to teaching literacy that is multisensory, structured, sequential, cumulative, cognitive and flexible,¹⁰ examples of OG programs for reading include Preventing Academic Failure, Barton, Lindamood Bell, Recipe for Reading, Alphabetic Phonics, Wilson Foundations and Wilson Reading System, SPIRE for reading and for writing include Judith Hochman's Teaching Basic Writing Skills, The Writing Revolution and Self-Regulated Strategy Development;
 - c. Teacher training to recognize early signs for dyslexia, screen students and effectively teach OG-based curricula; and,
 - d. Programs designed for dyslexic students that combine OG-trained staff and curricula with low student-teacher ratios;
7. The Individuals with Disabilities Education Act (IDEA) is a federal law that gives students with disabilities the right to receive a Free and Appropriate Education (FAPE) as outlined in a student's Individualized Education Plan (IEP);

² Haft, S. L., Myers, C. A., & Hoeft, F., (2016). [*Preventing bullying through science, policy, and practice*](#). Washington, DC: The National Academies Press. doi: 10.17226/23482 and Mayo Clinic, <https://www.mayoclinic.org/diseases-conditions/dyslexia/symptoms-causes/syc-20353552>.

³ U.S. Department of Education (2016, October 27). [*Chronic absenteeism in the nation's schools: An unprecedented look at a hidden educational crisis*](#).

⁴ Al-Lamki L. (2012). [*Dyslexia: Its impact on the Individual, Parents and Society*](#). *Sultan Qaboos University medical journal*, 12(3), 269–272.

⁵ A 2016 study indicates that more than a third or more of incarcerated youth have learning disabilities and a 2000 study of Texas prisoners found that nearly half were dyslexic. See Mizrahi, J. L., Jeffers, J., Ellis, E. B., & Pauli, P. (2016). [*Disability and criminal justice reform: Keys to Success*](#). Rockville, MD: Respectability and Moody KC, Holzer CE 3rd, Roman MJ, Paulsen KA, Freeman DH, Haynes M, James TN. (2000). [*Prevalence of Dyslexia Among Texas Prison Inmates*](#). *Tex Med*.

⁶ Friedman, Ester Klein, Ph.D., Executive Director, Literacy and AIS Division of Teaching and Learning. (2014.) [*Indicators for Successful Reading Acquisition*](#). NYC Department of Education.

⁷ 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).

⁸ 2018 ELA and Math results for 4th grade students in NYC, in aggregate and by race, sex, disability, economic status and English language learner status, available at infohub.nyced.org/reports-and-policies/citywide-information-and-data/test-results.

⁹ Low cost screening tests include the [*Shaywitz Dyslexia Screen*](#), developed by Dr. Sally Shaywitz with the Yale Center for Dyslexia & Creativity, the [*Colorado Learning Disabilities Questionnaire-Reading Subscale School Age Screener*](#) and [*others*](#).

¹⁰ <https://en.wikipedia.org/wiki/Orton-Gillingham> and <https://www.understood.org/en/school-learning/partnering-with-childs-school/instructional-strategies/orton-gillingham-what-you-need-to-know>.

8. However, it remains difficult for parents to include the terms dyslexia, dyscalculia, and dysgraphia in their child’s IEP in NYC public schools even though New York State amended Section 305 of the Education Law in 2017 and the Commissioner of Education issued guidance in 2018 to clarify that school districts may use these terms in “evaluations, eligibility determinations, or in developing an individualized education program (IEP)”,¹¹ because:
 - a. The DOE conducts a psychoeducational evaluation not a neuropsychological evaluation¹²; and,
 - b. Dyslexia, dyscalculia and dysgraphia are not a classification in the DOE’s IEP process and instead fall under the umbrella term “Learning Disability”¹³;
9. Families of students with dyslexia and other language-based learning disabilities face a steep and costly learning curve and only those families with significant time and/or financial resources are able to navigate the complex system to fund:
 - a. Private neuropsychological evaluations to secure a dyslexia diagnosis;
 - b. Private tutoring;
 - c. Tuition for private special education, in excess of \$60,000 annually¹⁴; and,
 - d. Annual retainers for special education lawyers to sue the DOE to recover the cost of tuition;
10. Private and charter schools that serve dyslexic students continue to expand and provide models for the DOE, such as The Windward School that opened a Manhattan campus in Fall 2015 for 100 students in grades 3-6 and now serves 350 students in grades 1-8¹⁵ and Bridge Preparatory Charter School that opened in Staten Island in Fall 2019 and serves 90 students in grades 1-2 with plans to expand through grade 5¹⁶; and,
11. Currently the NYC DOE and School Construction Authority (SCA) do not fund or build new schools or classroom space based on learning type or system-wide criteria¹⁷.

Therefore, be it Resolved that CB2, Man.:

1. Urges the NYC DOE to:
 - a. Implement universal dyslexia screening for all students;
 - b. Develop curriculum and programs to support and teach children with dyslexia *within* current schools and develop and maintain stand-alone schools and or programs as necessary to best serve dyslexic students within the public-school system;

¹¹ See [paragraph 56 of Section 305 of NY State Education Law](#) and a summary of the New York State Education Department guidance related to students with dyslexia, dysgraphia, and dyscalculia at <https://www.jdsupra.com/legalnews/new-york-state-education-department-98330/>.

¹² <https://www.schools.nyc.gov/special-education/the-iep-process/evaluation>.

¹³ <https://www.schools.nyc.gov/special-education/the-iep-process/the-iep>.

¹⁴ City spending on private school tuition for learning disabled children has sky-rocketed upwards from \$103.6 million in 2009-2010 to \$244.1 million in 2017-2018, <https://reason.com/video/voucher-special-needs-reimbursement-nyc/>.

¹⁵ <https://www.thewindwardschool.org/about>.

¹⁶ <https://bridgeprepcharter.org/our-students/> and <https://chalkbeat.org/posts/ny/2019/09/04/a-reading-crisis-why-some-new-york-city-parents-created-a-school-for-dyslexic-students/>.

¹⁷ The NYC DOE and SCA’s Five-Year Capital Plan prioritizes new capacity based on overcrowding by school district. See the [DOE and SCA’s Proposed FY 2020 - 2024 Five-Year Capital Plan](#), February 2019, page 8 for a list of priorities and page 19 for the funded projects by District and Sub-District. Within District 2, the only programmatic needs the DOE identifies are for Pre-Kindergarten seats, see the [DOE’s 2019-2020 District 2 Planning Presentation](#), October 9, 2018, page 28.

- c. Fund and implement teacher training to recognize the early signs of dyslexia, screen students and effectively teach curriculum and programs for dyslexic students; and,
 - d. Conduct training and actively engage with school psychologists, special education teachers and related staff who implement the psychoeducational evaluations to ensure that they are aware of Section 305 of the Education Law regarding the use of dyslexia classifications in IEPs;
2. Urges the NYC DOE and SCA to fund the Bleecker School in its Five-Year Capital Plan and explore the possibility of creating a DOE public school program for dyslexic students, based on the population size of identified students.

VOTE: Unanimous, with 43 Board Members in favor.

2. Resolution in Support of Comprehensive Lead Testing In and Around NYC Schools

Whereas:

1. Long-term studies on children with even mild-to-moderate lead exposure have found evidence of enduring subclinical deficits in cognitive function or educational performance¹⁸;
2. NYC DOE tests all schools constructed before 1985 three times a year for lead paint, but only tests classrooms, and only classrooms hosting children age six and under;
3. Lead exposure at any age is detrimental¹⁹ to health, growth, and behavior;
4. The NYC DOE decision to only test classrooms with children age six or younger for lead is arbitrary and not in the best interests of all students;
5. While it is true that hand-to-mouth behavior is highest in children age six and younger, the potential for lead intoxication is highest after *inhalation*², which affects all school children, staff and family members in lead contaminated classrooms and makes the six-year-old age cut off for classroom testing unreasonable;
6. Lead exposure in pregnant teachers²⁰ and incidental exposure of pregnant parents/caregivers is also of concern given that lead and other heavy metals are known to cross the placental barrier and can detrimentally affect a fetus;
7. Visible paint chips may appear to contain only a small quantity of lead, but may contain hundreds of milligrams of lead, with increased airborne lead resultant from cracking. The US National Toxicology Program and the CDC decreased²¹ their reference value for blood lead levels at which they are concerned to 5 µg/dL (essentially 1/100th of a grain of rice in a can of coke);
8. Exposure to lead or other heavy metals may occur outside of classrooms in cafeterias, gyms, playgrounds, and neighboring construction sites. Particular attention needs to be paid to screening for lead and mercury and other heavy metals in exterior sites, especially as they contribute to soil and dust exposures, and the resulting exposure to children;

¹⁸ Needleman HL, Schell A, Bellinger D, et al. The long-term effects of exposure to low doses of lead in childhood: an 11-year follow-up report. *N Engl J Med.* 1990;322:83–8; Fergusson DM, Horwood LJ, Lynskey MT. Early dentine lead levels and educational outcomes at 18 years. *J Child Psychol Psychiatry.* 1997;38:471–8 Tong S, Baghurst PA, Sawyer MG, et al. Declining blood lead levels and changes in cognitive function during childhood: the Port Pirie cohort study. *JAMA.* 1998;280:1915–9.

¹⁹ Kosnett, MJ. Lead. Pp 1-30 (2016). *Critical Care Toxicology.*

²⁰ National Center for Education Statistics, *Public School Teacher Autonomy in the Classroom*, 1; Richard Ingersoll and David Perda, *The Mathematics and Science Teacher Shortage: Fact and Myth* (Philadelphia: Consortium for Policy Research in Education, 2009), 32; Richard Ingersoll, “Teacher Turnover and Teacher Shortages: An Organizational Analysis,” *American Educational Research Journal* vol. 38, no. 3 (2001).

²¹ Hauptman M, Bruccoleri R, Woolf AD. An Update on Childhood Lead Poisoning. *Clin Pediatr Emerg Med.* 2017;18(3):181–192.

9. Lead-contaminated soil and construction dust is an important source of lead intake for children²². Dust can be tracked by shoes into other environments and indirectly increase exposure. Furthermore, urban soil is often heavily contaminated from past use of leaded gasolines and paints. Construction sites adjacent to schools should also be overseen and monitored directly by DOE to minimize risk to children playing or engaging in physical education or sports out of doors;
10. Remediation of lead paint is of primary importance, the worthy objective of protecting confidentiality should not undermine the equally important mandate to notify parents whose children might have been exposed in the past;
11. Drinking fountains and other pipes in older schools are also a significant cause for concern in lead exposure and require more frequent monitoring;
12. For every dollar invested to reduce lead hazards, society benefits by an estimated \$17-221, a cost-benefit ratio that is comparable to childhood vaccines²³.

Therefore be it resolved that:

1. CB2, Man. urges the DOE to conduct lead testing and implement immediate remediation **in all areas** of all NYC public schools constructed prior to 1985, regardless of student age, and should include testing of cafeterias, gymnasiums, playgrounds, building exteriors, and all sources of potable water for school children; and,
2. CB2, Man. urges the DOE to test for lead in school water more frequently than the current policy of every five years²⁴ because pipes continue to erode over time.

VOTE: Unanimous, with 43 Board Members in favor.

²² Overcoming Barriers to Data-Sharing Related to the HIPAA Privacy Rule: A Guide for State and Local Childhood Lead Poisoning Prevention Programs at <https://www.cdc.gov/nceh/lead/policy/HIPAADoc.pdf>.

²³ AAP COUNCIL ON ENVIRONMENTAL HEALTH. Prevention of Childhood Lead Toxicity. Pediatrics. 2016;138(1):e20161493.

²⁴ See the NYC DOE's 2018-2020 Lead in Water Testing Protocol, <https://www.schools.nyc.gov/docs/default-source/default-document-library/lead-testing-and-remediation-protocol-memo>.

SLA LICENSING

August Resolutions Adopted in September

1. Bloomingdale's Inc., d/b/a Forty Carrots, 504 Broadway 10012 (OP – Alteration to correct licensed serving area and extend and expand license foot print to full eight floors of retail store)

i. Whereas, the applicant's attorney and other representatives appeared before CB2, Manhattan's SLA licensing committee to present an application to alter the existing on-premise license (SN 1143172) by **(1)** moving the licensed area from where it is currently licensed on the 5th floor which has not existed for over 5 years, to another location within the building on the 2nd floor where it has been operating illegally for over 5 years, **(2)** expanding the licensed premises to include service to the entire 120,000 square foot existing multi-floor retail store with multiple points of sale throughout the premises; and,

ii. Whereas, the premises occupies an entire block through building constructed in 1862 on Broadway, between Spring and Broome Streets, with additional entrances and significant frontage on Crosby Street between Spring and Broome Streets (block #483 lot #7) and is located within a unique zoning district designated M1-5B which has certain restrictions on allowable uses, including oversized retail and the size and location of eating and drinking establishments within buildings, it is unclear if the characterization of the uses presented by the applicant and proposed uses would be allowed with the current permits in place or if changes would be required; and,

iii. Whereas, the current on-premise liquor license the applicant seeks to alter is for a restaurant on the Crosby Street side of the building on the 5th Floor; that restaurant on the 5th floor has apparently not existed for a number of years, the kitchen, seating area and all other equipment having been permanently removed from the 5th floor and the area converted to retail sales; after first denying serving alcohol illegally on the 2nd floor in July/2019, the applicant subsequently admitted in August/2019 to illegally serving alcohol from a different restaurant constructed on the Second Floor on the Broadway side of the floor; the applicant now proposes to legalize the 2nd Floor of 504 Broadway by relocating the long disused license for the Fifth Floor of the Crosby Street storefront rather than surrendering the no longer used license and applying for a new license at the new geographic location; and,

iv. Whereas, applicant further proposed to use the same alteration application to expand alcohol service throughout the eight floors of the retail store, said by applicant to be approximately 120,000 sq. ft., allowing the order of food and beverage at any check out or service desk in the store for delivery to said location from the restaurant; and,

v. Whereas, applicant was previously informed by the Community Board, at the July 2019 SLA1 committee hearing, that selling and serving of alcohol in an unlicensed area was illegal, but nevertheless chose to continue such sales and proposed to continue such sales until such time as the SLA reviews the instant application; and,

vi. Whereas, the existing, disused, liquor license was issued for a specific restaurant at a specific location in this building, the restaurant and licensed premises no longer exist and has not for many years despite the applicant renewing that license for many years indicating no changes had occurred; liquor licenses are location specific and are not geographically transferable via an alteration application; the Community Board knows of no other case in which a license was allowed to be transferred to a different location to cure a significant violation without first correcting the underlying violation; in this case it would seem that the original license should be surrendered and a new application pursued as it would seem unfeasible to reconstruct the fifth floor restaurant and kitchen facilities; and,

vii. Whereas, landlords and former operators of permanently closed serving locations are not permitted to maintain liquor licenses in perpetuity, this license having never been placed in safe keeping, and the applicant has stated that it has been some years since the Fifth Floor Crosby Street location of the restaurant Forty Carrots has been used; and said license has not been surrendered; and, applicant asserted that they had sought regular license renewal for the no longer existing restaurant location; and,

viii. Whereas, the unlicensed sale and service of alcohol is a serious violation of the New York State liquor licensing laws and applicant admits having done so for years from the Second Floor Broadway location, and has continued to do so despite the violation having been brought to their attention by the community board; and,

ix. Whereas, the committee heard testimony in opposition from 13 nearby residents and received a number of opposition letters as well; with community members criticizing Bloomingdale's as an unresponsive and bad neighbor in many respects and raising concerns about the impact and precedent for their neighborhood of licensing such an extensive space for alcohol service; and, further raised concerns about the conformity of applicant's plans to the special zoning restriction on eating and drinking establishments in the SoHo area; and,

x. Whereas, applicant acknowledged an unfortunate history of non-engagement with immediate neighbors; but cited the corporation's robust charitable giving to the larger NYC community and the benefits to the city of their famous brand, and discussed the challenges faced by retail in the era of online shopping; and the committee was sympathetic to these concerns; and,

xi. Whereas, the committee appreciates the input from both applicant and opponents on this hypothetical, but feels that questions regarding the size of the space to be licensed are premature in the absence of a valid license or an application for a new license for the currently illegally operating space; and, further, that it is a logical and practical impossibility to consider the impact of an alteration to a license when no underlying license exists in the first place; and,

xii. Whereas, in the face of committee censure, the applicant offered to suspend immediately the illegal sale of alcohol, but declined committee entreaties to self-report immediately to the SLA (despite a detailed complaint having already been previously filed with the SLA which may disallow such self-reporting), withdraw the instant and improper alteration application, surrender the disused license for the long closed previous location, and file an application for a new license for the current location that includes a full explanation of what spaces were being licensed, full method of operations, etc.; and,

xiii. Whereas, the applicant was unwilling to delay filing this alteration application to seek guidance from the SLA and instead said that the alteration application would be pursued in conjunction with correcting the underlying violation of operating without a valid liquor license on the 2nd floor; acknowledging when queried that the underlying liquor license could be canceled by the Members of the Authority; and,

xiv. Whereas, applicant's behavior and statements suggest they seek to use the substantial prestige of their name and the wealth of their firm to seek special treatment that would not be available to other applicants under normal procedures and application of the laws and regulations; and, the community board considers such irregular special treatment to be definitionally contrary to community interest; and,

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application for **Bloomingdale's Inc., d/b/a Forty Carrots, 504 Broadway 10012;** 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 42 Full Board members in favor.

