

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



Antony Wong, *Treasurer*  
Valerie De La Rosa, *Secretary*  
Ryder Kessler, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

### FULL BOARD MINUTES

**DATE:** November 21, 2019  
**TIME:** 6:30 P.M.  
**PLACE:** Scholastic Building, 130 Mercer Street, Auditorium

**BOARD MEMBERS PRESENT:** Susanna Aaron, Keen Berger, Carter Booth, Chair; Katy Bordonaro, Anita Brandt, Richard Caccappolo, Ritu Chattree, Erik Coler, Tom Connor, Valerie De La Rosa, Robert Ely, Mar Fitzgerald, Cormac Flynn, Joseph Gallagher, Susan Gammie, Jonathan Geballe, Wayne Kawadler, Susan Kent, Jeanine Kiely, Ryder Kessler, Michael Levine, Janet Liff, Edward Ma, Maud Maron, Daniel Miller, Brian Pape, Donna Raftery, Bo Riccobono, Sandy Russo, Rocio Sanz, Scott Sartiano, Shirley Secunda, Kristin Shea, Frederica Sigel, Susan Wittenberg, Antony Wong, Adam Zeldin  
**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Amy Brenna, Robin Rothstein, Georgia Silvera Seamans, Shirley Smith, Chenault Spence, Cathy Sullivan

**BOARD MEMBERS ABSENT:** None

**BOARD MEMBERS PRESENT/ARRIVED LATE:** Coral Dawson, Doris Diether, David Gruber, Patricia Laraia, Matthew Metzger

**BOARD MEMBERS PRESENT/LEFT EARLY:** Mar Fitzgerald, David Gruber, Maud Maron

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

**GUESTS:** Jacob Priley, Senator Brad Hoylman's office; Luke Wolf, NYC Comptroller Scott Stringer's Office; Claudia Zhu, Deter Nguyen, Assembly Member Yuh-Line Niou's office; Assembly Member Deborah Glick, Charles Anderson, Assembly Member Deborah Glick's office, Irak Cehonski, Council Member Carlina Rivera's office; Anthony Drummond, Council Member Margaret Chin's office; Stephen Nuzzo, Chandler Forsythe, Judy Pesin, Clive Morricks, Ana Rodriguez, Nichole Huff, Lucille DeVito, Pete Davies, Anne Mitcheltree, Frank Quinn, Cordelia Persen, Andrew Berman, Michael Certo, Charlie Dorsaneo, Michael Solomon

### MEETING SUMMARY

Meeting Date – November 21, 2019

Board Members Present – 38

Board Members Absent With Notification – 6

Board Members Absent - 0

Board Members Present/Arrived Late - 5

Board Members Present/Left Early – 3

## **I. SUMMARY AND INDEX**

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
BUSINESS SESSION	3
ADOPTION OF MINUTES	3
ELECTION OF OFFICERS	3
STANDING COMMITTEE REPORTS	4
LAND USE & BUSINESS DEVELOPMENT	4
LANDMARKS AND PUBLIC AESTHETICS	5
QUALITY OF LIFE	6
SLA LICENSING	11
TRAFFIC & TRANSPORTATION	29

## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Grandmothering

Keen Berger invited everyone to her event for the introduction of her new book, Grandmothering.

#### Last Month's Meeting

Sandy Russo spoke regarding an issue at last month's Full Board meeting.

#### Poe Room Event

Nichole Huff invited everyone to NYU's annual Poe Room event.

#### Poe Room Event and Washington Sq. Music Festival

Lois Rakoff invited everyone to these upcoming free events: Poe Room Event on 11/22/19 at the NYU Law School, at 6pm, and the Washington Square Music Festival on 11/24/19 at St. Mark's Church in the Bowery at 3 pm.

#### 14<sup>th</sup> Street Busway

Judy Pesin spoke about issues regarding the busway.

Michael Certo stated that the busway issues needed to be fixed.

### **Land Use & Business Development Items**

Union Sq. So.-Application by the Dept. of City Planning requesting zoning map and text amendments to expand the Special Union Square District to create a sub-district bet 3<sup>rd</sup> and 4<sup>th</sup> Aves. in NoHo-CBs 2 & 3  
Andrew Berman spoke in favor of the resolution recommending denial of the zoning map and text change.

## **Quality of Life Items**

Renewal Application to operate an enclosed sidewalk café for Baby Brasa, 173 7<sup>th</sup> Avenue South  
Clive Morrick spoke against the sidewalk café renewal application.

## **ADOPTION OF AGENDA**

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

Jacob Priley, Senator Brad Hoylman's office

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

Assembly Member Deborah Glick

Luke Wolf, NYC Comptroller Scott Stringer's office

Anthony Drummond, Council Member Margaret Chin's office

Irak Cehonski, Council Member Carlina Rivera's office

### **IV. BUSINESS SESSION**

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

Adoption of October minutes

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

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

### **ELECTION OF OFFICERS**

Following the adoption of the October full board minutes, the following members were elected as officers of Community Board 2:

1. Carter Booth (Chair)
2. Dan Miller (Vice Chair)
3. Susan Kent (Second Vice Chair)
4. Valerie De La Rosa (Secretary)
5. Ryder Kessler (Assistant Secretary)
6. Antony Wong (Treasurer)

## **STANDING COMMITTEE REPORTS**

### **LAND USE AND BUSINESS DEVELOPMENT**

**Union Square South #20DCP058M** is an application by the Department of City Planning requesting a zoning map and zoning text amendment to expand the Special Union Square District and create a sub-district between Fourth and Fifth Avenues in Manhattan Community District 2.

#### **Whereas:**

1. This is an application for a proposed zoning change that would extend the Special Union Square District in include a new subdistrict to the south, which would be referred to as Subdistrict B.
2. Within the proposed Subdistrict B, hotel development and hotel conversions would require a special permit, to be approved by both the City Planning Commission and City Council.
3. The requested action is prompted by a wave of demolitions of original structures being replaced by new development that is out of scale and out of character for the area in terms of both design and use. Take, for example, the Moxy Hotel on East 11<sup>th</sup> St., which replaced five 19<sup>th</sup> century residential buildings on that block.
4. Much of the change stems from tech-related development, such as the new demolitions/developments at 799 and 809 Broadway. They are likely to increase with the approval of the upzoning for the new Tech Hub on 14<sup>th</sup> Street.
5. The City's own EAS for this zoning change shows that the area in question is characterized largely by residential buildings and residential buildings with commercial ground floors and that only 15-20% of the area is composed of purely commercial buildings. There is only one 546-square-foot vacant lot located within the middle of a block, the rest of the study area is improved.
6. Despite this residential character, the proposed zoning change, and city policy, continues to incentivize and project large-scale, purely commercial development for this area.
7. The City's refusal thus far to recognize the historic significance of the current, albeit humble historic building stock that could be demolished as result of this action is disturbing. For example, CB2 strongly disagrees with the DCP's analysis that there would be no adverse impact on neighborhood character if 11 and 13 East 12<sup>th</sup> St., 180-year-old structures with residences that once housed the renowned artists Reginald Marsh and J. Alden Weir, were demolished.
8. The EAS fails to correctly identify a broad range of historic resources in the area, including landmarked buildings, buildings that are listed on the State and National Registers of Historic Places, buildings, which the LPC itself previously identified as historic resources in past EASes, and buildings of clear architectural and historic significance that SEQR requires be included in the EAS.
9. CB2 agrees that it is important to ensure that future hotel developments are compatible with their surrounding context. However, CB2 has long been on record requesting both a change in zoning to better reflect the predominantly residential character of the University Place/Broadway corridor, which contains an incredibly rich array of architecturally and historically distinguished structures.
10. Thirty to 40 people opposed to this amendment attended this meeting; only two people spoke in favor.
11. The amendment does not address the overdevelopment issues that the area already faces and will undoubtedly result in high-rises replacing low- to mid-rise buildings, which will do nothing to enhance the character of the neighborhood just south of 14<sup>th</sup> St.
12. Concern was raised regarding the effect on increased traffic on the 12<sup>th</sup> St. corridor in the wake of the changes on 14<sup>th</sup> St.

