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Terri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

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

FULL BOARD MINUTES

DATE: January 22, 2015
TIME: 6:00 P.M.
PLACE: Scholastic Building, 557 Broadway, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Chair; Katy Bordonaro, Anita Brandt, William Bray, Richard Caccappolo, Heather Campbell, Lisa Cannistraci, Ritu Chattree, Denise Collins, Tom Connor, Terri Cude, Coral Dawson, Maria Passanante Derr, Doris Diether, Cristy Dwyer, Jonathan Geballe, Robin Goldberg, Sasha Greene, David Gruber, Anne Hearn, Jeannine Kiely, Arthur Kriemelman, Daniel Miller, Lois Rakoff, Robert Riccobono, Sandy Russo, Rocio Sanz, Maury Schott, Shirley Secunda, Federica Sigel, Richard Stewart, Shannon Tyree, Susan Wittenberg, Antony Wong, Robert Woodworth

BOARD MEMBERS ABSENT WITH NOTIFICATION: Susan Kent, Edward Ma, Elaine Young

BOARD MEMBERS ABSENT: Daniel Ballen, Alexander Meadows

BOARD MEMBERS PRESENT/ARRIVED LATE: Carter Booth, Robert Ely, Joshua Frost, Robin Rothstein, Arthur Z. Schwartz, Shirley Smith, Chenault Spence, Sean Sweeney

BOARD MEMBERS PRESENT/LEFT EARLY: None

BOARD STAFF PRESENT: Bob Gormley, District Manager, and Florence Arenas, Community Coordinator

GUESTS: Jacqueline Blank, Congressman Jerrold Nadler's office; Tara Klein, Senator Brad Hoylman's office; Senator Daniel Squadron's office; Patricia Ceccarelli, Man. Borough President Gale Brewer's office; Matt Borden and Sarah Sanchala, Assembly Member Deborah Glick's office, Dan Campanetti, NYC Comptroller's office; Adam Chen, Public Advocate Leticia James' office; Margaret Bangs, Council Member Corey Johnson's office; John Blasco, Council Member Rosie Mendez's office; Sam Spokony, Council Member Margaret Chin's office; Claire Martheleur, Nick Gottlieb, Wai Ping Kan, David Weber, Susan Meyer, Isabella Johansen, Bill Shamam, Jonathan Slatt, Barbara Backer, Ed Somekh, Liz Somekh, Lora Tenenbaum, Susan Keith, Alice Elliott, Jean-Luc Callet, Karina Mapinder, Maureen Remacle, Alice Ho, Eric Rayman, Pete Davies, John Keith, Will Rogers, Jill Hanekamp, Davide Gentile, Fred Ginyard, Nick Rosser, Terry Brennan, Nina Reznick, Sara Kimbell, Fia Hatsav, Micki McGee, Andrew Berman, Wayne Kawadler, Esther Louis, Kate Freedman, Sam Kimball, Michelle Gutierrez, Stephen Daldry, Harry Freedman, Amy Egan, Nora Burns, Marcia Bystry, Yin Ho, Chris McGinnis, Noreen Doyle, Bunny Gabel, Virginia Reath, Ana Opitz, Philip Hoffman, Raymond Cline, Evan Bennett, Daniel Bennett, Louis Levy, Sophie Wittenberg, Ken Wittenberg, Frank Palillo, Emily Rosser, Wendy Nodiff, Pauline Augustine, Michelle Landers, Augustine Hope, Michael Eisenberg, Brunilda Valentin, Mary Petretti, Elizabeth Heydebrand, Jeffrey Butler, Linda Stetson, Ria Boemi, Andre Becker, Ed Yutkowitz, Audrey Taylor, Bill Rabinovitch, Michelle Choi, Amy Tse, Jane Carey, Carmen Morab, Nolan Myerson,

Kevin Samuel, Kevin Acevedo, Darlene Lutz, Mark Dicus, Kristin Shea, Robin Broadbent, Cynthia Chapin, Beth Goldoff, Ronna Texidor, Joe Cotugno, Charlene Weisler, Pat Bartels, Justin Lapatisa, Monica Ritterspoon, Janet Brand, Judith Callet, Damian Kennedy, Daloh Camarillo, Cathy Knofler, Antoinette Melillo, Marjorie Elkin, Scott Layer, Sugar Barry, Christen Johansen, Jim Marnell, A. Blitzer, Gavriel Kuhane, Bill Heinzen, Deborah Gray, Glen Friedman, Margaret Wells, Nancy Kolbert, Jessica Warnier, Paul Mulhauser, Tony Rezay

MEETING SUMMARY

Meeting Date – January 22, 2015
Board Members Present – 45
Board Members Absent with Notification - 3
Board Members Absent - 2
Board Members Present/Arrived Late - 8
Board Members Present/Left Early - 0

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II. PUBLIC SESSION

Non-Agenda Items

Mayor's Office

Kevin Acevedo made an announcement regarding several events.

Department of Consumer Affairs

Esther Louis made an announcement.

Whitney Museum of American Art

Jane Carey introduced herself as the new Director of Community Relations for the museum.

MPIA

Amy Tse announced several upcoming events in the Meatpacking District.

SoHo Broadway B.I.D.

Mark Dicus made an announcement regarding their upcoming Open House.

Elizabeth Street Garden

Kristin Shea made an announcement regarding an upcoming event.

Lenox Hill HealthPlex

Wayne Kawadler made several announcements.

Issues at 76-78 Varick St./Trinity

Darlene Lutz and David Webber spoke regarding noise, parking security and traffic issues at this location.

Noise and Congestion

Brunilda Valentin spoke regarding this issue.

Bellevue Legislative Breakfast

Lois Rakoff invited everyone to the free breakfast on March 6, 2015, from 9:30 am to 11:30 am.

Labor Union Employees

Nolan Myerson, Kevin Samuel and Carmen Morab spoke regarding several union issues.

Landmarks & Public Aesthetics Items

430 Broome St. aka 39 ½ Crosby St.

Cynthia Chapin and Lora Tenenbaum spoke in favor of the resolution to deny the application.

Land Use and Business Development Items

University Pl. Corridor Contextual Rezoning Proposal by Greenwich Village Society for Historic Preservation (GVSHP)

Andrew Berman, Director of GVSHP, and Micki McGee spoke in favor of the proposal.

Parks/ Waterfront

Discussion of The Proposal For Pier 55 from the Hudson River Park Trust (HRPT)

Stephen Daldry spoke regarding the proposal.

Noreen Doyle, EVP at HRPT, Sara Kimbell, Fia Hatsav, Kate Freedman, Sam Kimball, Michelle Gutierrez, Harry Freedman, Amy Elan, Nora Burns, Marcia Burton, Yin Ho, and Chris McGinnis, spoke in favor of the proposal.

Bunny Gabel spoke against the proposal for Pier 55.

SLA Licensing Items

Edible Analytics LLC, Mimis, 185 Sullivan St.

Frank Palillo, representing the applicant, was in favor of the proposed liquor license. Emily Rosser, Daniel Bennett, Evan Bennett, Philip Hoffman, Ana Opitz, Virginia Reath, Sophie Wittenberg, and Louis Levy, spoke in favor of the proposed liquor license.

Ken Wittenberg did not speak, but was in favor of the liquor license.

Maureen Remacle and Raymond Cline spoke against the proposed liquor license.

9 Crosby LLC and Interstate Hotels & Resorts LLC, d/b/a Mondrian Soho, 9 Crosby St.
Bill Rabinovitch, Robin Broadbent, Ed Somekh, Michelle Choi, and Susan Keith, spoke against the proposed new/transfer liquor license.

An Entity to be formed by Michael Stern & Jerome Audureau d/b/a Once Upon a Tart, 135 Sullivan St.
Michelle Landers, Pauline Augustine, Wendy Nodiff and Micki McGee, spoke against the proposed liquor license.

Innovation Kitchens, LLC, 137 7th Ave. South
Michael Eisenberg spoke in favor of the proposed beer and wine license.

Augustine Hope spoke regarding SLA licenses in the West Village.

Traffic and Transportation Items

Request To Co-Name The Southeast Corner Of Bedford and Grove Sts. Larry Selman Way
Alice Elliott and Mary Petretti spoke in favor of the street co-naming proposal.

Proposed Pedestrian Safety Improvements on 7th Ave. S. at W. 4th & Christopher Sts. & Waverly Pl.
Barbara Backer and Audrey Taylor spoke in favor of the proposed safety improvements.

Elizabeth Heydebrand, Jeffrey Butler, Linda Stetson, Ria Boemi, Andre Becker, Ed Yutkowitz, and Raymond Cline, spoke against the proposed closure of West 4th St.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Jacqueline Blank, Congressman Jerrold Nadler's office

Tara Klein, Senator Brad Hoylman's office

Senator Daniel Squadron's office;

Dan Campanetti, NYC Comptroller's office;

Patricia Ceccarelli, Man. Borough President Gale Brewer's office

Matt Borden and Sarah Sanchala, Assembly Member Deborah Glick's office

Margaret Bangs, Council Member Corey Johnson's office

Sam Spokony, Council Member Margaret Chin's office;

John Blasco, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Adoption of November minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Tobi Bergman reported

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

STANDING COMMITTEE REPORTS

EXECUTIVE

Resolution in opposition to Intro 585 which would amend the City Charter to impose term limits on Community Board Members

Whereas, Community Board members are volunteers and spend an enormous amount of time serving their communities. They must learn a great deal not only about their neighborhoods but about the zoning codes, local laws and agency policies and service delivery that the Boards address.

Whereas, Board members must acquire knowledge and expertise so that they can play important roles in negotiating with developers, assisting constituents and tackling community problems related to traffic, sanitation, safety, business development and interests that impact all City residents.

Whereas, these skills take a long time to acquire, develop and refine. This is acutely relevant when there are large, long-term projects that can take years to implement. Coupled with intricate zoning changes and negotiations with developers and city agencies, it is those Board members with long term and intricate knowledge of their communities that can represent and fight for the Board and the interests of the community most effectively.

Whereas, The Borough Presidents appoint community board members for two-year terms and each Borough President is elected every four years for a maximum of two terms or eight years. This in and of itself amounts to a term limit as the Borough Presidents are under no obligation to reappoint an individual beyond a two-year term. Natural attrition also occurs yearly with current members leaving for reasons related to their personal lives or increased responsibilities outside of their Community Board work. Membership is not automatic. Board members take the responsibilities of their tasks seriously and are held accountable for their attendance, active participation and lack of conflict of interest.

Whereas, there is a need to continually provide mechanisms for new and increased civic participation. Community Boards offer forums for community input and engagement, not only through its public sessions, but often through Public Membership and committee work.

Therefore it is resolved that while there is a need to encourage greater citizen participation in the work of Community Boards there is no need to impose term limits on Community Board members.

Vote: Unanimous, with 45 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1 - LPC Item: 16 Morton Street (7th/Bleecker) – Greenwich Village Historic District Extension

A Federal style rowhouse designed by Henry Fredricks and built c. 1829, and altered as a utilitarian style garage and multiple dwelling in 1928 and 1935. Application is to construct a rear yard addition and install signage.

Whereas, the backyard “doughnut hotel” on this block is already negligible, so this addition cannot detract much from it; and

Whereas, residents of the adjoining building testified that the addition would deprive them of light; and

Whereas, the proposal for commercial signage was not thought out sufficiently. Because some garages have No Parking signs on their roll-down doors, does not mean that such a traditional warning sign should be translated into permission for a commercial sign of similar size; and

Whereas, garages often have pendant signs to alert motorists to their presence. The applicant never brought up having a blade sign instead of a large painted sign. Nor was a recessed sign above the garage door suggested; now

Therefore, be it resolved that CB2, Man. recommends approval for the rear yard extension;

Further, be it resolved that CB2, Man. recommends denial of a painted commercial sign upon the door, suggesting a blade or recessed signage perhaps, and encourages the applicant return with modifications.

Vote: Unanimous, with 45 Board members in favor.

2 - LPC Item: 12 MacDougal Alley - Greenwich Village Historic District. A stable building originally built c. 1854 and converted to studios in 1909. Application is to install an awning.

Whereas, the asserted need for the awning – shelter from rain – did not convince us of its necessity; and

Whereas, the documentation presented was limited; there were no examples provided of other awnings in MacDougal Alley; and substantiation that an awning is an essential element in the historic district was lacking; and

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

Vote: Passed, with 44 Board members in favor, and 1 in opposition (D. Gruber).

3 - LPC Item: 260-264 Mulberry Street - Old St. Patrick's Cathedral - Individual Landmark. A Gothic Revival style church building built in 1815 and designed by Joseph F. Mangin. Application is to reconstruct windows and install protective glazing, replace brownstone stairs and areaway, and install a barrier-free access ramp.

Whereas, this is a remarkable restoration project that will greatly enhance this historic landmark; now

Therefore, be it resolved that CB2, Man. recommends approval of this application and we commend the proposal for its exactitude, especially the restoration of the stained-glass window frames.

Vote: Unanimous, with 45 Board members in favor.

4 - LPC Item: 640 Broadway (s.e. Bleecker) - NoHo Historic District. A Classical Revival style store, loft, and office building designed by DeLemos and Cordes, and built in 1896-97. Application is to construct a rooftop addition.

Whereas, the reintroduction of the missing balustrade enhances the building and the district; the restoration of the original signage above the entry that identified the building, *The Empire State Building*, is well received; and the work on the masonry and windows is commendable; and

Whereas, the rooftop will not be visible; now

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

Vote: Unanimous, with 45 Board members in favor.