2. Citizens of SoHo, LLC, d/b/a Citizens of SoHo, 203 Lafayette St. 10012 (RW – Restaurant)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a *new* Restaurant Wine license to operate an Australian-style brunch cafe on the ground floor and basement of a 7-story mixed-use building on Lafayette Street at Kenmare Street; formerly San Remo operated at this location; and,

ii. Whereas, this is a long-standing building (circa 1900), 1,475 square feet on the first floor will be used for eating and drinking, 600 square feet in the basement will be used by staff for preparation and storage;

iii. Whereas, the premises licensed will have 17 tables with 57 table seats, and 1 bar with 8 seats, for a total patron seat capacity of 65 patrons, no TVs, background music only, there will be two entrances and 2 exits for patrons, there will be one patron bathroom and a full-service kitchen; the certificate of occupancy is pending for this location; the owners presented petitions of support with 23 signatures, half from nearby neighbors; and,

iv. Whereas, the hours of operation will be from 7:30 AM to 7 PM, 7 days a week, all facades will be fixed and there will be no operable doors or windows, no DJs, no promoted events, live music or TVs, no sidewalk café or other outdoor areas for the service of alcohol; and,

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

1. Will operate full-service restaurant, specifically as an Australian-style brunch café, with full menu items available until closing every night.
2. 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.
3. The premises will have not any televisions.
4. Will not operate a backyard garden/rooftop/outdoor area for commercial purposes
5. There will be no sidewalk café, now or in the future
6. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
7. Will close all doors and windows at 9 PM every night.
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The premises will not permit dancing.
10. The operator will not install French doors, operable windows or open facades.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products
14. Will appear before CB2 Manhattan prior to submitting any changes to any stipulation agreed to herein.

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine application to Citizens of SoHo, LLC, d/b/a Citizens of SoHo, 203 Lafayette St. 10012 **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Restaurant Wine License.

Vote: Unanimous, with 42 Full Board members in favor.

3. TXOKAO, d/b/a Haizea, 142 Sullivan Street 10012 (RW – Bar/Tavern with live music, DJs)

i. Whereas, the applicant’s attorney, but not 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 “high-end Spanish fusion restaurant/tavern” in a *previously unlicensed* storefront in a grandfathered commercial space in an area zoned for residential only in a 7-story mixed-use 1910 building on Sullivan, between E. Houston Street and Prince Street (block #518 lot #37) in the NYC LPC designated Sullivan-Thompson Historic District; and,

ii. Whereas, the applicant variously described the premises as being 3,125 sq. ft. or else 750 sq. ft. or else 600 sq. ft., the later figures more likely based on the provided floorplans; and the attorney could not provide a clear distribution square footage between the public areas of the restaurant and non-contiguous spaces marked changing room and grease trap room on the floor plans; and, the applicant’s representative stated that neither a valid Certificate of Occupancy or a Letter of No Objection currently existed for this use of the space; and,

iii. Whereas, the application questionnaire and provided floorplans not being consistent in the number of seats, but the floor plan showing 2 bars, one in the front with 10 seats and one in the back room with 6 seats and a window eating counter with 2 seats for a total of 18 seats; and, previous usage of the space was for a 10 seat lunch restaurant; and applicant nevertheless proposes an occupancy of 74 despite the small square footage and small number of seats; and,

iv. Whereas, applicant’s attorney described the location as an exclusive destination restaurant mecca for a world-famous chef’s following and proposed a method of operation that included closing hours as late as 2 AM on school nights and 4 AM on Fridays & Saturdays; DJ managed music and occasional live acoustical trios; and a large screen television stretching across the space behind the bar; and,

v. Whereas, the description of the establishment by the applicant’s attorney was inconsistent at the hearing, being presented at one point as a casual neighborhood bistro, “the Spanish version of Starbucks” and, as noted above, a signature destination location; and, further, at various times in the hearing committee was assured that there would be no private parties and at other times told that applicant anticipated a substantial number of corporate event buy-outs for Fortune 500 companies; and, further, the committee heard testimony that the establishment had been represented to commercial and residential neighbors as a “specialty Spanish/Portuguese market;” and,

vi. Whereas, in the instance of the final description of the establishment as a high-profile destination location for a world-renowned chef, or in the case of corporate event use, it is reasonable to expect a substantial traffic impact resulting from private car services, Uber and similar services, and trolling

taxi; and, applicant's attorney nevertheless indicated that no plan to manage or ameliorate traffic impact was or would be prepared; and,

vii. Whereas, the applicant's attorney was unable to explain where the non-contiguous rooms appearing on the provided floor plans were within the mixed-use building or how they were accessed by bar staff, and if said access necessitated staff moving through residential parts of the building, raising security issues; and,

viii. Whereas, residents report that noise from the previous tenant was audible in apartments above even without the entertainment program applicant proposes, but applicant's attorney asserted that applicant nevertheless refused to consider soundproofing the location as part of their renovation build-out; and, further, the applicant's attorney indicated that live-music was to be placed at the front of the restaurant near the door, increasing the impact on neighbors, and that inclusion of a live music entertainment program was essential to the business concept; and,

ix. Whereas, Sullivan Street between E. Houston and Prince Streets is substantially residential in character with ground floor residential in buildings interspersed with grandfathered commercial uses and already deals with substantial evening noise generated from 6 licensed establishments, including an existing bar in the same building as the applicant's proposed establishment; and the previous establishment at this location a lunch restaurant without liquor license which closed at 5 PM daily; and, in any case the committee heard testimony that all current establishments on the block close by Midnight school nights and 1 AM weekend and have a significant negative impact on the quality of residential life even on those terms;; and,

x. Whereas, applicant provided the committee with a petition in support of the application with 40 unverified signatures; and, said petition did not in any way describe the method of operation or hours of what, precisely signatories were endorsing; and, further, the committee heard opposition from nine residents of the block, including residents living directly above the proposed premises and in adjacent buildings, as well as from the owner and operator of an adjacent licensed bar; and,

xi. Whereas, applicant himself has apparently not personally met with, or had representatives engage in robust outreach to, any neighbors, residents, businesses, and other members of the community in seeking to license this controversial location; nor did applicant appear before the committee; raising genuine concerns about the good faith and commitment of this applicant; and,

xii. Whereas, applicant's attorney proposed amending application to seek closing hours of 12 PM Sunday through Thursday and 1 AM Friday and Saturday, consistent with the latest hours of current establishments on the block; and to remove the DJ from the method of operation, and limit the television to a 6 ft. screen, and stipulate to an occupancy of 30; but refused to consider soundproofing or to consider a layover in order to furnish the committee with basic information about the size, floor plan, method of operation, or character of the proposed establishment; applicant's attorney refused to consider the specific issues relevant to this specific location and the significant and valid concerns raised by members of the community and residents in the building and, instead stated that CB support was irrelevant and that the SLA would grant applicant a license regardless; and,

xiii. Whereas, in light of the inconsistencies and gaps in the information and materials provided, and the substantial doubt such inconsistencies and omissions create as to what is being proposed, whether it is allowable by regulation, and what impacts it might have, the community board does not believe this application meets the criteria for issuance of a license as presented;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial for **TXOKAO, d/b/a Haizea, 142 Sullivan Street 10012**, on its application seeking a Tavern Wine 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 42 Full Board members in favor.

4. Bondi—75 Kenmare Street, LLC d/b/a Pending, 75 Kenmare St. 10012 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license to operate a new operation in their Sushi Restaurant chain in a brand new, mixed use, multi-story building (circa 1900) on Kenmare Street between Mulberry and Mott Streets; and,

ii. Whereas, the 9,700 sq. ft. premises on one floor has never previously been licensed or operated for eating and drinking, a certificate of occupancy is pending for this building; there will be 2 entrances/exits, and 1 bathroom; there will be a maximum occupancy of 73; and,

iii. Whereas, the Applicant presented petitions signed by 66 individuals, many of whom live or work in close proximity to the proposed restaurant; and,

iv. Whereas, premises will operate as a “sushi restaurant”, with one 23 seat sushi counter, there will be no patron tables, bar or patron seats other than the sushi counter, no TVs, all windows will be fixed and there will be no French doors installed, no outdoor areas for the service of alcohol and no sidewalk café; and,

v. Whereas, the applicant’s agreed upon hours of operation will be Sunday through Saturday from 11 AM to 11 PM, music will be quiet ambient background music only; and,

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

1. The premises will be advertised and operated as a Sushi Restaurant.
2. The hours of operation will be Sunday through Saturday from 11 AM to 11 PM.
3. The premises will operate a full-service sushi kitchen, with kitchen open and full menu items available until closing every night.
4. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. There will be no TVs.
6. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a sidewalk cafe.
7. The premises will play quiet ambient recorded background music only.
8. Will not install French doors, operable windows, or open façades.
9. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The premises will not permit dancing.

13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the new Restaurant Wine license for Bondi -75 Kenmare Street, LLC d/b/a Pending, 75 Kenmare St. **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 42 Full Board members in favor.

5. 558 Broadway, LLC d/b/a Museum of Ice Cream, 558 Broadway 10012 (OP – Ice Cream Café)

i. Whereas, the applicant’s principals and applicant’s attorney appeared before Community Board 2, Manhattan’s SLA licensing committee to present an application for a new on-premise license to operate a café featuring alcohol-infused ice cream drinks; the licensed premises will be located on the ground floor only but will be located within a 3-story for profit commercial enterprise called the Museum of Ice Cream operating as an experiential art exhibition museum with a very small tertiary retail component occupying the whole 2-story building including basement at 558 Broadway between Prince and Spring Streets which is a block through building with additional frontage and access from Crosby Street, the premises is previously unlicensed, the building constructed in 1920 and located in the SoHo-Cast Iron Historic District;

ii. Whereas, the premises is located within a unique zoning district designated M1-5B which has certain restrictions on allowable uses including eating and drinking, interactive entertainment, museums and non-profit art galleries and amusements among other restrictions, certain additional special permits being required for some restricted uses; it being not clear or presented what use the Museum of Ice Cream would operate under; the applicant’s definition of museum differing from the conventional definition of museum commonly found; the applicant was provided an opportunity to present their own definition understanding this being a new concept, but was unable to succinctly explain their own definition of “museum”; and,

iii. Whereas, the interior proposed licensed area of the 2-story premises is 3,715 sq. ft., all on the ground floor, consisting of a lobby café and gift shop accessible to the public with 1 bar and 4 seat, and an additional bar with zero (0) seats in the exhibition tour waiting area in the back of the building, as well as the hallway connecting the two; and, said tour waiting area where the 2nd bar is located is accessible only to patrons with tickets for the size limited, timed tours of the exhibit departing every 15 minutes; and, no food or drink would be permitted in the adjacent exhibition; and, applicant presented a Certificate of Occupancy indicating that the allowable use throughout the building is limited to use group 10 retail; the applicant indicated their intent to seek NYC Dept. of Buildings approval to change serving areas on the ground floor to use group 6 eating and drinking conceding that said uses were not allowed under use group 10, but could not explain what changes would be made to other areas in the building, the use as presented as a museum not allowed under use group 10; this being an important factor in considering public interest as the café would not be able to exist without the Museum of Ice Cream, but the Museum of Ice Cream could exist independent of the Café and permits are not in place for the operation of a museum; and,

Whereas, applicant stipulated that all liquor will be sold and served only as ingredients in mixed ice cream drinks and never separately, although beer and wine might be available separately; and there would be no takeaway service of food or drink; and further stipulated that entry to the establishment would stop by 10 PM daily, with all patrons and staff exiting the premises by 12 AM daily; and also that there would be no queuing outside on the street for entry at any time; and that Crosby Street doors would be used as staff entrances only, and all doors and windows will remain closed at all times; and that no new operable windows or opening façades would be installed; and that there would be no televisions in the licensed areas; and,

Whereas, the committee heard from 18 neighborhood residents at the hearing in opposition to the granting of the license and 1 resident in support; a petition in support was presented and 4 letters in opposition were received; specific concerns expressed in opposition focused on the initial request for a 2 AM closing time (revised by the time of the hearing), concern about the potential for long waiting lines based on the experience of other cities where “Museum of Ice Cream” exhibits have opened, the licensing of such a large, previously unlicensed space at a time when location with a history of licenses are vacant and available in the vicinity; a general concern about the transformative power of licensing such an establishment on the character of the neighborhood; and,

Whereas, a further concern was heard from the community that the mixing of Ice Cream and alcohol at what is presented as a family-friendly attraction was not in the interests of public health and conduct in light of the obesity epidemic, the minimum drinking age, and prevalence of binge-drinking among young people, and

Whereas, there are additional concerns that this use is beyond the typical restaurant or tavern uses and that the complex zoning regulations in this area warrant specific confirmation by the SLA with the New York City Department of Buildings Manhattan Borough Office prior to any approvals by the SLA that the primary museum use of this premises is permitted in light of the fact that the café could not operate independent of the museum use; this being significant in that in order to challenging non-conforming use with the New York Department of Buildings, said use needs to be established first; and,

Whereas, the “Museum of Ice Cream” has been successful at another location in CB2, Man. without a liquor license, as well as in multiple other locations throughout the United States without alcohol, and the exhibition can clearly exist without spiked ice cream drinks at the snack bar, but the opposite isn’t true: A proposal for a café specializing in ice cream infused cocktails, with a limited food menu, in a previously unlicensed location would not be viable nor would it be in the community interest; and,

Whereas, the crowds attracted by other locations of the “Museum of Ice Cream” across the U.S. create serious doubts about the ability of the applicant to implement their good faith promise to prevent street queuing on this increasingly crowded stretch of Broadway;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new on-premises liquor license application for **558 Broadway, LLC d/b/a Museum of Ice Cream, 558 Broadway 10012**; 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 42 Full Board members in favor.

6. Compass Group USA, Inc. d/b/a N/A, 110 West 3rd Street 10013 (OP – Catering Facility for Private Events Only)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for the transfer to it of an existing On-Premise License currently held by New York University Law School (SN: 1022647) to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to New York University Law School (NYU Law);

ii. Whereas, the catering facility will be operated under new management but will continue to function as an in-house provider of food and drink services for private, invitation-only events hosted by NYU Law on university premises; and,

iii. Whereas, the Applicant will provide catering services at the instruction of NYU Law for on-site university-sponsored events scheduled between the hours of 7:00 AM to 12:00 AM seven (7) days a week; and,

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the on-premise license, with those stipulations as follows:

1. The Applicant will operate a full-service catering facility on the NYU Law premises.
2. The Applicant’s hours of operation will be 7:00 PM to 12:00 AM seven (7) days a week.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes.
5. Will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
6. Will not install or utilize French doors, operable windows or open facades.
7. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, or velvet ropes or metal barricades.
11. Catering services will be for private, invitation-only events at NYU Law School.
12. All events will end by 10 PM.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer of the op-premises license to Compass Group USA, Inc., 110 West 3rd Street, 10012 **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 42 Full Board members in favor.

7. Compass Group USA, Inc., 40 Washington Square South, 10012 (OP – Catering Facility for Private Events Only)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for the transfer to it of an existing On-Premise License currently held by New York University (SN: 1022657) to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to New York University (NYU Law);

ii. Whereas, the catering facility will be operated under new management but will continue to function as an in-house provider of food and drink services for private, invitation-only events hosted by NYU Law on university premises; and,

iii. Whereas, the Applicant will provide catering services at the instruction of NYU Law for on-site university-sponsored events scheduled between the hours of 7:00 AM to 12:00 AM seven (7) days a week; and,

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the on-premise license, with those stipulations as follows:

1. The Applicant will operate a full-service catering facility on the NYU Law premises.
2. The Applicant’s hours of operation will be 7:00 PM to 12:00 AM seven (7) days a week.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes.
5. Will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
6. Will not install or utilize French doors, operable windows or open facades.
7. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, or velvet ropes or metal barricades.
11. Catering services will be for private, invitation-only events at NYU Law School.
12. All events will end by 10 PM.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer of the op-premises license to Compass Group USA, Inc., 40 Washington Square South, 10012 **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 42 Full Board members in favor.

8. **Restaurant Associates d/b/a N/A, 100 Avenue of the Americas, Floors 2-16, 10013 (OP – Catering Facility for Private Events Only)**

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for a new On-Premise License to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to Two Sigma Investments, LP (Two Sigma); and,

ii. Whereas, the catering facility will be operated under new management but will continue to function as an in-house provider of food and drink services for private, invitation-only events hosted by Two Sigma on company premises; and,

iii. Whereas, the Applicant will provide catering services at the instruction of Two Sigma for on-site company-sponsored events scheduled between the hours of 7:00 AM to 12:00 AM seven (7) days a week; and,

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man., which will be incorporated into the Method of Operation of the on-premise license, with those stipulations as follows:

1. The Applicant will operate a full-service catering facility on the Two Sigma premises.
2. The Applicant’s hours of operation will be 7:00 PM to 12:00 AM seven (7) days a week.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes.
5. Will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
6. Will not install or utilize French doors, operable windows or open facades.
7. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, or velvet ropes or metal barricades.
11. Catering will be for private, invitation-only events at Two Sigma Investments, LP.
12. All events will end by 10 PM.
13. There will be no service on any terraces, patios, rooftops, or other exterior spaces.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer of the op-premises license to Restaurant Associates d/b/a N/A, 100 Avenue of the Americas, Floors 2-16, 10013 **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 42 Full Board members in favor.