13. Concern was raised about the protection of rent-stabilized and rent-controlled units. In its analysis for the proposed special permit requirement, DCP indicates that they anticipate residential buildings being demolished to make way for new office development, which we consider an undesirable change in use.
14. Extending the Union Square Special District, an area of a vastly and more commercial character, well into the south will open the door to further changes in land use policy that will treat this area not as part of Greenwich Village but as part of the City's commercial core and will further extend Midtown South and Silicon Alley.
15. An example of the aforementioned creep is the demolition of the St. Denis Hotel at 799 Broadway, which resulted in the loss of over 100 small businesses that were vital to the life of this community—and contrary to the City's purported commitment to preserve small businesses.
16. CB2 has long called for landmarking the area and we believe that that is an essential first step. We are also on record in support of contextual rezoning of the area (including a provision and incentive for inclusionary housing, with suggested building heights of 80-120 feet) and in opposition to both hotel and office tower development in the area and feels that this proposed amendment will do nothing to address those concerns. (Resolution to CPC, Jan 23, 2015 regarding contextual rezoning; letter to Landmark Preservation Commission, Oct. 22, 2018 re landmarking; resolution re special permit for 21 E 12<sup>th</sup> St., Dec. 2017).

**Therefore, be it resolved** that CB2, Man. recommends **denial** of the application until the city has implemented zoning changes for this area that would protect its low- to mid-rise scale and predominantly residential character, and historic district protections that would protect its historic buildings.

Vote: Unanimous, with 39 Board members in favor.

### **LANDMARKS AND PUBLIC AESTHETICS**

1. **12 Little West 12<sup>th</sup> St.**— Application is to plant two trees in front of property

**Whereas:**

- A. The application was previously reviewed without consideration of the two trees and trees are not contextual in this previously industrial historic district; and
- B. The trees will be situated in front of a building that does not have a metal canopy, so will not compete or interfere with the building; and
- C. The trees will not be situated over a vault on the 15' wide sidewalk; and
- D. The applicant represented that the tree pits will, at 5' X 10', conform to Parks Department standards and that the trees will conform in size and type to established Parks Department standards; and
- E. The applicant did not provide visual reference material for the tree guards, but verbally represented that the guards would be the same as those that the Meatpacking Association BID has had approved in the district, so will be consistent with existing plantings; now

**Therefore, be it resolved** that CB2, Man. recommends approval of the planting of the two trees, provided that they conform to all Parks Department standards and that LPC can confirm with applicant that guards will indeed be consistent with the others that it has approved in the district.

Vote: Unanimous, with 38 Board members in favor.

**2. 22 Christopher St.** – Application is to replace the 2<sup>nd</sup> and 3<sup>rd</sup> floor front façade double hung windows with casement windows, remove the fake brick and angled storefront to install a full height metal and glass four (4) panel door to reflect the original building’s door division and height.

(reviewed at staff level)

**3. 246 W. 11<sup>th</sup> St.** - Application is to replace windows, alter the areaway railings, and alter the rear façade.

(reviewed at staff level)

**4. 55 Gansevoort St.** - Application is to install a sidewalk café and awning alteration, including wooden decking, wooden planters with trees, heaters and lanterns.

(laid over)

## **QUALITY OF LIFE**

**Assignment application for revocable consent to operate an unenclosed sidewalk café for:**

**1. White Horse Hospitality, 567 Hudson Street between Perry and West 11<sup>th</sup> Sts. with 24 tables and 72 chairs (10785-2019-ASWC)**

**Whereas**, the applicant did not appear on behalf of this application, after asking to reschedule the applicant’s October appearance before the committee; and

**Whereas**, several residents appeared to oppose the application because the applicant has been operating the café well past the closing time stipulated in the applicant’s current State Liquor Authority (SLA) license; and

**Whereas**, the neighboring residents who appeared said that the sidewalk café is regularly operated outside the permitted area of the sidewalk, causing impediments to pedestrian traffic; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of the assignment application for revocable consent to operate an unenclosed sidewalk café **for White Horse Hospitality, 567 Hudson Street with 24 tables and 72 chairs (10785-2019-ASWC).**

Vote: Unanimous, with 39 Board Members in favor.

**New applications for revocable consent to operate an unenclosed sidewalk café for:**

**2. Kut Operating Corp., d/b/a Marie Blachere, 303 6<sup>th</sup> Avenue between Carmine and West 3<sup>rd</sup> Sts. with 10 tables and 20 chairs (11748-2019-ASWC)**

**Whereas**, this establishment, a traditional French bakery and cafe, is located on the ground floor of a mixed-use residential/commercial building and originally applied for a sidewalk café with 20 tables and 40 chairs but reduced the application to 10 tables and 20 chairs after discussions with neighboring residents; and

**Whereas**, the establishment will offer counter service and eventually waitstaff service and the sidewalk café will be monitored and cleared by restaurant staff; and

**Whereas**, the applicant stated that the establishment does not currently offer wine and beer but might in the future and already has a wine and beer license and stated that the sidewalk cafe will be open no later than 8 PM, seven days a week; and

**Whereas**, two neighboring residents appeared and expressed hesitation about the sidewalk café but were supportive of the smaller café with 10 tables and 20 chairs; and

**Whereas**, the applicant stated 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 **Kut Operating Corp., d/b/a Marie Blachere, 303 6<sup>th</sup> Avenue with 10 tables and 20 chairs (11748-2019-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 39 Board Members in favor.

**3. Bleecker Street Pizza Corp., d/b/a Bleecker Street Pizza, 69 7<sup>th</sup> Avenue South between Bleecker and Barrow Sts. with 6 tables and 12 chairs (12083-2019-ASWC)**

**Whereas**, this establishment, a neighborhood fixture since 2004, is located on the only floor of a commercial building and is expanding the current sidewalk café to include the most recent addition to the establishment in the storefront directly next door; and

**Whereas**, the sidewalk café will now include 3 tables and 6 chairs in front of each storefront and the applicant stated that the sidewalk café would not operate past 11 PM, seven days a week; and

**Whereas**, the applicant stated that the establishment offers alcohol and all alcohol will be delivered by restaurant staff to the guests in the sidewalk café and the café will be monitored and cleaned by restaurant staff; and

**Whereas**, a member of the public appeared to express frustration with the number of delivery bicycles that frequently clog the sidewalk in front of the establishment; and

**Whereas**, the applicant stated that Bleecker Street Pizza only utilizes 3 delivery bicycles and the applicant repeatedly contacts the NYPD to have the other “phantom” bicycles removed from the premises and will continue to do so; and

**Whereas**, the applicant stated that they strive to keep the sidewalk café and the areas outside the café free from litter and debris and that the establishment frequently empties the DSNY garbage can in front of the restaurant when it is full; 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 **Bleecker Street Pizza Corp., d/b/a Bleecker Street Pizza, 69 7<sup>th</sup> Avenue South with 6 tables and 12 chairs (12083-2019-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 39 Board Members in favor.

**4. Banter West Village, LLC d/b/a Banter, 643 Hudson St. between Gansevoort and Horatio Sts. with 6 tables and 12 chairs (12147-2019-ASWC)**

**Whereas**, this establishment, a small, Australian style restaurant and café, 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**, a sidewalk café operated by a different establishment was previously unanimously recommended for approval at this location by CB2 in February 2018 for 6 tables and 12 chairs; and

**Whereas**, the applicant received a recommendation of approval from the CB2 SLA committee in August 2019 for an on-premises liquor license, at which time the applicant stipulated that the café will close by 10 PM from Sunday-Thursday and by 11 PM on Fridays and Saturdays; and

**Whereas**, the applicant stated that the café would be attended by full waitstaff at all times; 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 **Banter West Village, LLC d/b/a Banter, 643 Hudson St. with 6 tables and 12 chairs (12147-2019-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 39 Board Members in favor.

**Renewal Application for revocable consent to operate an enclosed sidewalk café for:**

**5. Super Noriega, LLC d/b/a Baby Brasa, 173 7<sup>th</sup> Avenue South between Perry and West 11<sup>th</sup> Sts. with 11 tables and 22 chairs (8720-2019-ASWC)**

**Whereas**, this establishment, a Peruvian restaurant offering rotisserie chicken and other dishes, is located on the first and second floors of a commercial building in a landmarked district and has been operating for over two years; and

**Whereas**, the establishment and this applicant have been plagued with various compliance issues (detailed below) since beginning operations at this location; and

**Whereas**, the applicant operated an unpermitted sidewalk café for many months at this location and flouted the SLA license for this location by serving alcohol in the sidewalk café; and

**Whereas**, the operators refusal to cease operation of the unpermitted sidewalk café for many months resulted in the establishment being padlocked shut by the Department of Consumer Affairs (DCA) until the violation was remedied; and

**Whereas**, rather than remedy the unpermitted sidewalk café, the operator clipped the padlock installed by the DCA and continued operation until the DCA re-padlocked the establishment; and

**Whereas**, the operator routinely plays very loud, bass-heavy club music at all hours of operation that is expressly prohibited in the establishment's SLA license which allows for background music only; and

**Whereas**, the applicant painted a large, bright yellow logo on the side of the establishment without approval from the Landmarks Preservation Commission; and

**Whereas**, several members of the community appeared in opposition to this application citing the operator's lack of respect and unwillingness to work with neighboring residents to remedy the quality of life issues created by this establishment; and

**Whereas**, this operator distributed "Baby Brasa" stickers to customers that were found all over the West Village and resulted in violations from the NYC Department of Sanitation; and

**Whereas**, the committee does not have confidence in the applicant's ability to operate this establishment and this enclosed sidewalk café according to City Rules and Regulations; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of the application for revocable consent to operate an enclosed sidewalk café for **Super Noriega, LLC d/b/a Baby Brasa, 173 7<sup>th</sup> Avenue South between Perry and West 11<sup>th</sup> Sts. with 11 tables and 22 chairs (8720-2019-ASWC).**

Vote: Unanimous, with 39 Board Members in favor.

6. **Discussion and consideration of the following City Council bills concerning film permitting:**

- **Intro 1495: Creates a local community and media bill of rights.**
- **Intro 0158: Mandates that the permit application fees for filming on City property are high enough to cover the costs to the City of reviewing and processing the application.**
- **Intro 0937: Requires production companies to provide advanced 72-hour notice when shooting will disrupt traffic.**
- **Intro 1515: Establishes task force to study the impacts and benefits of the film industry.**
- **Intro 1700: Requires those applying for a film, television production or photography permit to file their application no less than 14 days prior to the date of shooting.**
- **Intro 1722: Requires certain applicants for film and television production permits to pay a \$800 fee to cover the costs to the City of providing the permit**

**Whereas**, on September 26, 2019, the New York City Council Committee on Small Business held an oversight hearing regarding the impact of the film and television industry on residents and businesses, and in recognition of such impact six bills have been proposed in the Council as measures to alleviate the burdens resulting from filming on location; and

**Whereas**, the abundance of recognizable and “quintessentially New York” locations within CB2, Man. makes its neighborhoods highly desirable as shooting locations for film and television and as a consequence its residents frequently experience disruptions to their quality of life, such as late night and early morning noise, bright lights, and impassable streets and sidewalks; and

**Whereas**, CB2, Man. acknowledges that the film and television industry provides significant economic benefits to New York City and generates jobs and business opportunities for New Yorkers but recognizes that the interests of those seeking permits for on-location filming must be balanced against the rights of residents to reasonable enjoyment of their homes and neighborhoods; and

**Whereas**, CB2, Man. supports legislative efforts to investigate the impact (and benefits) accruing from the film and television industry and to establish standards to protect community interests and residents’ rights; now

**Therefore Be It Resolved** that CB2, Man. supports the spirit of the proposed city council legislation and the creation of a bill of rights as part of efforts to address the ever-increasing burden placed on residents due to on-location filming; and

**Be It Further Resolved** that CB2, Man. recommends that the proposed bill of rights contemplated in Intro 1495 and the task force study contemplated in Intro 1515 specifically address the disproportionate impact borne by those streets and neighborhoods recognized as particularly desirable for on-location filming and for which large numbers of filming permits are sought; and

**Be It Further Resolved** that CB2, Man. recommends that community boards be given an active role in drafting the bill of rights proposed in Intro 1495 and that Intro 1515 include the requirement that the task force created pursuant thereto include community board members from districts that have been disproportionately impacted by on-location film and television shoots; and

**Be It Further Resolved** that CB2, Man. supports increased enforcement of existing regulations, and penalties for violation thereof, in particular, those requiring notification of neighbors and provision of contact information for questions and concerns, and supports a requirement that applicants for on-location permits be required to notify the relevant community board(s) in a timely manner; and

**Be It Further Resolved** that CB2, Man. supports additional legislation that would regulate the availability and duration of on-location film permits to take into account factors including, but not limited to, the frequency of requests for a particular location and/or neighborhood, its physical characteristics, neighborhood street closings, and the scheduling of maintenance or other location-specific activities not only on the streets proposed for permitting but on those adjacent thereto; and

**Be It Further Resolved** that CB2, Man. expresses concern about Intro 1700 and its requirement that a permit application be filed no less than 14 days prior to the date of shooting, as this timeline could have a profound chilling effect on productions of all sizes; and urges elected officials reviewing this legislation to consider this issue and engage stakeholders from the industry; and

**Be It Further Resolved** that CB2, Man. recommends the creation of a comprehensive, publicly-accessible online system that will allow residents to identify when and where impediments to car and pedestrian travel are scheduled to occur, including but not limited to, on-location film and television shoots.

Vote: Passed, with 38 Board Members in favor, and 1 Recusal (S. Gammie).

## **SLA LICENSING**

**1. Mulberry Street bar LLC / Mulberry Street Bar b/b/a Mulberry Street Bar, 176 ½ Mulberry St., NY, NY 10013** (Existing OP – Restaurant/Bar Corporate Transfer)

**i. Whereas**, applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a corporate change to the existing bar/restaurant OP license (SN 1141555) for their local bar and restaurant located in the Special Little Italy District in a five story mixed use building built in 1896 on Mulberry Street between Broome Street and Grand Street, zoning designation C6-2G, Block and Lot Number 471/36; and,

**ii. Whereas**, the interior 1-story premises are 1,100 sq. ft., and has a total of 8 tables with 30 seats and one service bar (12 seats); and applicant has Letter of No Objection to use the space as a food and drinking establishment from the NYC Department of Buildings; and,

**iii. Whereas**, the applicant signed and notarized a new stipulations agreement with CB2, Man. incorporating these commitments and previous stipulations, which includes the following:

1. Premise will be advertised and operated as a Bar/Restaurant.
2. The hours of operation will be: 12:00 p.m. to 2:00 a.m. Sunday-Saturday. No patrons will remain after stated closing time.
3. No changes will occur in the operation of the bar/sidewalk café of the restaurant, specifically a local bar/restaurant, with the kitchen open and full menu items available until closing every night.
4. There will be 3 televisions.
5. There will be no sports bar. Or additional lounge area.

6. They will not operate a backyard garden or any outdoor area for commercial purposes (not including the licensed sidewalk café which will close by 10PM on Sunday to Thursday and 11PM Friday and Saturday).
7. Will play quiet ambient recorded music, iPod and Karaoke (Saturday PM only). This is currently in use with no complaints from neighbors. No music will be audible in adjacent residences.
8. There will be no promoted events, no scheduled performances, no outside promoters, no events at which a cover fee is charged, no private parties, velvet ropes or metal barricades. There will be no unlimited drink or unlimited food and drink specials, no “boozy brunches”, no pitchers of beer, no bottle service or sales of bottles of alcohol except for the sale of bottles of wine products.
9. There will be one security personnel on Friday and Saturday PM.
10. All doors & windows are closed every night at 10PM.
11. Will not install or have French doors, operable windows, or open façades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.

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

Vote: Unanimous, with 39 Board members in favor.

**2. CGM-LLNR LLC., d/b/a TBD, 415 Lafayette St. 10003 (OP – Alternation of Existing License)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for an alteration of an existing on premise license to operate a vegetable-forward restaurant on the ground floor and cocktail bar in the basement that will focus on food and drinks made with vegetables grown at their farm in a mixed-use, five-story building on Lafayette St and E.4<sup>th</sup> St. in Greenwich Village; and,

**ii. Whereas**, the location is 3,428 Sq. Ft. (ground floor 1,937 sq. ft. and cellar 1,491 sq. ft.), the two floor premise will operate 64 tables and 200 seats and 2 bars and a total of 9 bar seats, there will no TVs, there will be one projector that will not play sound. All windows and doors will be closed at all times every night, there are no outdoor areas for the service of alcohol and no sidewalk café; and,

**iii. Whereas**, the applicant’s agreed upon hours of operation will be from 8:30 AM to 4 AM, Monday to Saturday, and 10 AM to 4 AM on Sundays; there will be no DJs, no promoted events, no scheduled performances or cover fees, no ropes or barriers on the sidewalk and music will be quiet ambient background music only; and,

**iv. Whereas**, during a review of the instant application, the applicant agreed to the following items, including operating the entire license premises using one d/b/a, there will be no load in and out for any party/private events between 10 PM and 8 AM, security will be present, as needed in the evening hours and after 10 PM until close Thursdays through Saturdays and the licensee will manage traffic issues as needed; and

v. **Whereas**, as a result of the Applicant's agreements in good faith, CB2, Man. provided the Applicant with a stipulations agreement which included the following:

1. Will operate full-service restaurant, specifically a (type of restaurant) Vegetable-forward farm to table restaurant with the kitchen open and full menu items available until closing every night.
2. Will not operate as a Nightclub, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
3. Will not have televisions. There will be one projector in basement albeit without sound.
4. Will not operate a backyard garden or any outdoor area for commercial purposes (including licensed sidewalk café)
5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
6. Will close all doors & windows at all times.
7. Will not install or have French doors, operable windows or open facades.
8. Will not make changes to the existing façade except to change signage or awning.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will not have, Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, Velvet ropes or metal barricades.

vi. **Whereas**, after agreeing in good faith to the above-referenced stipulations in an open meeting with CB2, Man., the Applicant subsequently refused to sign the stipulations without giving any reasons for refusing to do so, calling into question their good faith and their proposed method of operation, the license without stipulations in place not being in the Community's best interests, with the potential for significant negative impacts on those who live and work in the immediate area;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of any license, alteration or any change in method of operation to said license for **CGM-LLNR LLC., d/b/a TBD, 415 Lafayette St. 10003**; and

**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. requests that should any application for **CGM-LLNR LLC., d/b/a TBD, 415 Lafayette St. 10003** be considered at the NYSLA, CB2, Man. respectfully requests that this item be calendared to appear before the full Board of the NYSLA in the future so that it can be heard.

Vote: Unanimous, with 39 Board members in favor.

**3. Veg Cafe, Inc., d/b/a Ananda, 210 Thompson St 10012 (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 relaxed family friendly restaurant specializing in Indian vegetable cuisine, within a ground floor storefront located in a mixed-use, six-story building on Thompson St between 3<sup>rd</sup> and Bleecker Streets in Greenwich Village; and,

**ii. Whereas**, the storefront location to be licensed is 1,800 Sq. Ft. (1,085 sq. ft. ground floor and 715 sq. ft. basement, basement not for patron use), and will operate a Indian vegetable cuisine restaurant with 21 tables and 52 seats, there will no TVs. All windows and doors will be closed at all times every night, there are no outdoor areas for the service of alcohol and no sidewalk café; and,

**iii. Whereas**, the applicant’s agreed upon hours of operation will be from 11 AM to 11 PM, Sunday to Thursday, and 11 AM to 12 AM on Fridays and Saturdays; music will be quiet ambient background music only; and,

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

1. Will operate full-service restaurant, specifically a Vegetable Indian Cuisine.  
Will not operate as a bar, tavern or sports bar or allow any portion of premises to be operated in that manner.
2. Will not have televisions.
3. Will not operate a backyard garden or any outdoor area for commercial purposes (including licensed sidewalk café)
4. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
5. Will close all doors & windows at all times.
6. Will not make changes to the existing façade except to change signage or awning.
7. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
8. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
9. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
10. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
11. Will not have, Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, Velvet ropes or metal barricades, Security Personnel/Doorman.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends denial of a new Restaurant Wine license for **Veg Cafe, Inc., d/b/a Ananda, 210 Thompson 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 its Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

**4. Gino Sorbillo Bowery, 334 Bowery 10012** (New OP, previously RW)

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority to upgrade its liquor license from restaurant wine to on premise to continue to operate 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,

**ii. Whereas**, the restaurant has been operating for two years with hours of operation from 12 PM to 12 AM Sunday through Saturday, the applicant is not planning to make any changes, the method of operation remaining the same, there being a letter of no objection previously presented permitting such use and occupancy thereat; and,

**iii. Whereas**, the storefront premises is approximately 2,800 Sq. ft. (2,200 Sq. ft. ground floor restaurant and 800 Sq. Ft. basement, the basement not being for patron uses), there is a full service kitchen with existing Pizza oven, two patron bathrooms, one bar with 7 patron seats and 12 tables with 46 patron table seats for a total patron seating capacity at 53, there is an existing sidewalk café with 5 tables and 10 seats but no other outdoor areas for patrons that closes by 11 PM every evening, and there are no operable facades, doors or windows that open out to the sidewalk; and,

**iv. Whereas**, the licensee agreed to and executed a stipulations agreement with CB2, Man. that will be attached and incorporated into their method of operation on their Restaurant On Premise license and the stipulations are as follows:

1. The premises will be advertised and operated as a 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. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
7. The licensed sidewalk cafe will close by 11 PM every night.
8. There will be sandwich boards or A-Frames on the public sidewalk.
9. The premises will play quiet ambient recorded background music only.
10. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. The operator will not install French doors, operable windows or open facades.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and

**v. Whereas**, the applicant received support from the Noho Bowery Stake Holders in its application, the operator having operated at this location for two years without conflict and as a good neighbor to those living in the immediate area, this particular storefront location having never previously operated with an on premise liquor license subject to the 500 foot rule; and.

**vi. Whereas**, currently there are approximately 47 on-premise Liquor Licenses within 750 ft of the premises to be licensed, with another 8 pending licenses within this same area, as well as an unknown number of Beer/Wine licenses, the applicant's history and agreement with the local block association, and the method of operation as a restaurant with the agreed upon stipulations and hours of operation establishing a public interest;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new on premise 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 On Premise License.

Vote: Unanimous, with 39 Board members in favor.

**5. Regal Cinemas, Inc. d/b/a Union Square Stadium 14, 850 Broadway 10003 (OP—Movie Theatre)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for an on-premises license for a food concession located in the Union Square Stadium 14 movie theatre at the same location; and,

**ii. Whereas**, this application is for a new on-premises license at a previously unlicensed C-6 zoned 20-story mixed use 1973 building located on Broadway between 13<sup>th</sup> and 14<sup>th</sup> Streets, just south of Union Square in the Greenwich Village neighborhood; and,

**iii. Whereas**, the applicant proposes add alcohol and enhanced food service to the concession stand on the 3<sup>rd</sup> floor of their 96,430 sq. ft. multi-screen cinema complex, with liquor and meals offered for sale to patrons for bringing to their seats for consumption during film screenings; and,

**iv. Whereas**, a full-kitchen will be added to the premises, as well as a dedicated alcohol service counter; and,

**v. Whereas**, alcohol may be carried by a patron to an auditorium from the 3<sup>rd</sup> floor concession area, but no alcohol will be sold at any other location within the complex; and, alcohol will never be served to a patron at their seat; and, access to the 3<sup>rd</sup> floor concession area will be limited to ticketed customers who have paid for entry to the theatre; and no alcohol will be taken off premises at any time; and, patrons will only be allowed to purchase one drink at a time, with each patron appearing in person and presenting valid identification at the concession; and, alcohol service will not be available at any time the enhanced food concession is not operating and will stop no later than 30 minutes after the start of the last screening; and,

**vi. Whereas**, private events or parties will consist only of buy-outs of an entire auditorium for a private screening; the concession area and other non-auditorium spaces will not be rented independent of a screening; and,

**vii. Whereas**, applicant presented the CB2 SLA 1 committee with a written Alcohol Control Plan that has already been used successfully at other locations of the Regal Cinemas chain in New York City and New York State; and, said plan requires the presentation of official NYS or Federal identification demonstrating legal age (21 years) for purchase of any alcoholic beverage; and, further requires Regal employees to request identification from any person seen consuming alcoholic beverages who appears potentially underage; and further requires expulsion from the theatre anyone under legal age found with an alcoholic beverage, anyone found to have provided a drink for an underage patron, and anyone of any age found with more than one alcoholic beverage at a time; and, Regal employees will check will visually monitor and survey the audience multiple times per screening; and, all alcohol will be served in distinct “translucent plastic vessels clearly distinguishable from those used to serve non-alcoholic beverages,” making evasion serving policy virtually impossible; and, all staff will receive training on identification checks, removal of patrons, and dealing with people showing signs of intoxication; and,

**viii. Whereas**, while CB2, Man. is generally skeptical of the community benefit of the licensing of large commercial spaces that are not dedicated eating and drinking establishments, we recognize the fundamental difference between a seated theatre performance experience and a retail store; and, further notes the long practice of granting alcohol licenses to concessions in live theatre venues in our

community; and also understands the cultural change in cinema going that has taken place over the last few decades has reduced the distinctions in qualitative experience from traditionally licensed live theatre attendance; and,

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

1. Will be advertised and operated as a movie theatre with enclosed restaurant.
2. The hours of operation will be from 6AM to 3AM 7 days a week. All alcohol service will cease 30 minutes after the start of the final scheduled film screening.
3. Will operate with less than a full kitchen, but will serve food during all hours alcohol is offered.
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 operate a backyard garden or any outdoor area for commercial purposes.
6. Will not have a sidewalk café now or in the future.
7. Will keep all doors & windows closed at all times.
8. Will not install or have French doors, operable windows, or open façades.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will not have: Dancing, DJs, live music, or promoted events.
14. The premises will not be open to the public, must purchase a ticket to movie to patronize.
15. Private events or parties subject to buy-outs of individual auditoriums/screenings.
16. All alcohol service will stop 30 minutes after the start of the last showing.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Tavern Wine License for **Regal Cinemas, Inc. d/b/a Union Square Stadium 14, 850 Broadway 10003** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA OP License.

Vote: Unanimous, with 39 Board members in favor.

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

**6. Bea’s Tavern, Inc., d/b/a Botanica Bar, 47 E. Houston St. 10012 (OP – Bar/Tavern) (Alteration adding bar to the rear of the premises.)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 4, 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 restaurant wine license or tavern wine license for **Bea’s Tavern, Inc., d/b/a Botanica Bar, 47 E. Houston 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 39 Board members in favor.

**7. 151 Bleecker, LLC d/b/a Red Lion, 151 Bleecker St. 10012** (OP – Bar/Tavern with live music; adding additional bar to licensed premises)

**Whereas**, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 4<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/2019 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 **151 Bleecker, LLC d/b/a Red Lion, 151 Bleecker St. 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**8. Steven Mishoe, d/b/a Kenjo’s Last Stand, 2 Great Jones St. 10012** (New RW – Failed to Appear)

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 4, 2019 the Applicant **failed to appear** for this application and did not notify CB2 Manhattan as to the reasons for such failure or their intent to proceed with this application in the future;

**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 **Steven Mishoe, d/b/a Kenjo’s Last Stand, 2 Great Jones 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 39 Board members in favor.

**8. Luc Levy or Entity to be formed d/b/a Gypsy Eyes, 264 Bowery 10012** (OP – Restaurant | Previously unlicensed location, 4AM closing, DJ’s, security, live music, sidewalk café)

**Whereas**, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 4<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/2019 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-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Luc Levy or Entity to be formed d/b/a Gypsy Eyes, 264 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 39 Board members in favor.

**10. Russian Samover SoHo, Inc., d/b/a Russian Samover, 517-519 Broome St. 10003** (New OP – Restaurant) (failed to appear)

**Whereas**, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 4, 2019 the Applicant **failed to appear** for this application and did not notify CB2 Manhattan as to the reasons for such failure or their intent to proceed with this application in the future;

**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 **Russian Samover SoHo, Inc., d/b/a Russian Samover, 517-519 Broome 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 39 Board members in favor.

**11. Selina Operations LES, LLC d/b/a Selina, 138 Bowery 10013** (OP – Hotel | New hotel, previously unlicensed location, outdoor rooftop restaurant, 2<sup>nd</sup> floor rear terrace, rooms with balconies and basement space open until 4 AM with DJs, live music and performances)

**Whereas**, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 4<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/2019 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-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Selina Operations LES, LLC d/b/a Selina, 138 Bowery 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2, Man. 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 39 Board members in favor.

**12. 244 Mulberry, LLC, d/b/a Aga, 244 Mulberry St. 10012 (New OP – Restaurant) (laid over)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 4, 2019 the Applicant requested **to layover** this application to December/2019 and will 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 **244 Mulberry, LLC, d/b/a Aga, 244 Mulberry 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 39 Board members in favor.

**13. 675 Hudson Vault, LLC d/b/a Dos Caminos & Troy Liquor Bar, 675 Hudson St. 10014 (OP – Restaurant with sidewalk cafe) (Method of Operation Change; add managers and security to licensed premises)**

**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 change to the Method of Operation to an existing On-Premise License (SN# 1101314) to reflect that the Applicant employs a manager and security for the establishment it operates on the ground floor as Dos Caminos, a full-service Mexican restaurant, and in the basement as Troy Liquor Bar, a tavern; and

**ii. Whereas**, the establishment is located in an M1-5 mixed-use building constructed in 1910 on Hudson St. between 13<sup>th</sup> and 14<sup>th</sup> Sts. (Block #629/Lot #1) on the ground floor and basement with access from Ninth Avenue and is located in the Gansevoort Market Historic District; there are 13 tables and 66 seats in the basement and 101 tables and 324 seats on the ground floor, including the existing sidewalk café, there is one (1) standup bar in the basement with no (0) seats and one (1) standup bar on the ground floor with 14 bar seats; the seating is as depicted on provided diagrams and there is an existing sidewalk café on both Hudson St. and Ninth Ave.; there are existing Temporary Certificate of Occupancy and Place of Assembly Permits for the basement and ground floor; and

**iii. Whereas**, the Applicant is seeking to amend its license’s Method of Operation to reflect that it employs a full-time manager for both Dos Caminos and Troy Liquor Bar as well as full-time NYS-licensed security in Troy Liquor Bar, which has been the Applicant’s practice since it began operations, and that in all respects the business will continue to operate as previously represented; and

**iv. Whereas,** the Stipulations Agreement with CB2, Man. previously executed by the Applicant in December/2016 and which is currently attached and incorporated into its license’s Method of Operation shall remain a part thereof and in full force and effect: the hours of operation for Dos Caminos will remain 11:30 AM to 12:00 AM Sundays to Thursdays and 11:30 AM to 1:00 AM on Fridays and Saturdays, the hours of operation for Troy Liquor Bar will remain 6:00 PM to 12:00 AM Sundays to Wednesdays, 6:00 PM to 2:00 AM on Thursdays, and 6:00 PM to 4:00 AM on Fridays and Saturdays; the music shall be quiet background only; all doors and windows will be closed at 10:00 PM except to allow for patron ingress and egress; a DJ will be permitted only in the basement and there will be no live music on the premises.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a change to the Method of Operation to the existing On-Premise License SN# 1101314 held by **675 Hudson Vault LLC, d/b/a Dos Caminos/Troy Liquor Bar, 675 Hudson St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations previously agreed to by the Applicant and incorporated into the Method of Operation of its On-Premise License remain in force.

Vote: Unanimous, with 39 Board members in favor.

**14. Chillhouse 75, LLC, d/b/a ChillHouse, 75 Varick St. 10013** (New Tavern Wine – previously unlicensed location)

**i. Whereas,** the applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for a new Tavern Wine license to operate a wellness salon and café “offering coffee, lattes, light bites and bake goods with facials, massages and manicures” in a ground floor storefront within a 16-story commercial building on Varick Street between Canal and Watts Street; formerly a retail storefront operated at this location; and,

**ii. Whereas,** the premises proposed for licensing was previously operated for years as a retail store, the applicant explaining that the certificate of occupancy will be changed to permit accessory eating and drinking for the café, the location being in a long-standing building (1930) in Hudson Square, the storefront premises being roughly 3,200 square feet, to be use operated as a wellness salon with ancillary café; and

**iii. Whereas,** the café will have 8 tables with 16 table seats, no stand-up bar for liquor service but there will be food service at the café counter, for a total patron seat capacity of 16 patrons, no TVs, background music only, there will be 1 entrance and 1 exit for patrons, two patron bathrooms; the owners presented a petition in support, mostly from nearby neighbors; and,

**iv. Whereas,** the hours of operation will be from 8 AM to 8 PM, 7 days a week, there are no operable doors or windows nor any plan to change the exterior storefront façade, there will be no DJs, no promoted events, no 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 into their method of operation on their Restaurant Wine license and the stipulations are as follows:

1. Will operate as a wellness salon and café with less than a full kitchen but will serve food during all hours of operation.
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. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
8. The premises will not permit dancing.
9. The operator will not install French doors, operable windows or open facades.
10. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products

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

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Tavern Wine application to **Chillhouse 75, LLC, d/b/a ChillHouse, 75 Varick St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Tavern Wine License.

Vote: Unanimous, with 39 Board members in favor.

**15. Heart Connection USA, Inc. d/b/a Ramen Danbo, 48 Carmine 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 Branch of a ramen noodle chain restaurant in a mixed-use, five-story building (Built in 1900) on Carmine Street between Bleecker and Bedford Streets in Greenwich Village; and,

**ii. Whereas**, the 1,200 sq. ft. premises includes 850 sq. ft. ground floor storefront and 350 sq. ft. basement (basement for storage purposes only) and was previously licensed and operated for eating and drinking as Potjane authentic Thai Restaurant from 2011-2019 with a Restaurant Wine License, there is one entrance for patrons, and one patron bathroom; and,

**iii. Whereas**, the premises to be licensed will operate as a full-service restaurant specializing in ramen noodles, with 10 tables and 20 seats, one bar/food counter with no seats, no TVs, all windows and doors will be closed at all times except for patron egress, there are no outdoor areas for the service of alcohol, including a sidewalk café; and,

**iv. Whereas**, the applicant’s agreed upon hours of operation will be from 11 AM to 11 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, Man. which includes the following:

1. The premises will be advertised and operated as a Ramen Noodle Restaurant.
2. The hours of operation will be 11 AM to 11 pm, seven days a week;
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. There will be no TVs.
5. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a sidewalk cafe.
6. The premises will play quiet ambient recorded background music only.
7. Will not install French doors, operable windows, or open façades.
8. Will install a new façade with the new name.
9. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
10. The premises will close all doors and windows at all times except for patron egress.
11. The premises will not have DJs, live music, dancing, promoted events, any event where a cover fee is charged, velvet ropes or barriers, security personnel/doorman, or any scheduled performances.

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

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the new Restaurant Wine license for **Heart Connection USA, Inc. d/b/a Ramen Danbo, 48 Carmine St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

**16. R&G Soho LLC d/b/a Piccola Cucina Enoteca, 184 Prince Street 10012** (OP – Existing Restaurant; Review of Method of Operation)

i. **Whereas**, the Licensee of **Piccola Cucina Enoteca** (Lic. # 1233248), Phillip Guardione, was requested to appear before CB2, Man. in September/2019, there being many complaints from people living in the surrounding neighborhood regarding the Restaurant’s on-going operations; and

ii. **Whereas**, in September, the manager of Piccola Cucina Enoteca at 184 Prince St. and its Licensing Representative appeared 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; and

iii. **Whereas**, a large number of residents, including a Building Manager representing multiple residential buildings in the immediate area, appeared in September and again in October 2019, providing detailed examples of unwanted behavior that in some cases represented violations of the Licensee’s existing method of operation incorporated into their existing on premise license as a full service restaurant originating in 2009 (SN# # 1233248); and,

iv. **Whereas**, the following are among the complaints presented to the Committee:

1. The business is being operated as a lounge, not as a restaurant; with a party-like atmosphere promoting birthday celebrations, during which the overly-loud music volume is played, these celebrations reoccurring nightly and were said to occur, at times, as many as ten times in one evening/night.
2. There is unacceptably loud music coming from the licensed premises that can be heard on the street and in nearby residences, and patrons are allowed to dance on the tables and chairs and in conga lines, while patrons and/or employees bang on pots and pans.
3. The business routinely operates and sells alcohol well past the hour allowed by its license; the on-premise license permitting the sale of alcohol only up until 11 PM every night based on the closing time represented by the Licensee upon its application in 2009.
4. Customers have been seen drinking alcoholic beverages obtained in the restaurant on the sidewalk in front of the premises despite there being no license to sell alcoholic beverages outside of its licensed premises, there being no license to operate a sidewalk café even though tables and chairs are regularly placed out on the sidewalk on a illegally built concrete platform in front of the premises.
5. Attempts by individual residents to discuss problems were repeatedly met by the Licensee's Management with hostility and threats against their persons.
6. Community Board Postings announcing the Community Board meetings relating to the review of this licensee were intentionally torn down on multiple occasions.

**v. Whereas**, still others appeared to indicate that there were similar problems at Piccola Cucina Estiatorio, located at 75 Thompson St., another restaurant operated by the same Licensee; and,

**vi. Whereas**, the restaurant's manager acknowledged the restaurant ritual of banging on pots and pans to celebrate birthdays, but stated that the severity of the complaints being made were exaggerated, the Licensee's representative, who accompanied the Manager further acknowledging the seriousness of the complaints and promising to relay the Community's concerns to the licensee, Mr. Guardione, who failed to appear in September and again in October, requesting a layover of the October meeting but finally appearing in November represented by his attorney to address the concerns being voiced; and,

**vii. Whereas**, when the Licensee did appear before CB2, Manhattan's SLA Committee, many of the same neighbors living in the neighborhood again appeared for the third time to voice their continued complaints and concerns about the loud music and noise coming from the interior premises, it being clear that the focus and origin of the noise complaints were created by the Licensee operating his restaurant until very late at night with its operable facades being wide open, causing excessive sound to emanate outwards and affect/disturb those living in the surrounding, immediate area; and

**viii. Whereas**, it was likewise acknowledged and recognized that the Licensee was operating beyond 11 PM, in derogation of its existing method of operation on its liquor license, and that there were also problems with crowds of patrons waiting or congregating on the sidewalk in front of the premises, the Licensee and others living in the area indicating that the small restaurant is often full to capacity causing others to wait outside for entrée into the restaurant, resulting in more noise and creating additional complaints; and

**ix. Whereas**, still others living in the area but not immediately impacted by the noise emanating from the licensed premises, appeared to support the Licensee in November, speaking about a lively, jovial atmosphere and good food being served in the restaurant, some in a rather passionate manner, denouncing those who were complaining and impacted by the operations of the restaurant, raising concerns that they did not want the restaurant to lose its liquor license; and

**x. Whereas**, in compromise and in an attempt to ameliorate the existing conflict between business and its surrounding neighbors, CB2, Man. proposed the following stipulations to the Licensee so that the licensed business and its neighbors could live together in a respectable manner that was fair to both business and residents living in close proximity of each other, and those stipulations are as follows:

1. The premises will be advertised and operated as a full-service Italian Restaurant.
2. The hours of operation will be 8 AM to 11 pm, seven days a week;
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. There will be no TVs.
5. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a sidewalk cafe.
6. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
7. All doors and windows will be closed by 9PM every night.
8. Licensee will manage patron traffic issues on sidewalk, as needed, and incorporate a reservation system to prevent patron lines from forming on sidewalk.
9. Licensee will cease from banging of pots and pans during operating hours.
10. There will be no conga lines or dancing at any time within the licensed premises.
11. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged, velvet ropes or barriers, security personnel/doorman, or any scheduled performances.

**xi. Whereas**, in response to the stipulations presented, the Licensee and his Attorney were willing to agree to the stipulations presented if in return the Licensee was permitted to operate until Midnight on Fridays and Saturday nights only, the Licensee while recognizing in good faith that the stipulations presented a reasonable resolution to the current problems and complaints, but also needing the extra hours on the weekends to maintain and allow his current business to continue to thrive; and,

**xii. Whereas**, the Licensee and his Counsel were advised to serve notice on this Community Board so that an additional public hearing can be held as to the requested alteration of hours until midnight on the weekends only;

**THEREFORE BE IT RESOLVED** that CB2 Man. will lay over this matter until its December/2019 scheduled meeting to allow **R&G Soho LLC d/b/a Piccola Cucina Enoteca, 184 Prince Street 10012** to file an alteration application for this purpose.

Vote: Unanimous, with 39 Board members in favor.

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

**17. Bruschetta Bar 1, LLC d/b/a Bruschetta Bar, 94-96 Christopher St. 10014** (OP – Restaurant in two combined storefronts, one of which was previously unlicensed, with service to a combined exterior backyard patio with backyard bar; withdrawn at this time and plans to resubmit for November)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 7<sup>th</sup>, 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 **Bruschetta Bar 1, LLC d/b/a Bruschetta Bar, 94-96 Christopher St. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**18. 523 Greenwich Restaurant, LLC d/b/a Mav SoHo, 523 Greenwich St. 10013** (OP – Hotel Restaurant) (withdrawn-may resubmit in future)

**Whereas**, before this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 7, 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 **523 Greenwich Restaurant, LLC d/b/a Mav SoHo, 523 Greenwich 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 39 Board members in favor.

**19. N & B 95 7<sup>th</sup> Restaurant, Inc., d/b/a Taqueria Meza, 95 7<sup>th</sup> Ave. So. 10014** (Corp. change – Withdrawn)

**Whereas**, before this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 7, 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 **N & B 95 7<sup>th</sup> Restaurant, Inc., d/b/a Taqueria Meza, 95 7<sup>th</sup> Ave. So. 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 39 Board members in favor.

**20. Entity to be formed by Joseph Campanaro, d/b/a N/A, 99 Bank St. 10014 (New OP – Restaurant with sidewalk cafe) (laid over requested to Dec./2019)**

**Whereas**, before this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 7<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/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 **Entity to be formed by Joseph Campanaro, d/b/a N/A, 99 Bank 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 39 Board members in favor.

**21. Dr. Strangelove, LLC d/b/a N/A, 114-116 Christopher St. Store B 10014 (New OP – Bar/Tavern; previously unlicensed) (laid over requested to Dec./2019)**

**Whereas**, before this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 7<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/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 **Dr. Strangelove, LLC d/b/a N/A, 114-116 Christopher St. Store B 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 39 Board members in favor.

**22. Gianna Groark or Entity to be formed, d/b/a N/A, 38 Eighth Ave. 10014 (OP – Bar/Tavern; previously unlicensed) (laid over requested to Dec./2019)**

**Whereas**, before this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 7<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/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 **Gianna Groark or Entity to be formed, d/b/a N/A, 38 Eighth Ave. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**23. St. Tropez Wine Bar, LLC d/b/a St. Tropez, 302-304 W. 4<sup>th</sup> St. 10014** (New OP –Class Change from RW) (laid over requested to Dec./2019)

**Whereas**, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 7<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/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 **St. Tropez Wine Bar, LLC d/b/a St. Tropez, 302-304 W. 4<sup>th</sup> St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**24. Fusion Catering Inc., d/b/a Ready to Eat, 525 Hudson St. 10014** (RW – Restaurant) (laid over requested to Dec./2019)

**Whereas**, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 7<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/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; and,

**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 **Fusion Catering Inc., d/b/a Ready to Eat, 525 Hudson St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**25. Pieffe, LLC, d/b/a P.F. Pasta Al Forno, 167-B 7<sup>th</sup> Ave. South (aka 12 Perry St.) 10014 (RW – Restaurant) (laid over requested to Dec./2019)**

**Whereas**, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 7<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/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 **Pieffe, LLC, d/b/a P.F. Pasta Al Forno, 167-B 7<sup>th</sup> Ave. South (aka 12 Perry St.) 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**26. Francis Louis LLC, d/b/a Frankie's 570 Spuntino, 570 Hudson St. 10014 (OP – Restaurant with sidewalk cafe) (laid over, requested to Dec./2019)**

**Whereas**, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 7<sup>th</sup>, 2019 the Applicant requested **to layover** this application to December/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 **Francis Louis LLC, d/b/a Frankie's 570 Spuntino, 570 Hudson St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

### **TRAFFIC AND TRANSPORTATION**

**Resolution requesting "Truck Restriction" signage on the s.e. corner of 6<sup>th</sup> Ave. and W. 12<sup>th</sup> St., signage directing trucks to the 14<sup>th</sup> St. Transit and Truck Priority lanes, with fines indicated, and an O-D truck study.**

**Whereas**, the W. 12<sup>th</sup> St. Block Association reports that W. 12<sup>th</sup> St. btw. 5<sup>th</sup> and 6<sup>th</sup> Aves. has been inundated with truck traffic, the great majority of these trucks extremely large including many trailer trucks, a situation that not only is dangerous, but damaging as well; and

**Whereas**, people from the block cited such damage as a tree that was almost totally destroyed a few weeks back when a huge truck sheared off parts of both its trunk and branches, and the destruction of flexible delineators (used to separate different lane uses) by trucks overlapping from one lane into another, leading to broken delineators scattering into traffic lanes and blocking vehicular traffic (the

trucks with their large size infringing on vehicular passableness also block traffic themselves). There also was concern about noise disturbances created by the trucks speeding through at night and bumping into the delineators as they went by; and

**Whereas**, residents of the block confirmed their understanding that some trucks need to make local deliveries, which they want, but noted that their observations have shown that the preponderance of this incursion consists of through truck traffic which doesn't belong on W. 12<sup>th</sup> St. which, like most small side streets, is not designated for through (or even local, except for deliveries) truck traffic; and

**Whereas**, Transit and Truck Priority lanes (one east; one west) were recently installed on 14th St. btw. 3rd and 9th Aves., designed to accommodate through truck and other truck traffic and providing ample room for trucks to drive unobstructed at a quick, steady pace; and

**Whereas**, this 14<sup>th</sup> St. Transit and Truck Priority way is where all through truck and other truck traffic should be going, but a great number of truck drivers are not making use of it. Those many who are unaware of it or not cognizant of the rules (e.g., drivers from out-of-town) need to be made aware of this facility; those who ignore it need to be apprised of the consequences of not making use of it; and

**Whereas**, 12<sup>th</sup> St. extends beyond 5<sup>th</sup> and 6<sup>th</sup> Aves., both east and west, and there's been no determination of where errant trucks enter and exit this street, which is essential to do;

**Therefore be it resolved** that CB2, Man. strongly supports and requests that "Truck Restriction Except Local Deliveries" signage be installed on the s.e. corner of 6<sup>th</sup> Ave. and W. 12<sup>th</sup> St., with care taken that it's placed at a height and position on that s.e. corner (the first one seen by vehicles intending to turn onto 12th St. from 6th Ave.) that is highly visible to trucks; and

**Be it further resolved** that CB2, Man. asks that signage be posted at suitable intervals near 14th St. and on surrounding streets specifying that trucks must use the 14th St. Transit and Truck Priority lanes and providing directions to access 14<sup>th</sup> Street; and

**Be it further resolved** that CB2, Man. recommends that signage be considered for the area in question that indicates there are penalties for ignoring truck restrictions on local streets and citing the amount of the fines; and

**Be it finally resolved** that CB2, Man. urges DOT to conduct a comprehensive origin-destination study in the vicinity of the 14th St. Transit and Truck Priority lanes to ascertain where through trucks and other trucks in that area come from and access local streets, where they exit them, and where they head to, in order to determine what other intersections on 12th and other local streets there should have truck restriction signage as well as other deterrents to through trucks and other trucks misusing these streets and directions to the 14th St. facility.

Vote: Unanimous, with 39 Board Members in favor.

Respectfully submitted,

Keen Berger  
Secretary  
Community Board #2, Manhattan