5 - LPC Item: 640 Broadway (s.e. Bleecker) - NoHo Historic District. A Classical Revival style store, loft, and office building designed by DeLemos and Cordes, and built in 1896-97. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Bulk pursuant to Section 74-711 of the Zoning Resolution.

Whereas, CB2, Man. considers the proposed bulk modifications to relate harmoniously to this building in the NoHo Historic District; but

Whereas, CB2, Man. has not reviewed and is not now able to take a position regarding the land use issues pertaining to any proposed bulk and/or use modifications that may be proposed in connection with an application to the City Planning Commission for a special permit under 74-711;

Therefore, be it resolved that CB2, Man. does not object to the issuance of a report by LPC stating that the proposed bulk modification relates harmoniously to the Historic District.

Vote: Unanimous, with 45 Board members in favor.

6 - LPC Item: 145 Wooster Street (Houston/Prince) – SoHo-Cast Iron Historic District. A Renaissance Revival style office building designed by Louis Korn and built in 1896-97. Application is remove metal shutters, and install storefront infill and signage.

Whereas, the applicant attested that the shutters are of recent installation, and they look it; and

Whereas, the removal of the shutter, as well as the installation of a new storefront infill, would improve the appearance of the building; now

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

Vote: Unanimous, with 45 Board members in favor.

7 - LPC Item: 402 West Broadway (s.w. Spring) - SoHo-Cast Iron Historic District Extension. A neo-Grec-style store and loft building designed by John B. Snook and built in 1880. Application is to replace storefront infill and modify platforms.

Whereas there were many things wrong with this application. Basically, it is an homage to retail and not preservation; and

Whereas, this proposal is an example of retail driving landmarks versus landmarks driving retail; and

Whereas, instead of attempting to return the facade to its historical appearance, as it existed as recently as in the 1940 tax photo, this proposal attempts to move it further adrift for no good reason. For example, removing an historic transom to create “unity” did make preservation sense; and

Whereas, we are especially offended that the applicant would justify the addition of an unneeded and gratuitous platform-step on this congested sidewalk based solely on the fact that a mandated handicap ramp, now redundant, was once there; now

Therefore, be it resolved that CB2, Man. strongly recommends denial of this application that further removes this storefront from its original configuration, when it would appear just as easy to attain historical authenticity instead.

Vote: Unanimous, with 45 Board members in favor.

8 - LPC Item: 430 Broome Street, aka 39 1/2 Crosby Street - SoHo-Cast Iron Historic District Extension. A Queen Anne style store and factory building designed by Julius Kastner and built in 1894-95. Application is to replace storefront infill, alter the facade, and remove basement stairs and areaway ironwork.

Whereas this building unashamedly tells us what it wants to be: the Broome Street facade is clearly the main facade. All the elements - the water table, the cornice and the signage - stop as soon as they round the corner, quickly ending; and

Whereas, the proposed sign is too big and the cornice too aggressive on the Crosby side; and

Whereas, the original, historic configuration of this building - its main entrance and focus - will be lost with this proposal. The main entrance will be moved to Crosby, the traditional backstreet of Broadway. This architectural shift of the main entrance onto the secondary facade of a side-street is an incongruity that the architect surely never intended nor would likely appreciate or respect; and

Whereas, we take issue with the applicant’s referencing generations of small changes to this building as a rationale to make this one drastic change. This proposal is a piecemeal design created to look like it comes from a different generation, when, in fact, it is a faux, single sleight-of-hand; and

Whereas, this proposal unfavorably tips the balance between the retail needs of an applicant and an historic building that just happens to currently house retail; and

Whereas, the rhythm of the original fenestration of the Crosby facade is intact. It is an important historic element that should not be destroyed. The proposed storefront’s infill would ruin this historic configuration for the sake of a transient retailer; and

Whereas, this is not only a bad example of form following function; it is an egregious example of form following finance; and,

Further, whereas approval of this application by the Commission flies in opposition to the Zoning Text. The applicant proposes these alterations to make the ground level more suitable for retail.

However, ZR 51-00 states in part that regulations governing non-conforming uses are “designed to restrict further investment in such cases, which would make them more permanent establishments in inappropriate locations”.

ZR 52-22 prohibits structural changes in buildings occupied by non-conforming uses with certain exceptions, none of which apply here.

Moreover, commercial use of the ground floor has been accommodated since the 1890s reconstruction. There is no reason why the existing window configuration would be a hardship preventing successful commercial use now, especially given the current market conditions in SoHo.

Therefore, be it resolved that CB#2, Man. strongly recommends denial of this application. It is a sleight-of-hand, incongruously moving the main store entrance onto the secondary facade, at the same time destroying the historic rhythm of this side facade for the sake of a transient retailer’s whim; and,

Further, be it resolved that CB#2, Man. recommend denial of an application that would allow detrimental changes to the historic character of the building for the sole purpose of enhancing its non-conforming use.

Vote: Unanimous, with 45 Board members in favor.

9 - LPC Item: 60-62 Gansevoort Street Gansevoort Market Historic District. A two-story market building originally built as a five-story tenement building in 1880-81, and altered by Voorhees, Foley, Walker & Smith in 1940. Application is to install storefront infill.

Whereas, this proposal will improve the appearance of the building and the applicant further agreed to raise the bulkhead will be raised to align with the height of the base of the pilasters; now

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

Vote: Unanimous, with 45 Board members in favor.

10 - LPC Item: 459 West Broadway (Houston/Prince) – SoHo-Cast Iron Historic District. A store building designed by John H. Whitenach and built in 1888-89. Application is to construct rooftop additions.

Whereas, the rooftop addition will not be visible from the street and the parapet will be minimally visible; but

Whereas, neighbors from an adjacent building attended and voiced concerns on how this proposal, particularly the pergola, would affect their view; and

Whereas, the proposed slatted privacy screen on the roof seems rather “heavy”. Its design should be rethought: either be transparent or comprised of thinner, lighter slats; and

Whereas, the pergola should be reconfigured or moved away from the property line at the rear, as a courtesy to the neighbors; now

Therefore, be it resolved that CB2, Man. recommends general approval of this application, but recommends that the privacy screen be made more transparent and the pergola moved away from the property line at the rear, as a courtesy to the adjacent neighbors.

Vote: Unanimous, with 45 Board members in favor.

11 - LPC Item: 53 Wooster Street (Broome/Grand) - SoHo-Cast Iron Historic District. A dwelling constructed c. 1825 and altered in 1870. Application is to construct a rooftop addition and alter the rear facade.

Whereas, the rooftop addition will not be visible from the street; now

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

Vote: Unanimous, with 45 Board members in favor.

12 - LPC Item: 90-96 Barrow Street (Church of St. Luke in the Fields) - Greenwich Village H.D. Four houses constructed in 1827. Application is to demolish an existing garage, construct a new garage, install decks at the rear facades, excavate the rear yards and construct a garden wall and pergola.

Whereas, if the Temple of Dendur could be successfully moved from Nubia to the Met, surely this architect can move this 100-year old garage a few feet; and

Whereas, if the garage - a part of the historic fabric of the campus - must be moved, it should be reconstructed with the original brick and wooden door; and

Whereas, as far as the proposed new stairs at the rear of the 4 Barrow Street townhouses, it should match or complement the existing stairs on the Hudson Street buildings. The applicant simply did not provide sufficient information on the authenticity of the metal work, including the stairs and proposed grill; now

Therefore, be it resolved that CB2, Man. recommends denial of this application unless there is a firm commitment that original bricks will be used in the reconstruction of the garage, and, further, the applicant work with staff to research whether the proposed stairs are historically accurate.

Vote: Unanimous, with 45 Board members in favor.

13 - LPC Item: 107 Greenwich Avenue (Jane/W12) - Greenwich Village Historic District. A Greek Revival style house built in 1842 and altered in the early 20th century. Application is to construct rooftop and rear yard additions.

Whereas, the addition will be somewhat visible from Greenwich Avenue but not West 12th Street; and

Whereas, the new rear yard addition maintains contextual materials, as well as maintaining symmetrical fenestration, which we welcome; now

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

Vote: Unanimous, with 45 Board members in favor.

14 - LPC Item: 100 Greenwich Avenue (W12/W13) - Greenwich Village Historic District. A Greek Revival style rowhouse built in 1836-37. Application is to construct a rooftop addition.

Whereas, the addition will be minimally visible and its materials are appropriate with the district; now

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

Vote: Unanimous, with 45 Board members in favor.

15 - LPC Item: 28 Little West 12th St. – Application is to construct a rooftop addition.

Whereas, the proposed rooftop addition is inappropriate for this historic district, besides being highly visible from the street; and

Whereas, the materials are not consistent with the historic elements of the district; and

Whereas, approval of this proposal, especially with its odd mechanical feature of a sliding exterior that virtually disappears depending on the weather, would set us on a slippery slope of inappropriate rooftop additions; now

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

Vote: Unanimous, with 45 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

University Place Corridor Contextual Rezoning Proposal: Andrew Berman, Executive Director of the Greenwich Village Society for Historic Preservation (GVSHHP), presented a proposal for a contextual rezoning of certain blocks and parts of blocks within an area bordered by Broadway, Fifth Avenue, 8th Street and 14th Street. The proposed rezoning would impose height limits on new development, prevent high-rise tower development, eliminate zoning incentives for dormitory and hotel development, and encourage or require creation of inclusionary housing.

Whereas:

1. Andrew Berman made a presentation to CB2's Land Use Committee regarding GVSHHP's suggested contextual rezoning of the University Place/Broadway Corridor; and
2. GVSHHP proposes that the boundaries of the proposed area be: 8th Street to the south, 14th Street to the north, Broadway to the east and the east side of Fifth Avenue on the west; and
3. This area is not part of the Greenwich Village Historic District.
4. The current zoning regulating this area has no height or bulk limits, allowing and even encouraging the construction of tall towers particularly on larger sites; and
5. This area is characterized predominantly by structures that meet a similar street wall and rise between 2 to 12 stories; and
6. The preservation of the low- to mid-rise scale buildings in this area is essential to its character- both in height and bulk; and
7. Under the existing zoning, a 308 ft. tall tower is planned and approved for 110 University Place, which although totally out-of-scale and out-of-context for this area is completely as of right; and
8. Under the existing zoning, more such out-of-scale developments could take place throughout the area; and

9. The current zoning favors hotel or dormitory development over residential development, which is not in keeping with the character of the neighborhood; and
10. Contextual rezoning in other parts of the Village and East Village in recent years has replaced zoning districts such as these with ones that encourage appropriate development in terms of scale and use; and
11. The public hearing held by the Land Use Committee of Community Board #2 attracted approximately 125 people, and all but one of those attendees who spoke were in favor of a contextual rezoning.

THEREFORE BE IT RESOLVED

1. That CB2, Man. supports the proposal of the Greenwich Village Society for Historic Preservation for a contextual rezoning of this area, including a provision and incentive for inclusionary housing; and
2. That CB2, Man. finds height limits between 80 and 120 feet more appropriate to new development in the area; and
3. That CB2, Man. urgently requests that the Department of City Planning, in its capacity as the applicant, move expeditiously to pursue a contextual rezoning.

Vote: Unanimous, with 45 Board members in favor.

PARKS/ WATERFRONT

Resolution Regarding the Proposal by Hudson River Park Trust to Build Pier 55, a Public Park and Performance Space, Funded Primarily by the Diller-von Furstenberg Family Foundation

Whereas

Funding:

- 1) CB2 applauds the generosity and innovative approach to public space of the Diller-Von Furstenberg Family Foundation;
- 2) the proposed performance venue called Pier55 will bring an important new cultural institution to New York City and significantly enhance the public stature and benefits of Hudson River Park;
- 3) the rebuilt pier will add significant new park area for public access and enjoyment;
- 4) the pledge will go towards funding not only the new pier and park’s construction, but also its operation, maintenance and programming for the next 20 years;
- 5) it is the expectation that this gift and the subsequent development of the envisioned pier will attract increased support from the community, the City, the State, and significant donors toward the completion of the Park, which is now just 70% complete and is continually underfunded;
- 6) the lease stipulates that Pier55, Inc. shall be responsible for all but \$17M of construction costs and the Diller-Von Furstenberg Family Foundation has committed to fund this operating organization, but the Pledge Agreement that guarantees this funding is referred to, but not included, in the lease;
- 7) the lease holds HRPT responsible for the cost of maintaining the underlying infrastructure of the pier, which will add to HRPT’s financial burden;
- 8) HRPT has not yet identified future funding source(s) to provide for the maintenance of Pier55 once the Tenant vacates the premises (recognizing that the tenant has the right to vacate the lease after ten years upon payment of a \$5 million penalty fee to HRPT) and adequate funding beyond the 20-year commitment needs to be determined in time;

9) as part of a separate but related project, the Gansevoort esplanade will be redesigned and renovated to accommodate pedestrian traffic, bike traffic and production vehicles; and that this project will be funded by a separate budget provided through New York State (estimated at \$18M);

Process:

10) the development of Hudson River Park is governed by the text of the Hudson River Park Act and the terms of the General Project Plan (GPP) for the park and therefore differs from that of NYC's Department of Parks and Recreation;

11) certain aspects of this project represent "significant action" as related to the financing plan for the Park and the General Project Plan which require a 60-day public review and comment period and the requirement to hold a public hearing on the project;

12) the design concept of Pier55 was developed by the Diller-Von Furstenberg Foundation, in negotiation with HRPT to ensure adherence to the Hudson River Park Act, but without input from any public entity (including CB2) or the general public;

13) HRPT is engaged in the presentation of the design and plan for public review, including a public hearing, as required by the Hudson River Park Act, but the opportunity for community board and public input has been limited to this 60-day period at the end of what has been a lengthy design effort, which is less than ideal but does meet the requirements of law;