9. Restaurant Associates d/b/a N/A, 101 Avenue of the Americas, Floors 15-23, 10013 (OP –Catering Facility for Private Events Only)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for a new On-Premise License to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to Two Sigma Investments, LP (Two Sigma); and,

ii. Whereas, the catering facility will be operated under new management but will continue to function as an in-house provider of food and drink services for private, invitation-only events hosted by Two Sigma on company premises; and,

iii. Whereas, the Applicant will provide catering services at the instruction of Two Sigma for on-site company-sponsored events scheduled between the hours of 7:00 AM to 12:00 AM seven (7) days a week; and

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the on-premise license, with those stipulations as follows:

1. The Applicant will operate a full-service catering facility on the Two Sigma premises.
2. The Applicant’s hours of operation will be 7:00 PM to 12:00 AM seven (7) days a week.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes other than a terrace on the 23rd floor of building.
5. Will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
6. Will not install or utilize French doors, operable windows or open facades.
7. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, or velvet ropes or metal barricades.
11. Catering will be for private, invitation-only events at Two Sigma Investments, LP.
12. All events will end by 10 PM.
13. Terrace on 23rd floor will close by 11 PM every night.
14. There will be no music on exterior patio at any time.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer of the op-premises license to Restaurant Associates d/b/a N/A, 101 Avenue of the Americas, Floors 15-23, 10013 **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 42 Full Board members in favor.

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

10. CGM LLNR, LLC d/b/a Asia De Cuba, 415 Lafayette St. 10003 (OP – Restaurant/Lounge) (relocate bar and change layout) (method of operation change with downstairs lounge, live music, DJs, Comedy/spoken word performance and new food concept)

Whereas, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on August 6th, 2019 the Applicant requested **to layover** this application to September/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, class change, alteration, transfer, upgrade or changes to any existing license for **CGM LLNR, LLC d/b/a Asia De Cuba, 415 Lafayette St. 10003** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Full Board members in favor.

11. 20X Hospitality, LLC d/b/a Spicy Moon Vegan Szechuan, 68 W. 3rd St. 10012 (OP – Restaurant)

Whereas, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on August 6th, 2019 the Applicant requested **to layover** this application to September/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, class change, alteration, transfer, upgrade or changes to any existing license for **20X Hospitality, LLC d/b/a Spicy Moon Vegan Szechuan, 68 W. 3rd 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 42 Full Board members in favor.

12. TMSI, Inc. and USE LX LLC, 412 W. 14th St. 10014 (Alteration to Existing OP—Lexus Gallery and Restaurant)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for an alteration to an existing on-premise liquor license for a “boutique gallery” that is a “space where people can

experience the Lexus brand without getting behind the steering wheel of a Lexus vehicle”; the space consists of a vehicle display area, modest exhibition and event space complimented by a contemporary restaurant, sitting area and café; and,

ii. Whereas, the licensee has been operating at this location since 2016, the alteration requested is to convert a food counter located on the 1st floor into a stand-up bar and to permit the service of beer and wine on the first floor; and,

iii. Whereas, the licensed premises is located in a commercial area located on 14th Street between Ninth Avenue and Washington St. in roughly 16,500 sq. ft. across three floors; and after the alterations take place there will be a total of 36 tables and 74 seats, 2 bars with 14, with 13 counter seats for a total of 101 seats, there will continue to be no licensed exterior/outdoor space; and,

iv. Whereas, the hours of operation will continue to be from 7 am to 12 am seven days a week, for day to day operation of the public space, music will be quiet background only, for events there may be a DJ with music volumes at entertainment levels and live music, there will be private events and there may be scheduled performances, there will be no “promoted” events; and,

v. Whereas, the first floor contains a café, garage gallery and retail space which is 1,707 sq. ft. and will have one food counter/bar with 15 stools, 5 counter seats and 5 tables and 20 seats for the service of beer and wine only, the hours of operation will be from 7 am to 10 pm Sunday through Thursday, 7 am to 12 am Fridays and Saturdays except for private events, as all events will end by 11 pm; the second floor will consist of a restaurant, 2,086 sq ft and will have 54 seats and 17 tables, 1 standup bar with 14 bar stools and 8 additional counter seats, the hours of operation of the second floor will continue to be from 11 am to 12 am; the third floor will consist an event space, flexible community space and office space, the event space is roughly 1,236 sq ft with all events ending by 11 pm; and,

vi. Whereas, the applicant performed community outreach and met with local residents as to their alteration application, one member of the community appearing with the agreed upon modifications to the existing stipulations for the licensed premises; and,

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

1. The areas where food and beverages will be served are divided into 3 distinct spaces. No alcohol will be served before 10 am in any area. Food and beverage service will be provided according to the following:
 - a. 1st floor Café and Garage Gallery: 7 am to 10 pm Sunday through Thursday, 7 am to 12 am Fridays and Saturdays except for private/invitation events. All private/invitation events will end by 11 pm. Service will be limited to beer and wine unless there is a private/invitation event. Alcohol may be served at private/invitation only events.
 - b. 2nd Floor Restaurant & Bar: 11am-12am.
 - c. 3rd Floor Event Space will 11pm every night.
 - d. When used for/in conjunction with events, the 1st floor and/or 2nd floors will close at 11pm rather than 12am.
2. There will be no guest entry after 11pm.
3. All guests will leave all areas by 12am.
4. There will be no more than 350 guests at any one time between all 3 floors.
5. All food and beverage service/catering will be provided by Union Square Events.

6. All 3rd Floor events will be programmed/booked by Lexus/Toyota directly– when not programmed the 3rd floor Event Space will be closed
7. 3rd Floor office space will be used by the applicant and Lexus/Toyota-based associates. The flexible community space will be made available to community-based organizations.
8. There will be no 3rd party promoters
9. There will be no bottle service
10. There will be no unlimited drink and unlimited food and drink specials.
11. Music will be quiet background from Ipod or similar device on all floors except during private/invitation-only events.
12. There will no DJs or live music on all floors except during private/invitation-only events.
13. All doors and windows will remain closed at all times.
14. There will be no queuing on the sidewalk
15. There will be no use of ropes or barricades
16. There will be no application for a cabaret license
17. There will be no application for a sidewalk café
18. There will be no application for alcohol service on the roof
19. There will be no transfer of the license; the on-premise license will be surrendered upon leaving the space.
20. Signs will be posted adjacent to the main entrance advising patrons to "Please respect our neighbors by lowering your voice", or similar language.
21. There will be a refrigerated garbage room and all waste will be stored in an interior space before it is brought out for removal (exact time of removal will be coordinated with existing carting companies in conjunction with existing pick up routes).

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an alteration to an existing on-premise liquor license for **TMSI, Inc. and USE LX LLC, 412 W. 14th St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On Premise Liquor License.

Vote: Unanimous, with 42 Full Board members in favor.

13. Moonblu, Inc. d/b/a Seabird, 361 6th Ave. 10014 (RW – Alteration to add service to Sidewalk Cafe)

i. Whereas. the Applicant appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for an alteration of its existing Restaurant Wine license to alter its existing method of operation as a full-service Restaurant to add beer and wine service to its exterior sidewalk café located directly in front of the licensed premises; and,

ii. Whereas, other than the above-referenced requested change, the storefront premises will continue to operate as a full-service restaurant specializing in seafood, sandwiches and hamburgers within a corner storefront (approximately 1,350 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 hours of operation for the interior premises will continue to be Sundays 11AM to 10PM, Monday through 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, there will be occasional live music performance in the interior premises, the live music will be limited to acoustical jazz/classical/folk without horns or drums, all music will be performed within the interior of the premises and all doors and windows will be closed at all times during any and 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, two neighbors appeared to voice their 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 performances at the premises, with small bands to compliment the dining atmosphere but agreed in the future to be more considerate subject to her agreed upon stipulations as it relates to live performances within the interior of the premises; and,

vii. Whereas, the Applicant executed a new stipulations agreement with CB2, Man., stipulations which he 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 Sundays from 11 AM to 10 PM, Monday through 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 played within the interior premises.
6. Live music will be acoustical only, without horns or drums 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 performances.
7. When live music is not being performed, 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 DJs, 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 on Sundays, by 11 PM Monday through Thursday and by 12 AM on Fridays and Saturdays.
12. There will be no velvet ropes or metal barricades, security personnel or a doorman on the sidewalk.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application 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 42 Board members in favor.

14. Sushi Nakazawa, LLC, d/b/a Sushi Nakazawa, 23 Commerce St. 10014 (RW—Alteration to add additional storefront

i. Whereas, the Applicant appeared with his Attorney before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for an alteration to add a second, adjoining storefront to an existing Restaurant Wine license; the restaurant will continue to operate as a high-end sushi restaurant previously described as a “family restaurant which will serve Japanese food”; and,

ii. Whereas, this storefront location has an extensive licensing history, which first appeared before CB2, Man. in July 2013, prior to 2013 the original premises was previously unlicensed and occupied as a hair dresser which closed at 7PM; in June 2016 the Applicant appeared before CB2, Man. to present an identical alteration application to add to the existing premises the adjacent storefront, up until 2015 the space to be added through that alteration which was acquired in 2016 was operated as a clothing store with early closing hours, at which time CB2, Man. recommended denial of the alteration application and notified the Liquor Authority of its recommendation; prior to this restaurant opening, there has never been any other licensed eating and drinking establishments on Commerce Street between 7th Avenue and Bedford Street and the street maintains a residential character and feel and is completely residential with the exception of the two storefronts sought to be combined and a small adjacent storefront in the same building; and,

iii. Whereas, the original premises is within a mixed-use building located on Commerce Street between 7th Ave and Bedford St for a roughly 1,200 sq. ft. premise on two floors (600 sq. ft. ground floor, 600 sq. ft. basement) with accessory use in the basement which has 10 tables with 2 seats each (20 seats), and a sushi bar with 10 seats, the space that is the subject of the alteration applications (now and in June 2016) is a separate storefront with 368 sq. ft. with one standup bar with 6 seats and one interior banquet/bench with 6 seats; the total seats including the alteration application portion is 42 seats, there will continue to be one service bar in the original premises, there is no sidewalk café and no outdoor areas for patrons because the use is not permitted, there is no full service kitchen or stove, there is no Certificate of Occupancy, but the applicant previously stated the maximum allowable occupancy for the original space is 30 and a letter of no objection exists for the establishment presented in 2019 permitting eating and drinking without open-flame cooking at 23 Commerce, but the letter of no objection did not represent the storefront to be combined at 19 Commerce and there are numerous building department filings, as well as unresolved building code violations and fines issued to the storefront premises as it relates to an illegally performed combination of the two storefronts from 2019, as well as still other alterations and changes before and after 2016, which took place without building or landmarking permits being requested, as it relates to the combination of the two landmarked storefronts by breaking through a party wall between the two storefronts with separate addresses; and,

iv. Whereas, the hours of operation will continue to be 5 p.m. to 12 a.m. (midnight) 7 days a week (all patrons will be cleared and no patrons will remain after stated closing times), music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive

prearranged music), there are no operable French doors or windows, there will be no DJ, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

v. Whereas, Commerce Street between 7th Avenue and Bedford Street is very narrow street with parking on one side only and one travel lane, located in a purely residential block in the heart of a Historic District in the West Village; and

vi. Whereas, the Applicant was willing to execute a stipulations agreement substantively the same as what currently exists for their existing license with CB2, Man. albeit with the additional storefront, and those stipulation are as follows:

1. Premises will continue to be advertised and operated as a high-end sushi restaurant.
2. The hours of operation will be from 5 PM to 12 AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating, 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 DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades and will maintain all existing doors/windows in a fixed, closed position at all times.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The premises will not permit dancing
13. Will appear before Community Board #2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
15. Garbage will be placed on the street just prior to pick-up given the nature of the organic fish waste and will take all steps to make sure garbage is properly sealed.
16. Licensee will continue to use existing food preparation layout and will not build or operate a full-service kitchen.
17. Applicant will not alter or build a new HVAC system for the premises and continue to use the system, which currently exists.

vii. Whereas, the prior identical alteration application from 2016 was never approved at the NYSLA and in March 2017, the NYSLA recommended a denial of a previous application to upgrade to OP made at the premises until all violations were remedied. (NEW YORK RW 1272297 - Alteration Agenda# 2017-00578), those violations relating to the combination and exterior renovations performed without permits in combining the two storefronts, which remain unresolved at this time with no certificate of occupancy having been filed; there are also new violations for additional work to the premises without work permits, yet again, none of which the Applicant was willing to explain, requiring denial of this particular Application; and

viii. Whereas, the Applicant's previous explanations for the illegal alterations and combination of the two storefronts in the landmarked buildings in 2016 were not credible, the explanation being that when he entered into a new lease for the newly acquired storefront in Jan/2016 he had not planned to change the additional storefront, but that when he went to perform cosmetic work on the storefront of the newly acquired space, it collapsed because of the awful condition of which he was unaware creating dangerous conditions that could have endangered the lives of passersby and children, this required his decision to immediately demolish and replace the existing storefront without informing the New York City Department of Buildings or filing for any Landmark permits; the applicant had no photographs of this dangerous condition; he further stated that he could do nothing about vehicular traffic related to his patrons or address parking issues from his patrons, that he was in the process of correcting the Landmarks violations for the new storefront; thereafter he did not address the Landmark violations which were received for work performed during the initial construction of the existing storefront without permits; he stated he had not served beer and wine or alcohol in the newly acquired space or allowed patrons to consume alcohol in the newly acquired space despite observations to the contrary and he was unable to properly address that the New York City Landmark Preservation Commission had rejected their application to legalize the illegally performed work done without permits or filings; and,

ix. Whereas, the numbers of unresolved and/or unexplained complaints, violations and objections from 2016 include **(1)** the newly acquired space was added to the existing premises including partition work to combine two storefronts altering the ground floor of the premises illegally without obtaining any NYC Department of Building Permits of any kind, **(2)** multiple Landmarks violations issued to the applicant including altering the storefront and adding improper awnings without permits and replacing the storefront and adding additional improper awnings without permits, **(3)** applications to legalize the improper landmarks violations had been rejected, and **(4)** the licensee has been improperly serving beer and wine in the newly acquired space prior to being incorporated into the licensed premises; and,

x. Whereas, the more recent building code violations and unresolved and/or unexplained complaints and objections include **(1)** "work that does not conform to approved construction documents" from January/2017 (035138177P), this new violation relating to the Applicant's illegal work in 2016, still unresolved, due to "the removal of fire rated barrier wall to combine 2 commercial spaces", resulting in fines but again without any recorded compliance relating to the illegal conversion from 2016, **(2)** a "failure to maintain building in code-compliant manner" (035356253N) from January/2019 due to improperly installed storm enclosure at the front of the licensed premises resulting in fines but without any recorded compliance, **(3)** "working without a permit" (0390033771P) from June 3, 2019 resulting in fines but without any recorded compliance, **(4)** "unlawfully continued work while on notice of a stop work order" from June 11, 2019 (35382126J) resulting in fines, albeit fines at a much greater amount but again without any recorded compliance, **(5)** "unlawfully continued work while on notice of a stop work order" from June 13, 2019 (035432702L) again resulting in fines but without any recorded compliance and **(6)** "tampered with, removed or defaced written posted stop work order" from June 21, 2019 (035382134J) once again resulting in fine without any recorded compliance, the Applicant acknowledging paying \$18,000 in fines, the stop work order and multiple failures to comply with the stop work order based on observation made June/2019 by the NYC Fire Department and NYC Building Department, renovations being observed with "many holes in the ceiling and remove the fire protection board and few electric work and new plumbing pipe observed" all without permits; and,

xi. Whereas, the Licensee and Applicant was not willing to confront and explain of the recent construction work performed on the premises without permits and indicated by paying the fines he had essentially complied with the violations even though no compliance from the original building violations in 2016 have ever been corrected, the Applicant instead trying to resolve those prior violations by

working without any building permits, the failure to obtain building permits being the focus of his violations in 2016 as well, the Applicant demonstrating a gross indifference to the law by repeatedly ignoring and violating building and landmarking laws for personal and financial gain; and,

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to an existing restaurant wine for **Sushi Nakazawa, LLC, d/b/a Sushi Nakazawa, 23 Commerce St. 10014**; and,

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

Vote: Unanimous, with 42 Full Board members in favor.

15. Entity to be formed by Roberto Passon, d/b/a Ariccia, 14 Bedford St. 10014 (Tavern Wine – Café)

i. Whereas, the Applicant and the Applicant’s Representative appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new tavern wine application within a ground floor storefront location where no eating and drinking use has previously existed, the prior business operating thereat being a bakery, in a residential zoned neighborhood with no commercial overlay for a new tavern wine license for a “small Italian restaurant/cafe serving small plates (tapas), salads, panini sandwiches, Italian coffee, wine and other beverages” in a building with a grandfathered commercial use constructed in 1903; and

ii. Whereas, this storefront to be licensed is located midblock on Bedford Street between 6th Avenue and Downing Street, the building falling within the designated NYC LPC’s Greenwich Village Historic District, in a roughly 250 sq. ft premise with 7 tables and 14 table seats, and 1 standup bar with 5 seats; a letter of no objection was presented to CB2 dated April 14, 2009 addressed to the New York State Liquor Authority, however, that letter was written in regards to another commercial space in the same building and not this space, which has never been previously licensed; and,

iii. Whereas, the hours of operation will be Sunday to Saturday from 8AM to 10PM (no patrons will remain after closing time) every day/night; 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 will remain closed at all times and there will be no operable windows, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant signed and notarized a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the new tavern wine license which includes the following:

1. The premises will be advertised and operated as a tapas café with less than a full-service kitchen but will serve food during all hours of operation.
2. The hours of operation will be Sunday through Saturday from 8 AM to 10 PM every day/night.
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. Will not seek to upgrade to On Premise license at location at any time in future.
5. There will be no TVs.
6. The premises will not operate a sidewalk café now or in the future (not permitted).

7. The premises will play quiet ambient recorded background music only.
8. All windows and doors will remain fixed and closed at all times.
9. Will not operate a backyard garden or any outdoor area for commercial purposes.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
13. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
14. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
15. The premises will not permit dancing
16. Will operate as stand-alone business and will not operate in conjunction with any other establishment operated by licensee or principals of licensee.
17. Will make all reasonable efforts to prevent patrons from congregation outside in front of premises and to work with surrounding community to keep all noise impacts from patrons inside of premises.
18. Will appear before Community Board #2 prior to submitting any changes to any stipulation agreed to herein.
19. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

vi. Whereas, the principals of the Applicant, Roberto Passon and Tanya Passon, also own and operate a number of restaurants including several located within CB2, Man. including Cordino at 62 Carmine Street, Cotenna located at 21 Bedford St. directly across the street from this premises and Aria located at 117 Perry Street, the Applicants presenting a petition in support, one local neighbor living from down the block and two business owners, including a current member of CB2, Man., appeared in support, vouching for the integrity and sincerity of the Applicants based on previous business relationships with the Applicants; and,

vi. Whereas, by way of explaining the history of this location in terms of liquor licensing, an application by this same Applicant was originally presented to CB2, Man. in March/2017 as a Restaurant On-Premise Liquor License, the CB2’s SLA Licensing Committee recommended unanimously not to approve the license as it did not establish a “public interest” subject to the 500 foot rule; the Applicant withdrew that application and resubmitted a Restaurant Wine application in April 2017 at which time CB2, Man. unanimously voted on the RW application to recommend not to approve the RW license, and thereafter the Applicant submitted a new 30 day notice for an OP Liquor License but subsequently withdrew that application again and proceeded to the NYSLA with its RW application that when later evaluated and reviewed by the full Board of the NYSLA, agreed with the position taken by CB2, Man. and denied the RW application due to the significant opposition in the neighborhood and many concerns advanced as it relates to the licensing of this location, the Applicant at that time advancing that the plan for the premises to be licensed was to help relieve the overcrowding of the other restaurant they own and operate across the street called Cotenna which operates until 12AM; they stated that by opening this new location (14 Bedford) across the street, it would take people from waiting there off the street; and,

vii. Whereas, the Bedford-Downing Block Association and a number of local residents (5), who live in the immediately adjacent buildings on the block to the storefront, appeared, and many others wrote letters in strong opposition and stated that nothing has changed from 2017 when this same Applicant made an identical application for this same location which was denied at the NYSLA for reasons that still exist, this is a small neighborhood block in the West Village which has radically transformed in the last 20 years from having one eating & drinking establishment to having almost all the grandfathered commercial

storefronts become eating and drinking establishments; that this location has never been previously licensed or used as an eating and drinking establishment and that once licensed would preclude the more appropriate uses for the neighborhood including use as a gallery, bakery, hair salon, florist, or shoe repair; that the amount of property taxes generated from these small residential buildings on the block which are significant, should more than offset the need to license every single commercial storefront for the sale of alcohol of some sort with hours of operation that are beyond 11PM even on the weekends on this residential block; that this use is more suited in one of the many vacant premises on 6th, 7th Avenues and Carmine Street, all within the immediate area which are already built out and/or appropriately matched to this use including associated noise impacts; that the nature of the narrow streets and sidewalk simply cannot absorb another evening operation with the accessory impacts on quality of life; the Applicant already infringes on quality of life on the block through their operation located directly across the street which is a licensed on-premise restaurant; that this new use at 14 Bedford would simply be an overflow spot for Cotenna which would result in people going back and forth across the street between both premises creating an undue burden of noise by running both locations in concert; that this location would serve as a private dining and event space to the premises across the street creating a noise hardship when large groups enter and leave the space, those in opposition providing a picture demonstrating recent crowds of patrons standing on the sidewalk in front of Cotenna; and,

viii. Whereas, those in opposition also asserted that this Application clearly does not satisfy the “public interest” standard required by the 500 foot rule and that they were concerned that if a tavern wine license application is ultimately approved for this location it will be forever licensed and that such licensing will serve as a pretext for allowing the NYSLA (as it has repeatedly occurred in this area in the past escalating the number of licensed premises and causing the concerns voiced by the residentially zoned neighborhood being overwhelms by new licenses in locations previously unlicensed) to state in the future that the beer and wine licensing forms some sort of legitimate basis for serving the “public interest” when there is no real standard to be met for beer and wine licensing; and,

ix. Whereas, in light of these concerns and attempting to rectify the situation knowing that it has already leased the storefront premises, the Applicant voluntarily put forth and affirmed to CB2 not to seek an upgrade of this license to an on premise license at any time in the future, further affirming that the premises would be operated as a stand-alone business and not in conjunction with Cotenna or any other establishment operated by licensee or principals of licensee and to take all reasonable efforts to prevent patrons from congregating outside in front of premises and to work with surrounding community to keep all noise impacts from patrons inside of premises;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the new Tavern Wine license for **Entity to be formed by Roberto Passon, d/b/a Ariccia, 14 Bedford St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Unanimous, with 42 Full Board members in favor.

16. Omakase Room By Maaser, 321 Bleecker ST. 10014 (RW- Restaurant)

i. Whereas. the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new SLA Restaurant Wine Liquor License to operate a “Japanese Restaurant, primary sushi place” at 321 Bleecker Street, between Grove and

Christopher Streets, (Block 591/Lot 40) in Greenwich Village, at a previously unlicensed location in a C1-6/C4-5 zoned mixed-use district, within the designated NYC Landmarked Greenwich Village Historic District; and

ii. Whereas, the premises is approximately 420 sq. ft. on the ground-floor of the building; there will be a total of 21 seats (one table with 6 seats, plus one sushi bar with 15 seats); there is no sidewalk cafe, rear yard, rooftop, or other outside space that is used for commercial purposes related to the premises, and there will not be a sidewalk cafe in the future; the premises has one patron bathroom and one door used for patron ingress and egress; and

iii. Whereas, the Applicant's hours of operation are 11:00 AM to 12:00 AM seven days a week (no patrons will remain after the closing time); music will be quiet background only, not audible in surrounding residences, there will be no dancing, no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be no televisions; and

iv. Whereas, the Applicant will obtain either a Certificate of Occupancy or a Letter of No Objection from the NYC Department of Buildings indicating that the restaurant is a permitted use for the premises prior to issuance of the SLA Restaurant Wine Liquor License; and

v. Whereas, no one from the public appeared to testify in favor of, or in opposition to, the application, but SLA Committee #2 received email correspondence from a neighborhood resident who objected to the issuance of a SLA Restaurant Wine Liquor License because the premises is a previously unlicensed location on the immediate residential block that does not have any other SLA Liquor Licenses; and

vi. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB, Man. which will be incorporated into the Method of Operation of the SLA Restaurant Wine Liquor License, with those stipulations with respect to the premises, as follows:

1. Premises will be advertised and operated as a Japanese Sushi Restaurant.
2. The hours of operation will be from 11:00 AM to 12:00 AM seven days a week.
3. Will operate with the kitchen open and the full menu 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.
7. Will not have a sidewalk cafe now or in the future.
8. Will not install operable French doors or windows that open out to the sidewalk.
9. Music will be quiet, ambient recorded background music only.
10. Will keep all doors & windows closed at all times except for patron entering and exiting.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will obtain either a Certificate of Occupancy or a Letter of No Objection from the NYC Department of Buildings prior to issuance of the SLA Restaurant Wine Liquor License
13. Will not make any changes to the existing facade, except to change signage or awning.

14. Will not offer unlimited drink, or unlimited food & drink specials (including no “boozy brunches”), nor will it sell pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
16. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new SLA Restaurant Wine Liquor License for **Omakase Room By Maaser, 321 Bleecker ST. 10014** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine Liquor License.

Vote: Unanimous, with 42 Full Board members in favor.

17. Entity to be formed by Elena Liao, d/b/a N/A, 32 Jones Street. 10014 (New OP – Restaurant)

i. Whereas. the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new SLA Restaurant On Premise Liquor License to operate a “tea house themed restaurant serving Mediterranean/global Cuisine. In addition to a wide list of specialty tea available to guests by the pot” at 32 Jones Street, between Bleecker and West 4th Streets, (Block 590/Lot 20) in Greenwich Village; and

ii. Whereas, the premises is located in an R7-2/C1-5 zoned mixed-use district, within the designated NYC LPC’s Greenwich Village Historic District and at the former location of the previously licensed Cafe Vivaldi; and

iii. Whereas, the entire premises is approximately 1,225 sq. ft.; the ground-floor is approximately 775 sq. ft. and the basement (to which there will be no patron access) is approximately 450 sq. ft.; there will be a total of 35 interior seats (12 tables with 28 seats, plus one stand-up bar with 7 seats); in addition, the Applicant will file with NYC DCA for a license for an outdoor cafe of approximately 100 sq. ft. with not more than 6 tables and 12 seats; the premises has one patron bathroom and one door used for patron ingress and egress; and

iv. Whereas, the Applicant’s hours of operation are Sunday through Wednesday 8:00 AM to 12:00 AM, and Thursday through Saturday 8:00 AM to 1:00 AM, provided that the sidewalk cafe will close by 10 PM Sunday through Thursday and 11 PM Friday and Saturday (no patrons will remain after the closing time, and all tables and chairs will be removed from the sidewalk cafe at closing time); music will be quiet background only, not audible in surrounding residences, there will be no DJ s, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be no televisions; and

v. Whereas, the Applicant has promised that the existing operable door to the premises will be the only door used for patron ingress and egress to the premises, and that it will make no changes to the exterior of the building except for new signage, and, if and when approved by the NYC LPC, making operable the side door closest to Bleecker Street to be used only as a service door for the proposed sidewalk cafe; and

vi. Whereas, the Applicant's Principals have operated a tearoom in the West Village since 2015, and this restaurant will serve a more extensive food menu than the tearoom and will be the first SLA licensed premises of the Applicant and its Principals; the Applicant has done considerable community outreach and has presented a petition with numerous signatures from members of the surrounding community, including a number of residents of Jones Street, and letters of support, and has obtained the support of the Central Village Block Association (CVBA); and

vii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the SLA Restaurant On Premise Liquor License, with those stipulations with respect to the premises, as follows:

1. Premises will be advertised and operated as a full-service tea house themed restaurant.
2. The hours of operation will be from 8:00 AM to 12:00 AM. Sunday through Wednesday, and 8:00 AM to 1:00 AM Thursday through Saturday.
3. A sidewalk cafe will require NYC DCA approval and will be no more than 6 tables and 12 seats;
4. Any future sidewalk café, if DCA approved, will close by 10 PM Sunday through Thursday and by 11 PM Friday and Saturday (all tables & chairs will be removed at this hour).
5. Will operate with the kitchen open and the full menu available until closing every night.
6. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
7. Will not have televisions.
8. Will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk cafe).
9. Will not install operable French doors or windows that open out to the sidewalk.
10. Music will be quiet, ambient recorded background music only.
11. Will keep all doors & windows closed at all times except for patron entering and exiting.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not make any changes to the existing facade, except to change signage or awning or operation of side door.
14. Will not offer unlimited drink, or unlimited food & drink specials (including no "boozy brunches"), nor will it sell pitchers of beer.
15. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
16. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.

17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

viii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 58 On Premise Liquor Licenses within 750 ft. of the premises, at least one additional pending license and an unknown number of beer and wine licenses, the stipulations agreed upon with CB2, Man. being the premise upon and pretext for which the Applicant is able to satisfy that statutory obligation;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new SLA Restaurant On Premise Liquor License for an **Entity to be formed by Elena Liao, d/b/a N/A, 32 Jones Street. 10014** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 42 Full Board members in favor.

18. Banter West Village, LLC, d/b/a Banter, 643 Hudson Street (New OP Restaurant /Cafe)

I Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On Premise liquor license to operate a full service Australian restaurant/café serving health-conscious fare in an M1-5 zoned, four-story mixed-use building built in 1950 constructed on the west side of Hudson St. between Gansevoort St. and Horatio St. (Block #627/Lot #12) in Gansevoort historic district; and

ii. Whereas, the total premises to be licensed is approximately 1,300 sq. ft. The basement (to which will be no patron access) is approximately 650 sq. ft. and the ground floor is approximately 650 sq. ft.; there will be 12-15 tables with 30 seats; there will be a sidewalk café with no more than six (6) tables and 12 seats; the premises has one (1) restroom and one (1) entrance; this location was previously licensed for eating and drinking and the Applicant presented a Letter of No Objection for the operation of such an establishment with fewer than 74 persons on the ground floor of the premises; and

iii. Whereas, the Applicant’s hours of operation are Sunday to Wednesday 8:00 AM to 11:00 PM, with the sidewalk café closing at 10:00 PM, and Thursday to Saturday 8:00 AM to 12:00 AM, with the sidewalk café closing at 11:00 PM, and all doors and windows closing by 9:00 PM; music will be quiet background only, not audible in surrounding residences, there will be no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, no boozy brunch or unlimited food and drink specials, and no televisions; will use a notification system, such as text or Yelp Waitlist, to prevent patrons from gathering outside while waiting to be seated; and

iv. Whereas, the Applicant has stated that any changes made to the premises will be cosmetic in nature only and that the new signage it will install will have dimensions comparable to those of the signage currently in place; and

v. Whereas, the Applicant has met with a number of people from the community, including multiple block associations and members of nearby 61 Jane Street and 643 Hudson Street, who presented letters of support; and

vi. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the new on-premise liquor license, with those stipulations as follows:

1. The Premise will be advertised and operated as an Australian restaurant/ Café serving health-conscious fare.
2. The hours of operation will be from 8:00 a.m. to 11:00 p.m. Sundays to Wednesdays (with the sidewalk café closing at 10:00 p.m.), and 8:00 a.m. to 12:00 a.m. Thursday to Saturdays (with the sidewalk café closing at 11:00 p.m.).
3. Will operate with the kitchen open and the full menu 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 televisions.
6. Will not permit dancing.
7. Will not operate a backyard garden or any outdoor area for commercial purposes, except for a sidewalk café with no more than 6 tables and 12 chairs.
8. Will not install operable French doors or windows that open out to the sidewalk.
9. Music will be quiet, ambient recorded background music only.
10. Will close all doors & windows every night at 9:00 p.m. except for patron entering and exiting.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not make any changes to the existing facade, except to change signage or awning.
13. Will not offer unlimited drink, or unlimited food & drink specials (including no “boozy brunches”), nor will it sell 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 and beer products.
15. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

vii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 35 On Premise Liquor Licenses within 750 ft of the premises, at least one additional pending license and an unknown number of beer and wine licenses, the stipulations agreed upon with CB2, Man. being the premise upon and pretext for which the Applicant is able to satisfy that statutory obligation;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a new OP Restaurant /Tavern license for **Banter West Village, LLC, d/b/a Banter, 643 Hudson Street** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 42 Full Board members in favor.

19. An Entity Controlled by Eric Einstein, 117 7th Avenue South 10014 (New OP—Bar and Entertainment Venue)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for on premise liquor license application within a large ground floor storefront location where no eating and drinking use has previously existed, the prior business operating for years at this location being a full service grocery store serving the community, to operate a bar with drag performance until 4 AM every night in a six-story mixed-use building on Seventh Avenue between Christopher and 10th Street, the building falling within the designated NYC LPC’s Greenwich Village Historic District; and

ii. Whereas, this Application will require a gut renovation of the entire storefront, the licensed premise being roughly 2,700 sq. ft, the proposed interior occupancy being 150 patrons with 21 tables and 51 table seats, 1 standup bar with 18 seats and 8 additional drink rail seats, there will be a kitchen, a stage, multiple entry points, two bathrooms and a new staircase to an additional basement space, the Applicant not be sure whether the basement space would be occupied by patrons, there are tall ceilings existing and the plan is to open up the entire front façade of the building to expose the interior bar and entertainment space with the front sidewalk, there is also a sidewalk café extending from the open facades onto the sidewalk for an additional 9 tables with 18 patron seats on the exterior; and,

iii. Whereas, a certificate of occupancy was presented from 1971 which is no longer representative of this building as there have been significant renovations, including the addition of multiple residential upper floors and mechanical systems over the last 10 years, the most recent certificate of occupancy being a temporary certificate from 2005 permitting a “physical culture establishment” but not eating and drinking, there being a health club located in the same building but no longer on the ground floor, with no architectural or renovation plans, including the installation of mechanical systems presented; and,

iv. Whereas, the hours of operation will be Sunday to Saturday from 11AM to 4AM every day/night; music will be entertainment level with live DJs and amplified music system with powered speakers, the Applicant stating that he will close the accordion/garage style doors by 10 PM, provide no plans to manage or address crowd control or traffic and there were no stated or presented plans for ropes, movable equipment or other outside equipment for patrons entering the bar and event space; and,

v. Whereas, the Applicant operates another late night bar with similar method of operation in the area and is already licensed to operate (but still under renovation) a second basement venue across and just down the street on 7th Avenue, a number of patrons from his other establishment appearing in support of this application, a petition with 16 signatures in favor being presented, CB2, Man. recognizing that the Applicant is a respected business operator within the Community, a Community whose existing character and history already benefits from the large number of eating and drinking establishments in the area serving the LGBTQ community from around the entire City and beyond; and,

vi. Whereas, despite being sympathetic to the Applicant and his plans to add another drag-event and late-night establishment to the area, there is already a significant number of such establishments in the immediate area where the new establishment is planned, the footprint of this location is large, the footprint can easily be expanded in the future by alteration and the addition of additional storefronts, there being other large locations in the immediate area and on the same Avenue previously licensed for the service of alcohol but are currently vacant, the immediate and more extended areas around this proposed establishment are already greatly saturated with late night drinking establishments until 4AM, there being 77 on premise licenses within 750 feet of the proposed premise, nine additional pending applications within the same area, not even counting the extensive number of beer and wine licenses and other vacant previously licensed storefronts in the area; and,

vii. Whereas, there was significant opposition to this application from the local block associations in the area, correspondence in opposition was received, neighbors appeared and spoke against the Application, including those representing a large 15-story building on Christopher Street, whose representative presented a petition signed by approximately 10 neighbors, and each dweller residing in the building, with concerns of late-night noise, the proposed late-night hours, the open facades and exterior sidewalk café being entirely inconsistent with a late-night bar and night entertainment location, the addition of late night traffic and revelers in an area already saturated with such concerns and impacts, there being additional concerns of an even larger venue by potential addition of an adjacent storefront, the loss of a full-service grocery store because the landlord failed to work things out with the prior tenant to continue the prior tenancy, the Applicant not establishing a public interest for adding yet another late night establishment at this location and to the neighborhood;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** for **An Entity Controlled by Eric Einstein, 117 7th Avenue South 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 respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and,

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

Vote: Unanimous, with 42 Full Board members in favor.

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

20. 230 Varick Taco Bell, LLC, d/b/a Taco Bell Cantina, 230 Varick St. 10014 (New OP – Taco Bell Boozy Cantina concept - withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested **to withdraw** this application for a new on premise liquor license from further consideration with the NYSLA and served a new 30 day notice for a restaurant wine license, agreeing to appear before CB2 Manhattan for such restaurant wine application in September/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 **230 Varick Taco Bell, LLC, d/b/a Taco Bell Cantina, 230 Varick St. 10014** **until** the Applicant has presented their

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

Vote: Unanimous, with 42 Full Board members in favor.

21 New Istanbul Grill Corp. d/b/a N/A, 310 West 14th St. 10014 (RW – laid over)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested **to layover** this application to September/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 **New Istanbul Grill Corp. d/b/a N/A, 310 West 14th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Full Board members in favor.

22. VV&V Brothers 95 7th Ave. South Corp. d/b/a N/A, 95 7th Ave. South 10014 (Transfer of OP– laid over)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested **to layover** this application to September/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 **VV&V Brothers 95 7th Ave. South Corp. d/b/a N/A, 95 7th Ave. South 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Full Board members in favor.

23. Professional On-Site Management, Inc. d/b/a Sixth Avenue Tavern, 102 Washington Pl. 10014 (OP – Bar/Tavern with live music/Comedy performance and sidewalk cafe) (laid over to Oct.)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested **to layover** this application to October/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 **Professional On-Site Management, Inc. d/b/a Sixth Avenue Tavern, 102 Washington Pl. 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 42 Full Board members in favor.

24. 161 W4 Hospitality, LLC d/b/a TBD, 161 W. 4th St. 10014 (New OP – Café and Cocktail Bar)
(laid over)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested **to layover** this application to October/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 **161 W4 Hospitality, LLC d/b/a TBD, 161 W. 4th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Full Board members in favor.

September Resolutions

1. FGC 24 E12, LLC d/b/a Fields Good Chicken, 88 University Pl. 10003 (New Restaurant Wine)

I. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA committee for the purpose of seeking to acquire a Restaurant Wine license at 88 University Place, 10003; and

II. Whereas, the applicant is already operating a fast-casual restaurant at the location specifically focused on chicken dishes; and,

III. Whereas, the applicant has proposed operating hours of 11am to 10pm Monday through Sunday, seven days a week; and,

IV. Whereas, after meeting with the Applicant and reviewing the Applicant's proposed method of operation, concerned members of the community and Block Association came to the board and spoke in favor of the restaurant and their operating procedures and the impact on the neighborhood and overall positive impact in the community provided that they continue to adhere to the method of operation as discussed; and,

V. Whereas, the applicant has agreed to close all doors & windows at 9pm every night.

VI. Whereas, the applicant has agreed to not have sidewalk signage or “A” frame signage on the sidewalk; and,

VII. Whereas, the applicant will not have dancing, DJs, live music, promoted events, any events where cover fee is charged, scheduled performances, velvet ropes/metal barricades, or security personnel/doorman.

VIII. Whereas, the applicant executed a stipulations agreement with CB2, Man. that will be submitted to the SLA and the applicant agreed those stipulations would be attached and incorporated into the method of operation as a part of the restaurant wine license stating that:

1. The premises will be advertised and operated as a fast casual serving chicken dishes with a Full-service kitchen and will operate at all times as a full-service restaurant.
2. The hours of operation will be Sunday through Saturday from 11:00 am to 10 pm.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
6. All doors and windows will be close by 9pm, every night.
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
9. Will not make any changes to the existing facade, except to change signage or awning.
10. Will not offer unlimited drink, or unlimited food and drink specials (including no “boozy brunches”), nor will it sell 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 not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine license for **FGC 24 E12, LLC, d/b/a Fields Good Chicken, 88 University Place, 10003** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 42 Board members in favor.

2. Areppas 3, LLC d/b/a Areppas, 25 Cleveland Pl. 10012 (New RW – Restaurant)

i. Whereas, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license to operate a new, fast casual, quick service Restaurant specializing in “fresh, wholesome dishes with the best quality grains, proteins and seasonal ingredients for any meal of the day” within a ground floor storefront located in a 4-story mixed use building (Circa 1900) located on Cleveland Place between Spring and Kenmare Streets directly across from Petrosino Square in Nolita; and,

ii. Whereas, the premises was previously operated in the past as Le Jardin Bistro (2009-2011) and The Cleveland Restaurant (2012-2015), the premises having a significant history relating to a 1,300 SF exterior backyard which the above-referenced operators (not including the most recent operator The Pokespot) operated in derogation of their previously stated method of operation as a restaurant, the backyard used illegally since 2012 for eating, drinking and live music but which was never permitted and instead was repeatedly disapproved by the NYC Dept. of Buildings, the existing letter of no objection for the storefront premises permitting eating and drinking on the interior first floor only but does not extend to the rear yard or the basement; and,

iii. Whereas, more recently and subsequent to these significant complaints, the storefront premises was operated as The Pokespot (2017-2019), a fast casual Restaurant specializing in Hawaiian poke bowls without the use of the rear yard; and

iv. Whereas, the Applicant and his Attorney originally appeared before CB2, Man. in May/2019 with an intention to operate the rear yard, the landlord owning the building advertising the illegal rear yard as a permitted use for eating and drinking, community members appearing in opposition to such application, the Applicant being notified of the illegal nature of the backyard use, with the Applicant withdrawing such application and returning with the instant application, the Applicant and his Attorney both acknowledging that they had researched the use of the rear yard while both conceded that their due diligence with the NYC DOB confirming that use and occupancy of the rear yard for eating and drinking was illegal and not a permitted use or occupancy at this premises; and

v. Whereas, the Applicant and his Attorney both agreed that there would be no commercial use, no patrons and no service of alcohol to any exterior portion of the premises, including the rear yard, the interior premises to be licensed is approximately 1,858 Sq. ft., with a roughly 1,000 Sq. ft. first floor and 858 Sq. ft. basement (to which will be no patron access), there is a full service kitchen, one bathroom, no TVs, an interior stairs to the basement, 9 tables with 18 patron table seats, 1 bar with 8 additional seats for a total patron seating capacity of 26, there will be no sidewalk café but there are existing Accordion style doors that are operable and open out to the public sidewalk thereat; and

vi. Whereas, the interior hours of operation will be Sunday through Saturday from 11:00 am to 12 am, music will be quiet background only consisting of music from iPods/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed by 9 pm except for patron ingress and egress, there will be no DJs., no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

vii. Whereas, the applicant executed a stipulations agreement with CB2, Man. that will be submitted to the SLA and the applicant agreed those stipulations would be attached and incorporated into the method of operation as a part of the restaurant wine license stating that:

1. The premises will be advertised and operated as a fast-casual health-conscious restaurant with a full-service kitchen and will operate at all times as a full-service restaurant.
2. The hours of operation will be Sunday through Saturday from 11:00 am to 12 am. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes including a sidewalk cafe.
6. All doors and windows will be close by 9 PM every night.
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
9. Will not make any changes to the existing facade, except to change signage or awning.
10. Will not offer unlimited drink, or unlimited food & drink specials (including no “boozy brunches”), nor will it sell 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 not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

viii. Whereas, despite acknowledging the illegal use relating to the rear yard and specifically agreeing not use the rear yard for any purpose, and further agreed to close all exterior doors by 9 PM every night, neighbors appeared in opposition to the application describing the significant history of illegal uses of the rear yard at these premises, concerns relating to the Applicant’s use of take-out containers, the park across the street being overwhelmed by trash stemming from the significant influx of fast-casual eating establishments in the immediate area, and requesting that the applicant keep the accordion doors closed at all times; and

ix. Whereas, this application being for beer, wine and cider service, it is not subject to the 500 -oot rule requiring the Applicant to establish a public interest;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine license for **Areppas 3, LLC d/b/a Areppas, 25 Cleveland Pl. 10012** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 42 Board members in favor.

3. TXOKAO, LLC d/b/a Haizea, 142 Sullivan St. 10012 (RW – Wine Bar/Tavern)

i. Whereas, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA licensing committee to present an application for a new Tavern Wine license to operate a “high-end Spanish fusion restaurant/tavern” in a *previously unlicensed* storefront in a grandfathered commercial space in an area zoned for residential use only in a 7 story mixed use 1910 building on Sullivan Street, between E. Houston Street and Prince Street (block #518 lot #37) in the NYC LPC designated Sullivan-Thompson Historic District; and,

ii. Whereas, this same application was presented and heard one month earlier in August/2019, there were a significant number of residents living adjacent to and on the same block as the storefront, all appearing in opposition to this application, for the previous application and for the instant application, the Applicant having made no attempt to perform any outreach to those most immediately impacted by the licensed premises proposed, the Community being distrustful of his refusal to communicate with them for the purpose of discussing his business plan, and despite it being repeatedly suggested to him and to his Attorney by this CB in August and again for the instant application, the Applicant and his Counsel refused, providing no logical reasoning for such refusal while there also remain many unresolved issues pertaining to the application; and

iii. Whereas, the storefront premises has the layout of a long “railroad style apartment” with an extended hallway separating two small rooms on either end, common to the tenement residential building, like many of the other storefronts on this block never being designed for eating and drinking, roughly 750 sq. ft., the front room having an electric cooking area behind one bar with 11 patron seats and a window eating counter with 2 additional seats, the rear room having an additional bar with 7 patron seats with a total seating capacity for 20 patrons, there is one bathroom and a door midway through the space identified on the diagram presented as an “emergency exit” but the door inappropriately opens into the space being inconsistent with a fire exit which should open out, only the doorway in question leads into the common residential hallway used exclusively by residents living in the building accessing their apartments when entering and exiting the building’s front door, the Applicant and his Attorney further acknowledging that his business operations require it to utilize the residential common hallway and common stairs used by the residents living in the same tenement style building to access his storage facilities in the same building, their sole access to the ancillary basement premises needed by the business for storage and food preparation purposes, the common residential hallway currently used exclusively by residents living in the building; these concerns were exacerbated by the Applicant failing to present a letter of no objection or certificate of occupancy permitting eating and drinking at the premises from the NYC DOB, or permit from the NYC Fire Department relating to the emergency access or renovation of the space, raising concerns in light of the layout provided and questionable diagram identifying a fire exit doorway opening the wrong way, the premises having never previously been permitted for eating and drinking use/occupancy at any time in the past; and,

iv. Whereas, applicant’s initial application described the location as an exclusive destination restaurant mecca for a world-famous chef’s following, the initial method of operation proposed included closing hours as late as 2 AM during the week and 4 AM on Fridays & Saturdays; DJ managed music and occasional live acoustical trios, with a large screen television stretching across the space behind the bar; and,

v. Whereas, the instant application proposes hours of operation Sunday through Thursday from 11 AM to 12 AM and Fridays and Saturdays from 11 AM to 1 AM, the Applicant not installing soundproofing but stating he will utilize a sound limiter, revising his application by stating he had no plan for live music or DJs, and that music will be background only (quiet), there will be a large projector screen over the bar area which he states will be for “cooking classes” and organized events, there are no doors or windows which open out to the sidewalk or rear portion of the premises, there is no sidewalk café or other space for outside service to patrons, the Applicant further denying that the premises will be operated for promoted events and scheduled performance but there will be private parties; and

vi. Whereas, residents living in the building appeared in opposition concerned about noise impacts in the old tenement style building over 100 years old and never designed for commercial eating and drinking to co-exist with residential living, reporting that the first floor ceiling and flooring on the second floor was thin, there were shared mechanical and venting where sound and smells could easily travel and you were able to hear sounds coming from the previous commercial tenant, albeit one that closed daily at 5PM, including simply human voices that were audible in the apartments above even without any music or other eating and drinking entertainment programs that the applicant is proposing here; and

v. Whereas, in response to the above-mentioned concerns as to sound and noise in the old tenement building, the Applicant and his Attorney were unmoved and refused to consider soundproofing stating it was too expensive as part of their renovation build-out; and

vi. Whereas, the immediate block on Sullivan Street between E. Houston and Prince Streets is substantially residential in character with ground floor residential in buildings interspersed with grandfathered commercial uses and already deals with substantial evening noise generated from a significant increase, over the last 10 years, of licensed establishments remaining open later in the night, including an existing bar in the same building as the applicant’s proposed establishment, where previously those storefronts were occupied by bakeries, specialty shops and markets or retail that

primarily served those living in the neighborhood and surrounding area; those living on the block, including residents and the owner of a business on the same block, appearing in opposition, citing the addition of 5 new licensed premises over the last 10 years, totaling 8 licensed premises on the block already where there previously were 3 or less; and

vii. Whereas, the Applicant provided the committee with a petition in support of the application with 40 unverified signatures but no one appeared in support; said petition did not in any way describe the method of operation, or hours of what precisely the signatories were endorsing; and, further, there was significant opposition from nine residents in August and seven additional residents in September, all living on the block, including residents living in the same building, directly above the proposed premises and in the adjacent buildings, as well as from the owner and resident on the block operating another licensed premise; and,

viii. Whereas, despite residents living on the block being willing to meet with the Applicant prior to his application presentation, the Applicant refused to adjourn his application for this purpose on two separate occasions over two months, himself not personally meeting with, or having representatives engage in any robust outreach to, any neighbors or other members of the community, in seeking to license this controversial location, raising genuine concerns about the good faith and commitment of this applicant; and,

ix. Whereas, proposed closing hours of 12 PM Sunday through Thursday and 1 AM Friday and Saturday are inconsistent with other licensed establishments on this block, the premises proposed to be licensed being midblock, inconsistent with the latest hours of current establishments on the block, all of which close by 10 PM during the week and 11 PM on the weekends; the Applicant and his Counsel consistently refusing to consider valid suggestions and alternatives to specific issues relevant to this specific location and the significant and valid concerns raised by members of the community and residents in the building and, instead stated that CB support was irrelevant and that the SLA would grant applicant a license regardless;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial for **TXOKAO, d/b/a Haizea, 142 Sullivan Street 10012**, on its application seeking a Tavern Wine 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 42 Board members in favor.

4. New Istanbul Grill Corp. d/b/a TBD, 310 West 14th St. 10014 (New RW – Restaurant)

I. Whereas, the applicant appeared before Community Board 2 Manhattan’s SLA committee for the purpose of seeking to acquire a Restaurant Wine license at 310 West 14th St; and,

II. Whereas, the applicant will be operating a Mediterranean restaurant within the community; and,

III. Whereas, the applicant will be operating from 11:00am to 4:00am, Monday through Sunday, but has agreed to cease and end all beer, wine and cider sales by 1am Sunday through Thursday and 2am Fridays/Saturdays; and,

IV. Whereas, the applicant has agreed to have no more than 2 televisions no larger than 60”; and

V. Whereas, the applicant has agreed to operate a sidewalk cafe no later than 11:00PM; and

VI. Whereas, the applicant will close all doors & windows at all times every night; and,

VII. Whereas, the applicant has agreed that they will not have dancing, DJs, Live music, promoted events, any events where cover fee is charged, scheduled performances, velvet ropes/metal barricades, or security personnel/doorman; and

VIII. Whereas, the applicant will not install or have French doors, operable windows, or open facades; and

IX. Whereas, the applicant executed a stipulations agreement with CB2, Man. that will be submitted to the SLA and the applicant agreed those stipulations would be attached and incorporated into the method of operation as a part of the restaurant wine license stating that:

1. The premises will be advertised and operated as a Mediterranean restaurant with a full-service kitchen and will operate at all times as a full-service restaurant.

2. The hours of operation for the service of alcohol (beer, wine and cider) will be Sunday through Thursday from 11 am to 1 am and Fridays/Saturdays from 11 am to 2 am.

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 no larger than 60”.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
6. All doors and windows will be closed at all times.
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
9. Will not make any changes to the existing facade, except to change signage or awning.
10. Will not offer unlimited drink, or unlimited food and drink specials (including no “boozy brunches”), nor will it sell pitchers of beer.
10. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
11. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant Wine license for **New Istanbul Grill Corp. d/b/a TBD, 310 West 14th St. 10014** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 42 Board members in favor.

5. 20X Hospitality, LLC d/b/a Spicy Moon Vegan Szechuan, 68 W. 3rd St. 10012 (New OP – Restaurant)

i. Whereas. the Applicant appeared before Community Board 2, Manhattan’s SLA Committee to present an application to the NYS Liquor Authority for a new On Premise liquor license to operate a full service Szechuan Restaurant/café serving health-conscious Vegan fare in a ground floor storefront in a five story (circa 1900) mixed-use building on West 3rd Street between Thompson Street and LaGuardia Place in the designated Landmark South Village Historic District in the Greenwich Village neighborhood; and

ii. Whereas, the premises previously operated as Kopi Kopi, a full-service restaurant with an on-premise license specializing in artisanal coffee drinks, Indonesian small plates and ramen with a similar method of operation as proposed here; and,

iii. Whereas, the total premises to be licensed is approximately 2,440 sq. ft., the basement (to which there will be no patron access) is approximately 900 sq. ft. and the ground floor is approximately 1,540 sq. ft.; there will be 21 tables with 50 seats, 1 stand up bar with 10 additional seats for an overall patron occupancy of 60, with one entrance for patrons, there will be no sidewalk café, backyard garden or any other exterior portion of the licensed premises for the service of alcohol, there being a back yard area to the premises and significant history at this location by previous licensees/operators (but not Kopi Kopi) improperly and illegally using that outdoor area establishing significant concerns for neighbors surrounding the yard in the past, the Applicant stating and agreeing that there will be no commercial use of that exterior yard now or in the future; there are two French windows that are operable and located at the front of the premises which the Applicant indicated was not interested in opening up during operations; the Applicant presented a Certificate of Occupancy permitting eating and drinking on the ground floor of the premises; and

iv. Whereas, the Applicant's hours of operation are Sunday to Thursday from 11:00 AM to 12:00 AM and from 11:00 AM to 1:00 AM Fridays and Saturdays, all doors and windows closing by 9:00 PM; music will be quiet background only, not audible in surrounding residences, there will be no DJ's, no promoted events, no live music, no private parties, no scheduled performances or cover fees, no boozy brunch or unlimited food and drink specials, and no televisions; and

v. Whereas, Neighbors appeared and presented concerns relating to the potential use of the rear yard, the Applicant specifically stating and agreeing that there will be no use of the rear exterior area/backyard for commercial purposes and the Restaurant's staff and employees will cease any and all use of the exterior rear yard space and it would be dark by 9 PM every night; and

vi. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the new on-premise liquor license, with those stipulations as follows:

1. The Premise will be advertised and operated as a full-service restaurant serving health-conscious Vegan Szechuan style fare.
2. The hours of operation will be from Sunday to Thursday from 11:00 AM to 12:00 AM and from 11:00 AM to 1:00 AM Fridays and Saturdays.
3. Will operate with the kitchen open and the full menu 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 televisions.
6. Will not permit dancing.
7. Will not operate a backyard garden or any outdoor area for commercial purposes.
8. No staff will use/occupy the exterior rear yard for any purpose after 9PM and the exterior yard space will be dark by 9 PM every night.
9. Will not install new operable French doors or windows that open out to the sidewalk.
10. Will close all existing doors & windows every night at 9:00 p.m. except for patron entering and exiting.
11. Music will be quiet, ambient recorded background music only.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not make any changes to the existing facade, except to change signage or awning.
14. Will not offer unlimited drink, or unlimited food & drink specials (including no "boozy brunches"), nor will it sell pitchers of beer.

15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
16. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

vi. Whereas, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 52 On Premise Liquor Licenses within 750 ft. of the premises, 5 additional pending license and a significant number of beer and wine licenses, the stipulations agreed upon with CB2, Man. being the premise upon and pretext for which the Applicant is able to satisfy that statutory obligation;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a new OP Restaurant /Tavern license for **20X Hospitality, LLC d/b/a Spicy Moon Vegan Szechuan, 68 W. 3rd St. 10012** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 42 Board members in favor.

6. Ecib of SoHo, LLC d/b/a Bice Cucina, 15 Watts St. 10013 (New OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license to operate an “Italian family restaurant specializing in Milanese food serving lunch and dinner in a ground floor storefront; and

ii. Whereas, the premises was previously operated in the past (2013-2015) as GMG, Industries d/b/a Babylon Soho, a Hookah bar and lounge with DJs, dancing and loud music which generated numerous complaints over the years from neighbors, especially after misrepresentations were presented by the prior operators about the use and occupancy of the premises, all in derogation of its previously stated method of operation as a restaurant and executed stipulations; and,

iii. Whereas, more recently and subsequent to these significant complaints, the same premises was operated as a French steak house restaurant Entrecote Watts d/b/a Le Relais De Venise L’ Entrecote (2016-2019), the owner of the building (Steven Elghanayan) having appeared before CB2, Man. in August/2016 explaining that he had owned the building since 2014 and ensured CB2, Man. and his neighbors, also present, that the premises would always operate in the future as a restaurant and never in derogation of its presented method of operation as a restaurant; and

iv. Whereas, the premises to be licensed is located in a mixed-use 7-story building (Circa 1928) on Watts St. at Broome and Thompson Sts. within a 3,483 sq. ft ground floor premise with 45 tables and 120 seats, 1 standup bar with 8 seats for a total patron seating capacity of 128, there with be a sidewalk café with 12 tables and 24 patron seats but no other outdoor areas for patrons, there are French doors which open out to the public sidewalk from the interior of the establishment; the Applicant did not provide a certificate of occupancy or letter of no objection permitting use and occupancy for eating and drinking but agreed to secure a valid certificate and/or letter of no objection from the NYC DOB prior to issuance of the license;

v. Whereas, this is a unique situation whereby the previous operators at this location appeared to have previously issued permits from the Department of Buildings, but recent changes to the building filed with DOB under Alteration Type 1 Job# 102611363 have resulted in the current Temporary Certificate of Occupancy # 102611363T026 (26th Temporary C of O) valid 7/31/2019 to 10/29/2019 indicating that there is no legal use for a restaurant on the ground floor; C of O # 102611363T026 specifically states “No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued”; this temporary Certificate of Occupancy supersedes all previously issued Certificates of Occupancy and invalidates all previously issued Place of Assembly Permits for Restaurant use on the Ground Floor; the applicant stated that this was an error and that they would immediately correct and provided such documentation to CB2, Man.; no documentation or explanation was received and the indicated Certificate of Occupancy is found on the NYC DOB Website and is consistent with the previously issued temporary Certificates of Occupancy to date; and

vi. Whereas, the interior hours of operation will be Sunday through Wednesday from 11:30 am to 12 and Thursday to Saturday from 11:30 am to 2 am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from iPods/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be 2 TVs, all doors and windows will be closed by 11 pm except for patron ingress and egress, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

vii. Whereas, the applicant executed a stipulations agreement with CB2, Man. that will be submitted to the SLA and the applicant agreed those stipulations would be attached and incorporated into the method of operation as a part of the restaurant on premise license stating that:

1. The premises will be advertised and operated as a full-service Italian restaurant with a full-service kitchen and will operate at all times as a full service restaurant.
2. The hours of operation will be Sunday through Wednesday from 11:30 am to 12 and Thursday to Saturday from 11:30 am to 2 am. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have only two televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes other than a licensed sidewalk cafe.
7. The sidewalk café will close by 11 pm every night. No patrons will remain in the sidewalk café after closing time.
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. All doors and windows will be closed by 11 PM every night.
11. Will obtain valid certificate of occupancy or letter of no objection permitting eating and drinking at premises prior to issuance of license.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not make any changes to the existing facade, except to change signage or awning.
14. Will not offer unlimited drink, or unlimited food & drink specials (including no “boozy brunches”), nor will it sell pitchers of beer.

15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
16. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

vii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 33 On Premise Liquor Licenses within 750 ft. of the premises, 8 additional pending license and a significant number of beer and wine licenses, the stipulations agreed upon with CB2, Man. being the premise upon and pretext for which the Applicant is able to satisfy that statutory obligation;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of a new On Premise Restaurant liquor license for **Ecib of SoHo, LLC d/b/a Bice Cucina, 15 Watts St. 10013** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 42 Board members in favor.

7. Gino Sorbillo, LLC d/b/a Gino Sorbillo, 334 Bowery 10012 (Corp Change - RW – Restaurant #1302268)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for an alteration to an existing Restaurant Wine license to include service to a sidewalk café; and.

ii. Whereas, the licensed storefront premise currently operates as a Restaurant specializing in Pizza Napolitano within a ground floor storefront in an eight-story mixed use building (Circa 1909) located on the Bowery between Bond and Great Jones Streets in Noho; and,

iii. Whereas, the restaurant has been operating for approximately two years with hours of operation which will continue to be from 12 PM to 12 AM Sunday through Saturday; and,

iv. Whereas, the sidewalk café will close by 11 PM every evening; and,

v. Whereas, the licensee previously executed a stipulations agreement with CB2, Man. that will remain and continue to be attached and incorporated into their method of operation on their Restaurant Wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a Pizzeria Restaurant.
2. The hours of operation will be from 12 PM to 12 AM Sunday through Saturday.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no televisions.
5. The premises will not permit dancing.
6. The sidewalk cafe will close by 11 PM every night.
7. There will be no sandwich boards or A-Frames on the public sidewalk.
8. The premises will play quiet ambient recorded background music only.

9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The operator will not install French doors, operable windows or open facades and will close at existing doors and windows by 10 PM every night.
11. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Corporate Change application to **Gino Sorbillo Bowery, 334 Bowery St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Restaurant Wine License.

Vote: Unanimous, with 42 Board members in favor.

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

8. Citizens of Bleecker, LLC d/b/a TBD, Portion of 155 Bleecker St. 10012 (New OP – Restaurant)

Whereas, at CB2, Manhattan's SLA Licensing Committee #1 Meeting on September 3rd, 2019 the Applicant requested **to layover** this application for a new restaurant on-premise liquor license to October/2019 and requested to adjourn and re-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 on premise liquor license or other license for **Citizens of Bleecker, LLC d/b/a TBD, Portion of 155 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 42 Board members in favor.

9. Gino Sorbillo, LLC d/b/a Gino Sorbillo, 334 Bowery 10012 (Class Change – Upgrade to OP from RW#1302268)

Whereas, at CB2, Manhattan's SLA Licensing Committee #1 Meeting on September 3rd, 2019 the Applicant requested **to layover** this application for a class change from a restaurant wine license to a restaurant on-premise liquor license to November/2019 and requested to adjourn and re-submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; at the same meeting on September 3rd, the applicant also presented an application for a corporate change to the same liquor license which was heard and a recommendation is presented in a separate resolution;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of class change or proposed upgrade to an on premise liquor license for **Gino Sorbillo, LLC d/b/a Gino Sorbillo, 334 Bowery 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 42 Board members in favor.

10. CGM LLNR, LLC d/b/a Asia De Cuba, 415 Lafayette St. 10003 (OP Alteration – Restaurant/Lounge - relocate bar and change layout, method of operation change with downstairs lounge, live music, DJs, Comedy/spoken word performance and new food concept)

Whereas, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on September 3rd, 2019 the Applicant requested **to withdraw** this application and 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 **CGM LLNR, LLC d/b/a Asia De Cuba, 415 Lafayette St. 10003 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 members in favor.

11. The RealReal Corp. d/b/a The RealReal, 80 Wooster St. 10012 (RW – Café within retail store with exterior service to patio)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 3, 2019 the Applicant requested **to layover** this application to October/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 restaurant wine license or tavern wine license for **The RealReal Corp. d/b/a The RealReal, 80 Wooster 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 42 Board members in favor.

12. Pelicana E8St, Inc., d/b/a Pelicana Chicken, 50-54 E. 8th St. Unit St-7 10003 (RW – Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 3, 2019 the Applicant requested **to layover** this application to October/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 restaurant wine license or tavern wine license for **Pelicana E8St, Inc., d/b/a Pelicana Chicken, 50-54 E. 8th St. Unit St-7 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 42 Board members in favor.

13. Green Garden Village, Inc., d/b/a Green Garden Village, 214-216 Grand St. 10013 (RW – Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 3, 2019 the Applicant requested **to layover** this application to October/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 restaurant wine license or tavern wine license for **Green Garden Village, Inc., d/b/a Green Garden Village, 214-216 Grand St. 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

14. Schatzi Corp., d/b/a Wallse, 342-344 West 11th St. aka 713 Washington St. 10014 (OP – Interior Alterations)

i. Whereas, the Applicant and his Attorney appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for an alteration of its existing Restaurant On Premise license to make interior changes to the walls and ceilings and to replace the walls and bar top (without changing the size or location of the bar);

ii. Whereas, the storefront premises will continue to operate as a modern European restaurant offering an integration between fine dining and fine art, specializing in providing dishes characterized by a polished adaptation of traditional Viennese and European dishes;

iii. Whereas, the premises are 2,400 sq. ft. (1,200 sq. ft. on the ground floor and 1,200 sq. ft. in the basement with an additional 800 sq. ft. sidewalk café. There is 1 exit and 1 entrance with 2 bathrooms. The premises are within a mixed-use 6-story building erected in 1900 on West 11th Street at the corner of Washington Street; and

iv. Whereas, the licensed premise has operated in this manner since the year 2000 with hours of operation on Sundays 11 AM to 11 PM, Monday through Thursdays from 5PM to 11 PM, Fridays 5PM to 12 AM and Saturday from 11AM to 12 AM, music that is quiet background only consisting of music from an iPod, there are 18 tables with 50 seats and 1 bar with 8 seats, windows and doors to the establishment are closed at 10 PM, there has been a sidewalk café with 8 tables and 16 seats which closes at 11 PM, there an existing Letter of No Objection permitting such use and occupancy, and,

v. **Whereas**, the Applicant executed a new stipulations agreement with CB2, Man., stipulations which he agreed would continue to be attached and incorporated into the method of operation on the existing restaurant on premise liquor license in the future, and those stipulations are as follows:

1. The premises will be advertised and operated as a European Fare Restaurant.
2. The hours of operation will be Sundays 11 AM to 11 PM, Mondays through Thursdays from 5PM to 11 PM, Fridays 5PM to 12 AM and Saturday from 11AM to 12 AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
6. Any properly licensed sidewalk café will operate no later than 10PM 7 days a week (all tables & chairs will be removed at closing).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
8. All doors and windows will be closed at 10PM every night and anytime there is music.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

Whereas, it appears that there is currently no active Department of Consumer Affairs Licensed Sidewalk café at this location and the operation of any sidewalk café would require an active Department of Consumer Affairs License;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application for an existing On-Premises license to **Schatzi Corp., d/b/a Wallse, 342-344 West 11th St. aka 713 Washington 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 On Premises License.

Vote: Unanimous in favor, with 42 Board members in favor.

15. HVI & Yuri, Inc., d/b/a Sushi Teru, 615 ½ Hudson St. 10014 (New Restaurant Wine)

i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license to operate a Sushi Fare Restaurant in a mixed-use, six-story building (Built in 1900) on Hudson Street between West 12th and Jane Streets in Greenwich Village; and,

ii. Whereas, the 541 sq. ft. premises on the ground floor has previously been licensed and operated for eating and drinking as Bespoke Restaurant (2015-2017) and Sakura Hana (2004-2013); since the operation of the previous restaurants, the interior has been divided and the proposed premises is located in the front half of the previously licensed operations at this location, there is one entrance, one exit, and one bathroom, A Letter of No Objection from the NYC Building Department permitting such use and occupancy was presented; and,

iii. Whereas, the storefront premise will operate a Sushi Nigiri Restaurant with 2 tables and 4 seats and one 10-seat food counter, there will no TVs, all windows and doors will be closed at all times, no outdoor areas for the service of alcohol and no sidewalk café; and,

iv. Whereas, the applicant's agreed upon hours of operation will be from 12 PM, noon, to 10 pm, seven days a week; music will be quiet ambient background music only; and,

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

1. The premises will be advertised and operated as a Sushi Fare Restaurant.
2. The hours of operation will be 12 PM, noon, to 10 pm, seven days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a "lounge", tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
6. There is no sidewalk café included in this application.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. All doors and windows will be closed at all times.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the new Restaurant Wine license for **HVI & Yuri, Inc., d/b/a Sushi Teru, 615 ½ Hudson St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 42 Board members in favor.

16. Varick Taco Bell, d/b/a Taco Bell Cantina, 230 Varick Street 10014 (New RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a new location of the Taco Bell franchise serving Mexican-style fast food in a C2-6 R6 zoned 11-story, mixed-use building constructed in 1986 on Varick St. between Carmine and Downing Sts. (Block #528/Lot #7501); and

ii. Whereas, the Applicant intends to operate its franchise using a new concept being introduced by the franchisor – “Taco Bell Cantina” – which has been designed to offer the fast-food restaurant chain’s usual food menu in a somewhat more upscale atmosphere and will include the service of beer and certain new signature wine-based frozen beverages; and

iii. Whereas, the 1,588 sq. ft. premises is located on the ground floor of a new one story extension of an existing 10-story building; the applicant states the maximum occupancy is 40 persons, there will be 6 tables and 21 seats and 4 window counter seats for a total of 25 seats; music will background only and new soundproofing will be installed, and,

iv. Whereas, there was considerable community opposition to this application, this location having never been operated with liquor license or for eating and drinking, with numerous residents testifying against it not only due to the possibility of another alcohol-serving establishment in an already oversaturated area but because of specific problems foreseen in connection with alcohol service both at this specific location and the profile of the Applicant’s customer base; and

v. Whereas, it was noted in the statements made by community members that the Applicant’s proposed location is half a block from both a public school (PS M721) and James J. Walker Park and is diagonally across the street from the Tony Dapolito Recreation Center, the park and the recreation center both attracting large numbers of minors during after-school hours; and

vi. Whereas, it was also noted by speakers that Taco Bell largely appeals to a young audience, many of whom are under the legal age for the purchase of alcohol, who will now be exposed to alcohol consumption in an environment where it was not previously available and who may be tempted by the Applicant’s service of sweet wine-based frozen drinks which do not have the appearance of a traditional wine-based beverage; and

vii. Whereas, the Applicant, in anticipation of community concern regarding its application, presented a detailed plan to monitor the sale and consumption of alcoholic beverages which will include recording proof of age, distinctive packaging for alcoholic beverages, monitoring the premises to ensure no minors obtain alcoholic beverages and that no such beverages are removed from the premises, and a staff training program; and

viii. Whereas, the Applicant, which at present stated it will be required pursuant to its franchise agreement to remain open until 2:00 AM seven days a week at the outset of its operations until it can demonstrate that such hours are not profitable in the future, closing hours of 2:00 AM being entirely inconsistent with the operating hours of other similarly situated eating and drinking establishments in the immediate area and mixed use block, the Applicant recognizing this inconsistently and the concerns that the location could end up being a late night location for young adults and college students, and consequently agreeing to cease alcohol service at 11:00 PM Sundays through Thursdays and at 12:00 AM on Fridays and Saturdays; and

ix. Whereas, as part of the materials presented to CB2, Man. the applicant submitted an outdated Certificate of Occupancy #110458 dated November 3, 1996 which reflects a previously built configuration, the building which is located on an irregular large lot with frontages on three different streets has since been changed under an Alteration Type 1 Job# 122503683 which includes a horizontal extension of the ground floor, the proposed restaurant is located within the 1 story extension to the existing building; the applicants representative/attorney stated that they provided the last Certificate of Occupancy issued for the building but acknowledged that the building had a type 1 alteration, a significant structural alteration, and that the new extension on the ground floor is where the proposed occupancy would be located; they also acknowledged that the Alteration type 2 permits that they provided to CB2, Man. modified the newly created space under the alteration type 1 application; CB2, Man. requests that the SLA Licensing Division properly verify that provided permits including either a new Certificate of Occupancy be dated on or after 9/2019 or verify directly with the New York City Department of Buildings that the provided permits allow the proposed occupancy; the applicant's attorney/representative stated that they were relying on the expertise of the New York State Liquor Authority on NYC Department of Building Permits and their discretion on the issuance of any license; and,

x. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the "Method of Operation" of the Restaurant Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a "Taco Bell Cantina" serving Taco Bell branded Mexican-style fast-food.
2. Will cease all service of alcohol at 11:00 PM Sundays through Thursdays and at 12:00 AM on Fridays and Saturdays regardless of its actual hours of operation. Normal hours of operation will end no later than 2AM at which time no patrons will remain in the premises.
3. The premises will not operate as a "lounge", tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
6. No Sidewalk Café is included with this application.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
8. All doors and windows will be closed at all times.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
15. There will be no take out service window.
16. Will obtain a new Certificate of Occupancy prior to the issuance of license (dated on or after September/2019)

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the new Restaurant Wine License to **230 Varick Taco Bell LLC, d/b/a Taco Bell Cantina, 230 Varick Street 10014** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Passed, with 41 Board members in favor, and 1 in opposition (G. Silvera Seamans).

17. 161W4 Hospitality, LLC d/b/a TBD, 161 W. 4th St. 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 with food service meeting section 64 requirements in a semi-below street level storefront space within a four story brick townhouse building (circa 1910) on West 4th Street between Cornelia and Jones Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the proposed licensed premise was previously operated for years in combination with the parlor floor for a combined multi-level retail store and boutique called Tic Tac Toe, with a small set of stairs leading down from the sidewalk to the entrance; and,

iii. Whereas, the Applicant is planning to renovate the roughly 1,260 sq. ft. space, where there will be, upon entry from the sidewalk down a number of stairs an enclosed room with windows the face the sidewalk where the Applicant will operate as a very small daytime coffee shop/café with small coffee counter, three tables with six patron seats, an interior door leading there from the daytime café and further back into the storefront space into a larger, speakeasy-like space hidden beyond the interior door where there will be a large, 21 foot bar running along one wall with 10 barstools, three additional tables and six more patron seats, with yet another doorway leading back to very small room where a kitchen is proposed, there being no plans presented for the installation of mechanical systems or kitchen equipment to support a food-based restaurant establishment, and after patrons would then have to walk through the proposed said kitchen there is yet another longer hallway, approximately 10-12 feet wide where the Applicant is proposed to place an additional 6 tables and 12 patron seats for a total proposed patron occupancy of 38, there is a rear door at the very back of the premise leading to the exterior, rear shaftway area for the townhouse surrounded by other residential buildings; and

iv. Whereas, a similar application by the same Applicant including the floor above previous proposed to CB2, Man. in April/2019 resulted in a recommendation to deny that prior application, unanimously passed, for many, if not all of the same reasons stated herein; and

v. Whereas, the proposed hours of operation are from 8 AM to 2 AM Sunday 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 with meals offered throughout the hours of operation, 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; and,

vi. 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 their 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), in addition to a karaoke

bar and still other, licensed establishments operating across the street on the same block, 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 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,

vii. Whereas, there was significant opposition to this Application, including those living adjacent to the proposed premises to be licensed, voicing concerns of additional pedestrian traffic and noise from smokers and revelers exiting/entering on the narrow sidewalk in front, the popularity assigned to the speak-easy concept, 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 in the rear exterior, the area being exposed to other residents, the use of security, the impact of noise emanating from the proposed method of operation late at night when people are sleeping and lack of any plans to mitigate noise or traffic impacts; and

viii. 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; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **161W4 Hospitality, LLC d/b/a TBD, 161 W. 4th 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,

Vote: Unanimous, with 42 Board members in favor.

18. Aunt Connie, LLC d/b/a Pending, 2 Bank St. aka 81 Greenwich Ave. 10014 (New OP – Restaurant with sidewalk cafe)

i. Whereas, the Applicant and the Applicant’s Representative appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new on premise liquor license to operate a full service fine dining restaurant in a ground floor storefront and on the lower floor within a six-story building (built in 1926) at 81 Greenwich Avenue also known as 2 Bank Street, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront premise has been previously operated as a full service restaurant and licensed sidewalk café by Barraca and Melibea Restaurants, the Applicant is planning to make layout changes to the interior but not the exterior of the premises, the method of operation remaining consistent with the prior operation of the premises, there being two entrances to the licensed premises, one on Bank Street and the other on Greenwich, the Applicant seeking to operate two restaurants albeit with a single, combined kitchen for both, there also being a certificate of occupancy presented permitting such use and occupancy thereat; and,

iii. Whereas, the storefront premise is approximately 3,000 sq. ft. and the lower level is also 3,000 sq. ft., there will be a licensed sidewalk café on the Greenwich Avenue side only with 34 seats, no seats, benches or other seating on Bank St., there will be no other outdoor areas for the service of alcohol, On the interior there will be 57 tables with 174 patron seats, 2 stand up bars with 17 patron seats for a total interior patron capacity of 191, there are 2 patron entrance/exits one on corner of Bank St. and Greenwich Avenue and one on Bank St., there are six bathrooms for patrons, and no televisions; and,

iv. Whereas, the hours of operation will be from 8:00 AM to 12:00 AM, midnight, Sunday through Wednesday and from 8:00 AM to 1:00 AM Thursday through Saturday, music will be background only; and,

v. Whereas, concerns were voiced by the community and those living immediately above and adjacent to the Bank Street side of the proposed licensed premises, who appeared, regarding noise impacts, there being an entrance to the licensed premises on Bank Street and there also being a history of prior operators improperly and illegally placing tables for eating/drinking on a platform in front of the Bank Street storefront where there is no sidewalk café permit, the prior illegal use on the exterior on Bank Street also being in derogation of prior agreements and stated method of operation of the prior operator/licensee; and

vi. Whereas, still further concerns were raised about the late-night hours of operation proposed and the basement space, where prior licensees have operated inappropriately with loud music and not as a restaurant in the basement premise, the basement space premises adjoining a common wall with their adjacent residential neighbors causing disturbances in the past; and

vii. Whereas, the Applicant heard all of these concerns and agreed that the basement premise will operate only as a fine-dining establishment with background music only in the basement, further that there will be no furniture placed on the Bank Street side of any type, and there will be no eating/drinking on the Bank Street side, on the platform or otherwise, and social media and websites will identify the entrance and address on Greenwich Street only, with no social media mention of Bank Street, the Applicant exchanging his contact information with his neighbors who appeared with such concerns, for future reference; and,

viii. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated into their method of operation on their On-Premise license and the stipulations are as follows:

1. The premises will be advertised and operated as a full-service fine dining restaurant.
2. The hours of operation will be 8:00 AM to 12:00 AM, midnight, Sunday through Wednesday and from 8:00 AM to 1:00 AM Thursday through Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
6. Will operate sidewalk café no later than 11PM nightly on the Greenwich Ave. side only (no patrons will remain after 11PM and all tables & chairs will be removed at closing)
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
8. All doors and windows will be closed at all times. There are no operable windows.
9. Will not make changes to the existing façade except to change signage or awning.

10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
15. There will only be 2 standup bars with 17 seats.
16. There will be no furniture placed on the Bank Street side on the platform or otherwise;
17. The advertised address will be 81 Greenwich Ave and Social media, websites and all listings will identify the entrance and address on Greenwich Avenue only, no social media or website will mention the Bank Street address.
18. The lower level will be used for kitchen and fine dining purposes only.

ix. Whereas, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 29 On Premise Liquor Licenses within 750 ft. of the premises, 3 additional pending license and an unknown number of beer and wine licenses, the stipulations agreed upon with Community Board 2, Manhattan being the premise upon and pretext for which the Applicant is able to satisfy that statutory obligation;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for an new On Premise license to **Aunt Connie, LLC d/b/a Pending, 2 Bank St. aka 81 Greenwich 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 On Premise License.

Vote: Unanimous, with 42 Board members in favor.

19. Amber Sushi, LLC, d/b/a Amber, 135 Christopher Street 10014 (Transfer of OP – Same Principal)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new on-premise liquor license via a transfer of an existing On-Premise License currently held in the name of Amber 135 Village, Inc. to a new corporate entity Amber Sushi, LLC to enable the Applicant to continue to operate a restaurant serving sushi and Asian style cuisine in a R6 zoned four-story, mixed-use building constructed in 1911 on Christopher St. between Hudson and Greenwich Sts. (Block #630/Lot #51), the building being located in the Greenwich Village Historic District; and

ii. Whereas, the business will continue to function as a full-service restaurant and will continue to serve lunch and dinner in a licensed premises of approximately 1,000 sq. ft., with 13 tables with 26 seats and one (1) stand-up bar with five (5) seats, for a total of 31 seats in the premises; there is one (1) entrance/exit and one (1) restroom; and

iii. Whereas, the Applicant’s agreed-to hours of operation are 11:00 AM to 12:00 AM Sundays through Thursdays and 11:00 AM to 1:00 AM on Fridays and Saturdays; music will be quiet background only; there will be no DJ’s, no promoted events, no live music or scheduled performances, no cover fees, and no more than three (3) televisions; and

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the “Method of Operation” of the On-Premise License, with those stipulations as follows:

1. Will be advertised and operated as a full-service restaurant serving sushi and Asian-style cuisine.
2. Will have hours of operation of 11:00 AM to 12:00 AM on Sundays through Thursdays and 11:00 AM to 1:00 AM on Fridays and Saturdays.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will have no more than three (3) televisions.
5. Will not operate a backyard garden or any outdoor area for commercial purposes. There is no sidewalk café.
6. Will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
7. Will close all existing doors and windows by 10:00 PM every night.
8. Will not install or utilize French doors, operable windows or open façades.
9. Will not make any changes to the existing façade except to change the signage or awning.
10. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited drink and food specials; will not have “boozy brunches” or serve pitchers of beer.
12. Will not have bottle service or the sale of alcohol in bottle form, except for the sale of beer and wine products.
13. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premise License via a transfer application for **Amber Sushi, LLC, d/b/a Amber, 135 Christopher Street 10014** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 42 Board members in favor.

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

20. Piccola Cucina Enoteca, 184 Prince Street 10012 (RW – Restaurant; Review of Method of Operation)

i. Whereas, the manager of Piccola Cucina Enoteca at 184 Prince St. and a representative representing its owner, R & G Soho LLC, were requested to appear before Community Board 2, Manhattan’s SLA Committee #2 to discuss the true nature of the restaurant’s day-to-day operations and the negative impacts it has been creating on the community; A large number of residents, including a Building Manager representing multiple residential buildings in the immediate area, were in attendance and their statements provided detailed examples of unwanted behavior that in some cases represented violations of their method of operation on their on-premise license.

ii. Whereas, the following are among the most serious complaints presented to the Committee:

1. The business is being operated as a lounge, not as a restaurant; a party-like atmosphere is actively promoted and birthday celebrations, during which the overly-loud music volume increases further, are said to occur as many as ten times a night.
2. On a nightly basis, unacceptably loud music can be heard on the street and in nearby residences and patrons are allowed to dance on the tables and chairs; patrons are also encouraged to bang on pots and pans.
3. The business routinely operates and sells alcohol well past the hour allowed by its license; it is said to never close before 1:00 AM.
4. Customers have been seen drinking alcoholic beverages obtained in the restaurant on the street and it does not appear any effort is made to prevent this.
5. The business is operating an illegal sidewalk cafe.
6. Attempts by individual residents to discuss problems were repeatedly met by the Licensee’s Management with hostility and threats against their persons.

iii. Whereas, additionally, it was revealed that the problems at Piccola Cucina Enoteca are likewise seen at its sister restaurants Piccola Cucina Osteria, located at 196 Spring St., and at Piccola Cucina Estiatorio, located at 75 Thompson St. Further, the bad behavior exhibited at the Prince St. location was said to fuel comparable bad behavior witnessed at both the Spring St. and Thompson St. locations.

iv. Whereas, the restaurant’s manager, who acknowledged the restaurant ritual of banging on pots and pans to celebrate birthdays, also managed the Piccola Cucina restaurants on Spring and Thompson Sts., also claiming that the severity of the complaints made were exaggerated. The representative who accompanied him denied prior knowledge of the complaints and bad behavior, promised to relay the community’s concerns to his client, who was likewise, requested to appear in October, the Attorney requesting to lay over this item for another 30 days, and to return next month with the owner of the business.

v. Whereas, the Applicant agreed to return once again to review the complaints being made against the licensee in October and it was further advised to pursue a meeting with community members before reappearing in October.

THEREFORE BE IT RESOLVED that at the Licensee's request, CB2, Man. will continue to review their method of operation for **Piccola Cucina Enoteca, 184 Prince Street 10012** at its October/2019 scheduled session.

Vote: Unanimous, with 42 Board members in favor.

21. Patrick Sheeran or Entity to be formed, d/b/a Pending, 234 W. 14th St. 10011 (OP – Sports bar/Tavern) (withdrawn – will resubmit)

Whereas, after this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 5, 2019 the Applicant requested **to withdraw** this application for a new on-premise liquor license from further consideration with the NYSLA;

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 **Patrick Sheeran or Entity to be formed, d/b/a Pending, 234 W. 14th 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 42 Board members in favor.

22. Torch & Crown SoHo, LLC d/b/a Torch & Crown Brewing Company, 161 Avenue of the Americas 10013 (Micro Brewer SN#1320015, Combined Craft Manufacturer SN#1320017, Farm Brewer SN#1320012 - Microbrewery with exterior beer garden – request to lay over)

Whereas, the applicant was requested to appear before CB2 Manhattan’s SLA Licensing Committee #2 on September 5, 2019 but prior to the meeting requested to appear at the next scheduled meeting in October/2019; and,

Whereas, there are significant concerns regarding these three applications and the impacts on quality of life on local residential buildings including those which abut the property and the outdoor proposed beer garden and concerns regarding permits which may not exist, are not in place or being sought which are necessary in order to operate the proposed business; and

Whereas, CB2, Man. respectfully request that any licensing decisions on these three applications be placed before and made by the members of the New York State Liquor Authority at a regularly scheduled meeting;

THEREFORE BE IT RESOLVED that CB2, Man. strongly objects to these 3 applications at this time and recommends that the SLA **not make any licensing decisions** regarding pending applications for Micro Brewer SN#1320015, Combined Craft Manufacturer SN#1320017, Farm Brewer SN#1320012 for **Torch & Crown SoHo, LLC d/b/a Torch & Crown Brewing Company, 161 Avenue of the Americas 10013 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2, Man. has forwarded correspondence to the SLA in order that important community concerns and input be fully heard prior to any licensing decisions; and,.

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

Vote: Passed, with 41 Board members in favor, and 1 recusal (M. Metzger).

23. VV&V Brothers 95 7th Ave. South Corp. d/b/a N/A, 95 7th Ave. South 10014 (Transfer of OP–withdrawn)

Whereas, before this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on September 5, 2019 the Applicant requested **to withdraw** this application for a transfer of an on-premise liquor license from further consideration with the NYSLA;

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 **VV&V Brothers 95 7th Ave. South Corp. d/b/a N/A, 95 7th Ave. South 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

SOCIAL SERVICES

1. Resolution in Support of Improvement in Emergency Services for CD2:

Whereas:

- 1) Lenox Health Greenwich Village has operated a stand-alone emergency department on 7th Avenue and West 12th Street since 2014; and
- 2) Many patients have reported experiencing professional service, brief waits, excellent care, and satisfaction; and
- 3) In cases where patients required further hospital care, some members of the community have reported long delays for LHGV ambulances to provide inter-facility transfer from LHGV to its affiliate, Lenox Hill Hospital, even when Lenox Hill was ready to admit the patient; and
- 4) In cases where patients elect a different hospital at which to receive further treatment – other than Lenox Hill or Beth Israel, with whom LHGV has an agreement designed to expedite admittance - patients receiving inter-facility transfer are not directly admitted to the hospital. Rather, they must be delivered to the hospital’s ER and begin the triage process anew, albeit with documentation from LHGV on treatment and diagnoses completed at the LHGV ER; and
- 5) FDNY EMS ambulances do not provide inter-facility transfer; neither can a patient elect to take private transportation to a hospital unless he is willing to sign documentation saying he has refused medical treatment; and
- 6) LHGV has no expedited-admittance agreements with NYU Hospital or any others; and
- 7) LHGV provided CB2 with a great deal of information on its operations, but despite repeated requests, did not provide CB2 with all the information it had asked for, including the range of wait times for inter-facility transfer; and
- 8) The Joint Commission, which monitors and publishes hospital performance, does not classify LHGV as a separate entity but rather as part of Lenox Hill Hospital, and hence does not publish separate information for the stand-alone emergency department in Greenwich Village.

Therefore, Be It Resolved That CB#2, Man:

- 1) Recommends that the State and City facilitate the expansion of the network of partners with whom LHGV has expedited-admittance agreements; and

- 2) Requests LHGV provide the community with more detailed information on various performance metrics, including ranges of wait times for care and for inter-facility transfer, staffing, and others; and
- 3) Requests that Northwell Health provide the Joint Commission and all other monitoring entities with a profile of LHGV as a separate facility that is distinct from the full Lenox Hill Hospital; and
- 4) Requests that State and City officials fund a Community Health Assessment as a follow-up to the study conducted in 2011 by CUNY School of Public Health at Hunter College in order to better understand the community's access to health care a decade after the closing of St. Vincent's Hospital; and
- 5) Welcomes LHGV's offer to form an advisory council so as to include community input in continued monitoring and improvement of LHGV's services.

VOTE: Unanimous, with 42 Board Members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution requesting installation of speed humps on Jane St. btw. Greenwich Ave. and 8th Ave. plus an in-depth study of the blocks with and/or impacted by design changes related to Jane St. traffic increases, including Jane St. btw. Greenwich Ave. and 8th Ave.; Greenwich Ave. between 8th Ave. and Jane St.; Horatio St. btw. W. 4th St. and Greenwich Ave. and W. 13th St. approaching Greenwich Ave./Horatio St.

Whereas residents of Jane St. btw. Greenwich Ave. and 8th Ave., as well as others who pass through there frequently, including the head of the Jane St. Block Association (representing a sizable contingency of those affected), report that an increasing number of automobiles, taxicabs, limousines and trucks have been racing continuously through that block at high speeds, endangering the many pedestrians there crossing the street, including seniors, parents and children, children on their way to school, people frequenting the commercial establishments and restaurants, and tourists, and speed humps are requested to slow the traffic down; and

Whereas examples in other cities as well as on certain streets in CB2, Man. have shown that installing two speed humps on a block helps sustain a steady slow speed in motor vehicles that otherwise go full speed ahead once going over a single speed hump; and

Whereas it has been noted (by both those present at the meeting and CB2, Man. members) that recent design, operational and regulatory changes related to reducing the horn honking and danger to pedestrians from motorists entering the Mobil gas station at Horatio St. and 8th Ave., including converting Horatio Street to run one-way eastbound between 8th Ave. and Greenwich Ave. (meeting W. 13th St. which runs westbound) and closing Horatio Street to vehicular traffic between W. 4th St. and 8th Ave., have led to westbound vehicular traffic from W. 13th St. diverting to Jane St., as well as to other hazardous traffic patterns and odd turns, creating confusion and conflicts that imperil everyone using the street. This situation calls for a broad examination of the streets that have been impacted by these changes, including Jane St. btw. Greenwich Ave. and 8th Ave.; Greenwich Ave. between 8th Ave. and Jane St.; Horatio St. btw. W. 4th St. and Greenwich Ave. and W. 13th St. approaching Greenwich Ave./Horatio St.;

Therefore be it resolved that CB2, Man. strongly supports speed hump installation on Jane St. btw. Greenwich Ave. and 8th Ave. and requests that the NYC Dept. of Transportation (DOT) install two speed humps on Jane St. btw. Greenwich Ave. and 8th Ave. (in preference to one speed hump); and

Be it further resolved that CB2, Man. asks that these speed humps be carefully placed at intervals to keep traffic flowing at a consistent slow pace; and

Be it further resolved that CB2, Man. stresses the need for the installation of these speed humps as quickly as possible to relieve the growing, dangerous flow of speeding traffic on this street; and

Be it further resolved that CB2, Man. urges DOT to conduct a comprehensive study of the blocks impacted by recent design, operational and regulatory changes and the areas around them, in particular, Jane St. btw. Greenwich Ave. and 8th Ave.; Greenwich Ave. between 8th Ave. and Jane St.; Horatio St. btw. W. 4th St. and Greenwich Ave. and W. 13th St. approaching Greenwich Ave./Horatio St., and develop measures to mitigate and better balance the current complex, unpredictable and unsafe mix of street patterns there; and

Be it finally resolved that CB2, Man. asks that DOT consult with CB2 and its stakeholders as the requested study progresses.*

Vote: Unanimous, 42 with Board Members in favor.

** See also Resolution requesting safety measures to protect pedestrians crossing Greenwich Ave. from dangerous vehicular right turns from W. 13th St. onto Greenwich Ave., including split phase signalization, bulbing out and/or daylighting the n.e. corner of W. 13th and Greenwich, plus an in-depth study of the blocks with and/or impacted by design changes related to dangerous traffic conditions at the W. 13th St./Greenwich Ave./Horatio St. intersection, including Jane St. btw. Greenwich Ave. and 8th Ave.; Greenwich Ave. between 8th Ave. and Jane St.; Horatio St. btw. W. 4th St. and Greenwich Ave. and W. 13th St. approaching Greenwich Ave./Horatio St.*

2. Resolution in opposition to request for a "No Standing Zone" in front of 76 Crosby St. btw. Spring and Prince Sts. and requesting instead metered commercial parking on Crosby St. btw. Spring and Prince Sts. with daylighting on the n.w. corner of Spring and Crosby.

Whereas the residents of 76 Crosby St. (btw. Spring and Prince Sts.) submitted a petition asking for a "No Standing Zone" in front of their building entrance to provide one space to give safe drop-off/pickup access to the sidewalk (instead of from the uneven Belgian block street where access is difficult and blocked by parking) for the building's residents and their guests, including many elderly and children, and to avoid traffic backup issues; and

Whereas several neighbors expressed their objections to the requested "No Standing Zone" both at the CB2, Man. (CB2) Traffic and Transportation Committee meeting and in correspondence, citing the need for the current commercial parking at that location by the many businesses on that street, the existence of a loading zone at the Crosby Hotel across the street (providing space for maneuvering and passing as well as safe sidewalk access), and the limited demand for such a zone from a building with only six units; and

Whereas current parking regulations provide for Truck Loading Only 8am - 6pm Monday through Friday on both sides of the street, except for the one hotel loading zone, to serve the needs of this heavily commercial street; and

Whereas it was reported that trucks stay parked endlessly on the block, barring other trucks and commercial vehicles from needed curb access and setting the stage for double parking and traffic backups; and

Whereas metered parking can provide the space needed for loading and unloading while allowing a steady turnover that frees up space for additional vehicles to load and unload instead of having to double park, as well as for opportunities for people dropping off and picking up to access the sidewalk safely; and

Whereas drivers coming east on Spring St. often turn north onto Crosby St., adding to traffic and congestion on Crosby and forging ahead because their views are obscured by trucks parking at the northwest corner, endangering pedestrians crossing Crosby;

Therefore be it resolved that CB2, Man. opposes the request for a "No Standing Zone" in front of 76 Crosby St. btw. Spring and Prince Sts.; and

Be it further resolved that CB2, Man. is strongly in favor of installing commercial metered parking on Crosby St. btw. Spring and Prince Sts. and asks that the current parking regulations providing for Truck Loading Only 8am - 6pm Monday through Friday on both sides of the street be replaced by 3-Hour Metered Parking for Commercial Vehicles Only 8am - 6pm Monday through Friday on both sides of the street (except for the one loading zone at the Crosby Hotel and a possible daylighted space); and

Be it finally resolved that CB2, Man. recommends that the northwest corner of Spring and Crosby Sts. be daylighted to provide better visibility for turning vehicles while providing a space for people to safely access the sidewalk directly both for residents of 76 Crosby and everyone else on the block.

Vote: Unanimous, with 42 Board Members in favor.

3. Resolution requesting safety measures to protect pedestrians crossing Greenwich Ave. from dangerous vehicular right turns from W. 13th St. onto Greenwich Ave., including split phase signalization, bulbing out and/or daylighting the n.e. corner of W. 13th and Greenwich, plus an in-depth study of the blocks with and/or impacted by design changes related to dangerous traffic conditions at the W. 13th St./Greenwich Ave./Horatio St. intersection, including Jane St. btw. Greenwich Ave. and 8th Ave.; Greenwich Ave. between 8th Ave. and Jane St.; Horatio St. btw. W. 4th St. and Greenwich Ave. and W. 13th St. approaching Greenwich Ave./Horatio St.

Whereas residents who frequently cross Greenwich Ave. from the northeast to the northwest corner where it intersects with W. 13th St. on the eastern side and Horatio St. on the western side expressed their grave concern about speeding vehicles that come west on W. 13th and turn north onto Greenwich, seriously endangering crossing pedestrians (who have a Walk signal while drivers are turning), because drivers lack visibility of both the pedestrian Walk signal and pedestrians crossing the street, resulting in many close calls, with five near-hits experienced in the last few months; and

Whereas in the current configuration where W. 13th St. becomes Horatio St. at Greenwich Ave., drivers coming west on W. 13th St. can go no further west, but must turn either right (north) or left (south) on Greenwich, because Horatio St. goes east, which has increased the number and frequency of turning vehicles; and

Whereas the northeast corner turning radius from W. 13th St. north onto Greenwich Ave. is extremely wide, closer to 180 degrees than to a true corner turning curve, allowing for the continuous flow of advancing vehicles without slowing down (which would occur automatically with a turn at a typically narrow corner curb), facilitating speeding and leaving little time for pedestrians to see oncoming cars or oncoming cars to see pedestrians; and

Whereas although not as problematic as the right-hand (northbound) turn onto Greenwich Ave., the left-hand (southbound) turn from W. 13th St. also is tricky; the bike lane is in the center of 13th St. with a dedicated left-turn lane, while the intersection is extremely broad and oddly shaped, resulting in directional confusion and a lack of order; and

Whereas it has been noted (by both those present at the meeting and CB2 members) that recent design, operational and regulatory changes related to reducing the horn honking and danger to pedestrians from motorists entering the Mobil gas station at Horatio St. and 8th Ave., including converting Horatio Street to run one-way eastbound between 8th Ave. and Greenwich Ave. (meeting W. 13th St. which runs westbound) and closing Horatio Street to vehicular traffic between W. 4th St. and 8th Ave., have led to westbound vehicular traffic from W. 13th St. having to turn either north or south on Greenwich Ave., as well as to other hazardous traffic patterns and odd turns, creating confusion and conflicts that imperil everyone using the street. This situation calls for a broad examination of the streets that have been impacted by these changes, including Jane St. btw. Greenwich Ave. and 8th Ave.; Greenwich Ave. between 8th Ave. and Jane St.; Horatio St. btw. W. 4th St. and Greenwich Ave. and W. 13th St. approaching Greenwich Ave./Horatio St.;

Therefore be it resolved that CB2, Man. highly recommends that split phase signalization (which has been very successful at the end of Horatio St. and West St.) be installed at the W. 13th St./Greenwich Ave./Horatio St. intersection to allow for a separate, conflict-free pedestrian crossing on the north side of Greenwich Ave., from W. 13th St. (on the east side) to Horatio St. (Jackson Square) (on the west side), so that the crossing pedestrians on Greenwich and vehicles turning north from W. 13th onto Greenwich don't get green "go" signals at the same time, but instead receive an exclusive green light phase for pedestrians crossing Greenwich Ave. that operates concurrently with a red right-turn arrow on W. 13th St. that prevents vehicles from turning right/north from W. 13th St. onto Greenwich Ave.; and

Be it further resolved that CB2, Man. asks that the northeast corner of Greenwich Ave. and W. 13th St. be bulbed out and the turning radius there be greatly reduced, to slow down vehicles turning right (north) from W. 13th onto Greenwich, increase visibility and shorten the Greenwich Ave. crossing for pedestrians; and

Be it further resolved that CB2, Man. also asks that daylighting be considered for the northeast corner of Greenwich Ave. and W. 13th St. to provide further visibility to vehicles turning right onto Greenwich from W. 13th St.; and

Be it finally resolved that CB2, Man. urges the NYC Dept. of Transportation (DOT) to conduct a comprehensive study of the blocks impacted by recent design, operational and regulatory changes and the areas around them, in particular, Jane St. btw. Greenwich Ave. and 8th Ave.; Greenwich Ave. between 8th Ave. and Jane St.; Horatio St. btw. W. 4th St. and Greenwich Ave. and W. 13th St. approaching Greenwich Ave./Horatio St., and develop measures to mitigate and better balance the current complex, unpredictable and unsafe mix of street patterns; and

Be it finally resolved that CB2, Man. asks that DOT consult with CB2 and its stakeholders as the requested study progresses.*

Vote: Unanimous, 42 with Board Members in favor.

** See also Resolution requesting installation of speed humps on Jane St. btw. Greenwich Ave. and 8th Ave. plus an in-depth study of the blocks with and/or impacted by design changes related to Jane St. traffic increases, including Jane St. btw. Greenwich Ave. and 8th Ave.; Greenwich Ave. between 8th Ave. and Jane St.; Horatio St. btw. W. 4th St. and Greenwich Ave. and W. 13th St. approaching Greenwich Ave./Horatio St.*

ELECTION COORDINATING COMMITTEE

Election Coordinating Committee

At the full board meeting held on Thursday, September 19th, the following CB2 members were selected to comprise the Election Coordinating Committee:

- Katy Bordonaro
- Ryder Kessler
- Matt Metzger
- Shirley Smith
- Adam Zeldin

Shirley Smith was selected to chair the committee.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan