

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

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

BOARD MEMBERS PRESENT: Keen Berger, Carter Booth (Chair); Katy Bordonaro, Anita Brandt, Amy Brenna, Valerie De La Rosa, Robert Ely, Cormac Flynn, Joseph Gallagher, Susan Gammie, Jonathan Geballe, Wayne Kawadler, Susan Kent, Jeanine Kiely, Ryder Kessler, Patricia Laraia, Michael Levine, Janet Liff, Edward Ma, Daniel Miller, Brian Pape, Donna Raftery, Lois Rakoff, Bo Riccobono, Robin Rothstein, Rocio Sanz, Scott Sartiano, Shirley Secunda, Frederica Sigel, Georgia Silvera Seamans, Shirley Smith, Susan Wittenberg, Antony Wong

BOARD MEMBERS ABSENT WITH NOTIFICATION: Susanna Aaron, Richard Caccappolo, Erik Coler, Tom Connor, Maud Maron, Matthew Metzger, Sandy Russo, Cathy Sullivan, Adam Zeldin

BOARD MEMBERS ABSENT: Ritu Chattree

BOARD MEMBERS PRESENT/ARRIVED LATE: Coral Dawson, Doris Diether, Mar Fitzgerald, David Gruber, Kristin Shea, Chenault Spence

BOARD MEMBERS PRESENT/LEFT EARLY: Amy Brenna, Daniel Miller

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

GUESTS: Robert Atterbury, Congress Member Jerold Nadler's office; Jacob Priley, Senator Brad Hoylman's office; Claudia Zhu, Assembly Member Yuh-Line Niou's office; Charles Anderson, Assembly Member Deborah Glick's office; Luke Wolf, NYC Comptroller Scott Stringer's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Kate Scherer, Council Member Carlina Rivera's office; Anthony Drummond, Council Member Margaret Chin's office; Marc Weitz, Charley Dorsaneo, Michaela Murphy, Kate Valk, Pete Davies, Matthew Dipple, Zella Jones, Peter Murante, Michael Robbins, Adam Maldonado, Sarah Malaika, Elizabeth Bennett, Ryan Kinser, Richard Lobel, Erin Mullin, Kristin Jones, Blerina Gjonbalaj

MEETING SUMMARY

Meeting Date – December 19, 2019
Board Members Present – 38
Board Members Absent With Notification – 9
Board Members Absent - 1
Board Members Present/Arrived Late - 6
Board Members Present/Left Early – 1

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	2
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
BUSINESS SESSION	3
STANDING COMMITTEE REPORTS	3
LAND USE & BUSINESS DEVELOPMENT	3
LANDMARKS AND PUBLIC AESTHETICS	6
QUALITY OF LIFE	10
SLA LICENSING	11
TRAFFIC & TRANSPORTATION	46

II. PUBLIC SESSION

Non-Agenda Items

2020 Census

Sarah Malaika from the US Census Bureau, spoke in favor of this topic.

Project HOPE 2020

Jeanine Kiely and Joseph Gallagher spoke about this topic.

UPCLOSE Festival

Peter Musante, principal, and Marc Weitz spoke in favor of the upcoming festival.

The Performing Garage

Kate Valk and Erin Mullin spoke regarding the Off-Broadway theatre.

Land Use & Business Development Items

SoHo-NoHo Planning

Pete Davies spoke about this topic and wanted more information.

SLA Licensing Items

Showfields, Inc. d/b/a Showfields, 11 Bond St. aka 348 Lafayette St. 10012

Zella Jones spoke regarding the proposed catering license application.

GJNY9, LLC d/b/a TBD, 45 Bond St. 10012 (New OP – Restaurant with sidewalk cafe)

Ryan Kinser (managing agent), and Zella Jones spoke in favor of the proposed on-premise liquor license application.

ADOPTION OF AGENDA

III. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congress Member Jerold Nadler's office

Jacob Priley, Senator Brad Hoylman's office

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

Charles Anderson, Assembly Member Deborah Glick's office

Luke Wolf, NYC Comptroller Scott Stringer's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Anthony Drummond, Council Member Margaret Chin's office

Kate Scherer, Council Member Carlina Rivera's office

IV. ADOPTION OF MINUTES

Adoption of November minutes

V. BUSINESS SESSION

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

STANDING COMMITTEE REPORTS

LAND USE AND BUSINESS DEVELOPMENT

1. **56 W. 8th Street** (south side between Sixth Ave. and McDougal St.) BSA Cal. No. 2019-177-BZ - PCE is an application for a new special permit for a physical culture establishment for a yoga studio by CorePower Yoga located on the ground floor, pursuant ZR 73-36.

Whereas:

1. The site is in a C4-5 commercial zoning district with approximately 22 feet located within and R6 residential district. The entire site is within the Greenwich Village Historic District, which is characterized by primarily commercial buildings and residential buildings with ground floor retail.
2. The PCE has two yoga studios with shower facilities; total floor area of the PCE is 3550 square feet.
3. A maximum term of ten years is requested per ZR 73-76.
4. The premises are ADA-accessible.
5. No noise issues are anticipated with the PCE use. A sound limiter will be installed on the PCE's music system, which will play only soft New Age music. There will be no workout equipment and nothing will be attached to the ceiling.

6. The site is well-served by public transportation and will not interfere with any public improvement project.
7. Hours of operation are 5:30 am to 9:00 during the week and 8:00 am to 6:30 pm on weekends. It is anticipated that the site will offer 10-14 classes per day for 120-300 patrons per day.
8. The PCE does not contain courts or a pool nor does it offer massage or other relaxation therapy.
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 are no open violations on the building.
11. The building has a Certificate of Occupancy.
12. No one from the neighborhood appeared to speak against the application.

Therefore, be it resolved that CB2, Man. has no objection to this application.

Vote: Unanimous, with 38 Board members in favor.

2. 364 Ave of America (aka 126 Waverly Place) application by Washington Place Associates LLC requesting a zoning map change to a C1-5 overlay to a C2-5 overlay for a depth of 100 feet.

Whereas:

1. This application is for a zoning map amendment to rezone 364 Ave of the Americas (aka 126 Waverly Place), 124 Waverly Place, and 85 Washington Place in the Greenwich Village Historic District from an R7-2/C1-5 zoning district to an R7-2/C2-5 zoning district to facilitate legalization of a physical culture establishment (PCE) called Vada Spa, which opened on Oct. 23, 2019.
2. The spa is classified as Use Group 6, which is permitted as of right, but it also offers massages on site, which classifies it as a PCE requiring a special permit from the Board of Standards and Appeals.
3. A special permits from the Board of Standards and Appeals for a PCE is not available to the tenant under the current overlay commercial zoning district.
4. The proposed zoning map amendment will eliminate the existing C1-5 commercial overlay district and will establish a C2-5 commercial overlay district in order to facilitate the development of a PCE in an existing mixed use residential and commercial building.
5. C1-5 zoning districts are commercial overlay districts mapped within residence districts along streets that serve local retail needs such as neighborhood grocery stores, restaurants, and beauty parlors. C2-5 zoning districts allow a variety of commercial uses that serve a wider population and generate greater use of the street. In mixed buildings in both districts, commercial uses are limited to one or two floors and must be located below the residential use.
6. The area surrounding the project site contains a mix of residential, commercial office, hotel, retail, and community facility uses. The development site is improved with a five-story, mixed-use building with approximately 43,736 square feet of residential floor area (28 dwelling units) and approximately 22,450 square feet of commercial floor area.
7. The project is adjacent to a C4-5 zoning district which is a regional commercial center located outside the central business district that serve a larger area than the neighborhood in which it is located. C4-5 zoning districts are mapped in densely built areas.
8. The proposed rezoning will facilitate the development of a PCE, subject to the grant of a special permit by the BSA, which will occupy approximately 628 square feet of floor area on the ground floor and 4,701 square feet in the cellar and will be accessed by an entrance on Waverly Place.

9. A C2-5 Commercial overlay district will allow PCEs as well as home maintenance establishments, dance studios and other uses in Use Groups 7, 8, 9,10 and 14 which represent a wider range of commercial uses consistent with the land uses in the area that serve the local community while enriching the pedestrian activity on the street.

Therefore, be it resolved that CB2, Man. does not object to this application.

Vote: Unanimous, with 38 Board members in favor.

3. 46-74 Gansevoort (between Washington and Greenwich Streets) #M 840260(F) LDM is a private application for an amendment to a restrictive declaration to allow Use Groups 3, 4, and 6B in addition to those presently permitted at the property located at 46-74 Gansevoort Street (Block 643, Lots 43, 49, and 54) in the Gansevoort Market Historic District, CD 2, Manhattan.

Whereas:

1. The three tax lots, which are within the Gansevoort Market Historic District, were previously treated as a single zoning lot, but have been treated as separate zoning lots since 2015.
2. The original restrictive declaration on this property dates to 1984, when the area bounded by Gansevoort, Washington, Jane, and West Sts. was rezoned to facilitate the development of new residential buildings and the conversion of non-residential buildings by Rockrose Development Corp. The project area in question retained its M1-5 zoning status.
3. To mitigate the possible impacts of the rezoning on industrial/meat production related uses, Use Groups 11, 16, 17 and 18 were allowed (various industrial and manufacturing uses).
4. In 1998, CPC approved a modification that expanded the uses permitted at 46-50 Gansevoort (Lot 54) to include Use Group 6, including but not limited to eating and drinking establishments and offices. This modification was intended to facilitate the operation of a restaurant on a portion of the ground floor and to allow a photography studio on the second floor.
5. In 2003, CPC approved a further modification to allow Use Groups 6 and 9 on all lots. However, the CPC approval was subsequently modified to exclude Use Group 6B office uses, exclude eating and drinking with entertainment establishments, and exclude eating and drinking establishments in rear yards or on the roof.
6. In 2013, a further modification was filed to modify the uses, but this application was subsequently terminated.
7. The applicant is now requesting Use Groups, 3, 4, and 6B (offices) on all floors of all buildings, but will maintain the existing exclusions on eating and drinking establishments with entertainment as well as eating and drinking establishments in rear yards and on the roof.
8. The applicant has met on numerous occasions with representatives of Save Gansevoort, a local neighborhood association, and the two parties have agreed to the following quality of life stipulations on the property:
 - a. No transference of unused FAR to 803-807 Washington Street in perpetuity.
 - b. A maximum of three full liquor licenses (none of which may be for spaces adjoining any of the rooftop/terrace exterior spaces) and four beer and wine licenses (all of which would be ancillary to some other use such as retail or office space). Requests for these licenses must go through the standard SLA public review process.
 - c. No increase in height of existing buildings in excess of 5' and then only in case of casualty.
 - d. The erection of visual screening and sound attenuation along the perimeters of the three outdoor spaces.

- e. The three exterior roofs/terraces will be used only for passive recreation and will adhere to the following closing hours, by which times all persons, including clean-up staff, will be inside:
 - i. second floor terraces: 8pm Sunday – Wednesday, 10pm Thursday – Saturday;
 - ii. 60-68 Gansevoort rooftop: 10pm seven days a week
 - f. All music and amplified sound will be prohibited at all times on exterior rooftop/terrace spaces.
9. The committee voiced concern regarding the shortage of affordable community benefit space in CB2 for non-profit service and arts organizations and expressed an interest in transitioning from protecting the production of meat (per #3) to protecting the production of art. The chair of CB2’s Arts and Institutions committee stressed the importance of finding and preserving spaces for the arts in the district, as did representatives from four local theatres and two arts organizations.
 10. After consultation, Aurora offered to lease approximately 1775 rentable square feet of community benefit space in the basement (or the equivalent square footage on another floor) at 60-68 Gansevoort St. for non-profit arts organizations at \$1 per year. This space will be made available in perpetuity, simultaneously with the full and final approval of the amended restrictive declaration.
 11. In addition, Aurora offered to lease approximately 4,000 rentable square feet of community benefit space at the applicant’s development site comprised of 7-11 Weehawken St., 300 W 10 St., and 171-177 Christopher St. as a community benefit in perpetuity to be rented to non-profit arts organizations and non-profit service organizations in CB2 and at a rent of \$25 per foot, with a 10% increase every five years. This space is to be allocated as equally as possible between non-profit service and non-profit arts organizations and will be made available no later than 36 months from full and final approval of the amended restrictive declaration. In lieu of space, the service organization and/or Aurora may opt for an annuity or lump sum in an amount approximately commensurate with the value of the rent (exact amount to be negotiated by Aurora and the service organization(s)) and to be used only as a rent subsidy.
 12. No more than 50% of the total square footage of all three of the community benefit spaces should be below grade.

Therefore, be it resolved that CB2, Man. **denies** the application unless the stipulations in #8, #10, #11 and #12 are incorporated into the amended restrictive declarations (or other equally binding and enforceable instruments) and attach to the affected properties in perpetuity; and

Be it further resolved that the timetable for the writing of the restrictive declarations (or other equally binding and enforceable instruments) allows for input by and the approval of CB2, Man..

Vote: Unanimous, with 38 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1. **55 Gansevoort St.** - Application is to install a sidewalk cafe and awning alteration, including wooden decking, wooden planters with trees, heaters and lanterns.

Whereas:

A. The sidewalk cafe is proposed to be on a wooden platform with 30” high planters with built-in lights at base of planters as uplighting and an awning with flat glass in place of the previously approved corrugated glass, and a gutter; and

B. Three globe pendant lights and 13 inconspicuous spotlights were **approved** along the awning and the revised proposal is for 17 hanging gas lanterns; and

C. The platform and heavy planters and numerous lighting fixtures appear to be an annex to the building, and do not reflect the casual impermanence inherent in a sidewalk café, nor is it a historic feature of the building; and

D. The design makes no reference or attempt to be in accord with the architecture of the building and the industrial sense of the district; and

E. The corrugated glass, previously approved, evoked the metal covering of the original awnings whereas the plain glass is a distinctly modern style; now

Therefore, be it resolved that CB2, Man. recommends **denial** of this application as not respectful of the building style and the nature of the district.

Vote: Unanimous, with 37 Board members in favor.

2. 3 9th Ave. - Application is to replace the existing storefront at the corner of Gansevoort St. and 9th Ave., with a continuous stone surrounding metal-framed glass.

Whereas:

A. The existing condition of the infill is undistinguished with the original piers exposed and plain glass windows.

B. The proposal is to impose a completely modern façade construction, in Portland cement and glass with a black metal awning, onto the original building which will erase the separation between the Greek Revival house and the neighboring contemporary storefront; and

C. The assertive, modern design and its replacement of the ground floor of the house facade appears to be a screen hiding the original structure with the upper floors seeming to be a penthouse atop a new structure; and

D. The design calls for the demolition of considerable historic material; and

E. There is a prominent railing on the roof of the extension that is proposed to be covered with plantings; and

F. While contemporary design and interpretation of historic details in the district have been approved, this design has no relationship to anything associated with the district and is not in harmony with the district, the neighbors or with the historic property itself; now

Therefore, be it resolved that CB2, Man. recommends **denial** of this application as being without reference or harmony to the building itself and the district.

Vote: Unanimous, with 37 Board members in favor.

3. 62 Gansevoort St. – Application is to install new storefront infill, signage and lighting.

Whereas:

- A. The existing condition of the ground floor is random industrial openings with pulldown metal doors and black painted masonry
- B. There is an approved plan for metal and glass modern infill for the five bays; and
- C. The proposal for the applicant’s bay includes an entrance with wooden infill, divided glass, transoms, and a bulkhead; and
- D. The name of the store is in gold on the transom over the door, there is one proposed hanging sign typical to the district under the awning, and a wooden sign on the edge of the awning; and
- E. This distinguished design, unlike the approved steel and glass infill, reflects the historic character of the building as adopted to a shop entrance and could well serve as a model for a master plan for the building; now

Therefore, be it resolved that CB2, Man. recommends **approval** of this outstanding design that is well suited to the building and to the district.

Vote: Unanimous, with 37 Board members in favor.

4. 65 Spring St. – Application is to establish a Master Plan for the removal of existing aluminum frame storefront, and existing residential door, install new storefronts and residential door and to replace the existing light over the transom. The existing cast iron columns are to remain in place.

Whereas:

- A. The application has been reviewed previously by CB2, Man. and the applicant expressed a willingness to consider the recommendations that were made and a desire to institute a master plan to install infill in the south bay to replicate, with adaptation, the design of the northern bay; now

Therefore, be it resolved that CB2, Man. recommends **approval** for this master plan application provided that the prior recommendations of the Board are incorporated into the building.

Vote: Unanimous, with 37 Board members in favor.

4. 65 Spring St. – Application is to establish a Master Plan for the removal of existing aluminum frame storefront, and existing residential door, install new storefronts and residential door and to replace the existing light over the transom. The existing cast iron columns are to remain in place.

Whereas:

- A. The application has been reviewed previously by CB2, Man. and the applicant expressed a willingness to consider the recommendations that were made and a desire to institute a master plan to install infill in the south bay to replicate, with adaptation, the design of the northern bay; now

Therefore, be it resolved that CB2, Man. recommends **approval** for this master plan application provided that the prior recommendations of the Board are incorporated into the building.

Vote: Unanimous, with 37 Board members in favor.

5. 66 and 68 W. 10th St. 1) Application is to modify a window opening at the ground floor of 68 W. 10th St., install a door to provide barrier-free access and modify an existing exterior areaway stair to provide a second means of egress as per code. **(laid over)**

AND

2) Application is to request that the LPC issue a report to the City Planning Commission relating to an application for a Modification of Use to allow commercial use at the basement floor of 66 W. 10th St.

(laid over)

6. 77 Macdougall St. (73 and 75 Macdougall St.) Application is to modify the sidewalk and areaway, replace pavers and sidewalk hatches.

Whereas:

A. Application is to replace the pavers in front of the entrance and the adjacent sidewalk area, remainder of the sidewalk, and the areaway, and to replace the hatches in kind; and

B. The entrance and adjacent sidewalk area are to be in mottled white and black pavers and the remaining sidewalk and areaway are to be concrete tinted charcoal; and

C. The sidewalk to the north of the property is bluestone color tinted concrete and, to the south, raw concrete.

D. The use of charcoal tinted concrete for the sidewalk and areaway would result in four different sidewalk treatments within a short space whereas matching the sidewalk and areaway to the bluestone tint to the north would make the entrance area a welcome transition from the bluestone to the untinted concrete; now

Therefore, be it resolved that CB2, Man. recommends **approval** of the application provided that the concrete sidewalk matches the bluestone tinted concrete to the north of the property.

Vote: Unanimous, with 37 Board members in favor.

7. 525 Broadway – Application is to remove the existing doors and transom at the southern building entrance; drop the sill to grade for accessibility; install new door and transom; and install existing granite slab to be flush with the surrounding sidewalk.

Whereas:

A. The Southern entrance will have a dropped sill at grade and have newly fabricated doors to copy the design of the existing doors using original pulls; and

The transom is being increased from 7” high to 1’ high to compensate for the removal of the sill; **now**

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

Vote: Unanimous, with 37 Board members in favor.

8. 127 Greene St. – Application is to replace existing storefront window with transom with a single large storefront window, as exists in neighboring buildings.

A. The proposal is for a modern infill reflecting historic design with a plain plate glass window.

B. The introduction of a mullion to create a transom area would better reflect a historic design and would not interfere with the applicant’s stated desire for a large area to display its wares; now

Therefore, be it resolved that CB2, Man. recommends **approval** of this application provided that a mullion is introduced into the show window to create a transom area matching the transom over the entrance.

Vote: Passed, with 36 Board members in favor, and 1 abstention (K. Berger).

QUALITY OF LIFE

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

Sanuk, LLC d/b/a Thai Diner, 186 Mott Street at Kenmare St. with 13 tables and 26 chairs (12786-2019-ASWC)

Whereas, this establishment, a small, Thai-inspired diner, is located on the ground floor of a mixed-use residential/commercial building and is expecting to open in early January 2020; and

Whereas, the applicant appeared before the CB2 SLA committee in February 2019 and was unanimously recommended for approval for an on-premises liquor license and stipulated that the sidewalk cafe will not be open past 10 PM, seven days a week; and

Whereas, this location previously was occupied by the restaurant The Sosta, which operated a similar-sized sidewalk café; 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 **Sanuk, LLC d/b/a Thai Diner, 186 Mott St. with 13 tables and 26 chairs (12786-2019-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.

2. FYI/Sidewalk Cafe Renewal:

PSSP NY, Inc., 143 Mulberry St. with 5 tables and 10 chairs (1383044-DCA)

Whereas, no member of the community called out this renewal application for a public hearing and no member of the public appeared to oppose or support this application.

Therefore Be It Resolved that CB2, Man. recommends **approval** of the renewal application for revocable consent to operate an unenclosed sidewalk café for **PSSP NY, Inc., LLC d/b/a N/A, 143 Mulberry St. with 5 tables and 10 chairs (1383044-DCA)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 38 Board Members in favor.

SLA LICENSING

SLA 1

1. The Grey Dog Mulberry, Inc., d/b/a The Grey Dog, 244 Mulberry Street — North Store 10012 (Application for Corporate Change to existing Restaurant Wine License)

i. Whereas, the Applicant and their Counsel appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for corporate change to its existing Restaurant Wine License for its cafe serving American comfort food located at 244 Mulberry Street — North Store located between Prince and Spring Streets; and,

ii. Whereas, the current owner(s) will maintain majority ownership and have operated in this location for eight years and there will no change to the method of operation; and,

iii. Whereas, The Grey Dog Mulberry will continue to operate as a neighborhood cafe serving breakfast, lunch, and dinner in a licensed premises of approximately 1,600 sq. ft. which is comprised of a ground floor space and a partially enclosed outdoor space which is located within the property line, with 20 tables and 44 seats; and one (1) stand-up bar with no (0) seats, and which is used as a service counter and stand up bar; and,

iv. Whereas, the Applicant agreed hours of operation shall remain 7:00 AM to 11:00 PM seven (7) days a week; music will continue to be quiet ambient background only and the Applicant further executed a new notarized Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the restaurant wine license as follows:

1. The premises will be advertised and operated as a full-service neighborhood café.
2. The hours of operation will be 7 am to 11:00 pm, seven (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 operate a backyard garden or any outdoor area for commercial purposes.
6. There will be no sidewalk café, no service to patrons on sidewalk and no exterior counters.

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 by 9 pm every night.
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. 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 Corporate Change to an existing RW license for **The Grey Dog Mulberry, Inc. d/b/a Grey Dog, 244 Mulberry Street — North Store 10012** unless those conditions and stipulations agreed to by the applicant are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 38 Board members in favor.

2. **The Grey Dog Carmine, Inc., d/b/a The Grey Dog, 49 Carmine Street 10014** (Application for Corporate Change to existing Restaurant Wine License)

i. Whereas, the Applicant and their Counsel appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for corporate change to its existing Restaurant Wine License for its cafe serving American comfort food located at 49 Carmine Street between Bedford and Bleecker Streets; and,

ii. Whereas, the current owner(s) will maintain majority ownership and have operated in this location for five years and there will no change to the method of operation; and,

iii. Whereas, The Grey Dog Carmine will continue to operate as a neighborhood cafe serving breakfast, lunch, and dinner in a licensed premises of approximately 1,800 sq. ft. which is comprised of a ground floor space of 1,000 sq. ft. and a basement space of 800 sq. ft. (used for storage only), with 25 tables and 55 seats and one (1) stand-up bar with no (0) seats, and which is used as a service counter and stand up bar; and,

iv. Whereas, the Applicant agreed hours of operation shall remain 7:00 AM to 11:30 PM seven (7) days a week; music will continue to be quiet ambient background only and the Applicant further executed a new notarized Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the restaurant wine license as follows:

1. The premises will be advertised and operated as a full-service neighborhood café.
2. The hours of operation will be 7 am to 11:30 pm, seven (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 operate a backyard garden or any outdoor area for commercial purposes.
6. There will be no sidewalk café, no service to patrons on sidewalk and no exterior counters.
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 by 9 pm every night.
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. 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 Corporate Change to an existing RW license for **The Grey Dog Carmine, Inc. d/b/a Grey Dog, 49 Carmine Street 10014** unless those conditions and stipulations agreed to by the applicant are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 38 Board members in favor.

3. The Grey Dog Inc., d/b/a The Grey Dog, 90 University Place 10003 (Application for Corporate Change to existing Restaurant Wine License)

i. Whereas, the Applicant and their Counsel appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for corporate change to its existing Restaurant Wine License for its cafe serving American comfort food located at 90 University Place between 11th and 12th Streets; and,

ii. Whereas, the current owner(s) will maintain majority ownership and have operated in this location for 12 years, and there will no change to the method of operation; and,

iii. Whereas, The Grey Dog will continue to operate as a neighborhood cafe serving breakfast, lunch, and dinner in a licensed premises of approximately 2,200 sq. ft. which is comprised of a ground floor space of 1,100 sq. ft. and a cellar space of 1,100 sq. ft., with 20 tables and 48 seats and one (1) display counter with no (0) seats, and which is used for food selection and coffee service; and,

iv. Whereas, the Applicant agreed hours of operation shall remain 7:00 AM to 11:00 PM seven (7) days a week; music will continue to be quiet ambient background only and the Applicant further executed a new notarized Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the restaurant wine license as follows:

1. The premises will be advertised and operated as a full-service neighborhood café.
2. The hours of operation will be 7 am to 11:00 pm, seven (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 operate a backyard garden or any outdoor area for commercial purposes.
6. There will be no sidewalk café, no service to patrons on sidewalk and no exterior counters.
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 by 9 pm every night.
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. 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 Corporate Change to an existing RW license for **The Grey Dog Inc. d/b/a The Grey Dog, 90 University Place 10003** **unless** those conditions and stipulations agreed to by the applicant are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 38 Board members in favor.

4. Simo Pizza LLC, d/b/a Simo Pizza, 75 University Place 10003 (RW – Restaurant)

i. Whereas, the Applicant and their Counsel appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application for a new Restaurant Wine License for a Pizzeria located at 75 University Place between East 10th and East 11th Streets; and,

ii. Whereas, Simo Pizza will operate as a fast-casual specialty Neapolitan Pizza restaurant using ingredients from Napoli and serving individual pizzas, salads and desserts in a 2-story licensed premises of approximately 2,000 sq. ft. which is comprised of a ground floor space of approximately 1,000 sq. ft. with 3 tables and 24 seats, and a basement prep area of 1000 sq. ft., and there is no access to the basement by patrons; and,

iii. Whereas, the applicant currently operates two other restaurants within Community Board 2, one being the first Simo Pizza in Manhattan; and,

iv. Whereas, the Applicant agreed hours of operation will be 11:00 am to 11:00 pm seven (7) days a week; music will be quiet ambient background only; no music will be audible in any adjacent residences anytime; and,

v. Whereas, the Applicant will close all doors and windows at 9:00 pm every night; and,
Whereas, there are no operable doors or windows and the applicant has no plans to install French doors or accordion windows or windows that open; and,

vi. 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 specialty pizza restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 11:00 am to 11:00 pm, seven (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 operate a backyard garden or any outdoor area for commercial purposes.
6. A sidewalk café is not 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 any time.
8. All doors and windows will be closed by 9 pm every night.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and 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. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
14. Will 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 **Simo Pizza LLC, d/b/a Simo Pizza, 75 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 38 Board members in favor.

5. 244 Mulberry, LLC, d/b/a Aga, 244 Mulberry St. (a.k.a. 40 Prince St.) 10012 (OP – Restaurant)

i. Whereas, applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new OP license for their “Italian with an Asian fusion touch” cuisine restaurant located in a C6-2 zoned seven-story mixed use 1900 building on Mulberry Street between Prince and Spring Streets (block 494/lot 15), in NYC’s designated Special Little Italy District; and,

ii. Whereas, the interior 1-story premises are 1,500 sq. ft., and will have 11 tables with 35 seats and one food counter/bar with 3 seats, for a total patron seating of 41; 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 presented the committee with 6 form letters from residents of the general neighborhood endorsing their application; and, the committee heard from one neighborhood resident who opposed the application; and,

iv. 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 an “Italian restaurant with Asian-fusion touches.”
2. The hours of operation will be: 12PM to 11PM Sunday-Saturday (7 days a week). No patrons will remain after stated closing time.
3. Will operate full-service restaurant, specifically an “Italian restaurant,” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will have no televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at all times and anytime there is amplified music, live music or a DJ.
10. Will not install or have French doors, operable windows, or open façades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
17. Will put in place a reservation system to ensure there are no street lines.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine license for **244 Mulberry, LLC, d/b/a Aga, 244 Mulberry St. (a.k.a. 40 Prince 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 License.

Vote: Unanimous, with 38 Board members in favor.

MFpeasant, LLC d/b/a Peasant, 194 Elizabeth St. 10012 (New OP – Restaurant)

i. Whereas, applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to transfer the OP license (SN: 1025415) for their “romantic atmosphere” Italian cuisine restaurant located in a C6-2 zoned four-story mixed use 1900 building on Elizabeth Street between Prince and Spring Streets (block 492/lot 3), in NYC’s designated Special Little Italy District; and,

ii. Whereas, the interior 2-story premises has 2,450 sq. ft. on the ground floor, and 1,680 sq. ft. in the cellar for a total of 4,130 sq. ft., and will have 11 tables with 54 seats and 1 bar with 9 seats, for a total patron seating of 63; and, all patron seating will be on the ground floor, the cellar being accessible to staff only; and, applicant has valid Certificate of Occupancy to use the space as a food and drinking establishment from the NYC Department of Buildings; and,

iii. Whereas, the applicant presented the committee with a petition with 44 unverified signatures endorsing their application; and, the committee heard from one neighborhood resident who supported the application; and,

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

1. Premise will be advertised and operated as an Italian restaurant.
2. The hours of operation will be: 5 PM to 12 AM Sunday-Saturday (7 days a week). No patrons will remain after stated closing time.
3. Will operate full-service restaurant, specifically an Italian restaurant with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Nightclub, 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 (including licensed sidewalk café).
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at 9 PM every night.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have, Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
17. Licensed premises will at all times operate under one (1) d/b/a.
18. There will be no load in or out between 10PM and 8AM for parties or private events.
19. Security will be present, as needed, in the evening hours and after 10PM until close Thursday through Saturdays.
20. Licensee will manage traffic issues as needed.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application of an existing on-premises license for **MFpeasant, LLC d/b/a Peasant, 194 Elizabeth St. 10012** *unless* the

statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On-premises License.

Vote: Unanimous, with 38 Board members in favor.

6. GJNY9, LLC, d/b/a Gjelina, 45 Bond St. 10012 (New OP – Restaurant)

i. Whereas, the Applicant’s Attorney but not 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 a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’;” and,

ii. Whereas, the proposed licensed premises is located on three floors within a mixed-use 6-story loft building built in 1899 located midblock on Bond St. between Lafayette St and Bowery for a roughly 4,300 sq. ft. premise (1,700 sq. ft. ground floor, 1,200 Sq. ft. basement and 1,400 sq. ft. second floor) with 36 tables and 120 table seats and 2 standup bars (ground floor with 8 seats and second floor with 4 seats), a kitchen food counter with an additional 6 seats for a total of 127 interior seats, five bathrooms, no TVs; and,

iii. Whereas, while these premises were previously licensed as a full service restaurant for eating and drinking in the past, albeit on the basement and ground floors only, this application expanding the licensed footprint as the applicant is renovating the entire space while also adding the second floor to the licensed premises, the second floor not being previously operated for eating and drinking in the past, adding additional patron capacity that did not previously exist, there being questions about whether there is a proper certificate of occupancy for such use on the second floor, the applicant also planning on having operable windows where none previously existed; and,

iv. Whereas, this application does not include a sidewalk café but the applicant previously agreed with the local neighborhood to hold off on seeking a café permit for one year after opening, there being no other outdoor areas for patrons, there will be no benches on the sidewalk, there are no plans to alter the front storefront façade to add operable windows or doors, there is a Certificate of Occupancy which permits eating and drinking on the basement and first floor levels only but not on the second floor, the occupancy proposed requiring a Place of Assembly Permit; and,

v. Whereas, the proposed hours of operation will be Sunday through Saturday from 8am to 1am, 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 at all times except for patron ingress and egress, there will be no DJs., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV’s; and,

vi. Whereas, there continues to be significant disagreement and opposition to the lateness of the hours of operation proposed seeking 1 AM every night midblock on a Street Block that has been transformed with a number of new residential buildings built over the last decade giving the immediate area and block a much larger and concentrated residential presence, the proposed restaurant being a destination restaurant not designed to support the immediate block and surrounding community, the other restaurants (Il Buco Vineria, Fish Cheeks and The Smile) located on this particular block having closing hours no later than 12 AM during the week and on the weekends; and,

vii. Whereas, while this same Applicant previously appeared before CB2, Man. in the past resulting in a deny/unless resolution in April 2016, proposing later hours, the applicant did not move forward with the

prior proposal and now has presented a new applicant with significant changes seeking to add the second floor, the increased patron occupancy and operable windows, as well as the ongoing opposition by the local residents living thereat, who have indicated that they would be agreeable to a restaurant at the premises albeit with “restaurant hours” closing no later than midnight, the other restaurants on the same block being successful businesses with operating hours no later than 12 AM; and,

viii. Whereas, this application being subject to the 500-foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, there being 44 on premise licenses within 750 ft. of the premises, with 8 additional pending liquor license applications for the same geographic area but not including the many existing beer/wine licenses within this same area; and,

ix. Whereas, the Applicant was not willing to compromise on the lateness of his restaurant hours; in light of this, CB2, Man. has presented stipulations for consideration below that might conceivably allow for the creation of public interest by mitigating the impacts the issuance of this new license might have and that represent a balance between residents and the operator; and,

Whereas, should the Liquor Authority consider granting this license in light of the above outlined issues and over CB2’s recommendation of **Denial**, CB2, Man. respectfully requests that the following stipulations/conditions be imposed on the license if the applicant does not otherwise agree to them:

1. The premises will be advertised and operated as a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’” and will operate at all times as a full-service restaurant.
2. The hours of operation will be Sunday to Thursday from 8 AM to 12 AM and on weekends (Friday and Saturday) from 8 AM to 1 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 permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. There is no sidewalk café included with this application. Any future application for a sidewalk café will not be presented within one year after opening (albeit there being no guarantees set forth herein as to approval of any sidewalk café application by CB2, Manhattan or the recommendation of approval of alcohol service within any future sidewalk café).
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 DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. All door and windows will be closed at all times except for patron egress.
11. The establishment’s personnel will manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk immediately in front, and to additionally keep that portion of the sidewalk clean during all hours of operation.
12. The establishment will actively engage in all efforts to keep the sidewalk immediately in front of the premises and gutters free of debris and waste at all times, including the provision of containers in which to store garbage until third-party pick up and that all effort will be made to avoid garbage pick-ups between the hours of 2 AM and 7 AM, seven days a week.

13. Licensee will abide by all the regulations of the Department of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, the Public Assembly Permit and exterior signage, modifications and design.
14. Licensee will assign at least one person (“Community Liaison”) who will be available to speak with local residents during normal weekday business hours concerning any matter related to compliance with the terms of these stipulations. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of these stipulations in the event emergency contact is required.
15. Licensee agrees to maintain its mechanical systems to provide industry standard venting and equipment that will minimize and/or prevent kitchen-related venting sound and odors.
16. Licensee agrees that any change in the method of operation, contrary to the terms and restrictions in these stipulations and in the materials submitted to CB2, Manhattan at the time of the initial application, will be submitted and reviewed for recommendation and approval through CB#2 Manhattan. This also includes the addition of any future sidewalk café, which is not included in this application.
17. Licensee will maintain a reservation system for patrons at all times. Any walk in guests who are unable to be accommodated or guests for whom tables are not yet ready and who are unable to be hosted within the restaurant will not be permitted to queue or loiter in front of the establishment, but will instead be contacted by cell phone or other electronic means by the Licensee when their seating is available. At times, patrons may be encouraged to visit other establishments in the neighborhood until such time their table is ready. All conversations regarding seating and accommodation of guests with Restaurant staff will occur inside the restaurant. At all times, the licensee will use best practices to mitigate any quality of life issues, excess noise or traffic issues in managing their patrons as they come and go.
18. There will be no patron use/service in the basement spaces.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the presented application seeking a new restaurant on-premise liquor license for **GJNY9 LLC d/b/a TBD, 45 Bond St. 10012**; and,

THEREFORE, BE IT FURTHER RESOLVED that should this new restaurant on-premise liquor license application be considered by the Liquor Authority, CB2, Man. respectfully requests that after a 500-ft. rule hearing is conducted, that this item be Calendared to appear before the Full Board of the Liquor Authority; and,

THEREFORE, BE IT FURTHER RESOLVED that if this application is considered by the Liquor Authority, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. respectfully requests that the Liquor Authority make a condition of approval the stipulations and conditions as set forth above.

Vote: Unanimous, with 38 Board members in favor.

7. Blue Stripes 13th Street LLC d/b/a Blue Stripes Cacao Shop, 28 E. 13th St. 10003 (Tavern OP – previously unlicensed location)

i. Whereas, the applicant appeared before CB2’s SLA committee for the purpose of seeking a new Tavern OP license to sell “cacao-based cocktails” at the dessert and chocolate beverage-orientated café in a commercial building on 13th St between University Place and 5th Avenue in the Greenwich Village neighborhood; and,

ii. Whereas, the café does not have a full-service kitchen and plans to serve coffee, hot chocolate drinks, pastries, salads, sandwiches, cookies and cakes during the day and evening hours offer cacao-based cocktails, the interior premises having 11 tables and 35 patron seats, one counter with no seats for a total patron seating occupancy of 35, with one bathroom, no TVs and fixed windows; and,

iii. Whereas, the proposed hours of operation are 7:30 AM to 11 PM Monday through Friday and 9 AM to 11 PM Saturday through Sunday; and,

iv. Whereas, when questioned about the applicant's need and requirement for a full on-premise license in contrast to a Tavern Wine license, the applicant responded that the only reason he needed an on-premise license was to serve the cacao-based cocktails, which were described as specialty cocktails; and,

v. Whereas, the premises proposed to be licensed is a daytime café serving coffee and desserts with a limited menu and no kitchen, the location having never held an on premise license previously, the surrounding residential and mixed-use area already being saturated with liquor licenses, this location will not be a restaurant, the on premise license being much more expansive in terms of the service of alcohol than for the type of cocktails being proposed, the current method of operation not being consistent with an on premises license but instead Tavern Wine, there being no satisfactory outreach performed in the neighborhood, there being numerous daytime and late night taverns, bars, and drinking establishments already existing in this area, with 29 existing on premise licenses within 750 ft. of the subject premises, with 6 additional on premise license pending with the NYS Liquor Authority, not to mention numerous existing beer and wine licenses, there being concerns that this particular location with an on premise license will just become another drinking establishment, not needed in this particular area, this particular application not serving a public interest, instead there being an ever increasing, on-going need for other supplemental business services in the area designed to service the local community; and,

vi. Whereas, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for adding yet another on premise liquor license in an area that is already greatly saturated with licensed establishments, the storefront premises having never previously been licensed for on premise service of alcohol, the existing business as a café not being unique to the area, the current application for an on-premise license being inconsistent with the proposed method of operation of a small café with a limited menu serving pastries, there being many alternatives and creative methods to design aperitif drinks without hard alcohol or distilled spirits, the proposed method of operation be more consistent with a Tavern Wine license, there being no full service kitchen in a small space that will not be financially sustainable into the future unless ultimately morphing into a bar or other late night drinking establishment in an area already significant saturated with such licenses, there being additional concerns of a recent reduction in the number of small businesses and shops designed to service the local residents being lost in the area while storefronts are converted to eating and drinking with liquor license while there still other existing alternative storefronts previously used for eating and drinking that are nearby and available but vacant for such occupancy and use; and,

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** for **Blue Strips 13th Street, LLC, d/b/a Blue Stripes Cacao Shop, 28 E 13th Street 10002** on its application seeking a new OP license; and

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

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

Vote: Unanimous, with 38 Board members in favor.

8. **Showfields NY 1, LLC, d/b/a Showfields, 11 Bond St. 10012** (New RW for Retail Space floors 1-3 and New OP, 4th Floor with rooftop space—previously unlicensed)

i. Whereas, the applicants and their representatives appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for a new Tavern Wine license for serving on floors 1-3 within their multi-floor “experimental retail” space while also seeking a second On Premise Liquor license to operate a catering facility located on the 4th floor of the same building, the 4-story, 1913 building is located between Lafayette Street and Broadway (block #529 lot #15), also known as 348 Lafayette Street, within M1-5B zoning district, the entrances to the building being located on Lafayette St. with emergency access to Jones Alley, the building being located in the NYC Landmarks Commission designated NoHo Historic District; and,

ii. Whereas, the four-story premises was previously operated for 27 years as the NoHo Woman’s Shelter, one of New York City’s most highly-regarded homeless shelters offering supportive transitional housing to woman with histories of serious mental illness, with new ownership of the building in 2016 having sought permission in 2016 from the City of New York to transform the shelter into a roughly 13,000 sq ft luxury retail location, the decision and permission to do so being controversial, creating significant opposition to such transformation in the immediate area, the City of New York’s Board of Standards and Appeals issuing a lengthy decision granting a variance for such transformation albeit with significant limitations imposed on future use/occupancy of the building for retail purposes; and,

iii. Whereas, no portion of this building has ever been licensed for the service of alcohol, the Applicant seeking to serve alcohol throughout the entire four floors of the building, including the 2,760 sq. ft. ground floor level, 2,820 sq. ft. second floor level, 2,820 sq. ft. third floor level and 1,709 sq. ft. 4th floor with an adjacent approx. 1,200 sq. ft. ancillary exterior rooftop terrace; and,

iv. Whereas, the premises proposed to be licensed will have 2 tables with 8 table seats, 1 bar with no seats on the ground floor, standing only on the 2nd and 3rd floors, with retail kiosks throughout floors 1-3, with the 4th floor interior having 2 tables with 21 table seats and 1 bar with no seats, the seating to be variable depending on events which take place, with no tables or seats planned for the exterior terrace; and,

v. Whereas, the premises in question was granted a variance by the NYC Board of Standards and Appeals (BSA) in 2016 (2016-4178-BZ CEQR #16-BSA-114M) to allow retail use (use group 6) on the ground floor which is not allowed as of right in this zoning district; the approval of the application by the BSA as indicated in their Resolution was contingent upon the “condition that all work shall substantially conform to drawings filed with this application marked ‘Received June 2, 2017’—Twelve (12) sheets”; those plans marked “Received June 2, 2017” include plans as indicated in the BSA Resolution showing the “enclosure of the open space at the fourth floor roof to create a full fourth floor”; the BSA Resolution also states that “the applicant states that it agrees **not to locate an eating and drinking establishment on the rooftop**, but does not agree to the prohibition of eating and drinking establishments throughout the

entire building; and agrees that there shall be no below-grade selling space, that **the roof shall be landscaped and maintained without any event space or public access**, that the applicant will communicate with neighbors during conversion of the building, that illumination will not cast light in to residential windows and be reduced within one hour of closing or by 10 PM, whichever is earlier;” and,

vi. Whereas, the Applicant has stated their intention to use the interior top (4th) floor as a patron accessible catering space where alcohol and food will be served, to no longer enclose the open space at the fourth floor roof, and the BSA resolution and statements notwithstanding, to use the 1,171 sq. ft. roof adjacent to the top (4th) floor as a patron accessible out door space despite agreeing to no event space on the roof and no public access of any kind to the roof except for essential maintenance of the building and plantings; and,

vii. Whereas, the applicant also has not provided any documentation or explanation of why they are not complying with conditions outlined in the BSA Variance Resolution; an expired temporary certificate of occupancy being presented which allows only for a retail store on floors 1-4 but does not permit eating and drinking uses/occupancy; and,

viii. Whereas, not enclosing the open space at the fourth-floor roof and utilizing the resulting outdoor space for patrons is not in compliance with these and other agreements outlined in the BSA variance, and CB2, Man. put substantial effort into advocating for said conditions with the NYC BSA specifically to protect the community and neighboring residents from the negative impacts the Applicant’s proposed manner of operation would create; and,

ix. Whereas, since opening the Applicant has already been operating on the rooftop, with live music and bands, hosting large events and parties at entertainment levels heard as far away as one block, and more recently installing a large tent, installing speakers on the terrace, all with the service of alcohol after purportedly obtaining temporary permits without a valid pretext for such issuance, essentially ignoring and flouting the significance of the BSA variance decision, creating significant disturbance in the surrounding neighborhood, raising significant questions and concerns as to whether they were legally entitled to any of the temporary permits purportedly issued, and therefore cannot be said to have obtained or assumed likely to obtain the necessary permits with significant omissions incorporated in applying for them; and,

x. Whereas, the Applicant has further plans to conduct frequent special events at the 4 -tory premises proposed to be licensed, such events having significant impact on traffic congestion, particularly on the recently narrowed Lafayette Street, and has presented the committee with no traffic management plan or study; and,

xi. Whereas, there is strong opposition among immediately impacted residents, particularly regarding the active use of rooftops including owners in the adjacent buildings including those with windows overlooking the rooftop space; those parties having a lack of faith in the applicants based on their continuing usage of the terrace, the Applicant’s intent to use the exterior terrace, the Applicant’s proposal to operate a catering establishment on the fourth floor where the fourth floor terrace is located, the Applicant having already shown and demonstrated to those living in the immediate neighborhood that they are a bad neighbor, a neighbor who disregards the right of quiet enjoyment that the neighborhood has enjoyed for decades prior to the applicant’s occupancy and use of the premises, the negative impacts for the Applicant’s proposed events in that the community has already experienced these events, the events only triggering complaints for their detrimental impacts and late night noise, the on premise license being subject to the 500 foot rule, the premises previously having been a highly-regarded homeless shelter for women, the proposed licensing not serving the public interest or public convenience; and,

xii. Whereas, this application being subject to the 500-foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, this area where this on premise license is proposed is already greatly saturated with licensed premises, there being 35 on premise licenses within 750 ft. of the premises, with 8 additional pending liquor license applications for the same geographic area but not including the many existing beer/wine licenses within this same area; and,

xiii. Whereas, CB2, Man. believes that the issuance of a license as presented would have significant impacts on the community and immediately impacted residents and that the Application falls short on a number of the criteria that the SLA considers in such matters; and,

xiv. Whereas, the presented hours of operation until 2AM, later reduced to 1AM, are well beyond any acceptable use or accessory use for food and drink for events in a 4 story retail store with any outdoor use surrounded and overlooked by residential lofts, the residential building next door being directly adjacent to and immediately impacted by sound coming through the 100 year old common wall between the buildings not originally designed for the type of cohabiting mixed uses/occupancy between residential and commercial event space proposed, residents with families, appearing in opposition stating convincingly that they can hear the loud music and loud bass sounds coming through the wall from the events already taking place, especially in light of agreements made in order to secure a Variance to change the use and occupancy to allow eating and drinking;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the On Premise and Tavern Wine applications to **Showfields NY 1, LLC, d/b/a Showfields, 11 Bond St. 10012**; and

THEREFORE, BE IT FURTHER RESOLVED that should the On-Premise license application be considered by the Liquor Authority, CB2, Man. respectfully requests that after a 500-ft. rule hearing is conducted and that this item be Calendared to appear before the Full Board of the Liquor Authority; and,

THEREFORE, BE IT FURTHER RESOLVED that should this application for Tavern Wine 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 38 Board members in favor.

9. Easy Victor LLC, d/b/a Bumble Brew, 98 Kenmare Street 10002 (OP- Transfer SN: 1289531)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee for a transfer of an existing OP license, previously held by the restaurant Spring Natural, and will operate as an “all day café and meet-up space” within a 6-story mixed use tenement apartment building (circa 1900) with 30 residential apartments located on Kenmare St. (block #481/lot #32) in the Nolita neighborhood; and,

ii. Whereas, the interior of the two-story premises is 5,000 sq. ft., with 2,400 sq. ft. on the ground floor, and 2,600 sq. ft. on the lower level; and also has an outside sidewalk café measuring 252.58 sq. ft; the premises has 1 entrance/exit, 5 bathrooms, 35 tables with 218 seats, 1 full service bar and 1 stand up bar with 8 seats, for a total of 226 seats; and,

iii. Whereas, applicant stipulates a maximum occupancy of 232, and has indicated that they will/have applied for a Public Assembly permit; and,

iv. Whereas, there will be no TVs, and the hours of operation will continue to be from 7:30 AM to 12:00 AM. seven days a week, with background (quiet) music, there will be no DJs. or live music, there will be private parties, but no scheduled performances or events with a cover charge; and,

v. Whereas, the applicant has indicated there is soundproofing via an acoustic ceiling, and this was attested to by a representative from the current operator Spring Natural; and,

vi. Whereas, the principals of this Applicant are also principles of another restaurant within CB2, Man., Elmer Kennedy, LLC d/b/a Pasquale Jones, at 86 Kenmare St, located in the same building as this application at 96 Kenmare St; and,

vii. Whereas, the premises are to function as an extension to the Bumble internet application, providing a real-life place for app users to meet and gather as stated, at a prior meeting in June 2019 for their originally planned location at 47 Prince Street, by a representative of Bumble who shared their concept with the committee which included never opening or using the sliding/operable windows, closing by midnight at the latest every night, and creating a low-noise, conversational atmosphere; and,

viii. Whereas, the applicants previously stated at the June 2019 meeting when seeking a license for another location that their concept did not include being open to midnight on a regular basis despite seeking license to stay open that late if needed, and further stipulated that all private parties will end by 9PM; and that their concept as a low-key meet-up place made a loud music or party-based atmosphere or event program anathema to them; and no such representations were repeated in this instance; and,

ix. Whereas, the applicants who will operate the premises for Bumble are the proprietors of other licensed premises in the community board, including, notably, Pasquale Jones at 187 Mulberry St. (aka 86 Kenmare), where they have been the target of frequent community complaints for their failure to uphold stipulations made to the community board including operating hours, window closing hours, and keeping music inaudible in the surrounding residential apartments; and,

x. Whereas, 6 people appeared from the local neighborhood, including the 86 Kenmare St. Tenant's Association President and other tenants of the building, all in opposition to this application, citing continuous violations with the operator's previously agreed upon stipulations as to closing times, music levels, the failure to close the sidewalk café or the operable windows by the agreed upon times, while also presenting a petition in opposition with signatures from 22 of the 30 residential apartments from the building, there being a significant amount of distrust against the current operator, that trust being exacerbated by the Applicant failing to even notify, perform any outreach or meet with the tenants in the same building to make them aware of their intentions to seek an on premise license in this instance; and,

xi. Whereas, applicant presented a petition with 82 unverified signatures in support of their application, and many of the signatures appear to be from the greater NoHo area, but none from the immediately impacted residents or those immediately impacted by applicants adjoining establishment; and, 6 local residents voiced their concerns, including former community board members, about the increased number of individuals that will be crowding the streets entering and exiting private parties, and creating additional noise to the neighborhood; and, further, CB2 also received letters in opposition from people who could not attend the hearing, including formal opposition from the Bowery Block Association; and,

xii. Whereas, no representative from Bumble was present during the presentation for this transfer application, and only the principles Grant Reynolds and Ryan Hardy of Pasquale Jones are listed on the application, the community board is concerned about the actual degree of collaboration and hands-on operating decisions by Bumble, other than in branding, and if the applicant will actually adhere to the concept, method of operations, and stipulations presented; and,

xiii. Whereas, the community board had previously approved Bumble Brew for a new Restaurant Wine license at 47 Prince Street in June 2019, the board is concerned about the lack of adherence by the applicants to their current methods of operations at Pasquale Jones, and their lack of earnestly to be good neighbors and resolve noise and other negative quality of life issues with the residents of 86 Kenmare Street; and,

xiv. Whereas, the board recognizes the substantial difference in impact of such an establishment in a free-standing 100% commercial building across from a cemetery, as was the case at 47 Prince Street, and having such an establishment in the ground floor of a residential tenement building already suffering from the ongoing, well-documented, and quite serious negative impacts of the neighboring eating and drinking establishment run by the applicant; and,

xv. Whereas, the community board is concerned with how the applicant will operate the premises at 96 Kenmare Street when they will *de-facto* have taken over the entire building's ground floor space when operating both Bumble Brew and Pasquale Jones simultaneously;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** for **Easy Victor, LLC, d/b/a Bumble Brew, 98 Kenmare Street. 10012** on its application seeking a new OP license; and

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

THEREFORE, BE IT FURTHER RESOLVED that if this application is considered by the 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 38 Board members in favor.

10. An Entity To Be Formed By Kevin McNulty d/b/a Reservoir, 70 University Pl. 10003 (OP— Transfer SN: 102448)

i. Whereas, this application is for a transfer of an existing OP license operating as a Sports Bar and Tavern operating within a 5-story mixed use building located on University Place in a 2,000 sq. ft. storefront premise with one entrance/exit, two bathrooms, there are 19 tables with 59 seats, 1 full service bar with 12 seats, with a maximum occupancy of 74 persons; there is no sidewalk café and no backyard use; and,

ii. Whereas, the current method of operation will not be changed with 12 TVs, the location was previously soundproofed and the hours of operation will continue to be from 11 AM. to 4:00 AM seven days a week, there is a jukebox and iPods/CD music will be background (quiet) only, there will be no DJ or live music, there will be no scheduled performances or events with a cover charge; and,

iii. Whereas, the applicant executed a stipulations agreement with CB2, Man. on October 24, 2014 that they agreed would be attached and incorporated in to their method of operation on their OP license and the stipulations are as follows:

1. Premises will be advertised and operated as a bar/tavern showing sports with 12 TVs.
2. Will operate with hours of operation from 11:00 AM to 4 AM. seven days a week.
3. Music will be quiet, background level only and there will be no live music, DJs, promoted events, scheduled performances or any events for which a cover fee is charged.
4. Food will be served at all times.
5. Will not install French doors or windows that open out to sidewalk or otherwise.
6. Will close all doors and windows at all times.
7. Will employ security on Thursday, Friday and Saturday nights until closing.
8. Will not allow lines to form on the sidewalk in front of premises for patrons to enter.
9. All stipulations agreed to with University Place Resident's Association are incorporated into stipulations agreed to with CB2 Manhattan.
10. Patron occupancy will never exceed 74 persons.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of an OP license to An Entity to be formed by Kevin McNulty, 70 University Pl. 10003 **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" for an OP License.

Vote: Unanimous, with 38 Board members in favor.

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

- 12. 151 Blecker, LLC d/b/a Red Lion, 151 Blecker St. 10012** (OP – Bar/Tavern with live music; adding additional bar to licensed premises)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 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-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 **151 Blecker, LLC d/b/a Red Lion, 151 Blecker 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 38 Board members in favor.

13. **26 Bond Retail, LLC d/b/a The Smile, 26 Bond St. 10012** (OP—Alteration)

Whereas, subsequent to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on December 3rd, 2019 the Applicant requested **to layover** this application to January/2020 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 **26 Bond Retail, LLC d/b/a The Smile, 26 Bond 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 38 Board members in favor.

14. **Lukes Lobster XV, LLC d/b/a Luke’s Lobster, 124 University Pl. 10003** (RW – Restaurant)

Whereas, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on December 3rd, 2019 the Applicant requested **to layover** this application to January/2020 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 **Lukes Lobster XV, LLC d/b/a Luke’s Lobster** **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 38 Board members in favor.

15. **Little Guilty Pleasures, LLC d/b/a Crispy Heaven, 38 Grand St. 10013** (TW – Bar/Tavern)

Whereas, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on December 3rd, 2019 the Applicant requested **to layover** this application to January/2020 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 **Little Guilty Pleasures, LLC d/b/a Crispy Heaven** **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 38 Board members in favor.

16. **Selina Operations LES, LLC d/b/a Selina, 138 Bowery 10013** (OP – Hotel | New hotel, previously unlicensed location, outdoor rooftop restaurant, 2nd 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 December 3rd, 2019 the Applicant requested **to layover** this application to January/2020 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 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 38 Board members in favor.

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

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 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-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 38 Board members in favor.

SLA 2

18. **ZMZ Barrow Tavern LLC, d/b/a Barrow Street Ale House, 15 Barrow Street 10014** (OP – Tavern; Change in Method of Operation – Addition of Live Jazz Music)

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 for an existing tavern and sports bar (License SN 1301387) to reflect the Applicant’s intention to now hold live jazz music performances in its basement; and

ii. Whereas the establishment is located in an R6 zoned four-story mixed-use building constructed in 1910 on Barrow St. between W. 4th St. and Seventh Ave. South (Block #590/Lot #64) on the ground floor and basement and is within the Greenwich Village Historic District; there are 11 tables and 58 seats on the ground floor (including 16 seats at one (1) standup bar) and 10 tables and 28 seats in the basement, for a total of 86 in the premises; the seating is as depicted on provided diagrams with an interior staircase connecting the ground floor and basement and there are existing 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 its intention to remove a pool table from a basement room in which it will then offer live jazz music performances, which the Applicant indicates was operated in the 1950s as a live jazz club called Café Bohemia and featured artists including Miles Davis and John Coltrane; the space will have approximately 28 seats and will feature live performances six (6) days a week and will raise the total occupancy of the premises to approximately 170 persons; and

iv. Whereas, the Applicant will continue to operate the ground floor of the premises as previously represented in all respects, including the operation of a kitchen serving a full menu: the business's hours of operation will remain 11:00 AM to 4:00 AM seven (7) days a week and the hours of operation of the basement performance space will be 7:00 PM to 1:00 AM Mondays through Saturdays; and except for the live jazz performances, all music shall be quiet recorded background only and all doors and windows will remain closed at all times except to allow for patron ingress and egress; all patrons awaiting entrance to a live jazz performance shall be accommodated within the premises and there shall be no patron lines, ropes, barriers on the sidewalk for this purpose; and,

v. Whereas, the Applicant has executed and has had notarized an updated 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 premises will be advertised and operated as a tavern offering live jazz performances.
2. The hours of operation will be 11:00 AM to 4:00 AM seven (7) days a week; the basement performance space will offer live jazz music from 7:00 PM to 1:00 AM Mondays through Saturdays.
3. The premises may operate with less than a full-service kitchen but will serve food during all hours of operation.
4. The premises will not operate a backyard garden or any outdoor area for commercial purposes; a sidewalk café is not included in this application and the premises will not have a sidewalk café now or in the future.
5. Except for the approved live jazz performances, the premises will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
6. All doors and windows will remain closed at all times except to allow for patron ingress and egress.
7. Will not install French doors, operable windows or open façades.
8. No changes will be made to the existing façade except to change the signage or awning.
9. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

10. There will be no unlimited drink or unlimited drink and food specials; the premises will not have “boozy brunches.”
11. There will be no bottle service or the sale of alcohol in bottle form, except for the sale of beer and wine products.
12. Will not have any of the following: dancing, DJs, velvet ropes or metal barricades, or security personnel.
13. The Applicant 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 change to the Method of Operation to the existing On-Premise License **SN 1301387** held by **ZMZ Barrow Tavern LLC, d/b/a Barrow Street Ale House, 15 Barrow Street 10014** **unless** the statements the Applicant has presented 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 38 Board members in favor.

19. Fortuna Realty Soho, LLC & 523 Greenwich Restaurant, LLC, d/b/a Hotel Hugo, 523 Greenwich St. 10013 (add ground floor restaurant to existing license - OP – Hotel/Restaurant)

i. Whereas, the Applicant’s Attorney but no member of Applicant’s ownership or staff appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an alteration application for an existing on-premise hotel liquor license (SN# 1276079) to add the ground floor restaurant from the existing hotel liquor license; and

ii. Whereas, the current licensee of this location, Fortuna Realty Hotel SoHo LLC & 523 Greenwich Restaurant LLC, operates an unlicensed seasonal rooftop bar with live music, promoted events and DJs on the 19th floor which includes an outdoor rooftop floor which is not within the demised premises on file with the NYSLA, operated as “Hotel Hugo’s Azul on the Rooftop”(<http://www.azulrooftop.com>); the current method of operation and stipulations on file with the NYS SLA (license SN#1276079) state the licensee “will only use ground floor and 18th floor for service of alcohol” and “will not operate a rooftop garden” and “will not have DJs, live music, promoted events, any event at which a cover fee is charged, scheduled performances”, it being further documented in the Decision and stated in the recommendations of the Administrative Law Judge conducting the Licensee’s 500-ft hearing on February 6th, 2014 for this Hotel’ that one of its principals had previously operated a rooftop space improperly without all permits in place, and that they would “not have any outdoor space” at this location and “agreed to abide by a number of conditions proposed by the Community Board to address the municipality’s concerns regarding the issuance of this license. Those conditions would become part of the approved method of operation if this license is issued, and the applicant would be subject to disciplinary action or possible non-renewal of the license if it failed to comply with the approved method of operation.”; and

iii. Whereas, Hotel Hugo’s Azul on the Rooftop located on the 19th floor, including the large outdoor area, operates and advertises an additional bar not on file with the liquor authority and contrary to their existing stipulations and representations, regularly hosting live music and hosts outdoor movies played on the rooftop at entertainment levels among various ongoing violations, those representations made at the 500 ft hearing being false and upon which the issuance of the license being in the public interest and convenience and advantage was based, three being no license at this location previous to 2014; and,

iv. Whereas, a Manager for Applicant Attorney admitted at CB2’s SLA Licensing Committee meeting on October 4th, 2018 to operating Azul on the Rooftop on the 19th Floor since the opening of the Hotel and stated that they had ceased all operations on the 19th Floor several days prior when they became aware that the operations were not licensed; and,

v. Whereas, no one appeared who come confirm or deny the continuing use of the outdoor rooftop since October/2018, and since appearing in October/2018, the Applicant has continued to advertise and operate the rooftop bar on a seasonal basis while not self-reporting its indiscretions in derogation of its existing method of operation to the NYSLA, as was indicated to the Applicant’s Manager and Attorney both appearing before CB2 Man. in October/2018, the Attorney appearing in the instant application not having direct knowledge of the rooftop operations; and,

vi. Whereas, CB2, Man. respectfully requests that Liquor Authority conduct appropriate enforcement and review all aspects of the current hotel operation covered under SN#1276079 and investigate the usage of the 19th floor, violations of existing stipulations, the use of live music and broadcasting of films on the rooftop at entertainment levels among other violations and take appropriate action;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to the existing hotel on-premise license Serial Number 1276079 for **Fortuna Realty Soho, LLC & 523 Greenwich Restaurant, LLC, d/b/a Hotel Hugo, 523 Greenwich St. 10013**; and,

THEREFORE BE IT FURTHER RESOLVED that those complaints and concerns outlined above be reviewed and appropriate enforcement actions be undertaken by the Liquor Authority to address all violations as indicated above irrespective of any applications filed with the Liquor Authority by the Licensee; and

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that this alteration application be placed on the calendar to be heard before the Full Board of the New York State Liquor Authority prior to any determination.

Vote: Unanimous, with 38 Board members in favor.

20. **Pieffe, LLC, d/b/a P.F. Pasta Al Forno, 167-B 7th Ave. South (aka 12 Perry St.) 10014 (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 Italian cuisine family restaurant in a mixed use, six story building (circa 1940) on Seventh Avenue South at Perry Street in Greenwich Village; and,

ii. Whereas, the small storefront proposed to be licensed is 300 sq. ft. with basement access from the sidewalk for ancillary storage purposes only), was previously operated as a retail store but has never previously been licensed or operated for eating and drinking, the applicant is applying for a letter of no objection; and,

iv. Whereas, the premises will operate as a “family restaurant focusing on authentic Italian fare”, with a full service kitchen, with 4 patron tables and 12 seats and 10 bench seats at these tables for a total of 22

seats, there will be 1 entrance and 1 exit and 1 bathroom, there will be no bar or bar seats 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 submitted signatures of 21 Community members in favor of the application, with 17 of those signatures from neighbors living near the premises proposed for licensing; and,

vi. Whereas, the applicant's agreed upon hours of operation will be Sunday through Saturday from 5 PM to 12 AM, music will be quiet ambient background music only; and,

vii. 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 an Italian cuisine family restaurant.
2. The hours of operation will be Sunday through Saturday from 11 AM to 12 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. 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. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
10. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
11. The premises will not permit dancing.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will obtain a Letter of No Objection before the issuance of any license.
14. 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 **Pieffe, LLC, d/b/a P.F. Pasta Al Forno, 167-B 7th Ave. South (aka 12 Perry 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 38 Board members in favor.

21. 226 S.L.C. Inc., d/b/a Arbor Bistro, 226 West Houston St. 10014 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a transfer Restaurant Wine license to operate an Asian restaurant specializing in Sushi in a commercial, two story building (Built in 1900) on West Houston Street between Sixth and Seventh Avenues in Greenwich Village; and,

ii. Whereas, the 1,250 sq. ft. premises on the ground floor was previously operated with a restaurant wine license and operated for eating and drinking under the same name but different ownership. The operator presented a certificate of occupancy from the NYC Building Department; and,

iii. Whereas, premises will operate as an Asian restaurant specializing in Sushi. They will operate with 6 tables and 24 seats and one bar with 5 seats for an overall number of 74 seats, there will be 1 entrance and 1 exit and 1 bathroom there will be no more than 3 TVs no larger than 46”, all windows will be fixed and there will be no French doors installed, there will be no sidewalk café; and,

iv. Whereas, the applicant’s agreed upon hours of operation will be Sunday from 11 AM to 11 PM, Monday through Thursday, and 11 AM to 12 AM midnight, Friday and Saturday, 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 an Asian restaurant specializing in Sushi.
2. The hours of operation will be Sunday through Thursday from 11 AM to 11 PM, and 11 AM to 12 AM Fridays and Saturdays.
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 more than 3 TVs.
5. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a sidewalk café.
6. The premises will play quiet ambient recorded background music only.
7. Will not install French doors, operable windows, or open façades.
8. Will not make changes to the existing façade except to change signage or awning.
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.
11. 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.
12. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
13. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
14. The premises will not permit dancing, live music, promoted events, scheduled performances, velvet ropes or metal barricades, security personnel/doorman, or a DJ.
15. 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 **226 S.L.C. Inc., d/b/a Arbor Bistro, 226 West Houston 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 38 Board members in favor.

22. **Entity to be formed by Joseph Campanaro, d/b/a N/A, 99 Bank St. 10014** (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 a full service Mediterranean restaurant in the mezzanine floor and cellar levels of a 7 story commercial/ mixed use building (Circa 1968) building located on Bank Street near Greenwich Street in the West Village-Historic District section of Manhattan; and

ii. Whereas, the storefront premise proposed to be licensed was previously operated as Bistro Pierre Lapin and was previously licensed for the service of alcohol, but is now vacant; and

iii. Whereas, this storefront is roughly 3,665 sq. ft., with 1,930 sq. ft on the mezzanine floor and 1,735 sq. ft. on the cellar level, offering a full service restaurant, that has a total of 27 tables with 88 seats, and one bar with 10 seats, this application does not include a sidewalk café and the premises will not have a sidewalk café now or in the future, there are no other outdoor areas for patrons and there are no French doors or operable windows; and,

iv. Whereas, the hours of operation will be 7 a.m. to 12 a.m., on all days of the week (Sunday-Saturday). No patrons shall remain after the closing hour. All windows and doors will close at all times, except for patron ingress and egress; and

v. Whereas, music in the restaurant will be quiet ambient recorded background only consisting of music from iPod/CDs with small speakers (i.e. no active manipulation of music – only passive prearranged music), and no music will be audible to adjacent residences at any time; and there will be no TVs; and

vi. Whereas, the applicant will not make changes to the existing façade, except to change the signage or awning, and will not install French doors, operable windows, or open façades; and

vii. Whereas, the applicant will comply with NYC Department of Buildings Regulations and keep all required permits and certificates current at all times; and

viii. Whereas, there are currently approximately 30 On Premise Liquor Licenses within 750 ft of the premises, with six additional pending On Premise licenses within this same geographic area, and an unknown number of beer and wine licenses; and

ix. Whereas, residents living in the area, including a resident living right above the proposed licensed premises, appeared in opposition to this application concerned about noise from patrons entering/exiting the premises at night, this location having a significant patron occupancy and a potential sidewalk café being located on the residential block where none previously existed, the Applicant at the meeting agreeing to forgo the sidewalk café in the future at this location to meet the public interest standard imposed by the 500 ft. rule; and,

x. Whereas, the Applicant is well-known and operates other restaurants within CB2, Man. which have a history of reasonable compliance with their existing stipulations and without deviating from their stated method of operation; and,

xi. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated into their method of operation on and as a part of their application for an on-premise liquor license to the SLA, and the stipulations are as follows:

1. The premises will be advertised and operated as a full-service Mediterranean restaurant on the mezzanine and cellar floors.

2. The premises will operate with hours of operation on all days (Sunday-Saturday) from 7 a.m. to 12 a.m.
3. The premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. There will no TVs.
5. There will be no outdoor service and no sidewalk café.
6. Music will be quiet, background level inside the restaurant that will not be audible to adjacent residences at any time.
7. Will not install French doors, operable windows, or open façades.
8. The premises will close all doors and windows at all times.
9. 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.
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.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On Premises Liquor License for **Joseph Campanaro, d/b/a TBD, 99 Bank Street** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA On-Premise License, and

Vote: Unanimous, with 38 Board members in favor.

22. Dr. Strangelove, LLC d/b/a N/A, 114-116 Christopher St. Store B 10014 (New OP – Bar/Cocktail Lounge; previously unlicensed)

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 bar in a street level storefront space within a six-story tenement style, mixed use building (circa 1908) on Christopher Street between Bedford and Bleeker Streets, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed is only 220 sq. ft., was previously operated as a small retail shop known as “Jonty Jacobs” specializing in the sale of beef jerky and other dried meat products, and before that was a retail store selling candles, the premises having never been previously been licensed for the sale of alcohol, the storefront premise being advertised for rent as “a small shop for non-cooking uses”; and,

iii. Whereas, the Applicant is planning to renovate the small storefront to operate a cocktail bar with hours of operation from 4:00 PM to 4:00 AM seven days a week, with one bar with 5 bar stools and another bar counter with 6 bar stools, two tables with 8 additional seats for a total patron seating of 19, there being no plans for a kitchen, no plans for the installation of mechanical systems, televisions or soundproofing remediation, there will be private parties and the music will be background, there is also a 125 sq. ft. basement space for storage purposes, the sidewalk in front being narrow, unique, frequently traveled and often congested; and

iv. Whereas, the Applicant neither provided a letter of no objection permitting eating and drinking uses at the premises to be licensed nor a public interest statement despite this application being subject to the 500 foot rule requiring the Applicant to demonstrate a public interest in adding yet another late night

drinking establishment in an area already greatly saturated with such establishments, there being 59 on premise liquor licenses within 750 feet of the storefront premises in question, there also being another longstanding bar open until 4AM located immediately next door in an adjacent storefront within the very same building, and yet another, second, long-established bar open until 4 AM located right across the street from the premises proposed; and

v. **Whereas**, the Applicant presented a petition in support but no one appeared in support of the application, the West Village Resident's Block Association appearing in opposition, voicing concerns about there never being a liquor license previously at these premises, this application seeking 4 AM creating a significant late night impact where none previously existed, there already being numerous late night bars in the same area, within the same building and on the same block as the proposed premises, there being nothing unique or new for the neighborhood being presented by this application, the immediate area already greatly saturated with late night bars and lounges;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Dr. Strangelove, LLC d/b/a N/A, 114-116 Christopher St. Store B 10014** on its application seeking a new OP license; and **THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and,

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the 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 38 Board members in favor.

23. **Twelfth and Fourth, LLC d/b/a Blenheim Restaurant, 283 W. 12th St. 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 restaurant featuring "farm to table contemporary American cuisine" in a roughly 1,577 sq. ft. ground floor storefront and basement (1,027 sq. ft. in the ground floor and 550 sq. ft. in the basement) within a four-story townhouse (circa 1900) on the northwest corner of West 12th and West 4th Streets, this mixed use townhouse building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii **Whereas**, the storefront premise has been previously licensed as a full service restaurant with an On Premise license, the operators looking to transfer a portion of their business to their Son who recently graduated from college, the Applicant is not planning to make any changes to the exterior of the premises, the method of operation being consistent with the prior license for the premises, the maximum legal capacity for the interior premises being 61; and,

iii. **Whereas**, the corner storefront does not have French doors or operable windows, there will be no changes to the front façade, the basement premises will be for storage purposes only without patron occupancy, there are sidewalk cafés located on both West 12th (6 tables with 12 seats) and West 4th Streets (7 tables with 14 seats) in front of the premises, there are no other outdoor areas for the service of alcohol, there are 20 interior tables with 50 patron seats, 1 bar with 11 patron seats for a total interior patron

capacity of 61, there is two bathrooms for patrons, no TV and one entrance/exit for patrons on West 12th Street; and,

iv. Whereas, the hours of operation will continue to be from 11:00 AM to 12:00 AM Sunday through Saturday, seven days/nights a week, music will be background only; and,

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

1. The licensed premise will be advertised and operated as a full-service restaurant.
2. The hours of operation will be from 11:00 AM to 12:00 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 television.
5. The premises will not permit dancing.
6. The premises will not install or have French doors, operable windows or open facades.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating not including a licensed sidewalk cafe.
8. The licensed sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays.
9. All doors and windows will be closed at all times.
10. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
11. The premises will not have DJs, live music, cover charges, scheduled performances, velvet ropes or barricades on the sidewalk or promoted events.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
13. There will be no bottle service or the sale of bottles of alcohol except for bottles of wine products.
14. Will not make any changes to existing façade except signage or awning.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for an new On Premise license to **Twelfth and Fourth, LLC d/b/a Blenheim Restaurant** **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 38 Board members in favor.

24. Orange Grove Ventures LLC d/b/a Emmett’s, 39 Grove St. 10014 (New OP – 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 on premise liquor license to operate a full service restaurant featuring Chicago style gourmet pizza on the basement level storefront within a four-story townhouse (circa 1905) on Grove Street midblock in a residentially zoned (R6) block between Bedford and Bleecker Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront premise has been previously operated as Lederhosen, a full-service German restaurant specializing in wurst and beer, the Applicant is not planning to make any changes to the exterior of the premises, the method of operation being consistent with the prior license for the premises

except that the new restaurant will now be open on Mondays, a letter of no objection was presented, that letter of no objection having been issued to the prior operator of Lederhosen; and,

iii. Whereas, the basement level storefront is approximately 1,250 sq. ft., there are no French doors or operable windows in the premises, there will be no sidewalk café or outdoor areas for the service of alcohol, with 12 total tables with 48 patron seats, 1 bar with 12 patron seats for a total interior patron capacity of 60, there are two bathrooms for patrons, no TV; and,

iv. Whereas, the hours of operation will be from 10:00 AM to 11:00 PM on Sundays, Monday through Thursday from 12:00 PM to 12:00 AM, Fridays from 12:00 PM to 1:00 AM and Saturdays from 10:00 AM to 1:00 AM, music will be background only; and,

v. Whereas, the Grove Street Block Association sent a letter of support; and,

vi. Whereas, the Applicant executing 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 licensed premise will be advertised and operated as a full-service restaurant featuring modern international cuisine.
2. The hours of operation will be from 11:30 AM to 12:00 AM Monday through Thursday, from 11:30 AM to 1:00 AM on Friday, and from 10:00 AM to 1 AM Saturday and Sunday.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no television.
5. The premises will not permit dancing.
6. The premises will not install or have French doors, operable windows or open facades.
7. There will be no outdoor furniture placed in front of premises or sidewalk.
8. The premises will not operate a backyard garden or any outdoor area for commercial purposes for patron seating.
9. All doors and windows will be closed at all times.
10. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
11. The premises will not have DJs, live music, cover charges, scheduled performances, velvet ropes or barricades on the sidewalk or promoted events.
12. There will only be 1 standup bar with 12 seats.
13. There will be no all you can eat/drink specials or boozy brunches.
14. There will be no bottle service or the sale of bottles of alcohol except for bottles of wine products.
15. Will not make any changes to existing façade except signage or awning

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for an new On Premise license to **Orange Grove Ventures LLC d/b/a Emmett's, 39 Grove 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 Premise License.

Vote: Unanimous, with 38 Board members in favor.

25. **Am Naturally Italiano Corp., d/b/a TBD, 15 7th Ave. South 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 “family-friendly neighborhood restaurant” that will serve Italian cuisine within a ground floor storefront (430 sq. ft. storefront and 430 sq. ft. basement) within a three-story mixed use building (circa 1900) on the East side of Seventh Avenue South between Leroy and Carmine Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the storefront premise was previously operated as a Chinese Restaurant (Grand Sichuan 2008-2017) with a Restaurant Wine license, this location having never previously operated with an on premise license subject to the 500 ft. rule, the Applicant is not planning to make any changes to the exterior front façade of the premises, the applicant stating there is no plan to install operable windows or doors in the future, there will also be a sidewalk café planned with 16 tables and 32 seats, the Applicant acknowledging that it will need to appear for CB2 Man. Quality of Life Committee for its sidewalk café license, a certificate of occupancy permitting commercial use/occupancy in the ground floor and basement being presented, the basement will be for storage purposes only and not for patron occupancy, the method of operation being consistent with the prior license for the same storefront premises; and,

iii. Whereas, there will be no French doors or operable windows, and other than the proposed licensed sidewalk café there will be no other outdoor areas for the service of alcohol, on the interior there will be 6 tables with 14 patron seats, 1 bar with 7 patron seats, 6 additional deli counter seats and 8 additional seats at a window counter, for a total interior patron capacity of 35, there are two bathrooms for patrons, no TVs; and,

iv. Whereas, the hours of operation will be from 11:00 AM to 12:00 AM Sunday through Saturday, seven days/nights a week, music will be background only; and,

v. Whereas, the Applicant executing 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 licensed premise will be advertised and operated as a full-service restaurant.
2. The hours of operation will be from 11:00 AM to 12:00 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 television.
5. The premises will not permit dancing.
6. The premises will not install or have French doors, operable windows or open facades.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating not including a licensed sidewalk cafe.
8. The licensed sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays.
9. All doors and windows will be closed at all times.
10. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
11. The premises will not have DJs, live music, cover charges, scheduled performances, velvet ropes or barricades on the sidewalk or promoted events.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
13. There will be no bottle service or the sale of bottles of alcohol except for bottles of wine products.
14. Will not make any changes to existing façade except signage or awning.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for an new On Premise license to **Am Naturally Italiano Corp., d/b/a TBD, 15 7th Ave. South 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the On Premise License.

Vote: Unanimous, with 38 Board members in favor.

26. **18 Greenwich Ave. LLC, d/b/a Rosemary’s, 18 Greenwich Avenue 10011** (OP – Restaurant; Class Change from RW)

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 License to replace its existing Restaurant Wine License; and

ii. Whereas the establishment is located in a C1-6 zoned one-story mixed-use building constructed in 1920 on the northeast corner of Greenwich Ave. and West 10th St. (Block #606/Lot #4) and is within the Greenwich Village Historic District; there are 37 tables and 136 interior seats (including one (1) standup bar with eight (8) seats) and a sidewalk cafe with eight (8) tables and 16 seats for a total of 152 seats in the premises; there is a service bar in the basement and the seating, which is located on the ground and basement levels and connected by an interior staircase, is as depicted on provided diagrams and there are existing Certificate of Occupancy and Place of Assembly Permits for the basement and ground floor only; and

iii. Whereas, there is a rooftop herb garden but no patrons are permitted on the rooftop, there is a sidewalk café on West 10th Street only, the sidewalk café closing by 11 PM every evening, there are also operable facades running along West 10th Street, the applicant having agreed in the past with the local Block Association to close the operable façades by 9 PM every evening, the Block Association members confirming that the Applicant, who previously met with agreed to reasonable stipulations with the Block Association in the past, has abided by those stipulations over the last few years, the operator having demonstrated how a successful business can blend with and be a good neighbor with its surrounding community, deserving of support for the current application subject to the 500 foot rule, this storefront location having never previously operated with an on premise license; and,

iv. Whereas, aside from the upgrade to a On-Premise License the business will continue to operate in all respects as previously represented and no changes will be made to the premises: the hours of operation will remain 8:00 AM to 11:00 PM Mondays through Thursdays, 8:00 AM to 12:00 AM on Fridays, 10:00 AM to 12:00 AM on Saturdays, and 10:00 AM to 11:00 PM on Sundays; all music shall be quiet recorded background only and all doors and windows will be closed by 9:00 PM except to allow for patron ingress and egress; and,

v. Whereas, the Applicant agreed to a stipulation agreement with CB2, Man. which is to be incorporated into the Method of Operations of its existing Restaurant On Premise License and those stipulations are as follows:

1. The licensed premise will be advertised and operated as a full-service restaurant.
2. The hours of operation will be from 8:00 AM to 11:00 PM Mondays through Thursdays, 8:00 AM to 12:00 AM on Fridays, 10:00 AM to 12:00 AM on Saturdays, and 10:00 AM to 11:00 PM on Sundays.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no television.
5. The premises will not permit dancing.
6. The premises will not install or have French doors, operable windows or open facades on Greenwich Avenue.
7. There will be no sidewalk café on Greenwich Avenue.
8. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating not including a licensed sidewalk café on West 10th Street.
9. There will no patrons on rooftop and rooftop will be used for herb garden only.
10. The licensed sidewalk café will close by 11 PM every night.
11. All doors and windows will be closed by 9 PM every night.
12. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
13. The premises will not have DJs, live music, cover charges, scheduled performances, velvet ropes or barricades on the sidewalk or promoted events.
14. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
15. There will be no bottle service or the sale of bottles of alcohol except for bottles of wine products.
16. Will not make any changes to existing façade except signage or awning.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the application for an upgrade for an On-Premise License by **18 Greenwich Ave. LLC, d/b/a Rosemary's, 18 Greenwich Avenue 10011** unless the statements the Applicant has presented are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the Method of Operations of its SLA On-Premise License.

Vote: Unanimous, with 38 Board members in favor.

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

27. **RLA 95 7th Avenue South Corp. d/b/a TBD, 95 7th Ave. South 10014** (New OP – Restaurant with live music, rooftop and sidewalk cafe) 89

Whereas, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 5th, 2019 the Applicant requested to layover this application for reconsideration to January/2020 after withdrawing the portion of its application seeking to utilize the rooftop at the premises proposed to be licensed, 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 **RLA 95 7th Avenue South Corp. d/b/a TBD, 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 38 Board members in favor.

28. **R&G Soho LLC d/b/a Piccola Cucina Enoteca, 184 Prince Street 10012** (OP – Alteration to increase hours of operation on the weekends only)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 5th, 2019 the Applicant requested **to layover** this application to January/2020 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 **R&G Soho LLC d/b/a Piccola Cucina Enoteca, 184 Prince Street 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 38 Board members in favor.

29. **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 this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 5th, 2019 the Applicant requested **to layover** this application for reconsideration to January/2020 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 **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 38 Board members in favor.

30. **G Chew, LLC d/b/a Ciccio, 190 6th Ave. 10013** (OP – Restaurant with sidewalk café; alteration to combine storefronts at 190 and 192 Sixth Avenue—laid over)

Whereas, after this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 5th, 2019 the Applicant requested **to layover** this application for reconsideration to January/2020, 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 **G Chew, LLC d/b/a Ciccio, 190 6th Ave. 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 38 Board members in favor.

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

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 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 **N & B 95 7th Restaurant, Inc., d/b/a Taqueria Meza, 95 7th 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 38 Board members in favor.

32. Francis Louis LLC, d/b/a Frankie's 570 Spuntino, 570 Hudson St. 10014 (OP – Restaurant with sidewalk cafe)(laid over requested to Jan./2020)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 5th, 2019 the Applicant requested **to layover** this application to January/2020 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 38 Board members in favor.

33. **Fusion Catering, Inc., d/b/a Ready to Eat, 525 Hudson St. 10014 (RW – Restaurant)** (New OP – Bar/Tavern; previously unlicensed) (lay over requested to Jan./2020)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 5, 2019 the Applicant requested **to layover** this application to January/2020 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 **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 38 Board members in favor.

34. **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 Jan./2020)

Whereas, before this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 5th, 2019 the Applicant requested **to layover** this application to January/2020 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 38 Board members in favor.

35. **St. Tropez Wine Bar, LLC d/b/a St. Tropez, 302-304 West 4th St. 10014 (New OP –Class Change from RW)** (laid over requested to Jan./2020)

Whereas, before this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on December 5th, 2019 the Applicant requested **to layover** this application to January/2020 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 West 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 38 Board members in favor.

TRAFFIC AND TRANSPORTATION

Resolution requesting a pilot program providing elective curbside access for commercial deliveries, drop-off/pickups and loading/unloading at CB2, Man. residential buildings plus a comprehensive study of curbside uses.

Whereas, the recent increase in e-commerce deliveries on residential streets as well as the growth in the number of for hire vehicles (FHV's) have resulted in a changed street environment that has put additional demands on our streets and curb space.

- In NYC, from 2009 to 2017, deliveries to households tripled to 1.1 million per day.
- Currently, 15% of NYC households get at least one package per day, and 41% receive packages at least 2 times per week.
- Households now receive more packages than businesses.
- UPS and FEDEX parking tickets are up 34% since 2013.
- Private car owners, taxis and FHV's experience difficulty dropping off and picking up passengers and goods at the curb, forcing them to break the law by double parking and hindering people from reaching the sidewalk safely from the street.; and

Whereas, this increase in package deliveries has led to a heavy increase in delivery vehicles which cannot be accommodated by the limited curb space available and loading and unloading often happens in travel lanes. This double parking leads to dangerous conditions for pedestrians and cyclists as well as to traffic congestion, which results in air and noise pollution, wasted fuel, more wear and tear on vehicles, *stress*, time costs to all drivers and delays for emergency vehicles (in this last case, minutes are critical); and

Whereas, no free curbside space also often results in trucks parking in cross walks and bike lanes, further exacerbating the dangerous situation and backing up traffic; and

Whereas, one loading zone not only prevents double parking but also can serve up to 100 households per day - one truck delivers about \$6000 worth of goods, while one parked private car sits idle 96% of the time; and

Whereas, CB2, Man. has received numerous expressions of concern about increasing e-commerce deliveries, the lack of accessible curbside space and its impact on the community, and requests for increased curbside access; and

Whereas, with its sizable senior population and many disabled constituents who need safe curbside access to taxis, FHV's, access-a-ride and other vehicles, its growing number of families that need accessible space to load and unload all manner of equipment, including baby carriages and strollers, and a lack of such accommodations that would benefit all of the district's residents, along with its high volume of package deliveries by commercial vehicles, CB2 both needs and would benefit from a community-wide

opportunity for more curbside access for deliveries, drop-off/pickup, and loading/unloading, and more and better access to it; and

Whereas, the NYC Department of Transportation (DOT) is currently conducting a pilot project to reduce double parking and other disruptive standing behaviors by providing curb space for such activities as package deliveries by commercial vehicles, taxi and car service pickup/drop-off, and active loading and unloading of personal vehicles at a few designated locations, e.g., in Manhattan on W. 15th and W. 16th Sts btw. 6th and 8th Aves. and on West End Ave. btw. W. 79th and W. 95th Sts., but not in any district-wide scenarios and solely selected by DOT rather than by the community; and

Whereas, CB2, Man. has observed that local residents are highly knowledgeable of conditions in their own locales as well as of what their needs are in relation to these conditions, and that when given the opportunity and encouragement to self-select available improvements, they are more likely to respond positively and participate; and

Whereas, CB2, Man. believes that local residents need to be empowered to identify problems and act to address their own needs; and

Whereas, e-commerce deliveries now occur 7 days a week, a time frame that also encompasses local needs for pickups and drop-offs of people and loading/unloading of private vehicles;

Therefore be it resolved that CB2, Man. requests that DOT launch a pilot program throughout District 2 in which any multi-dwelling residential building can request and receive curbside access at its entrance if: a) that space is currently used for long term free private vehicle storage; and b) that building demonstrates consensus of a majority of occupants; this curbside access would be available to the entire block; and

Be it further resolved that the program should include:

- Provision of curbside access for package deliveries by commercial vehicles, taxi and car service pickup/drop-off, active loading and unloading of personal vehicles, access-a-ride and other related activities, with signage indicating that the space is such a loading zone serving the entire block.
- Provision of dedicated curb space for these activities seven days a week from either 7 am - 7 pm or 8 am - 6 pm depending on specific area needs.
- A clear, simple and accessible process to apply for such curbside space with clearly articulated guidelines, including the aforementioned.
- An outreach strategy to inform potential participants of their opportunity to opt in to the program.; and

Be it finally resolved that CB2 recommends that DOT do a comprehensive study of curbside uses, including on-site observations, surveys and research of best practices, to provide a 21st century plan to meet current demands. (*Elements to consider might include, as in a 2011 DOT study, an inventory of spaces to accurately review parking supplies both at the curb and in garages, possible exploration of Transportation Improvement/Benefit Districts, where revenue generated from parking meters or parking permits within specified districts stays in the district where it was collected/the dedicated revenue stream funds local improvements, and/or expansion of the Park Smart System where prices fluctuate based on demand.*).

There was a motion to send this resolution back to the committee. Please see the vote below:

Vote: Passed, with 33 Board members in favor and 4 in opposition (J. Gallagher, J. Liff, B. Pape, S. Secunda).

Respectfully submitted,

Valerie De La Rosa

Secretary

Community Board #2, Manhattan