Design, Environment, Traffic and Safety:

14) the design represents an attractive and inventive solution for a combined public park and performance venue as well as a unique innovation in the tradition of created landscapes;

15) HRPT has pledged that the existing Historic Arch at the entry of Pier 54 will be preserved;

16) the completed "pier" structure will provide a departure from the linearity of the park, adding interest and playfulness appropriate for the new use of the historic waterfront;

17) the Trust has presented many renderings to scale that show the pier from several perspectives and many community members have expressed concern with how the substantial elevation of the pier and the connections from the shore will obstruct views;

18) concerns were raised about the environmental assessment done by HRPT including effects on the fish population, the potential risk of high winds and the structure's ability to withstand them, and the proximity of gas lines to the planned construction area;

19) CB2, Man. is already coping with the popularity of The High Line and the resultant challenges (traffic, environmental, etc.) that its success presents to the neighborhood, as well as the popularity of the Meatpacking District and anticipated popularity of the soon-to-open Whitney Museum and soon to be developed Pier 57;

20) because there is no apparent way to assure that projected audience sizes will not be significantly exceeded, and it is also probable that the high profile features of the new open space will attract not only local users, but numerous other visitors, including tourists and people from the surrounding region, neighbors have raised concerns that the cumulative impact of trips to Pier 55, along with other new traffic generators in the area will negatively affect comfort and access on streets and sidewalks;

21) though there is a proposed new bus stop to be added, it should be expected that many visitors will come via the subway (most likely the station at 14th St. and 8th Ave.), and crowds walking to and from events on the new pier from that station will create noise and potential pedestrian safety issues especially crossing West St. and the greenway bike path;

22) it is understood that the erosion and subsequent forced closing of the current Pier 54 renders it no longer viable as a main performance pier for the park, and this area of the river is too shallow for the mooring of large, historic ships as was intended in the original General Project Plan;

- 23) there is concern that the sound of noisy events on the pier will carry into the neighborhood as occurred when performances and events were held on Pier 54, although the design concept includes elements for noise abatement, and noise levels are promised to be well below those of prior performance uses on Pier 54;
- 24) the lease agreement allows for the mooring of a 4,000-square-foot barge off the west side of the pier for six months of the year, and concern has been raised that this impact may exceed that anticipated by docking of historic ships as anticipated in the General Project Plan for the park;
- 25) capacity of the two access points for both access and egress has not been fully explained, especially in the case of emergency, but it is expected that this concern will be thoroughly reviewed by appropriate city agencies including the Department of Buildings and the Fire and Police Departments;
- 26) HRPT is required to obtain additional permits from the Army Corps of Engineers and the New York Department of Environmental Conservations before construction can begin;

Programming and Public Access:

- 27) Pier55, Inc. has assembled an international management and programming team of the highest reputation;
- 28) presentations by HRPT and Pier55, Inc. have expressly pledged to deliver a programming vision that has been well-received by the community but could be changed by Pier55 at any time in the future;
- 29) some residents have raised concerns about the viability of the proposed arts programming on the Pier in the face of imminent competition from performance spaces at the nearby Culture Shed, Governor's Island and the World Trade Center;
- 30) the nonprofit organization, Pier55, Inc., and not the Hudson River Park Trust, will operate the pier and the programming of it;
- 31) the master schedule of events will be kept by Pier55, Inc. and not by the Trust, although Pier55, Inc. is required to provide the Trust with its schedule six months prior to each season;
- 32) the Trust's Fact sheet refers to Pier55, Inc.'s commitment to showcasing local talent, but the details of this pledge are not stipulated in its lease;
- 33) the percentage of free v. "low-cost" tickets for events put on by Pier55, Inc. has not been decided;
- 34) the definition of the term "low-cost" has not been defined, and the phrase "reasonably distributed" is also not defined (as used in the pledge that OEFLC Permitted Events be "reasonably distributed across each Season");
- 35) the plan for the distribution of free tickets has yet to be formulated and CB2 has questions about how Pier55, Inc. can ensure a fair and transparent process for distribution of these tickets to the general public on a first-come, first-served basis with only a small percentage of tickets made available to VIPs and donors;
- 36) the number of days the park will be completely and/or partially closed to the public, which is of great concern to the community, relies on Pier55, Inc.'s programming and is said to be impossible to determine at this early stage;

Therefore be it resolved, CB2, Man.:

Applauds the enormous generosity of the donors for making this unprecedented investment donation pledge estimated at \$130 million in local arts programming and outdoor space and congratulates HRPT for obtaining such an extraordinary donation;

Enthusiastically supports the project's promise of high-quality arts programming made available to a broad public but has concerns about future funding of this pier should Pier55, Inc. experience financial troubles or vacate the lease;

Supports the proposed development only if:

1. The lease is modified such that HRPT, as Landlord, retains sufficient authority to assure maximum public access to this pier and in recognition of Landlord's responsibility to assure public access to park areas, Tenant agrees that as a general rule reasonable limitation to public access will not exceed 50 percent of the area of Pier 55 more than 1 day a week (20 percent of the days) between May 1 and October 30, and will not restrict access during more than 50 percent of daylight hours of those days.
2. The role of public input during design development, construction, and operation of the project be recognized including by adding CB2 and/or Council Member participation on the Pier55 board of directors and by providing for creation of an Advisory Board including community members and members of the local performing arts community.
3. Pier55, Inc. and HRPT return to CB2 regularly throughout the design and construction of Pier55 and seek community input as the project undergoes alterations and refinements; and once Pier55 is operational, in the interest of community engagement and protection of public access.
4. That fair and democratic access to all performances is guaranteed and in particular that the process for allocating free and low cost tickets limits their distribution as a reward for membership, sponsorship, or contribution in or to Pier55, Friends of Hudson River Park, or any other organization.
5. HRPT continues to find opportunities for historic ship mooring elsewhere in the park, as is appropriate to the site's history as one of the world's most important seaports.
6. HRPT and Pier55 commit to purchasing the equipment necessary to monitor sound levels (including deep bass levels), train personnel in the proper use of this equipment, and insure that the sound levels at all events do not exceed a limit that is set in consultation with the surrounding community and does not exceed NYC noise code.
7. Steps are taken to mitigate traffic concerns and transportation impacts, including but not limited to: discouraging additional traffic resulting from events held at Pier55 from entering into the already-congested Gansevoort Market area or the residential areas immediately to the south and east, sidewalk widenings, parking prohibitions, tour bus bans, traffic lane orientation modification, wayfinding signage for pedestrians, and coordination with inland street designs for optimal access and minimal pedestrian/vehicular and vehicular/vehicular conflict.
8. The artistic vision of artistic programming that has been conveyed and will greatly serve the community is preserved.
9. Moving forward, understanding the delicate negotiations involved with obtaining a donation of this size, HRPT reaffirms its commitment to genuine community input into all plans for Hudson River Park.

VOTE: Passed, 43 Board Members in favor, and 2 in opposition (K. Bordonaro, S. Russo).

SIDEWALKS/STREET ACTIVITIES

Renewal app for revocable consent to operate an Enclosed sidewalk cafe for:

1. Carabean LLC, d/b/a Downtown Galway Hooker, 133 Seventh Avenue South, (bet 10th and Charles Streets) with 8 tables and 18 chairs, DCA#1341044.

Block: 611 Lot: 33

Whereas, the area was posted, community groups notified; applicant's owner, Mary Niamh Conway, appeared with applicant's representative, Michael Kelly; No members of the community were present regarding this application; and

Whereas, this applicant, for the most part, has dealt with noise complaints from several years ago by installing sound proofing; however, there exists 1) a tv in the enclosed café as well as a speakers which are prohibited by the Sidewalk Café rules and regulations and 2) several years ago, applicant installed garage style windows on either side of the façade entrance which are opened, weather permitting, creating noise issues; and,

Whereas, which applicant agreed to permanently remove the tv and speakers from the enclosed café no later than Wednesday January 21, 2015 (the day before the full board meeting); and,

Whereas the applicant agreed to close the garage style doors on either side of the façade entrance by 10 p.m., 7 days a week; and

Whereas, the applicant agreed to continue to monitor and resolve any and all café noise issues as they may arise; and

Whereas, CB2, Man. notes that this is yet another enclosed café where there is no physical separation between the private property and the café structure in violation of the Zoning Resolution on Sidewalk cafes,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Enclosed sidewalk café for **Carabean LLC, d/b/a Downtown Galway Hooker, 133 Seventh Avenue South, (bet 10th and Charles Streets) with 8 tables and 18 chairs with DCA#1341044.**

UNLESS 1) applicant permanently removes the tv and speakers located within the café no later than Wednesday, January 21, 2015; and, 2) closes the garage style doors on either side of the façade entrance by 10 pm, 7 days a week.

VOTE: Unanimous, with 45 Board Members in favor.

New App. for revocable consent to operate an Unenclosed sidewalk cafe for:

2. Prime 135 NYC LLC, 135 Seventh Avenue South (between 10th and Charles Streets) with 8 tables and 15 chairs; ASWC#16178-2014.

Block: 611 Lot: 32

Whereas, the area was posted, community groups notified and there was present applicant's representative, Michael Kelly and a representative of the 10th Street Block Association, James Hirsch; and,

Whereas, the committee, applicant's representative, and the Block Association representative, discussed, at length, the issues and concerns negotiated into a stipulation between the West 10th Street Block Association and applicant relative to the applicant's "restaurant wine" license and its operation of 8 tables and 14 seats in an outdoor area, within the property line, adjacent to the proposed cafe; and,

Whereas, while café hours, allowed by law, extend until midnight on Mondays through Thursdays and 1 AM on Friday and Saturdays, the applicant volunteered to close the café by 11 PM, 7 days a week, and

Whereas, applicant agreed to a "no smoking" policy in the café;

THEREFORE BE IT RESOLVED that CB2, Man. recommends DENIAL of this new application for revocable consent to operate a sidewalk café for **Prime 135 NYC LLC, 135 Seventh Avenue South (between 10th and Charles Streets) with 8 tables and 15 chairs; ASWC#16178-2014**

UNLESS, applicant 1) removes one table and chair near the restaurant entrance, resulting in 7 tables and 14 seats; 2) submits a revised plan to DCA; 3) closes the café no later than 11 pm, seven days a week; and, 4) enforces a “no smoking” policy;

VOTE: Unanimous, with 45 Board Members in favor.

FYI Renewals:

Whereas, the renewals below were posted on the CB2, Man. website and there were no community members requesting these applications be heard, and

Whereas, these cafés have been operated for at least 2 years by these applicants, and the Board has not been notified of any issues with their operation,

- 675 Hudson Vault LLC, d/b/a Dos Caminos, 675 Hudson St., with 48 chairs & 135 chairs (1159248-DCA)
- La Meridana, Ltd., 26 Carmine St., with 12 tables & 24 chairs (1133014-DCA)
- 174 Grand Street Corp., d/b/a Onieal’s, 174 Grand St., with 7 tables & 14 chairs (1218544-DCA)
- Caffè Vetro, Inc., 200 Mott St., with 6 tables & 12 chairs (1245908-DCA)
- Iridium Restaurant Corp., 20 Spring St., with 2 tables & 4 chairs (1221130-DCA)
- 132 Mulberry Inc., d/b/a Umberto’s Clam House, 132 Mulberry St., with 6 tables & 12 chairs (1432938-DCA)
- Carmine Restaurant, Inc., d/b/a Il Cortile Restauarant, 125 Mulberry St., with 9 tables & 18 chairs (1161434-DCA)
- New Restart Inc., 145 Mulberry St., with 8 tables & 16 chairs (1342588-DCA)
- Slice West Village Ltd., d/b/a Slice, The Perfect Food, 535 Hudson St., with 10 tables & 20 chairs (1346838-DCA)
- Buffanna Inc., d/b/a Il Piccolo Bufalo, 141 Mulberry St. with 4 tables & 8 chairs (1165364-DCA)
- Oliver King Enterprises, Inc., d/b/a Empire Szechwan Village, 173 7th Ave South, with 11 tables & 22 chairs (1007220-DCA)

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of the **RENEWAL** applications for revocable consent to operate the indicated sidewalk cafés for the above applicants

VOTE: Unanimous, with 45 Board Members in favor.

SLA LICENSING

1. Whany LLC, d/b/a Café Wha, 115 MacDougal St. 10012 (Application to DCA for Cabaret License).

Whereas, the premises have been operated as a live amplified music venue with scheduled performances at 115 McDougal between Minetta Lane and West 3rd Street since 1977; and

Whereas, the premises previously operated with a cabaret license and currently operates in a 3000 SF space on the first and basement levels of a mixed use building with 89 tables and 229 seats for a total permitted occupancy of 280; and

Whereas, the current hours of operation are from 7pm to 4am seven days per week; and

Whereas, the licensee previously appeared before CB#2 Man. in January/2014 to transfer a 20% portion of their ownership to an existing Manager of the business but did not change or alter its existing method of operation at the premises; and

Whereas, at that time CB#2 Man. issued a deny/unless resolution approving the license after the licensee executed a stipulations agreement with CB2 which was incorporated in to their current method of operation on their On Premise license (OP-Lic.# 1280246 exp. 11/30/16) with the State Liquor Authority; and

Whereas, the applicant executed an identical stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their DCA Cabaret license and those stipulations are as follows:

1. The premises will be advertised and operated as a live music venue.
2. The hours of operation will be from 7 pm to 4 am seven days per week.
3. There will be no sidewalk café.
4. The operators agree to limit the use of the Minetta Lane exit and agree that when they use that exit, a security/staff member will stand on Minetta Lane at or near the exit expediting the exiting patrons quickly and quietly out of the premises, not to linger, hang-out and talk and instead direct them to toward Sixth Avenue.
5. There will be no televisions.
6. There will be no operable windows to this establishment that can be opened and doors will remain closed at all times except for egress/ingress.
7. The applicant will have an English-speaking manager at all times who can adequately communicate with residents of the community.
8. The applicant will use reasonable efforts to remedy any traffic issues brought to its attention.
9. The applicant shall not place refuse at the curb except as close to pick up times and will make best efforts to coordinate garbage pick times with other nearby commercial establishments.
10. The applicant will maintain communication with their carting company to keep garbage trucks from running into tree guards around nearby tree pits.
11. There will be no illuminated signage or lighting on or within establishment that would adversely affect and unreasonably disturb residents living nearby.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Cabaret License to **Whany LLC, d/b/a Café Wha, 115 MacDougal St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” for an Cabaret License.

Vote: Unanimous, with 45 Board members in favor.

2. The Uncommons, LLC d/b/a The Uncommons, 230 Thompson St. 10012 (Existing Beer Wine license # 1282607 seeking partial change in ownership).

Whereas, the applicant appeared before CB#2 Man.'s SLA Licensing committee for a change in ownership to an existing beer & wine license to continue to operate a "Board Game Café" which "offers a wide library of games for play and for sale, and serves food and beverages to patrons" consisting primarily of "coffee, espresso beverages, and sodas along with snacks and pastries"; and

Whereas, two of the original five shareholders to the corporation are selling their corporate shares to the other three original shareholders, who will remain the licensed owners of the café and there will be no changes in the current method of operation; and

Whereas, the licensee currently operates in a mixed use commercial/residential building in a mixed use residential district located on the ground floor on Thompson St. between Bleecker St. and West 3rd St. for a roughly 800 sq. ft. storefront premise with 10 tables and 50 seats and one standup bar with no seats which will be used for all transaction in the premises; there is no sidewalk café; there are no other outdoor seating areas; there is a current letter of no objection from the NYC DOB; and

Whereas, the hours of operation will continue to be Sunday to Thursday from 8:30 am to 12 am (midnight) and Friday and Saturday from 8:30 am to 1 am, there is no Sidewalk café included in this application, there are no other outdoor areas included in this application, all doors and windows will be closed by 9 pm daily, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers but there may be board game events for which cover fees are charged; and

Whereas, the operator met the Bleecker Area Merchants & Residents Association ("BAMRA") and further agreed to abide by certain stipulations with BAMRA that are being incorporated herein; and

Whereas, the applicant executed a stipulations agreement with CB2 agreeing to continue the current agreed upon stipulations for the premises that they further agreed would be attached and incorporated into the "method of operation" on their beer & wine license stating that:

1. The premises will be operated and advertised as a Board Game Café.
2. The hours of operation will be Sunday to Thursday from 9 am to 12 am (midnight) and Friday and Saturday from 9 am to 1 am. All patrons will have exited the premises at the end of the hours of operation.
3. There will be no backyard garden.
4. All doors and windows will be closed at 9 pm every night including "transom" windows except for ingress and egress; no doors will remain propped open after 9 pm.
5. There will be no DJ's, live music, promoted events or scheduled performances. There may be cover fees for special events or for playing board games.
6. Music will be quiet background music only.
7. There will be no sidewalk café included in this application.
8. The licensee will not serve beer or wine prior to 12 pm (noon) 7 days a week.
9. There will be no televisions.
10. The licensee will not have draft beer.

11. The licensee will continue to adhere to all prior stipulations for the premises which were previously agreed to with CB#2 Man. and the Bleecker Area Merchants' and Residents' Association, including its agreement not to seek an upgrade to a full on-premise license at these premises.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Corporate Change to **The Uncommons, LLC d/b/a The Uncommons, 230 Thompson St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions relating to the above-stated stipulations are incorporated into the "Method of Operation" for the existing beer wine license.

Vote: Unanimous, with 45 Board members in favor.

3. An Entity to be formed by Michael Stern & Jerome Audureau, d/b/a Once Upon a Tart, 135 Sullivan St. 10012 (New Beer Wine application, previously unlicensed location).

Whereas, the applicant presented before CB2 Man. for a Beer Wine license and seeks to operate a bakery café during the day with restaurant service for dinner at night simultaneously in two separate, unconnected and distinct "North" and "South" storefronts located on the ground floor of the same 6 story residential building (circa 1900) located on Sullivan Street between West Houston and Prince Streets; and

Whereas, the two storefronts previously operated under separate ownership as "Once Upon a Tart" as a catering business in the North storefront that also operated in the South storefront as a small café serving pastries during daytime hours only and closing by 6 pm daily; and

Whereas, while the prior owner and operator of Once Upon a Tart was originally proposed to be a partner in the continuing business, the licensee confirmed in person that the prior operator will play no role and have no ownership in the future operation of the business; and

Whereas, the current applicant has no catering background but intends to continue the bakery café with the prior menu but did not provide a dinner menu, while also indicating that he is seeking the beer wine license to offer boutique wines from around the world with imported, micro-brewed and handcrafted artisanal beer with new hours of operation for the jointly operated storefronts from 8 am until 12 am Monday through Wednesday and from 8 am to 2 am Thursday through Saturday; and

Whereas, neither storefront has ever been licensed for the sale of beer, wine or liquor nor has either operated as an eating and drinking establishment; these two storefronts are located within a Landmarked residentially zoned block (no commercial overlays) and the commercial use on this ground floor is a grandfathered use and past uses have directly served the immediate needs of the community; and

Whereas, the applicant also seeks to serve alcohol on a sidewalk platform in front of each storefront even though there is currently no permit or sidewalk café license to do so and the residential zoning prohibits sidewalk cafes for both premises; and

Whereas, the North storefront is a 760 s.f. space, including 1 stand-up bar with 12 seats, 2 tables with 4 seats, 2 counters facing the sidewalk with 6 seats and one built-in lounge with 6 seats for a total seating capacity of 28 and one bathroom but has no kitchen; and

Whereas, the South Storefront is a 1200 s.f. space, with 18 tables and 41 seats, one service bar, one bathroom and a kitchen; and

Whereas, the two storefronts are not connected to each other but each one does have a doorway that leads directly to an interior common hallway used by the 22 residential apartment dwellers in the same building; and

Whereas, the premises to be licensed are divided by the residential hallway which the proposed licensee does not have exclusive possession and control over and will never have exclusive possession and control over, this Hallway representing the only means of egress for residential dwellers living in the building and where their mail is delivered; and

Whereas, residents from the building appeared in opposition to explain that the prior operator of the catering business consistently used both the two doorways from each storefront to the common hallway and the common hallway itself daily to operate his business in the two storefronts and to gain access to 1) its cold storage facilities located elsewhere in a basement area, 2) garbage disposal and 3) a third exterior egress/ingress that leads to a cemented passageway, without exterior illumination, which leads completely around the building in the rear and down one side of the building adjacent to residential terraces and residential windows of neighbors in two residential buildings and which ultimately leads to a basement gate leading to the sidewalk and Sullivan Street, a gate which is often left unlocked, creating significant foreseeable security concerns for the existing residents of the building, not to mention quality of life concerns for the existing tenants; and

Whereas, some members of CB#2 Man.'s SLA Committee were permitted to inspect the premises to review the concerns of the residents from inside and around the exterior of the building relating to the existing cold storage facilities, the exterior passageway and to determine whether the two storefronts could be operated jointly by one operator without any use of the interior common hallway used by the residential tenants in the building; and

Whereas, when the applicant was questioned about how he intended to operate a full service restaurant with a dinner menu in the North storefront the applicant indicated he would not be serving alcohol in the north storefront and that the food would be cooked and prepared earlier in the day in the South storefront and that the pastries and meals would be transferred via the residential hallway doorways separating the two storefronts; and

Whereas, when another previous application to use the same two separate storefronts simultaneously with a similar method of operation was presented to CB#2 Man. in July/2014 and then again in August/2014, CB2 Man. had considerable concerns with how the operator would be able to operate both storefronts serving alcohol as an eating and drinking establishment without using the interior common hallway for the residential dwellers in the same building, resulting in a recommendation to deny the license; and

Whereas, 25 residents from the immediate area appeared before CB2's SLA Committee in July/2014 in opposition to the proposed licensing of the two storefronts and 12 residents from the immediate area appeared once more in August/2014 in opposition to the proposed liquor licensing, providing the committee with petitions, photographs demonstrating large crowds on the sidewalk in front of another existing restaurant on the same block and outlining their concerns as to the proliferation and over-saturation of liquor licenses on this particular block over the last few years, the increase in noise levels from the use of additional storefronts being operated with late night hours that did not previously exist and the poor layout of the Restaurant in multiple but separate storefronts that will require the operator to access each storefront through the common hallway used by residents in the same building; and

Whereas, 7 residents again appeared in opposition to the current license, again voicing the same concerns previously articulated and identified in July and August of 2014 to CB2 Man., as the current application being presented exhibited the same problems and concerns as the prior application in August/2014; and

Whereas, no one from the neighborhood appeared in support of the current application; and

Whereas, the applicant **(1)** failed to demonstrate that all necessary licenses and permits have been issued to operate the two separate storefronts as one restaurant in this Landmarked residentially-zoned block with no commercial overlays, **(2)** failed to demonstrate how it will be legally permitted to serve alcohol on the public sidewalk in front of either storefront and **(3)** failed to establish how he will be able to coherently operate in both the North and South storefronts simultaneously without using and relying upon the use of the common residential hallway separating the two storefronts in order to operate as one restaurant; and because there are also significant concerns relating to overcrowded sidewalks on the block from the proposed use, an unreasonable increase in the noise levels generated by the use of the two storefronts with late-night hours that previously did not exist, the North Storefront has no kitchen but instead has a large stand up bar, neither storefront has ever been previously licensed and the storefronts are located within a Landmarked residentially zoned block this proposed use of the two combined storefronts will result in a significant expansion of what this space has been used for and creates a direct impact on this residential block which was not intended to house these types of uses;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for **An Entity to be formed by Michael Stern & Jerome Audureau, d/b/a Once Upon a Tart, 135 Sullivan St. 10012** on its application seeking an BW license; and

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

Vote: Unanimous, with 45 Board members in favor.

4. O Café on 6th LLC. d/b/a O Cafe, 482 6th Ave., 10011 (Beer Wine license, previously unlicensed location)

Whereas, the applicant appeared before CB2 Man seeking a new Beer Wine license at small neighborhood café serving organic fare in a seven story mixed use building (circa 1957) located on 6th Avenue between West 11th and West 12th Streets in a 765 sf storefront premises with one bathroom, one entrance for patrons and no French doors or windows that open out to the sidewalk, there are 10 tables with 30 seats and 4 window counter seats for a total seat capacity for 34 patrons; there will no sidewalk café; and,

Whereas, the hours of operation will be from 7 AM to 10 PM on Sundays and from 7 AM to 11 PM Monday through Saturday, music will be background only, there will be no TVs, no d.j., karaoke or live music and there will be no scheduled performances or events with a cover charge; and,

Whereas, the applicant agreed not to seek a full OP license at these premises in the future; and

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

1. Premises will be advertised and operated as a café serving organic fare.
2. Will operate with hours of operation from 7 AM to 10 PM on Sundays and from 7 AM to 11 PM Monday through Saturday.
3. There will be no TVs.
4. There will be no sidewalk café.
5. There will be no French doors or windows.
6. Music will be quiet, background level only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. Licensee will not seek upgrade to full On Premise license in the future at premises.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new beer wine license to **O Café on 6th LLC. d/b/a O Cafe, 482 6th Ave., 10011** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” for the beer-wine License.

Vote: Unanimous, with 45 Board members in favor.

5. Edible Analytics LLC, d/b/a Mimi's, 185 Sullivan St. 10012 (New OP, previously licensed location)

Whereas, the applicant appeared before CB#2 Man. for a new on-premise license to operate a full service French inspired neighborhood American restaurant in a first floor, street level storefront in a 6 story mixed use building (circa 1900) located on Sullivan Street between Houston and Bleecker Streets in a 1300 sf premises (560 sf ground floor and 700 sf basement), a full service kitchen, two bathrooms, one entrance/exit, there will be 15 tables with 30 seats, 1 bar with 7 seats for a total seating capacity for 37 patrons; there will be a sidewalk café (2 tables and four seats) but the applicant understands that they must still apply for a sidewalk café license with CB#2 Man. and the DCA; and,

Whereas, the premises were previously operated as a full service restaurant known as “Florenzia 13”; and

Whereas, the hours of operation will be from 9 AM to 2 AM seven days a week; music will be background only, there will be no TVs, no d.j., karaoke or live music and there will be no scheduled performances or events with a cover charge; and,

Whereas, the operator met the Bleecker Area Merchants & Residents Association (“BAMRA”) and agreed to abide by certain stipulations with BAMRA despite member concerns regarding the experience of the four managing partners, who had no previous experience in opening or operating a full service restaurant but instead managed, developed and designed bars, worked as bartenders, managed nightclubs and operated late night establishments; and

Whereas, CB#2 Man.’s SLA Committee also had concerns regarding the applicant’s prior experience and whether the premises would be operated more as a late night designation for drinking rather than a full service restaurant serving breakfast, lunch and dinner as currently proposed; and

Whereas, at its presentation the applicant agreed to certain stipulations with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their OP license and those stipulations are as follows:

1. Premises will be advertised and operated as a full service restaurant with a full service kitchen at all times.

2. Will operate with hours of operation from 9 AM to 2 AM seven days a week.
3. There will be no TVs and will not operate as a Bar or as a Sports Bar.
4. All doors and windows will be closed by 10 PM every night.
5. The sidewalk café will close every night at 10 PM.
6. Music will be quiet, background level only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. The Operator shall manage crowds that may gather outside the premises for noise.
8. To remove any previously installed outdoor speakers.
9. The Operator shall not install illuminated signage or lighting, on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment.
10. The Operators shall not place refuse at the curb except as close to pick up as possible and will make best efforts to coordinate garbage pick up times with other establishments.
11. The Operator shall have an English-speaking manager or Owner on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an on-premise license to **Edible Analytics LLC, d/b/a Mimi's, 185 Sullivan St. 10012** **unless** the statements of the applicant as presented to CB2, Man. 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 OP License.

Vote: Passed, with 38 Board members in favor, 3 in opposition (K. Bordonaro, J. Frost, A. Wong) and 3 in abstention (D. Miller, S. Secunda, S. Tyree).

6. 145-147 Mulberry Street Corp. d/b/a Taormina, 145-147 Mulberry St. 10013 (Existing OP lic. # 1282607 operating as New Restart Inc. d/b/a Taormina exp. 5/31/16 seeking corporate change and partial change in ownership).

Whereas, the applicant appeared before CB#2 Man.'s SLA Licensing committee to reincorporate under a new name and for a change in ownership for an existing On Premise license to continue to operate as a Full Service Italian Restaurant in Little Italy on Mulberry Street between Grand and Hester Streets; and

Whereas, one of the original two shareholders is selling shares to the other original shareholder and the business is creating a new corporation 145-147 Mulberry Street Corp. d/b/a Taomina but the original owners will remain as the licensed owners of the Restaurant and there will be no change in the current method of operation; and

Whereas, the licensed premises currently operates in a six-story mixed-use commercial/residential building (circa 1915) located on the ground floor and basement in a 9800 sq. ft. storefront premise (4700 sq. ft. ground floor and 5100 sq. ft. basement) with 53 tables and 156 seats, two standup bars with 20 seats for a total interior patron capacity of 186, two entrances for patrons and four bathrooms; there is no backyard garden but there will continue to be a sidewalk café with 8 tables and 16 seats; and

Whereas, the applicant and licensee conceded that at this time there is no permit or proper certificate of occupancy to use the basement premises for eating and drinking and that there is also no Public Assembly permit for the premises but stated that the permits are pending and that he will not and cannot operate in the basement until a proper certificate of occupancy and public assembly permit has been issued for basement premises; and

Whereas, the applicant and licensee also conceded that even after the proper permits and certificates are issued for the use of the basement premises that the basement occupancy shall be limited to 24 tables and 48 seats for a total occupancy of 48 patrons only, the basement premises will be used; and

Whereas, the hours of operation will continue to be Sunday to Thursday from 12 pm to 1 am and from Friday to Saturday from 12 pm to 1 am, there will be only 1 TV and music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers but there may be board game events for which cover fees are charged; and

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

1. That all existing and previously agreed upon stipulations with CB#2 Man. by New Restart Inc. d/b/a Taormina lic. # 1282607 from July/2013 will remain in place and be incorporated into the existing agreement with 145-147 Mulberry Street Corp. d/b/a Taormina
2. The premises will be advertised and operated as a full service Italian Restaurant with a full service kitchen with a full food menu available until closing.
3. Will operate Sunday through Saturday from 12 PM to 1 AM.
4. There will only be 1 TV and will not operate as a Sports Bar.
5. There will be no patron use or service whatsoever in the basement until all permits are in place and a proper certificate of occupancy is issued for this purpose in the basement premises.
6. Notwithstanding the issuance of the proper permits to use and occupy the basement premises for eating and drinking, patron occupancy will be limited to 48 patrons only and such use will only be permitted as a full service restaurant under one corporate structure with the ground floor premises.
7. Music will be quiet, background level inside restaurant only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an on-premise license to **145-147 Mulberry Street Corp. d/b/a Taormina, 145-147 Mulberry St. 10013** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the OP License.

Vote: Unanimous, with 45 Board members in favor.

7. One Melon LLC. d/b/a J.G. Melon, 89 MacDougal St. 10012 (Transfer of existing OP PPF Holdings LLC lic. # 1274513, exp. 12/31/15).

Whereas, the applicant appeared before CB#2 Man. for a transfer of a on-premise license to operate a full service restaurant specializing in Hamburgers with a full service kitchen within a 6-story mixed-use building (circa 1928) located in a Historic District on McDougal Street at the corner of Bleecker Street; and

Whereas, the corner storefront premises was previously operated as a full service restaurant known as Café Del Mar (2002-2012) and as McCoys (2012-2014); and

Whereas, the storefront premises will be 1800 sf (1200 sf ground floor and 600 sf basement), there are three bathrooms, only one entrance/exit for patrons will be used, there will be 41 interior tables (10 in basement) with 82 seats (20 seats in basement), 1 bar with 9 seats, 1 oyster bar with 3 seats for a total seating occupancy of 94 patrons; there will be a sidewalk café but the applicant understands that they must still apply for a sidewalk café license with CB#2 Man. and the DCA; no letter of no objection or certificate of occupancy was presented and the applicant will obtain a public assembly permit for the premises; and,

Whereas, the existing corner storefront premises has 5 existing French Doors and the applicant has no plans to alter the existing premises with the exception of new awnings and some exterior color changes; and

Whereas, the hours of operation will be from 10 AM to 2 AM seven days a week, there will be two TVs only, music will be background only, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and,

Whereas, the operator met the Bleecker Area Merchants & Residents Association (“BAMRA”) and further agreed to abide by certain stipulations with BAMRA that are being incorporated herein; and

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

1. There will only be two TVs without sound no greater than 42 inches wide.
2. Will operate with hours of operation from 10 AM to 2 AM seven days a week.
3. The sidewalk café will close by 10 PM Sunday through Wednesday and 11 PM from Thursday through Saturday.
4. Music will be quiet, background level only and there will be no live music, outside promoters, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
5. Food will be served at all times.
6. All doors or windows will be closed at 10 PM every night.
7. There will only be one entrance/exit for patrons at street level and there will be no celebrity entrances and the outside door to the basement on MacDougal Street will only be used for emergency egress only.
8. Will install a sound limiter to ensure that music does not exceed NYC noise codes.
9. Will not allow lines to form on the sidewalk in front of premises for patrons to enter.
10. The Operator shall not install illuminated signage or lighting, on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment.
11. The Operators shall not place refuse at the curb except as close to pick up as possible and will make best efforts to coordinate garbage pick up times with other establishments.
12. The Operator shall have an English-speaking manager or Owner on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an OP license to **One Melon LLC. d/b/a J.G. Melon, 89 MacDougal St. 10012** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the OP License.

Vote: Unanimous, with 45 Board members in favor.

8. E2 185 Bleecker, LLC. d/b/a “By Chloe”, 185 Bleecker St. 10012 (new OP, previously licensed location)

Whereas, the applicant appeared before CB#2 Man. for a new on-premise license to operate a full service restaurant offering healthy Vegan fare in a fast-causal atmosphere in a 940 sf storefront premises in a 6 story mixed use building (circa 1905) at the corner of MacDougal and Bleecker Streets; and

Whereas, the storefront premises was previously operated as a full service restaurant known as Ciao (2001-2013); and

Whereas, there will be 11 tables with 45 seats, no bar and one bathroom; there will be a sidewalk café but the applicant understands that they must still apply for a sidewalk café license with CB#2 Man. and the DCA; and

Whereas, the hours of operation will be from 7 AM to 11 PM Sunday through Tuesday, from 7 AM to 12 AM on Wednesdays and from 7 AM to 1 AM Thursday through Saturday, there will be no TVs, music with be background only, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and,

Whereas, the operator met the Bleecker Area Merchants & Residents Association (“BAMRA”) and further agreed to abide by certain stipulations with BAMRA that are being incorporated herein; and

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

1. Premises will be advertised and operated as a full service restaurant with a full service kitchen serving healthy Vegan fare.
2. Will operate from 7 AM to 11 PM Sunday through Tuesday, from 7 AM to 12 AM on Wednesdays and from 7 AM to 1 AM Thursday through Saturday.
3. The sidewalk café will close by 10 PM every night seven days a week.
4. All service of alcohol will be served table side by wait staff.
5. Music will be quiet, background level only and there will be no live music, outside promoters, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
6. All doors or windows will be closed at 10 PM every night.
7. Will install a sound limiter to ensure that music does not exceed NYC noise codes.
8. The Operator shall not install illuminated signage or lighting, on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment.
9. The Operators shall not place refuse at the curb except as close to pick up as possible and will make best efforts to coordinate garbage pick up times with other establishments.
10. The Operator shall have an English-speaking manager or Owner on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an OP license to **E2 185 Bleecker, LLC. d/b/a “By Chloe”, 185 Bleecker St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” for the OP License.

Vote: Unanimous, with 45 Board members in favor.

9A. 9 Crosby LLC d/b/a Mondrian Soho d/b/a t/b/a, 9 Crosby St. aka 150 Lafayette St. 10013
(transfer of existing Hotel OP license)

Whereas, the applicant appeared before CB#2 Man. for a transfer of an existing on-premise license (Sochin Downtown Realty LLC and Morgans Hotel Group, lic. 1222733) to operate a full service Hotel in a 26 story building (circa 2011) located in a M1-5B Zoning District with entrances on Crosby and Lafayette Streets between Howard and Grand Streets; and

Whereas, the applicant claims to have purchased the rights to operate the Hotel in the future pursuant to a mortgage foreclosure and auction but is still in the middle of an on-going, unresolved litigation with the current Manager of the Hotel and existing co-licensee for the premises, The Morgans Hotel Group, which disputes any claim of entitlement by any other business entity to manage the Hotel in conjunction with 9 Crosby LLC; and

Whereas, the applicant initially sought a waiver of its 30 day notice due to an impending action on January 7, 2015 which was rejected by CB#2 Man. in light of the numerous complaints and problems arising from the licensed Hotel’s existing method of operation with the surrounding area and its neighbors; and

Whereas, when the Hotel first sought its liquor licensing in 2011 it requested to open multiple exterior spaces, including two second floor exterior terraces on both Crosby and Lafayette Streets, a street level garden area adjacent to its restaurant and a rooftop bar/lounge for a proposed exterior occupancy of 277 patrons (118 for the garden space/116 for both terraces and 45 at the rooftop space); and

Whereas, there was significant opposition from existing residents living on Crosby and on Lafayette Streets, particularly in opposition to the outdoor drinking venues; citing quality of life concerns with a large hotel establishment; citing public interest issues in regard to the 500-foot rule law; citing noise, traffic and overcrowding issues on a very quiet residential block particularly with an extremely large backyard eating and drinking establishment facing onto Crosby Street and with noise from the 2nd floor open terrace; and its close proximity of many other licensed establishments; and

Whereas, these concerns, as well as the Hotel’s inability to provide a “special permit” required by NYC Zoning Regulations permitting it to operate and use these exterior outdoor areas for eating and drinking and after due deliberation by the full Community Board it was determined that no amount of restrictions on these outdoor areas would protect local residents against the unacceptable and overwhelming increase in noise and traffic levels that would be generated by one of the largest outdoor eating and drinking establishments in Manhattan and/or New York City triggering a denial recommendation from CB#2 Manhattan to the SLA in 2009; and

Whereas, after a 500 foot hearing at the SLA and while before the Commissioner of the SLA on February 3, 2010, the Hotel and its attorney agreed to withdraw these outdoor venues from its Hotel on-premise liquor license and promised to only use the rooftop space for small private events only (as part of a penthouse suite) and not as a full service public bar; and

Whereas, despite such statements to the SLA Commissioner and promises regarding the rooftop premises, over the last three years the rooftop has been advertised and operated as Sonny's Soda Shop, a 3000 sf rooftop cocktail bar serving Italian cocktails with an expert mixtologist operating with DJs and as a live music venue to the public; and

Whereas, after its request for a waiver of its 30 day notice, the current applicant thereafter submitted a questionnaire and application to CB#2 Man. seeking to operate the same highly controversial outdoor venues that were previously withdrawn by the Hotel in 2010; and

Whereas, after the current applicant appeared before CB#2 Man's SLA Committee and came to learn about the previous controversies relating to the outdoor venues it thereafter immediately altered its application by withdrawing its use of all of the outdoor venues connected to the Hotel, including the rooftop cocktail bar, indicating that it would now be seeking a license transfer for only the interior portions of the Hotel but would later come back for the exterior venues; and

Whereas, in addition to a number of emails received by CB#2 in opposition to the current transfer application, 8 neighbor residents living on both Lafayette and Crosby Streets appeared in opposition to the transfer application, citing significant concerns with not just the outdoor rooftop venue or the potential future use of the exterior terraces and street level garden area, but also with the interior venues operated by the Hotel; and

Whereas, it was explained that after the Hotel withdrew its outdoor venues from his licensee in 2012, it thereafter enclosed the outside ground floor garden area adjacent to the Hotel's restaurant with a greenhouse-like enclosure, which was made of glass and is not insulated or soundproofed, but where the Hotel operates the space as a late-night venue with DJs and pounding entertainment music until 2 AM on the weekends disturbing neighbors; and

Whereas, another resident spoke of the nightclub operated within the premises as "Mr. H" and his three year struggle working with a City Councilwoman and calling 311 over 100 times due to pounding music emanating from this club from 12 AM to 4 AM and the failure of the Hotel to reduce the decibel levels of the bass speakers used within the nightclub; and

Whereas, another local businessman and resident visited the roof top cocktail bar and presented pictures of the rooftop showing musicians playing live music and an outdoor DJ booth and a rooftop with 17 exterior speakers set up throughout; still other neighbors from the area described a constant whine from a ventilation system on Crosby Street coming from the Hotel, as well as on-going concerns relating to noise, traffic and overcrowding issues on a very quiet residential block without sufficient staffing from the Hotel to help resolve these issues; and

Whereas, the residents were unified in their opposition to the Hotel for the Hotel's failure to respond to on-going complaints arising from the Hotel's current method of operation or even attempt to work with its surrounding neighbors to achieve some sort of balance between the Hotel's operation with its surrounding residential neighbors; and

Whereas, even though the applicant appeared to demonstrate sensitivity and understanding toward the complaints and concerns of the local residents which lived in the area before the Hotel was built, the applicant could still not answer whether the current management group would remain on the license or whether the Hotel's current operations and/or dereliction from an acceptable method of operation for the premises could be altered to meet the concerns raised by its neighbors; and

Whereas, CB#2 Man.'s SLA Committee repeatedly recommended that the applicant lay over the instant application so that the applicant could meet directly with local residents and neighbors to resolve and alleviate the existing problems and concerns with the Hotel's current operation but the applicant insisted on moving forward to the SLA on the transfer application despite the recommendation;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for **9 Crosby LLC d/b/a Mondrian Soho, 9 Crosby St. aka 150 Lafayette St. 10013** on its application seeking a Hotel 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.

THE ABOVE RESOLUTION WAS WITHDRAWN. PLEASE SEE NEW RESOLUTION BELOW.

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

9B. 9 Crosby LLC d/b/a Mondrian Soho d/b/a t/b/a, 9 Crosby St. aka 150 Lafayette St. 10013 (transfer of existing Hotel OP license)

Whereas, the applicant appeared before CB2 Man. for a transfer of an existing on-premise license (Sochin Downtown Realty LLC and Morgans Hotel Group, lic. 1222733) to operate a full service Hotel in a 26 story building (circa 2011) located in a M1-5B Zoning District with entrances on Crosby and Lafayette Streets between Howard and Grand Streets; and

Whereas, prior to this month's CB#2 Manhattan's Full Board meeting on January 22, 2015, the applicant requested to layover and adjourn its application to February/2015 so that the applicant could perform outreach and enter into discussions with the numerous neighbors living around the Hotel who appeared in distrust and opposition to the application and also because the applicant did not fully understand the existing method of operation on the existing Hotel SLA license and agreed in an email writing to come back in front of CB#2's SLA Committee in February before going ahead and seeking its license transfer with the SLA;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed alteration, corporate change or transfer of the Beer and Wine or On Premise license for **9 Crosby LLC d/b/a Mondrian Soho d/b/a t/b/a, 9 Crosby St. aka 150 Lafayette St.** 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 45 Board members in favor.

10. Tango House, Inc./Colonnades Restaurant Associates, Ltd. d/b/a Malbec Restaurant & Bar/Tango House, 428 Lafayette St. 10013 (Withdrawn by counsel)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on January 13, 2015, the applicant's attorney requested to withdraw this application from consideration and did not appear before CB2 regarding its application for a Transfer of an existing OP license to a new operator/licensee;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed alteration, corporate change or transfer of the Beer and Wine or On Premise license for **Tango House, Inc./Colonnades Restaurant Associates, Ltd. d/b/a Malbec Restaurant & Bar/Tango House, 428 Lafayette 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; and,

Vote: Unanimous, with 45 Board members in favor.

11. Icon Two, LLC d/b/a R Bar, 218-220 Bowery (on-premise, attorney requested layover prior to meeting)

Whereas, at this month's CB2 SLA Licensing Committee meeting on January 13, 2015, the applicant's attorney requested to lay over this application from consideration until additional community outreach could be performed and until the application and all necessary paperwork was ready for review; and,

Whereas, this application seeks a full OP license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed corporate change or transfer of an OP license to **Icon Two, LLC d/b/a R Bar, 218-220 Bowery** 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 45 Board members in favor.

12. Doshermanos LLC, 95 MacDougal St. Store B 10012 (Beer Wine, applicant requested layover to February/2015)

Whereas, at this month's CB2 SLA Licensing Committee meeting on December 9, 2014, the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for a Beer/Wine license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Doshermanos LLC, 95 MacDougal St. Store B 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 45 Board members in favor.

13. ISO Enterprises Inc., d/b/a Sushi Sushi, 126 MacDougal St. Store #1 10012 (applicant requested layover and did not appear)

Whereas, subsequent to this month's CB2 SLA Licensing Committee meeting on January 13, 2015, the principal/applicant requested to layover this application and did not appear before CB2 Man. for consideration on its application; and,

Whereas, this application is for a Beer/Wine license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **ISO Enterprises Inc., d/b/a Sushi Sushi, 126 MacDougal St. Store #1 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 45 Board members in favor.

14. Cucina Buona Group, Inc. d/b/a Da Marcella, 142 West Houston St. 10012 (OP, withdrawn by counsel)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on January 13, 2015, the principal/applicant requested in writing to withdraw this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for an On-premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Cucina Buona Group, Inc. d/b/a Da Marcella, 142 West Houston St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 45 Board members in favor.

15. Maneken Corp., d/b/a Oscar's Place (previously d/b/a Petite Abeille), 466 Hudson St. 10014 (RW Corp Change SN#1029434)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a corporate change for an existing restaurant wine license for a modern European Restaurant; Neil Smith and Crescencio Huero will replace Yves Jadot as Principals; and,

Whereas, this application is for a corporate change of an existing Beer and Wine license SN#1029434 located in a mixed-use building located on Hudson St. between Barrow St. and Grove St. in a currently licensed location for a 800 sq. ft. premise with 8 tables with 16 seats, no standup bars, 1 service bar, 12 seats in a Department of Consumer Affairs licensed sidewalk café, there are no other outdoor areas and there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be Monday through Friday from 7:30am to 11pm and Saturday and Sunday from 9am to 11pm (all patrons will be cleared and no patrons will remain after stated closing times), music will be quiet background only consisting of recorded music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no T.V.'s; and,

Whereas, the new principals executed a stipulations agreement with CB2, Man. that they have agreed to submit to the SLA and agreed would be attached and incorporated in to the existing method of operation on the existing Restaurant Wine License stating that:

1. The premises will be advertised and operated as a full service restaurant, specifically a “modern European restaurant”.
2. The hours of operation will be Monday through Friday from 7:30am to 11pm and Saturday and Sunday from 9am to 11pm. 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 licensed sidewalk café).
7. The premises will operate a sidewalk café no later than 11 PM (all tables and chairs will be removed at 11 PM).
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a corporate change for the existing restaurant wine license SN#1029434 for **Maneken Corp., d/b/a Oscar's Place (previously d/b/a Petite Abeille), 466 Hudson St. 10014** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA restaurant wine license.

Vote: Unanimous, with 45 Board members in favor.

16. Just Glaze, d/b/a The Dessert Club by Chikalicious, 27 Bedford St. 10014 (New Beer & Wine, Prev. Licensed)

Whereas, the applicant's attorney and the restaurant's manager appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new beer and wine license for a previously licensed location for a high end pastry shop and cafe; and,

Whereas, this application is for a new beer & wine license located in a mixed use building located on the ground floor and basement on Bedford St. between Downing St and 6th Ave for a roughly 1,228 sq. ft. premise (364 sq. ft. ground floor patron use, 864 sq. ft. accessory basement, no patron use) with 0 tables and 0 seats and 1 bar with 12 seats, and a window counter with 4 seats for a total of 16 interior seats, there is no sidewalk café and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be Monday to Friday from 8am to 12am and Saturday to Sunday from 10am to 12am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (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 d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's, there will be no use by patrons of the basement; and,

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

1. The premises will be advertised and operated as a high end pastry shop and café
2. The hours of operation will be Monday to Friday from 8am to 12am and Saturday to Sunday from 10am to 12am. 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 operate as a “Wine Bar”.
5. The premises will not have televisions.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
8. The premises will not operate a sidewalk café.
9. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
10. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. Will not have French doors, operable windows or open facades and will keep all doors closed at all times except for patron ingress and egress.
12. The premises will not have any benches outside the establishment.
13. The premises will actively manage any waiting patrons, departing patrons or smokers.
14. The premises will not allow patron lines to form outside.
15. The premises will post a “please respect the neighbors” type sign in a conspicuous location.
16. The premises will provide the owner cell phone number to neighbors and they will promptly (immediately) respond to complaints.
17. The premises understand that sound mitigation is of paramount concern to the community.

Whereas, the applicant did reach out to the local neighborhood association, the Bedford Downing Block Association (BDBA) and the BDBA communicated a number of concerns and issues to CB2, Man. which where addressed in the above agreed to stipulations, several individuals also appeared at the meeting including the BDBA President who indicated that despite the Block Association's long standing opposition to the proliferation and over saturation of liquor licenses within the immediate area, much of which is zoned residential and these establishments exist in grandfathered locations in this residential community, they would not oppose this application in this location provided the applicant adhered to the stipulations now and in the future;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Beer and Wine License for **Just Glaze, d/b/a The Dessert Club by Chikalicious, 27 Bedford St. 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Beer and Wine License.

Vote: Unanimous, with 45 Board members in favor.

17. Minerva Hospitality Group Ltd, d/b/a Minerva, 302-304 West 4th St. 10014 (New RW – Prev Licensed)

Whereas, the applicant’s attorney and the restaurant’s manager appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a previously licensed location for a casual Italian café; and,

Whereas, this application is for a new restaurant wine license located in a mixed use building located on the ground floor on West 4th St. between West 12th St and Bank St. for a roughly 900 sq. ft. premise (450 sq ft ground floor patron use, 450 sq. ft. accessory basement, no patron use) with 15 tables and 30 seats and 1 bar with 10 seats, and a drink rail with 6 seats for a total of 46 interior seats, there is no sidewalk café and there are no other outdoor areas for patrons, there is a Letter of No Objection from the NYC Department of Buildings because there is no Certificate of Occupancy; and,

Whereas, the hours of operation will be Sunday to Thursday from 7am to 11pm and Friday and Saturday from 7am to 12am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9pm except for ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV’s, there will be no use by patrons of the basement; and,

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

1. The premises will be advertised and operated as a full service restaurant, specifically a “casual Italian café”.
2. The hours of operation will be Sunday to Thursday from 7am to 11pm and Friday and Saturday from 7am to 12am. 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.
7. The premises will not operate a sidewalk café.
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will close all doors and windows at 9 PM every night and anytime there is amplified music.
10. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. The premises will not have any benches outside the establishment.

Whereas, the applicant sent notice to the three local community organizations but received no response in opposition;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Minerva Hospitality Group Ltd, d/b/a Minerva, 302-304 West 4th 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 45 Board members in favor.

18. West Houston Hall Inc. d/b/a Houston Hall, 222 West Houston St. 10014 (Renewal, SN1258087)

Whereas, the Licensee and the Licensee’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a renewal application which was placed on CB2’s Calendar at the request of members of the community; and,

Whereas, Houston Hall is a full service restaurant/tavern which opened in 2012 to overwhelming success; the premises is located in a 5,900 sq. ft. freestanding building with 31 tables and 170 seats and 1 bar with 16 seats with background music and a full food menu; the building extends from West Houston Street where the premises entrance is located, through to Downing St which is not supposed to be used except for emergency egress; a number of stipulations were agreed to at the inception of the licenses; and

Whereas, in 2013, there were a number of concerns which some members of the Community had and a meeting was arranged by the representatives of Councilwoman Speaker Christine Quinn’s office, members of the community and the Licensee; at the meeting, the Licensee agreed to take a number of steps to relieve some of the issues raised by members of the community, which most people in attendance agreed would address the complaints at that time; and,

Whereas, in mid to late 2014 and Jan 2015, CB2, Man. received a number of complaints and a request to place this renewal application on CB2’s Calendar in December 2014; CB2, Man. agreed to layover the item until January 2015 as the Licensee would not be in NY at the time of the December meeting; and

Whereas, the complaints received in 2014 and Jan 2015 revolved around **(1)** excessive noise and disturbances created by drunk patrons leaving the establishment and creating havoc as they leave the immediate neighborhood along West Houston Street including damaging plants and trees, leaving trash, kicking garbage and ripping garbage bags, and leaving behind vomit and urine **(2)** doors being propped open in warmer months on the Downing Street side which are not supposed to be used except for emergency egress, **(3)** excessive noise generated by loud music from the premises including the use of DJ’s – specifically music was being heard in adjacent residential units on Downing St **(4)** lack of management of patrons waiting in line in front of the premises to enter the establishment, which results in an unruly scenario and blocked sidewalk for pedestrian transit; and,

Whereas, a representative of the local block association spoke and stated that there had been ups and downs over the time period with management of the outside since the premises opened and that they were trying to work with the Licensee in regards to the issues, particularly the issues related to patrons exiting the premises; and,

Whereas, the Licensee stated that he was very willing to address any problems and concerns and had worked diligently to correct complaints, he had personally visited with neighbors with sound concerns and discovered certain equipment was malfunctioning and repaired the sound limiter, that signage had already been installed to direct exiting patrons to Varick St, that additional security was in place to

manage crowds, that after the premises closes, porters are policing the block for larger trash or disturbances created by patrons and cleaning those and that the entry line is now snaked to keep patrons in front of the premises; and,

Whereas, in addition to the stipulations and representations made regarding the method of operation to CB2, Man. when the licensee first applied for his license that are a part of the Licensee's existing license, the Licensee has agreed to the following steps: that **(1)** he will have staff continue to sweep the sidewalk after closing on Friday and Saturday for larger type trash between Varick Street and Village Care Rehabilitation and Nursing Center and if necessary will wash down specific portions of the sidewalk if there is vomit etc., **(2)** the premises will continue to maintain a sound limiter on the music system set for background music only in order to ensure compliance with the method of operation **(3)** the premises will continue to have signage directing exiting patrons to Varick Street and the premises will maintain a "please respect the neighbors" style sign **(4)** the Licensee will continue to address complaints and concerns on an ongoing basis as necessary;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the renewal of the existing restaurant on-premise liquor license SN1258087 for **West Houston Hall Inc. d/b/a Houston Hall, 222 West Houston St. 10014** **unless** the statements the applicant has presented are accurate and complete, and that those representations, conditions and stipulations agreed to by the applicant at the inception of the license and at this meeting continue to be maintained in the "Method of Operation" on the existing SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 45 Board members in favor.

19. Lindsey Buffet Restaurant Inc., d/b/a Kumo Sushi, 282 Bleecker St. (Renewal RW – SN1259907)

Whereas, the Licensee and the Licensee's representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present a renewal application which was placed on CB2's Calendar at the request of members of the community based on complaints; and,

Whereas, Kumo Sushi is a full service sushi/Asian/Japanese restaurant with a restaurant wine license SN1259907 located in a 1,000 sq. ft. premises located on the ground floor of a mixed-use building with residential tenants above, there are 44 table seats and no standup bar, there is one service bar; there is one entrance, the hours of operation are from 11:30 am to 11:30 pm 7 days a week, there is no sidewalk café, there are no other outdoor areas, music ipod/cd's at background levels only; and,

Whereas, CB2, Man. has received a number of complaints in 2014 regarding this operation and a number of complaints were also filed with 311 and directly with the SLA; and,

Whereas, the nature of the complaints stem from an "all you can eat sushi & drinks" special which local community members state has resulted in an untenable situation whereby over-served and inebriated patrons who are visibly intoxicated are leaving the premises and causing disturbances, fights, loud screaming and vomiting in the street which is untenable in a residential area, that the premises appears to regularly serve underage patrons and caters to college age students, that there are drinking games and chugging contests among patrons, that the premises has no control of their premises inside or out and that inside the premises the patrons are loud and disorderly and focused on the unlimited drink specials and that the premises and owner have been rude, disrespectful and nasty when made aware of these complaints and have refused to engage in discussion or resolve the complaints; and,

Whereas, the complaints are documented in the form of videos, online reviews, pictures and 1st person observations and are credible and consistent with observations by members of CB2's SLA Licensing Committee; and,

Whereas, the Licensee denied that he offered an "all you can eat and drink" special, even when presented with advertisements, but then relented that they may have had these in the past and that the current special was 3 drinks and unlimited sushi, he stated that he did not feel his premises was unruly or disruptive or that his patrons were any more unruly or disruptive than other businesses patrons, he also stated that the establishment had 2 ID scanners which were used by wait staff but was unsure who trained them to use the scanners, and among conflicting statements seemed to indicate that the wait staff confiscated fake ID's and disposed of them, but did not notify management or the owner when this was done, but that this was regularly done, he also stated patrons were not over-served and were all of legal drinking age, he stated that while the premises was well known for "Sake Bombs" and drinking in large groups, he felt for the most part the premises was under control; and,

Whereas, after lengthy discussion, the Licensee was willing to agree to among other things to improve certain practices that would help address these concerns including having all wait staff "TIPS" trained, discourage and monitor "table hopping", utilizing a licensed security person at the door on Fridays and Saturdays and limiting any specials to include no more than 3 drinks; and,

Whereas, as a sign of good faith and cooperation, the Licensee agreed to execute additional stipulations with CB2, Man. in addition to any existing stipulations with CB2, Man. that he agreed he would submit to the SLA as a condition of the renewal and agreed would be additionally attached and incorporated in to existing method of operation on the restaurant wine stating that:

1. The premises will be advertised and operated as a full service restaurant, specifically a sushi restaurant/Asian restaurant. The kitchen will be open in full menu items available until closing every night.
2. The hours of operation will be Sunday from 12pm to 11:30pm and Monday to Saturday from 11:30 am to 11:30 pm. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a "lounge", tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no more than 2 televisions (no projector TV's).
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
7. The premises will not operate a sidewalk café.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The premises will not have a standup bar. There will be one service bar only.
11. The premises will never have unlimited drink specials.
12. Any food and drink specials offered by the premises will include no more than three drinks in the special.
13. The premises will have a licensed security guard at the front door from 8pm to 1/2 hour past closing on Friday and Saturday nights.
14. All current staff will be "TIPS" trained by February 28, 2015 and all new staff will be "TIPS" trained within one month of hiring.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the renewal of the existing restaurant wine license SN1259907 for **Lindsey Buffet Restaurant Inc., d/b/a Kumo Sushi, 282 Bleecker 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 existing “Method of Operation” on the existing SLA Restaurant Wine License.

Vote: Passed, with 44 Board members in favor, and 1 in opposition (S. Tyree).

20. 55 Grove, LLC, 55 Grove St. 10014 (New OP)

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 restaurant on-premise liquor license for a high-end family-style, quiet, sushi/seafood restaurant; and,

Whereas, this application is for a new restaurant on-premise liquor license located in a commercial building on the ground floor, basement and sub-basement on Grove St. between Bleecker St. and 7th Ave South for a roughly 2,400 sq. ft. premise (800 sq. ft. ground floor patron use, 800 sq. ft. basement patron use and kitchen and 800 sq. ft. sub-cellar for accessory use only – no patrons) with 13 tables and 30 seats on the ground floor and 1 bar with 10 seats in the basement for a total of 38 interior seats, there is no sidewalk café and there are no other outdoor areas for patrons, there is an existing Certificate of Occupancy from the NYC Department of Buildings which will be further amended to indicate the proposed use; and,

Whereas, the hours of operation will be from 11am to 12am seven days a week (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV’s; and,

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

1. The premises will be advertised and operated as a high-end family-style, quiet, sushi/seafood restaurant with a full-service kitchen that will remain open until close with full menu items available until closing every night.
2. The hours of operation will be from 11am to 12am seven days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
7. The premises will not operate a sidewalk café.
8. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The premises will not have any benches outside the establishment.
11. The basement bar area will also be closed at midnight and patrons cleared at closing.

Whereas, the applicant also owns and operates another licensed premises within CB2, Man. which is a highly-regarded sushi restaurant called Sushi Nakazawa at 23 Commerce St.; and,

Whereas, the applicant submitted a brief petition signed by a small number of local residents;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Liquor License for **55 Grove, LLC, 55 Grove 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: Passed, with 44 Board members in favor, and 1 recusal (D. Gruber).

21. Innovation Kitchens, LLC, 137 7th Avenue So. 10014 (New OP)

Whereas, the applicants appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on-premise liquor license for a previously licensed beer and wine location for a high end bakery and café; and,

Whereas, this application is for a new on premise liquor license located in a commercial building located on the ground floor, mezzanine, 2nd floor and basement on 7th Avenue South between Charles St. and West 10th St. for a roughly 3,000 sq. ft. premise (907 sq. ft. ground floor patron use, 907 sq. ft. 2nd floor – private chef’s table, basement 907 sq. ft., no patron use and mezzanine 116 sq. ft., no patron use) with 1 bar/service counter with no seats and 28 “stadium seats” which will have built-in individual tables on the first floor and a private tasting table on the 2nd floor which will have no more than 10 seats by reservation only, there will be a future sidewalk café, but there will be no more than 26 seats in the sidewalk cafe which will close by 7pm nightly and there are no other outdoor areas for patrons, there is an existing Certificate of Occupancy which may be further updated to reflect the proposed uses on the 2nd floor including use of the 2nd floor as a production area in addition to the small patron seating and the use of the mezzanine for office space; and,

Whereas, the hours of operation of the interior of the establishment will be 8am to 11pm seven days a week (No patrons shall remain after the closing hour), liquor will be served on the 2nd floor only in the private reservation dining area only and will be limited to pairings with specialty desserts, only beer and wine will be served on the ground floor and in the sidewalk cafe, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed by 9pm without exception except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, there will be no TV’s, there will be no use by patrons of the basement; and,

Whereas, the applicants operate another successful bakery, Dominique Ansel Bakery in CB2, Man. which does not hold any licenses but has generated some complaints from neighbors due to patrons lining up early in the mornings prior to the bakery opening waiting for a particular unique pastry, the Cronut, on a daily basis; and,

Whereas, the applicants did reach out to a local block association, the Mid West 10th St. Block Association and to local residents to explain their proposed operation after having been requested to layover the application for one month in order to perform community outreach; and,

Whereas, a number of concerns were communicated to CB2, Man. and to the applicant via email and those concerns included patrons congregating and smoking in front of the establishment, lines forming at early hours of the morning prior to the establishment opening, noise from patrons outside the establishment, density of licensed premises in the area, the number of sidewalk cafes on 7th Avenue South in immediate proximity and concerns in regards to venting and mechanical noise; and,

Whereas, the applicant addressed a number of the concerns which local residents had including by limiting the hours of operation of the sidewalk café, explaining that there will be no smoking anywhere inside or outside in their sidewalk café and they would direct smokers away from in front of their premises, that their kitchen designs, mechanicals and venting were being handled by one of the foremost specialists in that area of design, that they do not expect the types of lines at their Soho location because the Cronut will not be sold at this location, and that the liquor component of their application is specifically for the 2nd floor private tasting area which will be limited to 10 reservation only seats for specialty dessert and cocktail pairings; and,

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

1. The premises will be advertised and operated as a full-service high end bakery and café with the kitchen open in full menu items available until closing.
2. The hours of operation will be 8am to 11pm seven days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not 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. The premises will operate the NYC DCA licensed sidewalk café no later than 7pm every night. All tables and chairs will be removed at 7pm when the sidewalk café closes.
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The premises will close all doors and windows at 9pm every night and anytime there is amplified music.
11. There will be no liquor service on the ground floor.
12. The premises will have beer and wine service only on the ground floor.
13. The premises will have 28 inside seats on the ground floor.
14. The premises will have no more than 10 seats on the second floor in the private dining area, which is the only area where liquor service will be permitted.
15. The premises will have no more then 26 seats in the NYC DCA licensed sidewalk café.
16. If patron lines exist on any rate or basis, the premises will remove seating from the sidewalk café in order to accommodate the line.
17. The sidewalk café will open no earlier than 8am Monday to Saturday and 10am Sunday.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant on-premise liquor license for **Innovation Kitchens, LLC, 137 7th Avenue So. 10014** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA restaurant on-premise liquor license.

Vote: Passed, with 35 Board members in favor, 6 in opposition (W. Bray, L. Cannistraci, M. Derr, S. Greene, R. Sanz, R. Stewart), and 2 in abstention (T. Bergman, D. Collins).

THE FOLLOWING ARE RESOLUTIONS FOR APPLICANTS THAT WERE LAID OVER, WITHDRAWN, OR WHO DID NOT APPEAR BEFORE CB2 AS REQUESTED:

22. Delice & Sarrasin, LLC, 20 Christopher St. 10014 (Withdrawn by applicant at meeting)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on January 15th, 2015, the applicant and his architect agreed to **withdraw** this application for a new restaurant wine license in order to address concerns over building department and zoning matters which indicate that this is not an allowable use in the manner presented and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed and will provide appropriate documentation showing allowable use; and

Whereas, this application is for a new restaurant wine license for a “small restaurant” with a seating capacity of 15 that will offer a variety of dishes at reasonable prices located in a residential building in a residentially zoned area located on the ground floor on Christopher St, between Gay Street and Waverly Place for a roughly 1,000 sq. ft. premise on the 1st floor with 1 bar/service counter with 3 seats and 6 tables and 12 seats for a total of 15 seats; and,

Whereas, the hours of operation of the interior of the establishment will be 10am to 11pm seven days a week (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd’s (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 d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, there will be no TV’s, there will be no use by patrons of any outdoor areas, the premises will not operate as a tavern or sports bar; and,

Whereas, there were concerns that were not discussed in detail due to the apparent inability to actually legally occupy the space as proposed that the applicant has not installed any sound proofing, that the restaurant is not a small restaurant, but in fact a “creperie and wine bar” as stated on their menu and website; and,

Whereas, in particular it was discussed in detail and it is noted that the proposed premises is located on the entire ground floor at 20 Christopher St (Block: 593/Lot: 42) and **(1)** the premises is located in an R6 zoning for which this use is not allowed as-of-right, **(2)** the premises has been vacant for a number of years, at a minimum 3 years and the architect for the applicant indicated much longer by many years (premises is located within a historic district, see NYC Zoning Resolution Section 52-61), **(3)** the Certificate of Occupancy #M8626 dated October 8, 1924 presented in conjunction with this application to show that the use for a small restaurant is allowed on the whole ground floor actually indicates that the permissible use on the ground floor is for 1 store and 1 non-housekeeping apartment **(4)** “Icards” for the building dated after October 8, 1924 also seem to indicate the same use for the 1st floor of 1 store and 1 apartment and also provide a diagram of the 1st floor which indicates the location of 1 store and 1 apartment **(5)** the applicant’s floor plan show the small restaurant will occupy the entire ground floor

which contradicts the allowed uses indicated on the Certificate of Occupancy presented (6) There is no evidence that the ground floor apartment currently exists (7) the applicant was unable to provide any plans/job approvals showing that the installation of a kitchen where an apartment is supposed to be located were ever approved (7) It appears that there are no jobs on file with the Department of Buildings in conjunction with this application (8) DOB complaint #1297968 indicates “illegal construction on first floor causing damage to upper floors” which resulted in a number of violations including ECB Violation 034879750K dated 3/1/2011 which states “work without a permit: work noted at first floor level gutted entire retail store and removed supports and installed screw jacks and 4x4 supports in different locations and tampered floor joist beams by adding additional support without any permits or eng. report.” “Remedy: obtain permit and eng report”; a subsequent ECB violation 034961155Z dated 9/3/2011 is “for work without permit at 1st floor”;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine license, beer and wine license, tavern wine license or any type of on premise liquor license for **Delice & Sarrasin, LLC, 20 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; and

THEREFORE BE IT FURTHER RESOLVED, should the applicant for any reason pursue this application with the Liquor Authority without returning to CB2, Man., CB2 respectfully requests that this licensing matter be placed on the agenda of the Full Board of the Liquor Authority at a regularly scheduled meeting prior to any determination being made.

Vote: Unanimous, with 45 Board members in favor.

23. Down and Dirty Tacos and Tequila Bar Meatpacking, LLC, d/b/a Sugar Factory, 835 Washington St. 10014 (New Restaurant OP - Layover at Meeting)

Whereas, at this months CB2, Manhattan’s SLA Licensing Committee Meeting on January 15th, 2015, the applicant and their attorney requested to and agreed to **layover** this application for a new restaurant on-premises liquor license in order to perform additional community outreach and to meet with local residents among other issues and concerns and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Down and Dirty Tacos and Tequila Bar Meatpacking, LLC, d/b/a Sugar Factory, 835 Washington St. 10014** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, Man. 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 45 Board members in favor.

24. Sugar Factory American Brasserie Meatpacking, LLC, d/b/a Young Keng Street, 1-3-5 Little West 12th St. 10014 (New RW - Layover at Meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 15th, 2015, the applicant and their attorney requested to and agreed to layover this application for a new restaurant wine license in order to perform additional community outreach and to meet with local residents among other issues and concerns and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Sugar Factory American Brasserie Meatpacking, LLC, d/b/a Young Keng Street, 1-3-5 Little West 12th St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 45 Board members in favor.

25. CE Renwich LLC & Joie de Vivre Hospitality LLC, d/b/a Tommie Hotel, 231 Hudson St. 10013 (New Hotel OP - Layover at Meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 15th, 2015, the applicant and their attorney requested to and agreed to layover this application for a new hotel on-premise liquor license including a ground floor outdoor area and rooftop dining area in order to perform additional outreach and to provide an opportunity for a site visit among other issues and concerns and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, hotel liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **CE Renwich LLC & Joie de Vivre Hospitality LLC, d/b/a Tommie Hotel, 231 Hudson St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 45 Board members in favor.

26. Tea and Sympathy, Inc., 108 Greenwich Ave. 10011 (New RW - layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 15th, 2015, the applicant's attorney requested to layover this application for a new restaurant wine license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Tea and Sympathy, Inc., 108 Greenwich Ave. 10011** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 45 Board members in favor.

27. Toby's Coffee West Village LLC, d/b/a Toby's Estate Coffee West Village, 44 Charles St. 10014 (New EPB - layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 15th, 2015, the applicant's attorney requested to layover this application for a new eating place beer license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed eating place beer, on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Toby's Coffee West Village LLC, d/b/a Toby's Estate Coffee West Village, 44 Charles 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 45 Board members in favor.

28. P. Connolly and J. Dolan, on behalf of an entity to be determined, 64 Carmine St. 10012 (New Restaurant OP - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 15th, 2015, the applicant's attorney requested to withdraw this application for a new restaurant on-premises liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **P. Connolly and J. Dolan, on behalf of an entity to be determined, 64 Carmine 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 45 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of co-naming the southeast corner of Bedford and Grove Sts. Larry Selman Way

Whereas, the Bedford Barrow Commerce Block Association (BBC), representing Bedford St. bet. Morton and Christopher Sts., Barrow St. bet. 7th Ave. S. and Hudson St., and Commerce St. bet. 7th Ave. S. and Barrow St., with some 300 members, has requested that the southeast corner of Bedford and Grove Sts. be co-named Larry Selman Way in honor and memory of their beloved neighbor whose dedicated efforts over 35 years helped improve the community's welfare; and

Whereas, Larry Selman lived on Bedford St. close to 50 years and joined the BBC in 1978 at its initial meeting, thereafter selling raffle tickets for that non-profit organization's Spring Fair that brought in more than \$3,000 each year benefitting both the neighborhood and the broader community and enabling the BBC to give back to dozens of nonprofit organizations in the community (such as The Village Nursing Home, St. Luke's Community Garden, Greenwich House Music School, the Greenwich Village Halloween Parade and The Caring Community); and

Whereas, Larry Selman worked ceaselessly for the community, also collecting all the prizes for the raffle from local merchants and other businesses while raising more money for BBC's Holiday party, where he played Santa Claus for over 30 years, and fundraising for the local firehouses; he also took it upon himself to watch over his neighbors' houses; and

Whereas, despite being intellectually disabled (with a 62 IQ), Larry Selman fulfilled every bit of his potential in reaching out to the community and working for its well-being; although he lived at the poverty level, on Social Security checks, he generously collected thousands of dollars for others (including several charities outside the community, such as Muscular Dystrophy, the American Cancer Society, Juvenile Diabetes, the St. Vincent's Pediatric AIDS clinic, the NY AIDS walk and Variety Charities); and

Whereas, Larry Selman, with his natural friendliness and eagerness to speak to and help others and his ardent devotion to his block and neighborhood, formed the cement that brought his neighbors together and created a community bond between them that still persists (some called him the "unofficial mayor of the West Village"); and

Whereas, in appreciation for Larry Selman's many positive contributions to community welfare and with concern for his own well-being, his BBC neighbors joined together to establish a trust fund (through the UJA-Federation) to cover his ongoing needs, the first time a community (rather than a family) created such a trust; and

Whereas, in recognition of Larry Selman's unique accomplishments in giving to others and helping to build his community, one of his neighbors created a short film about him, *The Collector of Bedford Street*, which was nominated for an Academy Award and led to broader recognition of his laudable activities, for example, the Caring Institute presented him with their Caring Award for using his life "for the betterment of others," and the Kiwanis Key Club draws from his example for training service leadership for over 35,000 students around the world; and

Whereas, a petition supporting the co-naming of the southeast corner of Bedford and Grove Sts. Larry Selman Way was submitted with 200 signatures, 172 from the neighborhood (140 within the immediate few blocks) and the remainder including former residents, while an additional 250 people signed an on-line petition praising his example as an inspiration for community service; and

Whereas, several articles were submitted documenting Larry Selman's achievements in such publications as The New York Times, The Villager, the BBC Newsletter, the US News and World Report, the Associated Press and WestView News;

Therefore be it resolved that CB2, Man. strongly supports co-naming the southeast corner of Bedford and Grove Sts. Larry Selman Way.

Vote: Unanimous, with 45 Board Members in favor.

2. Resolution in response to NYC Dept. of Transportation Proposed Pedestrian Safety Improvements on 7th Ave. S. at W. 4th and Christopher Sts. and Waverly Place.

Whereas for many years, Community Board 2, Manhattan (CB2) has been asking the NYC Dept. of Transportation (DOT) to design and implement improvements at the dangerous intersection of 7th Ave. S., W. 4th and Christopher Sts. to make it safer for pedestrians; and

Whereas DOT presented a proposal to improve pedestrian safety at that intersection as well as on Waverly Pl. bet. 7th Ave. S. and Charles St. that includes the following actions:

- Install a new (additional) high visibility crosswalk across 7th Ave. S. on the north side of Christopher St. to provide a safer, more direct crossing (following pedestrian desire lines) from the northeast to the northwest corner of 7th Ave. S. and Christopher St.
- A sidewalk curb extension (neckdown) is being considered for the northeast corner of Christopher St. at 7th Ave. S. to shorten and make safer traversing 7th Ave. S. on the proposed new high visibility crosswalk across 7th Ave. S. from the northeast to the northwest corner of 7th Ave. S. and Christopher St. as well as on the current crosswalk across 7th Ave. S. to the northwest corner of 7th Ave. S. and W. 4th St. DOT indicates a community maintenance partner (resident or business or both) would be required for this to be done in order to clean the narrow space in the neckdown between the curb and street which couldn't be reached by a sanitation truck.
- Install high visibility crosswalks at all crossings.
- Adjust traffic lights to address conflicting pedestrian signals at Christopher and W. 4th Sts. at 7th Ave. S., reduce intersection blockage by vehicles, and promote improved signal coordination for pedestrian safety and controlled vehicular movement.
- Close Waverly Pl. bet. 7th Ave. S. and Charles St. with epoxied gravel and flexible delineators to prevent current soft-angle turns at high speeds from 7th Ave. S. into Waverly Pl., create and define pedestrian space, and ensure pedestrian safety.
- Close W. 4th St. bet. Christopher and Grove Sts. with epoxied gravel and flexible delineators to prevent current soft-angle turns at high speeds from 7th Ave. S. into W. 4th St., create pedestrian space and eliminate vehicular intrusion to safeguard crossing pedestrians there, while expanding the subway island at that location into 7th Ave. S. to produce a shorter, safer pedestrian crossing.; and

Whereas both community attendees and CB2's Traffic and Transportation Committee recognized the benefit and favored implementation of the proposed additional and high visibility crosswalks and adjustment of traffic signal timing, as well as neckdowns not only on the east but on the west side of 7th Ave. S.; and

Whereas all also recognized that a traffic analysis reporting only 30 vehicles per hour turning onto Waverly Pl. from 7th Ave. S. at the peak time showed that closing Waverly, as proposed, would have little traffic volume impact on other streets, and all favored the safe pedestrian haven the closing offers; and

Whereas a representative of Morandi Restaurant, which abuts the proposed pedestrian street on Waverly Pl., voiced support of the closing and willingness to maintain planters and other amenities there, to sweep and clean, and to guard against traffic entering, offering the potential for creating an attractive community place; and

Whereas the large group of community members present (including representatives from the Bleecker Area Merchants and Residents Association/BAMRA, Our Streets Our Lives, the Christopher Park Alliance, and the Central Village Block Association) all agreed that a traffic analysis reporting nearly 250 vehicles per hour turning onto W. 4th St. from 7th Ave. S. at the peak time showed that closing W. 4th St., as proposed, would have a severe negative impact in diverting heavy vehicular traffic, including tour buses, to already overrun, vulnerable streets, such as Bleecker St., with parking on both sides, a bicycle lane and one lane for motor vehicles, heavily burdened by delivery trucks, taxicabs and interstate buses, tiny Barrow St., and Greenwich Ave., and voiced their strong opposition; and

Whereas the majority of the Committee voiced concern about the negative impacts closing W. 4th St. would have in diverting heavy traffic, congestion and pollution to other already problematic streets, and all agreed that other options for alleviating the dangerous pedestrian conditions on W. 4th St. bet. Christopher and Grove Sts. need to be explored; and

Whereas DOT indicated its willingness to look at alternatives to the W. 4th St. closing and presented a partial alternate plan that so far is considering a dedicated turn lane from 7th Ave. S. on to W. 4th St., extending the sidewalk of the subway station triangle bet. Christopher and Grove Sts. into 7th Ave. (for a shorter crossing) and revising signal timing with a separate phase in which turning vehicles are held while pedestrians walk, and will be returning to CB2 to present a fully completed plan once that is worked out; and

Whereas DOT has given assurance that the proposed improvements will not conflict with CB2's requested Complete Street and extended West Village Slow Zone and can easily be integrated with them;

Therefore be it resolved that CB2 thanks DOT for responding to CB2's request to design and implement improvements at the dangerous intersection of 7th Ave. S., W. 4th and Christopher Sts. to make it safer for pedestrians; and

Be it further resolved that CB2 supports DOT's recommendations to install a new high visibility crosswalk across 7th Ave. S. on the north side of Christopher St. from the northeast to the northwest corner of 7th Ave. S. and Christopher St., to install high visibility crosswalks at all crossings, and to adjust and clarify traffic signal timing to safeguard pedestrians; and

Be it further resolved that CB2 strongly supports installing sidewalk extensions (neckdowns) on the northeast corner of Christopher St. at 7th Ave. S., and on the east side of 7th Ave. bet. W. 4th and Grove Sts. and also asks that sidewalk extensions (neckdowns) be installed on the west side of 7th Ave. S. at the north and south sides of Christopher St., the north side of W. 4th St. and the north and south sides of Grove St., while heartily encouraging DOT to seek out maintenance partners for the upkeep of all these spaces and committing CB2's own efforts to aid in this endeavor; and

Be it further resolved that CB2 fully supports closing Waverly Pl. bet. 7th Ave. S. and Charles St. for pedestrians, and urges DOT to work with Morandi Restaurant and other surrounding neighbors (such as Friends of McCarthy Sq.) to develop amenities and an agreement for maintaining that space; and

Be it further resolved that CB2 does not support closing W. 4th St. bet. Christopher and Grove Sts., welcomes and thanks DOT for their willingness to put aside the plan for closing and to develop an alternative plan for that location, and looks forward to DOT presenting a completed alternative plan.

Be it finally resolved that CB2 highly recommends that the new type Split Phase LPI (Leading Pedestrian Interval) for traffic signalization be installed at 7th Ave. S. and W. 4th St. that provides an exclusive pedestrian Walk (green) phase for crossing W. 4th St. bet. Christopher and Grove Sts. while at the same time preventing vehicles in the 7th Ave. S. turning lane from going left onto W. 4th St. with a red arrow, but allows through traffic to proceed down 7th Ave. S. with a green light.

Vote: Unanimous, with 45 Board Members in favor.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan