

Tobi Bergman, *Chair*
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: March 19, 2015
TIME: 6:30 P.M.
PLACE: The Sheen Center, 18 Bleecker Street (auditorium)

BOARD MEMBERS PRESENT: Keen Berger, Tobi Bergman, Chair; Carter Booth, Katy Bordonaro, Anita Brandt, William Bray, Richard Caccappolo, Heather Campbell, Lisa Cannistraci, Tom Connor, Terri Cude, Coral Dawson, Maria Passanante Derr, Doris Diether, Cristy Dwyer, Robert Ely, Joshua Frost, Jonathan Geballe, Anne Hearn, Susan Kent, Jeannine Kiely, Arthur Kriemelman, Lois Rakoff, Robert Riccobono, Robin Rothstein, Sandy Russo, Maury Schott, Shirley Secunda, Federica Sigel, Shirley Smith, Richard Stewart, Sean Sweeney, Shannon Tyree, Susan Wittenberg, Antony Wong,

BOARD MEMBERS ABSENT WITH NOTIFICATION: Susanna Aaron, Daniel Ballen, Ritu Chattree, Denise Collins, Robin Goldberg, Arthur Kriemelman, Daniel Miller, Rocio Sanz, Chenault Spence, Robert Woodworth, Elaine Young

BOARD MEMBERS ABSENT: None

BOARD MEMBERS PRESENT/ARRIVED LATE: Sasha Greene, David Gruber, Edward Ma, Alexander Meadows, Arthur Z. Schwartz

BOARD MEMBERS PRESENT/LEFT EARLY: None

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

GUESTS: Robert Atterbury, Congressman Jerrold Nadler's office; Maya Kinen, Senator Brad Hoylman's office; Melissa Gindin, Senator Daniel Squadron's office; Charles Anderson, Assembly Member Deborah Glick's office, Morris Chan, Man. Borough President Gale Brewer's office; Crystal Feng, NYC Comptroller's office; Adam Chen Public Advocate Letitia 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; George Rosenfeld, Brenda Levin, Tom Duncan, Matt Seebeck, Edmund Sulzman, Tim Walch, Bradley Calcaterra, Ernest Hood, John Gordon, Maud Maron, Katie Holten, Jeffrey LeFrancois, Patrick Gorman, Brett Phillipi, Andrew Berman, Franco Barrio, Jessica Waring, Danielle Nazinitsky, Ot Ben Galim, Debra Jenks, Elyse Marks, Judy Lawne, Jun Chen, Wayne Kawadler, Andrew Brokman, S. Glickman, Michele Burger, Jane Carey, Meryl Schwartz, Sidney Jackson, Nicholas Brinenn, J. DiGiacomo, Phyllis Rosnick, Pat Portela, Jessica Fontaine, Nichole Huff, Tal Shpatz, Alison Kwiatkowski, Jerard Johnson, Melanie Sadok, Silvia Beam, Michael Beam, Benjamin Williams, Danielle Tcholakian, Rattula Petrasu, Judith Callet, Darlene Lutz, Laura Smith

MEETING SUMMARY

Meeting Date –March 19, 2015
Board Members Present – 39
Board Members Absent With Notification – 11
Board Members Absent: None
Board Members Present/Arrived Late - 5
Board Members Present/Left Early - None

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II. PUBLIC SESSION

Non-Agenda Items

Whitney Museum of American Art

Jane Carey spoke regarding the museum's upcoming events.

Meryl Schwartz made an announcement regarding volunteer opportunities at the museum.

Soho Arts Event

Jessica Fontaine and Danielle Nazinitsky announced a Soho arts and street event to be held on Thursday, May 8th.

Department of Consumer Affairs

Andrew Brokman reported on the agency's free tax preparation assistance.

Lenox Hill HealthPlex

Wayne Kawadler spoke regarding the health care center.

MPIA

Jeffrey LeFrancois introduced himself as a new staff member of the association.

Testing Budget

Heather Campbell spoke regarding this topic.

Trinity/Holland Tunnel Traffic

Darlene Lutz spoke against both of these topics.

463 West Street

Ton Duncan spoke regarding noise from the Martha Graham dance company at this location.

Landmarks & Public Aesthetics Items

73 Washington Place

Brenda Levin and John Gordon, representing the applicant, spoke in favor of the proposed application.

Tim Walch, Edmund Sullivan, and Bradley Calcaterra, spoke against the proposed application.

9 Vandam Street

Silvia Beam spoke against the proposed application.

69-73 Greene Street

Elyse Marks, representing the applicant, spoke in favor of the application.

Child Welfare Organization

Sidney Jackson spoke regarding adoption grant programs for constituents.

Land Use and Business Development Items

Zoning for Quality and Affordability Text Amendment Proposal

Andrew Berman spoke against the text amendment proposal.

SLA Licensing Items

Bespoke Kitchen, 615 ½ Hudson Street

Franco Barrio, the applicant, spoke in favor of the proposed liquor license application.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congressman Jerrold Nadler's office

Maya Kinen, Senator Brad Hoylman's office

Melissa Gindin, Senator Daniel Squadron's office;

Crystal Feng, NYC Comptroller's office;

Morris Chan, Man. Borough President Gale Brewer's office

Charles Anderson, 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 January minutes

VI. EXECUTIVE SESSION

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

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1 - LPC Item: 40 Wooster Street (Grand) - SoHo Historic District. A 19th century loft building. The application is to restore the ground floor storefront to match the historic condition based on the 1940s Tax Photo, restore the building envelope (i.e., repointing, masonry cleaning, window replication and replacement, etc.) and to construct a rooftop bulkhead addition.

Whereas, the restoration and repair to the front facade will improve the appearance of the building, and the rooftop addition will not detract from the building or the district; and

Whereas, this work is part of a future 74-711 application involving a request for a change of use to legalize ground-floor retail and residential, Use Group 2, on the upper floors; but

Whereas, it is time to state that the preservation purposes of ZR 74-711 are no longer applicable in CB#2, Man., because properties in the SoHo and NoHo historic districts now have sufficient profit viability to support restoration and preservation for its own sake, while conforming to use and bulk regulations and/or pre-existing non-conforming uses, without the need of additional incentives for a use change; now

Therefore, be it resolved that CB#2, Man. recommends approval of the work proposed, but notes that such approval should not be used to justify any future applications for change of use; and further,

Be it resolved that CB2, Man. does not support issuance of a report by LPC to CPC that would state that the proposed preservation purpose of this application justifies a change of use and/or bulk, since buildings in these districts now have sufficient profit viability to support restoration and preservation for its own sake, without using it as an excuse to request a non-conforming use. Major preservation projects are undertaken monthly in other neighborhoods within our community board, and these applicants never seek zoning changes.

Vote: Unanimous, with 38 Board members in favor.

2 - LPC Item: 53 Downing Street (Bedford/Carmine/6th) - Greenwich Village Extension
Application is to restore the front facade, alter the rear facade and construct a rooftop addition

Whereas, the work proposed for the front facade enhances the building and the district; and

Whereas, part of the proposal involves reintroducing a garage door and installing a new curb cut, in order to provide an interior garage space; and

Whereas, the rear facade proposed will not detract from the building; but

Whereas, unfortunately, the applicant did not have time to install a mock-up of the proposed rooftop addition; now

Therefore, be it resolved that CB2, Man. recommends approval of the work proposed for the front and rear yard facades, but since there was no mockup of the proposed rooftop addition constructed in time, we must recommend denial of the rooftop addition; and

Further, if the applicant fails to obtain a permit for a curb cut from DOT, we would prefer retention of the punched openings instead of the proposed roll-up garage door.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (D. Diether).

3 - LPC Item: 45 Fifth Avenue (11th/12th) - Greenwich Village Historic District. An apartment building designed by Sugarman and Berger and built in 1925. Application is to install an areaway fence and planting bed.

Whereas, other buildings along Fifth Avenue in the historic districts have planting areas with attractive landscaping; and

Whereas, this proposal seeks to duplicate these verdant patches; and

Whereas, the proposed fence is in a style characteristic of the district; now

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

Vote: Unanimous, with 38 Board members in favor.

4 - LPC Item: 69 & 71-73 Greene Street (Spring/Broome) - SoHo Historic District. Two cast iron store buildings with neo-Grec style components designed by Henry Fernbach and built in 1876-77. Application is to remove the fire escapes and balconies from the front and rear facades, and to construct an entry vestibule at 71-73 Greene Street.

Whereas, the proposed entryway structure to the vestibule is reminiscent of other similar structures in the historic district; however, it does lack architectural detail, like capitals on the columns; and

Whereas, these fire escapes are two of several on this block, including fire escapes on the two adjacent buildings. Although not original, these fire escapes are part of the vocabulary on this block and are an important element in the ambience of the streetscape; and

Whereas, thirteen residents of the block testified not only that the fire escapes are a contributing feature of the block, but that the existing interior stairs are old, wooden, rickety, uneven and, although meeting code, are unsafe — and for their own personal safety, they vociferously requested preservation of the fire escapes;

Whereas, the applicant presented before the Full Board interior fire safety features, but without sufficient notice or review there is no opportunity to evaluate these or to determine if they would alleviate the residents' concern; now

Therefore, be it resolved that CB2, Man. recommends **approval** of the entryway to the vestibule, but would like more architectural details, like column capitals; but

Further, CB2, Man. strongly urges the LPC to **deny** the request to remove the fire escapes, which are contributing elements to the ambience and streetscape of this block (and instead they should be regularly maintained), and

Further, notes that thirteen residents of the building testified strenuously that they feared for their lives if the fire escapes were removed, discounting assurances from the applicant that the old, uneven, narrow wooden stairs are adequate egress.

Vote: Unanimous, with 38 Board members in favor.

5 - LPC Item: 5 - 7 Mercer Street (Howard) - SoHo Cast-Iron Historic District. A warehouse designed by J. B. Snook and built in 1861. Application is to install storefront infill.

Whereas, the proposed work is extensive and will improve the building and enhance the historic district; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 38 Board members in favor.

6 - LPC Item: 30-32 Howard (Bdwy/Crosby) - SoHo Historic District. Application is to construct a 1-story rooftop addition, raise existing rear addition for new stair and elevator shaft and bulkhead on the roof, replace existing with new stair bulkhead.

Whereas, the proposed rooftop addition will only be minimally visible, from a block away on Broadway, through a sliver of a space between two buildings; now

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

Vote: Unanimous, with 38 Board members in favor.

7 - LPC Item: 185 Bleecker Street (n.w. MacDougal) — (former Cafe Borgia) - South Village H.D. A late-Italianate building built in 1905. Application is to install storefront infill, signage and a ADA ramp.

Whereas, the applicant sought to justify replacing-in-kind the non-historic generic bi-fold doors by claiming there was “precedent” for them nearby and this was a “transitional neighborhood”.

However, the precedents cited are merely doors installed in the district in the past 25 years or so, which bear no relation to the style and symmetry and configuration of the original historic storefronts that were part of these historic buildings.

Furthermore, as far as this being a "transitional neighborhood," in a sense the applicant is correct. It is a new historic district that we are attempting to transition from one of garish, non-historic storefronts to one whose infills resemble the original storefronts that were removed in recent years; and

Whereas, the proposed lighting scheme consisted of a hodgepodge of three different styles of gooseneck lighting fixtures, one of which appears to resemble a nautical lighting fixture, the type common on a boat or harbor; and

Whereas, the applicant provided no adequate historical references for the design decisions; and

Whereas the roll-up take-out window is more reminiscent of a frankfurter stand in Coney Island than an eating and drinking establishment in Greenwich Village; and

Whereas, the proposed awnings are appropriate; and

Whereas, the required ADA ramp is mandated; and

Whereas, the signage does not detract from the building or the district; now

Therefore, be it resolved that CB2, Man. recommends approval of the signage, the awning and the ADA ramp; but further

Be it resolved that CB2, Man. strongly recommends denial of this storefront infill, urging the Commission to oversee a return to an appropriate historic storefront configuration, paying homage to the fenestration that had existed there for 100 years, as exemplified by the Cafe Borgia storefront.

Vote: Unanimous, with 38 Board members in favor.

8 - LPC Item: 753 and 755-757 Greenwich Street, aka 311 and 305-307 West 11th Street - Greenwich Village Historic District. Three Greek Revival style rowhouses, built in 1836-37 and altered in the 19th century. Application is to install a cornice, enlarge chimneys, and install a deck, stair-bulkhead, HVAC equipment, railings and planters at the roofs

Whereas, several neighbors attended and were generally quite supportive of the application; and

Whereas, the relocation of the gate is appropriate; and

Whereas, the work proposed for the roof will be of minimal distraction; now

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

Vote: Unanimous, with 38 Board members in favor.

9 - LPC Item: 9 Vandam Street (6th/Varick) - Charlton-King-Vandam Historic District. A Federal style rowhouse built in 1829-30. Application is to construct a rear yard addition, modify a dormer, and excavate the cellar and rear yard.

Whereas, this building's façade features what is commonly called a horsewalk-a secondary entrance to access the rear yard or stable (placed to the left of the main stoop entrance); and

Whereas, two neighbors from the abutting building justifiably expressed great concern that the excavation of a brand-new cellar for a large cellar swimming pool would damage the foundation of their Federal building.

They further testified that there were no other rear-yard extensions on that block that extended so far into the backyard, i.e., 33' 3"; and,

Whereas, the Landmarks Committee took exception to the bulk of the proposed extension as well. Generally, extensions go up two stories, with further upper stories being set back. This full-width extension proposes to go up three full stories; and,

Whereas, the design of the rear facade is just a simulacrum of something historic; and

Whereas, the Landmarks Committee, like the neighbors, was rightly worried that so large an excavation could cause serious damage to the adjacent neighboring Federal house; and

Whereas, the committee recommends that instead of excavating so closely to the adjacent building, the applicant respect an angle of repose of, say, 45 degrees, to better protect the neighboring structure; and

Whereas, by excavating so much soil in the cellar and rear yard, and then filling the void with impermeable material, this application will deleteriously affect the water table and drainage of the area, an area in a flood zone, and will prevent percolation of water down to the aquifer; and

Whereas, this proposed excavation is all the more dramatic because there never was a cellar in the building, and now the applicant seeks to aggressively dig up a new level in a fragile 1829 structure; now

Therefore, be it resolved that CB2, Man. recommends approval of the work on the front facade; but, this secondary entrance should be restored to its original appearance and replace the current paneled residential door with an iron gate, with visibility from the sidewalk to the rear yard; and

Further, be it resolved that CB2, Man. recommends denial of so massive a rear extension, and also requests that LPC mandate an angle of repose in the cellar excavation that would not endanger the foundation of the adjacent Federal building; and

Further, be it resolved that CB2, Man. is concerned that replacing so much soil with impermeable material will negatively impact the water table, the drainage, the run-off, and the aquifer of the area, which is in a flood plain.

Vote: Unanimous, with 38 Board members in favor.

10 - LPC Item: 49 Carmine Street (n.e. Bedford) - Greenwich Village Historic District Extension. Application is to remove existing fixed-glass from storefront windows and replace them with operable panel window panes.

Whereas, bi-fold doors are not historic in Greenwich Village. No one on the committee could recall their presence before the 1970s, at the very earliest. The existing window fenestration is actually more historic; and

Whereas, the applicant could provide a commercial purpose, but no historical purpose for wanting to install operable windows that would open up his establishment to the street traffic; and

Whereas, since the applicant wishes to alter the ground-floor facade, he should go all the way, and tie together both sides of the storefront with appropriate corner details; now

Therefore, be it resolved that CB2, Man. recommends denial of this application that seeks to replace a somewhat historic window system with one lacking any historic precedent in Greenwich Village.

Vote: Unanimous, with 38 Board members in favor.

11 - LPC Item: 426 West 14th Street (9th Ave) - Gansevoort Market Historic District. A simplified neo-Georgian style warehouse building designed by Lafayette A. Goldstone and built in 1908-1910. Application is install storefront infill and a cellar stairwell

Whereas, the stairwell proposed as a second means of egress from the cellar to the street will encroach five feet into the sidewalk and impede pedestrian traffic, especially since it must be fenced off; and

Whereas, no other building on the block has such an arrangement; and

Whereas, a better solution would be to raise the bulkhead of the storefront and add more frame to the stairwell; now

Therefore, be it resolved that CB2, Man. recommends denial of this application that seeks to encroach unnecessarily on the public sidewalk, when it is possible to have the egress door and stair designed to be within the property line.

Vote: Unanimous, with 38 Board members in favor.

12 - LPC Item: 530 LaGuardia Place (Bleecker/W3rd) - South Village Historic District. A neo-Grec style store and lofts building designed by J. V. Close & Bro. and built in 1884. Application is to remove a skylight at the rear.

Whereas, this beautiful and detailed old skylight is so evocative of the days before widespread electricity, and is wonderfully ornate in its design; and

Whereas, this type of skylight is an integral part of historic loft buildings; and

Whereas, the committee was never presented with a plan; now

Therefore, be it resolved that CB2, Man. recommends denial of this application and urges the Commission to suggest to NYU a manageable way of preserving this emblematic 19th century loft building skylight feature: either by preserving it with a secondary skylight that does not remove this historic skylight or by restoring the original.

Vote: Unanimous, with 38 Board members in favor.

13 - LPC Item: 73 Washington Place - (6th/WashSqWest) - Greenwich Village Historic District. An 1847 late Greek Revival townhouse. Application is to legalize a stoop gate, and to add a penthouse, reconfigure front rooftop, removal of a rear yard addition and introduce a new rear yard extension, and add rear rooftop addition.

Whereas, neighbors attended to express their general opposition to this project; and

Whereas, the iron gate on the stoop is not original to this type of historic building. This is not a high crime area, which might necessitate such a feature; and

Whereas, there was no mock-up of the proposed penthouse available; and

Whereas, the rooftop addition of this penthouse, even if it cannot be seen from the street can still be seen from the surrounding buildings; and

Whereas, the proposal for so tall and wide a rear-yard extension, four stories in height, is unprecedented, especially in a Greek Revival building. The prominence of glass in that facade also distracts from the building; and

Whereas, the cellar excavation proposed could seriously compromise the foundations of the abutting historic buildings; and

Whereas, the committee recommends that instead of excavating as closely as possible to the adjacent building party walls, the applicant respect an angle of repose, of say, 45 degrees, to better protect the neighboring structure; now

Therefore, be it resolved that CB#2, Man. recommends **denial** of the application to legalize the stoop gate; and, further,

Be it resolved that CB2, Man. recommends **denial** of the penthouse because it can be seen from the surrounding buildings; and, further,

Be it resolved that CB2, Man. recommends that the upper level rear-yard extension be reduced and carved away into setbacks, to reduce its mass and soften its presence.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (A. Schwartz).

14 - LPC Item: 70 Bank Street (W4/Bleecker) - Greenwich Village Historic District. An altered Greek Revival style rowhouse designed by Baldwin & Mills and built in 1839-42. Application is to alter the front facade, construct a stoop, rooftop bulkheads, and a new rear facade and excavate the rear yard.

Whereas, the work on the front facade is typical of this style building; and

Whereas, the proposed rear facade work will not detract from the building or the district; but

Whereas, regarding the rear yard: excavating so much soil and filling the void with solid material will reduce the permeability of the land, adversely affecting the rain water runoff reaching the aquifer, instead of overloading the sewer line; and

Whereas, the rooftop addition will be noticeably visible; now

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

- Approval of the front facade and stoop:
- Approval of the rear facade:
- Denial of the visible roof top addition, suggesting the elevator landing not be extended to the roof, to limit the view of the extra tall bulkhead
- Approval of the excavation, but expressing reservations that rain run-off is not reaching the aquifer and contributing to the overload of the sewer line

Vote: Unanimous, with 38 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

1. 41 Great Jones Street (south side of Great Jones between Bowery and Lafayette). Application 150146AZSM by 41 Great Jones Holdings LLC to the City Planning Commission for a special permit pursuant to ZR 74-711 to modify ZR 42.00 to allow the conversion of a 5-story commercial office building in an M1-5B zone in the NoHo Historic District Extension to Use Group 2 residential use. The project will include a one-story rooftop addition conforming to the bulk regulations of the underlying zoning for which a Certificate of Appropriateness was issued by the Landmark Preservation Commission in June, 2014

Whereas:

1. This application was presented to the Land Use committee by Jerry Johnson of FoxRothschild at its February 11, 2015 and March 11, 2015 meetings;
2. The applicant's plan includes creation of a triplex apartment occupying the cellar, ground and second floors; a duplex apartment on the third and fourth floors; and another duplex apartment on the fifth and (new) rooftop floors;
3. According to the applicant's Project Description (p.3), the 3d, 4th and 5th floors of the building were used as artists' joint live/work quarters beginning in 1979;
4. Ms. Lanny Alexander, executive director of the Loft Board, attended the committee's March 11, 2015 meeting to explain the Loft Board's history and the documentation that must accompany a building's units if they are to be eligible for conversion to market rate residential;
5. According to information obtained from the Loft Board, the building came under the jurisdiction of the NYC Loft Board in the 1980s and the building's Certificate of Occupancy was issued for JLWQA;
6. According to the Loft Board, the fourth floor was abandoned and so went out of rent regulation; when the third and fifth floors left the Loft Board's jurisdiction, they went into rent-stabilization status and moved to NYS Division of Housing and Community Renewal (DHCR);
7. The applicant was unable to provide documentation supporting these three floors' current status with respect to rent regulation or deregulation;

8. A finding for a special permit requires that any use modifications have only minimal adverse effects on conforming uses within the building and the neighborhood;
9. JLWQA is a conforming use that provides opportunities for more affordable residential rentals and purchases, which, in turn, helps maintain the diversity of the NoHo/SoHo area in general and its attractiveness to artists in particular;
10. Loss of JLWQA units in this building will have a significant adverse effect on the mixed-use nature of NoHo/SoHo and therefore the application does not meet the conditions required for a special permit under 74-711.

Therefore it is resolved that CB2, Man.:

1. CB2, Man. recommends denial of this application until sufficient documentation is provided that the third, fourth and fifth floors are eligible for conversion to market rate residential, after having followed the legalization process under the Loft Law.
2. Because the loss of JLWQA is a de facto loss of affordable housing stock in the District, a threat to the vibrant, mixed-use nature of the surrounding area, and a matter of great and ongoing concern for CB2, even if the units on these floors are not subject to rent stabilization under the Loft Law, CB2 recommends denial of this application unless JLWQA status is preserved for two full floors of the building.

Vote: Passed, with 37 Board members in favor, and 1 recusal (S. Wittenberg).

2. The Zoning for Quality and Affordability Text Amendment CEQR No. 15DCP104Y seeks to promote affordable senior housing and care facilities, modernize the rules that shape buildings and reduce unnecessary parking requirements for affordable housing;

Whereas:

1. CB2, Man. wholeheartedly supports these goals and seeks a scope that will assure opportunities for CB2 to have input in achieving those goals;
2. While some of this plan will not affect CB2, Part 2 (modernizing the rules that shape buildings) would significantly affect both the two areas within CB2 where contextual rules currently apply, and larger areas where CB2 supports new zones using current rules;
3. These changes could increase the allowed heights of buildings as much as 20% to 30%;
4. Contextual zoning in these areas resulted from a public process that included extensive community involvement and created compromises that allowed taller building that did not infringe on neighborhood and historic local character;
5. While the plan offers good ideas that may have positive effects in many areas, implementation would eliminate all existing options and current rules, including those that have successfully protected neighborhood character and created many new and often very attractive buildings ;
6. In fact, the Quality Housing height limits currently in effect within CB2 have had a positive effect, keeping the scale of new development in character with existing, highly successful neighborhoods. This suggests that the proposed 20% increase in height for market rate development in R7-A and R8-A equivalent zones is unnecessary in our district;
7. CB2 has proposed new contextual zones in the South Village and the University Place corridor, areas that are not within historic districts. In these areas, the proposed zoning changes are likely to spur redevelopment of older and smaller buildings including some that are National Register listed or eligible, buildings that would more likely to survive under existing contextual rules.
8. Likewise, the proposed changes would encourage teardowns of existing buildings in the district that will also drive housing costs higher and have a negative impact on diversity and affordability;

9. A review of the proposed text as a neighborhood-based option rather than a no-option, one-size-fits-all replacement can provide mechanisms to mitigate significant impacts in some districts while implementing positive changes in other areas—even within the same community board district ;
10. It is unclear to CB2 whether the proposed scope will allow consideration of such an option-based plan;
11. The scoping timeframe for this plan does not allow community boards sufficient time to fulfill their Charter-mandated review or to hear comments from local community groups and individuals ;
12. Neither CB2 nor the public has had the opportunity to hear a presentation from the Department of City Planning or to get answers to questions regarding the scope;

Therefore it is resolved that CB2:

1. Requests extension of the scoping timeframe for an additional 60 days to allow more community participation and to assure that the scope is sufficiently broad to secure a successful outcome that respects the diverse characters, scales, population profiles and needs of our communities.
2. In any case, the scope should allow consideration of a plan that is flexible enough to assure successful application to the full variety of New York City neighborhoods, for example by providing options in existing contextual zones and quality housing areas.

Vote: Unanimous, with 38 Board members in favor.

PARKS/ WATERFRONT

1. Resolution in support of the revised Planned for Renovation of Father Fagan Park

Whereas

1. Original scoping and design for a renovation of Father Fagan Square, on Avenue of the Americas between Prince and Vandam Streets, was approved by CB2 in 2013; and
2. The design for this park requires approval by DEP, which maintains underlying sewer and water mains, and this project has been stalled for years for lack of coordination between DEP and DPR, and only now is able to move forward; and
3. The redesign responds to DEP’s need for access to underlying sewer and water mains, FDNY’s need for access by emergency vehicles, and MTA’s concerns for the subway that runs underneath; and
4. The redesign calls for a curb cut on Prince Street, a wide path through the park, and a stretch of clear sidewalk on Avenue of the Americas to allow access to emergency vehicles; and
5. The redesign calls for cement paving, as it is easy to replace in the event of DEP service work to the underlying sewer and water mains, and no structures to be built atop the access area to the mains; and
6. DEP has agreed to inspect sewer and water mains before construction begins so as to reduce the need for later servicing, and has agreed to a narrower access corridor than it normally requires; and
7. Renovation will include inspection of existing trees; addition of water source for plant maintenance; vegetation beds; World’s Fair benches; existing lighting; a water fountain; and trash cans; and
8. Members of the community requested an increase in the number of trash cans planned for the space, and expressed concern over the maintainability of the plantings; and expressed concern that the existing lighting was insufficient to provide safety; and

9. Members of the community voiced strong support for a plaque honoring Father Fagan and replacement of the trees honoring the fallen firemen.

Therefore it is resolved, that CB2:

1. Recommends approval of the proposed design for Father Fagan Square and requests that this long-delayed project proceed expeditiously; and
2. Strongly urges DPR to create a plaque honoring the history of Father Fagan, the namesake of this park, and work with the MTA and/or DOT to replace the dead or dying trees planted in honor of the fallen fireman.

Vote: Unanimous with 38 Board Members in favor.

2. Resolution in support of the ground text design for the AIDS Memorial in St. Vincent's Triangle Park

Whereas

1. Design of the AIDS Memorial, which CB2 has supported consistently, has already been approved by the Public Design Commission, but has been awaiting final design of the ground text component of the work; and
2. The ground text design presented by NYC AIDS Memorial has been created by renowned artist Jenny Holzer and consists of excerpts from Walt Whitman's poem, "Song of Myself," engraved into granite pavers on the ground in a spiral pattern beginning at the water feature at the center of the memorial and extending throughout the memorial; and
3. This design was well-received by our committee and members of the community, though it was noted that it departed from the NYC AIDS Memorial's stated mission to "remember the history of the crisis" in that it included no facts or narrative elements at all, to which NYC AIDS Memorial responded that they planned to fulfil that goal through event programming and online information.

Therefore it is resolved, that CB2:

1. Manhattan Community Board 2 recommends approval of this beautiful design for the ground text at the NYC AIDS Memorial and that
2. CB2 strongly encourages NYC AIDS Memorial to find means to provide visitors with historical information on the AIDS crisis, including its place in the history of Greenwich Village and St. Vincent's Hospital.

VOTE: Passed, Unanimous with 38 Board Members in favor.

SCHOOLS AND EDUCATION

Resolution Against Governor Cuomo's Education Plan

Whereas:

1. The Governor is holding New York City's education funding hostage so that he can push policy changes through the budget process;
2. The Governor is bypassing due process for changing education policies, such as teacher evaluations, charter caps and mayoral control, that would normally require a formal vetting process and a separate vote of the State legislature;

3. Two of the most harmful policy changes are a) the teacher evaluation proposal that would base 50% of teacher evaluations on Math and ELA test scores, another 35% on evaluations made by outside consultants and only 15% on the principal (down from 60%) and apply this to teachers in all subjects including art, gym, science, inevitably increasing the incentive to narrow the curriculum and teach to the tests and b) the plan to lift the statewide cap on charter schools *and* the elimination of geographic limits that could lead to a huge increase in the number of charters schools in NYC and put the current and new schools in CB 2 at risk for co-location; and,
4. The overarching response from our community is opposition to the Governor's education plan, particularly the teacher evaluation proposal, and the desire to take action against it.

Therefore it is resolved, that Manhattan Community Board 2:

1. Cherishes our children, teachers and principals and strongly opposes the linking of education policy and education funding;
2. Strongly urges the Governor and State legislature to re-empower mayoral control under Chancellor Farina so that education policy can be made at the city level;
3. Supports changes to education policies *only after* a public vetting process and analysis of how these proposed changes will impact the education of our children; and,
4. Strongly opposes the Governor's education plan and urges all Assembly members and Senators to vote against the Governor's proposal.

VOTE: Passed, Unanimous with 38 Board Members in favor.

SIDEWALKS/STREET ACTIVITIES

1. New App. to Department of Consumer Affairs for Newsstand at:

North West Corner of Washington St. & Little West 12th St. (in front of 848 Washington St.) (1852-2015- ANWS) **Withdrawn**

2. New App. for revocable consent to operate an unenclosed sidewalk café for:

Buona Notte, Inc., 120 Mulberry St., with 6 tables & 12 chairs (1698-2015-ASWC)

Whereas, the area was posted, community groups notified and there were no community members were present regarding this application and applicant appeared by its representative, Michael Kelly; and

Whereas, this café has been operating at this located for more than twelve years with the DCA regulated hours of operation; the principals remain the same; and, the sidewalk café configuration, with 18" x 18" tables, remains the same; and

Whereas, this is a new application because the consent to operate the café had expired; and

Whereas, DCA directed the removal of the concrete platform in the summer of 2014; and

Whereas, applicant removed the platform in the fall of 2014 after its consent had expired;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Buona Notte, Inc., 120 Mulberry St., with 6 tables & 12 chairs (1698-2015-ASWC)**.

VOTE: Passed, Unanimous with 38 Board Members in favor.

3. New App. for revocable consent to operate an unenclosed sidewalk café for:

E2 185 Bleecker LLC., 185 Bleecker St., (NE corner of Bleecker & MacDougal Sts.) with 4 tables & 8 chairs (1857-2015-ASWC), INCORRECTLY stated as 5 tables & 10 chairs;

Whereas, the area was posted, community groups notified and there were no community members were present regarding this application and applicant appeared by its representative, Jim Haber; and

Whereas, this is a new owner, at a location (formerly known as Ciao) where the priori owners, operated a sidewalk café for more than eight years with the DCA regulated hours of operation; and

Whereas, the plans show 4 tables and 8 seats, a significant reduction in tables from that of the former café operator who had 11 tables and 22 chairs; and

Whereas, the hours of operation in the sidewalk café are the DCA regulated hours of operation;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **E2 185 Bleecker LLC., 185 Bleecker St., (NE corner of Bleecker & MacDougal Sts.) with 4 tables & 8 chairs (1857-2015-ASWC), INCORRECTLY stated as 5 tables & 10 chairs;**

VOTE: Passed, Unanimous with 38 Board Members in favor.

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

Italian Wine Company, LLC, d/b/a Anima, 38 8th Avenue, (bet 12th & Jane Sts.) with 7 tables & 14 chairs (1765-2015-ASWC), INCORRECTLY stated as 14 tables & 7 chairs;

Whereas, the area was posted, community groups notified and there were no community members were present regarding this application and applicant appeared by its representative, Ron Levine; and

Whereas, this is a new application because the consent to operate the café expired; and

Whereas, there has been a café (with tables on W. 4th St. only) with the same operator, approved by CB2, at this location, for more than five years with DCA regulated hours of operation and with no quality of life issues;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Italian Wine Company, LLC d/b/a Anima, 38 8th Avenue, with 7 tables and 14 chairs (1765-2015-ASWC), INCORRECTLY stated as 14 tables & 7 chairs;**

VOTE: Passed, Unanimous with 38 Board Members in favor.

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

Happy Cooking Bistro LLC, 322 Spring St., (corner of Greenwich St.) with 10 tables & 24 chairs (2297-2015-ASWC);

Whereas, the area was posted, community groups notified and there were no community members were present regarding this application and applicant appeared by its representative, Michael Kelly; and

Whereas, this is a new owner, at a location, formerly known as Pao, since on or about 1997; with the DCA regulated hours of operation; and

Whereas, this application is a significant reduction in tables from that of the former café operator who operated a café with 16 tables and 32 chairs; and

Whereas, there are no tables on Greenwich Street; and,

Whereas, the applicant agreed to maintain the DCA regulated/Landmarks approved retractable awning and remove the bench on Greenwich Street as well as the cement planters on Spring Street;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Happy Cooking Bistro LLC, 322 Spring St., (corner of Greenwich St.) with 10 tables & 24 chairs (2297-2015-ASWC);**

VOTE: Passed, Unanimous with 38 Board Members in favor.

6. New App. for revocable consent to operate an unenclosed sidewalk café for:

Yerina Restaurant Corp. d/b/a Arte Restaurant, 21 E 9th St., (bet. University Pl. & Fifth Ave.) with 3 tables & 8 chairs (2306-2015-ASWC);

Whereas, the area was posted, community groups notified and there were no community members were present regarding this application and applicant appeared by its representative, Michael Kelly; and

Whereas, this restaurant has operated for more than 19 years at this location by the same owner/principal; and

Whereas, the zoning designation at this location changes from C-1 to R-7 somewhere along the westerly property line; but the City zoning maps are inconclusive as to exactly where the change occurs; and

Whereas, the street light placement results in a clearance issue for the front row of tables; and

Whereas, the applicant has agreed to 1) eliminate the front row tables and to a reduction to 3 tables and 8 chairs; 2) submit a modified plan to DCA reflecting the new configuration as stated above; 3) maintain the retractable awning; and, 4) operate pursuant to the DCA regulated hours of operation;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Yerina Restaurant Corp. d/b/a Arte Restaurant, 21 E 9th St., (bet. University Pl. & Fifth Ave.) with 5 tables & 10 chairs (2306-2015-ASWC);** and

FURTHER, BE IT RESOLVED, that Community Board requests that DCA verify the zoning boundaries at 21 East 9th Street.

VOTE: Passed, Unanimous with 38 Board Members in favor.

7. New App. for revocable consent to operate an enclosed café for:

Starbucks Corporation d/b/a Starbucks Coffee Company, 454 Lafayette St. with 25 tables & 77 chairs (0924582-DCA)

Whereas, the area was posted, community groups notified and there were no community members present regarding this application; however, the applicant was not present;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this NEW application for revocable consent to operate an ENCLOSED sidewalk café for **Starbucks Corporation d/b/a Starbucks Coffee Company, 454 Lafayette St. with 25 & 77 chairs (0924582-DCA)**.

VOTE: Denied, Unanimous with 38 Board Members opposed.

8. New App. for revocable consent to operate an enclosed café for:

Duet NY, LLC d/b/a Duet Brasserie, 74 Seventh Ave. Sth. a/k/a 37 Barrow St., with 13 tables & 42 chairs (2015267-DCA)

Whereas, the area was posted, community groups notified and there were no community members were present regarding this application and applicant appeared by principal, Natalia Batash and its attorney Constantine Frangopoulos; and

Whereas, this is new owner at this location where there has existed an enclosed sidewalk café since the 1980's (most recently Lemongrass Grill & Cento); and

Whereas, this applicant agrees to remove all the planters along the outside of the café for greater pedestrian access;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this NEW application for revocable consent to operate an enclosed sidewalk café for **Duet NY, LLC d/b/a Duet Brasserie, 74 Seventh Avenue Sth. a/k/a 37 Barrow St., with 13 tables & 42 chairs (2015267-DCA)** **CONDITIONED UPON** the removal of all of the planters along the outside of the café.

VOTE: Passed, Unanimous with 38 Board Members in favor.

9. Renewal Application For Sidewalk Café (Enclosed):

Sangre Rest. Inc., d/b/a Tio Pepe, 168 W.4th St., with 8 tables & 16 chairs (0693313-DCA);

Whereas, this renewal was posted on the CB2 renewal calendar and no community member requested that this application be heard before the committee; however, one committee member Rocio Sanz, recused herself, as she is a principal of Sange Rest. Inc., resulting in other than a "unanimous" vote; and **Whereas**, this applicant has operated this enclosed café for more than 20 years with no issues;

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of this RENEWAL application for **Sangre Rest. Inc., d/b/a Tio Pepe, 168 W.4th St., with 8 tables & 16 chairs (0693313-DCA)**;

VOTE: Passed, Unanimous with 38 Board Members in favor.

10. Renewal Applications For Sidewalk Cafes (Unenclosed):

Whereas, the renewals below were posted on the CB2 Manhattan 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.

- Maneken Corp., d/b/a Petite Abeille, 466 Hudson St., with 6 tables & 12 chairs (0979768-DCA) (unenclosed)
- Mulberry Street Bar LLC, d/b/a Mulberry Street Bar, 176 ½ Mulberry St., with 4 tables & 16 chairs (1164852-DCA) (unenclosed)
- 316 Bowery LLC, 316 Bowery, with 17 tables & 34 chairs (1281748-DCA) (unenclosed)
- West 12th Street Restaurant Group LL C, d/b/a Wall Flower, 235 W. 12th St., with 2 tables & 4 chairs (2000382-DCA) (unenclosed)
- Four Green Fields LLC, 140 7th Ave. S., with 19 tables & 38 chairs (1220688-DCA) (unenclosed)
- 643 Hudson LLC, d/b/a Fatty Crab, 643 Hudson St., with 6 tables & 12 chairs (1230448-DCA) (unenclosed)

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of the above referenced **RENEWAL** applications for revocable consents to operate sidewalk cafés.

VOTE: Passed, Unanimous with 38 Board Members in favor.

Applications for Street Activities Permits:

Whereas, CB2 Man. attempts to determine within its ability that each sponsor is a community-based, not-for-profit organization, association, or the like, which has an indigenous relationship to the specific street, community or both; and

Whereas, community groups were notified and the applicants, as noted, were present regarding the applications below:

New Application for a Street Activity Event:

1. 5/2/15 Whitney Museum Dedication: Public Opening Block Party, 99 Gansevoort St. bet. 10th Ave. & Washington St.

Whereas, applicant, Whitney Museum of Art, appeared by its representative, Jane Carey, Community Affairs Manager, for this art engagement event consisting of: one stage; ten, tented booths of local American artists; a fire lane; and no commercial vendors (food or otherwise); from 10:30 a.m. to 6 p.m.; and

Whereas, CB2, Man. is very supportive of the Whitney Museum's presence in our community;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of this event at 99 Gansevoort St. bet. 10th Ave. & Washington St.

Vote: Unanimous, with 38 Board members in favor.

Renewal Applications for Street Activity Events (with issues):

2. 5/31/15 Village Committee for Jefferson Area Market & Federation to Preserve the Greenwich Village Waterfront; (co-Sponsored); Bleecker St. bet Christopher & Bank Sts.

Whereas, applicant, Village Committee for Jefferson Area Market appeared before the committee at the February, 2015 meeting; and

Whereas, this application as to the Federation to Preserve the Greenwich Village Waterfront (hereinafter referred to as "FPGVW") was laid over to the March, 2015 committee meeting; and

Whereas, the FPGVW, appeared by Ben Green, President who stated that FPGVW spends \$500.00 per month to store photographs of the waterfront, the negatives of which have been destroyed or damaged years ago; and

Whereas, this organization does not have a website nor an email address; no current or planned fund raising activities, other than this street fair; no current or planned programs; and

Whereas, applicant's representative was not prepared to discuss the organization's finances;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this event as to **Village Committee for Jefferson Area Market** and **DENIAL** of this event as to the **Federation to Preserve the Greenwich Village Waterfront**; on Bleecker St. bet Christopher & Bank Sts.

Vote: Unanimous, with 38 Board members in favor.

3. 10/3/15 Village Independent Democrats & Federation to Preserve the Greenwich Village Waterfront (co-sponsored); 1) W. 4th St. bet 6th Ave. & MacDougal St.; 2) Washington Square South bet MacDougal St. & LaGuardia Pl.

Whereas, applicant, Village Independent Democrats appeared before the committee at the February, 2015 meeting; and

Whereas, this application as to the Federation to Preserve the Greenwich Village Waterfront (hereinafter referred to as "FPGVW") was laid over to the March, 2015 committee meeting; and

Whereas, the FPGVW, appeared by Ben Green, President who stated that FPGVW spends \$500.00 per month to store photographs of the waterfront, the negatives of which have been destroyed or damaged years ago; and

Whereas, this organization does not have a website nor an email address; no current or planned fund raising activities, other than this street fair; no current or planned programs; and

Whereas, applicant's representative was not prepared to discuss the organization's finances;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of this event as to **Village Independent Democrats** and **DENIAL** of this event as to the **Federation to Preserve the Greenwich Village Waterfront**; on 1) W. 4th St. bet 6th Ave. and MacDougal St.; 2) Washington Square South bet. MacDougal St. & LaGuardia Pl.

Vote: Unanimous, with 38 Board members in favor.

4. 10/18/15 STONEWALL Veteran's Association & St. Stephen Our Lady of the Scapular Fair (co-sponsored); Greenwich Ave. bet. 7th Ave. Sth. & 8th Ave.

Whereas, CB2, Man. for several years now and in prior resolutions, continues to maintain that STONEWALL Veterans is essentially a one-man organization that provides no benefit to anyone else; and

Whereas, St. Stephen Church is located in CB6 and has no indigenous relationship to CB2;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this event, in its entirety, on Greenwich Ave. bet. 7th Ave. Sth. & 8th Ave.

Vote: Unanimous, with 38 Board members in favor.

Renewal Application for Street Activity Events (with NO issues):

5. 5/9/15 P.S. 3 Spring Fling Block Party, 490 Grove St. bet Hudson and Bedford Sts.

Whereas, this street event has been held for 3 or more years without any issues; was published on the CB2 calendar of Meetings; and, no members of the community requested a public hearing be held regarding it.

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of this event on Grove St. bet. Hudson and Bedford Sts.

Vote: Unanimous, with 38 Board members in favor.

SLA LICENSING

1. PMW Inc., d/b/a Spring St. Natural, 98 Kenmare St. 10012 (Removal application for Restaurant On Premise Liquor License, SN1028384 to previously licensed location).

Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee to present a removal application to move their existing Restaurant Liquor License originally issued in 1974 at 62 Spring St. to a new location approximately 1 block away at 98 Kenmare St.; and

Whereas, the applicant has operated its Spring Street Natural Restaurant within the confines of CB2 Man. without interruption for approximately 45 years serving organic, healthy cuisine in a casual environment on Spring Street and now seeks to continue its tradition by moving its existing operations and business to a new storefront located in a 6-story mixed-used building (circa 1900) on Kenmare Street between Cleveland Place and Mulberry Streets; and

Whereas, the applicant will continue to operate a full service restaurant at 98 Kenmare St. featuring organic, healthy cuisine in a 4,000 SF space (Ground Floor 2400 SF and 2,600 SF Basement) with 60 tables and 120 seats, 2 Bars with 14 seats for a total occupancy of 134; and

Whereas, while the current applicant has no prior relationship, knowledge or understanding of the prior operator and licensee at the 98 Kenmare storefront, the prior operator and licensee at 98 Kenmare had a checked past, consistently violated its prior stipulation agreements with the Community and with CB2 Man., changed its d/b/a at least 3 times (From Civetta to Kenmare to MaisonO) and the method of operation—with no notification to the Liquor Authority or CB2 Man.—from one of primarily food service to no food service and improperly permitting another company and second operator to operate a basement lounge until 4:00 AM seven days a week which was hidden and not identified or listed on its on premise license causing significant disruption to the residential dwellers living in the same building directly above the premises; and

Whereas, because of these prior problems (previously outlined at length in a CB2 Man. resolution dated June 20, 2013) with the prior operator, Residents and the President of the Tenant’s Association at 86 Kenmare Street appeared to voice their concerns about the prior operations at the same premises, to make sure the new operator was made aware of and understood of the extremely disruptive problems of the past and to ensure that the new operations would abide by a new stipulations agreement which permitted the new operator to operate a successful restaurant but without creating an unreasonable late night infringement and/or encroachment on their lives; and

Whereas, the residents requested that the applicant install an awning over its sidewalk café should it seek to operate a sidewalk café in the future; and

Whereas, the new operator agreed to hours of operation—consistent to its prior method of operation at its prior location on Spring Street—and those hours will be from 10 am to 12 am seven days per week, all doors and windows will be closed by 9 pm daily, there will be no TVs, music will be quiet background consisting of music from ipod/cd’s; there will be no d.j.s, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

Whereas, there is no backyard garden but the licensee plans to operate a sidewalk café in the future, but the licensee agreed to cease all service of alcohol and close the café by 11 pm every night, indicated that he would consider installing an awning over the sidewalk café area and further agreed to return and reappear before CB#2 Man.’s Sidewalk Café Committee for this purpose; and

Whereas, the applicant executed a stipulations agreement with CB#2 Man. that they agreed would be attached and incorporated in to their method of operation on their On Premise restaurant license and those stipulations are as follows:

1. The premises will be advertised as a full service natural food restaurant and will not operate as a Lounge, Tavern, Bar or Sports Bar.
2. The hours of operation will be from 10 am to 12 am seven days per week.
3. The sidewalk café will close by 11 PM every night.
4. There will be no televisions.
5. All doors and windows will be closed by 9 pm daily.
6. Will operate under only one d/b/a name known as Spring Natural Restaurant for the entire premises, including the basement premises.
7. There will be no French doors or windows that open out onto the public sidewalk.
8. There will be no dancing.

9. Music will be quiet, background only and there will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers.

Whereas, there are currently approximately 20 On Premise Liquor Licenses within 500 ft of the premises (not including beer and wine licenses); and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the removal application of a Restaurant Liquor License for **PMW Inc., d/b/a Spring St. Natural, 98 Kenmare 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 its Restaurant Liquor License.

Vote: Unanimous, with 38 Board members in favor.

2. 390 Broome Restaurant LLC, d/b/a Seamore’s, 390 Broome St. (New OP license, previously unlicensed location).

Whereas, the applicant appeared before CB#2 Man.’s SLA Licensing committee for a new On Premise license to operate a neighborhood restaurant focusing on fresh sustainable seafood in a 6-story mixed-use building (Circa 1900) located on the corner of Broome and Mulberry Streets; and

Whereas, the storefront premises have been vacant for a number of years but have never previously operated with a liquor license or as an eating and drinking establishment and the applicant seeks to renovate the premises to operate a full service restaurant in a 3,300 SF (ground floor 1,800 SF and basement 1,500 SF) premises with 15 tables and 60 seats, 1 bar with 9 seats for a total occupancy of 69 seats; and

Whereas, as a part of the renovation of the premises there will be soundproofing installed, there will be a small 4 door section of accordion doors that will run along the storefront but those doors, as well as all its other doors and windows will be closed by 10 pm every night seven days a week; and

Whereas, the hours of operation will to be from 9 am to 12 am (midnight) seven days a week, there will no TVS, music will be quiet background, there will be no DJs, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

Whereas, the applicant plans to operate a sidewalk café in the future, but the applicant agreed to cease all service of alcohol and close the sidewalk café by 10 pm Sunday through Thursday and at 11 pm on Fridays and Saturday nights, indicated that he would consider installing an awning over the sidewalk café area and further agreed and understood that he still needed to return and reappear before CB#2 Man.’s Sidewalk Café Committee for this purpose; and

Whereas, the operator did reach out and received support from neighborhood residents and the Bowery Block Association on the pretext that the sidewalk café would close by 10 pm on the weekdays and 11 pm on the weekends and that the sound of music would not be audible outside the premises to which the applicant agreed herein; and

Whereas, the applicant executed a stipulations agreement with CB#2 Man. that they agreed would be attached and incorporated to their “method of operation” on their OP license stating that:

1. The premises will be advertised as a full service neighborhood restaurant focusing on fresh sustainable seafood and will not operate as a Lounge, Tavern, Bar or Sports Bar.
2. The hours of operation will be from 9 am to 12 am (midnight) every day/night seven days a week.
3. The sidewalk café will close by 10 pm Sunday through Thursday and at 11 pm on Fridays and Saturday nights.
4. There will be no televisions.
5. All doors and windows will be closed by 10 pm every night.
6. Will operate under only one d/b/a name known as Seamore's Restaurant for the entire premises.
7. There will be no dancing.
8. Music will be quiet, background only and not audible outside the premises.
9. There will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, outside wait lines, no velvet ropes and no movable barriers.

Whereas, there are currently approximately 20 On Premise Liquor Licenses within 500 ft of the premises (not including beer and wine licenses); and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an Restaurant On Premise Liquor license to **390 Broome Restaurant LLC, d/b/a Seamore's, 390 Broome St.** 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 38 Board members in favor.

3. Soseb LLC, d/b/a Cocotte, 110 Thompson St. 10012 North Store Front (Upgrade to Restaurant Liquor License from existing Restaurant Wine license, North Side Storefront only)

Whereas, the applicant appeared before CB#2 Man.'s SLA Committee seeking to change its class of license to a full on premise Restaurant Liquor License from an existing Restaurant Wine license, but has no plans to alter its existing method of operation and will continue to operate as a French Bistro restaurant in a 750 SF ground level located on the north side storefront only in a 6-story mixed-use building (circa 1900) located on Thompson Street between Spring and Prince Streets; and

Whereas, the application herein is limited to the north side storefront of 110 Thompson Street and there is no interior connection between the North Side and South Side storefronts at 110 Thompson Street; and

Whereas, the restaurant will continue to operate with a full service kitchen at all times, there will be one bathroom, one entrance/exit for patrons on Thompson Street, there will be fixed windows on Thompson Street that do not open, there will continue to be 10 tables with 35 seats, 1 bar with 4 seats for a total seating capacity of 39 patrons; there is no outside area or sidewalk café; and

Whereas, the hours of operation will continue to be Monday through Friday from 12 PM to 1 AM and on Saturdays and Sundays from 11 AM to 1 AM; 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 performed outreach to neighbors and local residents, including residents of 110 Thompson Street, who appeared in support of the upgrade in licensing and who felt that the existing operator has been a good neighbor and positive addition to the neighborhood; 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 at all times.
2. Will operate with hours of operation 12 PM to 1 AM and on Saturdays and Sundays from 11 AM to 1 AM.
3. There will be no TVs and will not operate as a Bar, Tavern or as a Sports Bar.
4. All doors and windows will be closed by 8 PM every night.
5. There will be no sidewalk café.
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.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an upgrade to a Restaurant Liquor License for **Soseb LLC, d/b/a Cocotte, 110 Thompson 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 On Premise License.

Vote: Unanimous, with 38 Board members in favor.

4. Cocotte Fifth Ave LLC d/b/a t/b/a, 110-112 Thompson South Storefront (OP license for South Side Storefront only, previously unlicensed location).

Whereas, the applicant appeared before CB#2 Man.'s SLA Licensing Committee for an On Premise license to operate a "French Bistro" restaurant in a 250 SF ground level premises located on the southern storefront of a 6-story mixed-use building (circa 1,900) on Thompson Street between Spring and Prince Streets; and

Whereas, even though the premises previously operated as a retail clothing store, it will need to be renovated and has never operated as an eating or drinking establishment or with a liquor license, the applicant failed to submit a certificate of occupancy or letter of no objection from the NYC Building Department that permitted eating and drinking at the south side storefront premises of 110 Thompson Street; and

Whereas, the applicant already operates a French Bistro restaurant with a Restaurant Wine license in the northern storefront of 110-112 Thompson Street and now plans to renovate the southern storefront to operate a second "French Bistro" with a second separate and distinct On Premise Liquor License in the southern storefront previously operated as a clothing store; and

Whereas, there is no interior connection between the North Side and South Side storefronts at 110-112 Thompson Street and both businesses will operate separately under a new corporate structure, a new but unidentified d/b/a and a separate liquor license; and

Whereas, simultaneously with the instant application this same applicant has separately sought to upgrade his existing Beer Wine license to a full On Premise Restaurant Liquor License in the northern storefront so that if this additional license was approved there would be two separate on premise liquor licenses in the same building where no on-premise license currently exists; and

Whereas, the applicant had not yet identified the name of his new business but purportedly plans to operate the new southern storefront premises as a bistro restaurant with an electrical oven, sandwich press and soup warmers but there will be no full service kitchen and there will only be 1 table with 3 seats and 1 stand up bar with 4 seats for an overall seating occupancy for 7 patrons; and

Whereas, the hours of operation will be 12 pm to 1 am daily Sunday through Saturday, music will be quiet background only and there will be no promoted events, no scheduled performances or cover fees; and

Whereas, there are at least 12 existing on premise liquor licenses within 500 feet of the premises, this location is zoned residential and any permitted use would be a grandfathered use, there are concerns that the applicant did not provide a coherent plan for the use of the south side storefront, initially stating that the southern storefront would be used for patrons waiting for a table next door in the northern storefront restaurant but thereafter withdrew that operating plan, that there were additional concerns that the southern storefront would operate as a bar in such a small space without a full service kitchen and that the premises would not operate as a bistro restaurant as the applicant had stated, that the applicant already operates a bistro restaurant in the same building albeit in a separate, non-contiguous storefront and that CB2 Man. has already recommended approval of that alteration application to upgrade that license subject to a stipulation agreement agreed to by the applicant and because there is no viable rationale that a second OP license in the same building is in the “public interest” without first presenting a coherent method of operation or the proper permits to use that space for eating and/or drinking and there is concern that while perhaps separate, the operation of these two spaces under the same ownership structure, in conjunction with each other and with patrons moving between locations would create an impact on quality of life issues, noise and congestion in the immediate area which is not zoned for commercial use and is zoned exclusively for residential use; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for **Cocotte Fifth Ave LLC d/b/a t/b/a, 110-112** on its application seeking an OP 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;

THEREFORE BE IT FURTHER RESOLVED that if this application proceeds to the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB#2, Man. requests that the SLA conduct a 500 foot hearing because the two storefronts sought to be combined with the existing licenses has never been licensed for the service of alcohol at any point in the past and that this resolution be entered into the record in opposition.

Vote: Unanimous, with 38 Board members in favor.

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

5. COS206 LLC, d/b/a Costata, 206 Spring St. 10012 (on-premise, laid over at request of attorney)

Whereas, prior to this month’s CB2 SLA Licensing Committee meeting on March 10th, 2015, 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 an alteration of an existing On Premise 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 **COS206 LLC, d/b/a Costata, 206 Spring 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 Board members in favor.

6. SoHo Grand Hotel LLC, SoHo Grand Hotel, 310 W. Broadway 10013 (alteration requested to add outdoor patio to on-premise license, laid over at request of attorney)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 10th, 2015, 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 an alteration of an existing On Premise 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 **SoHo Grand Hotel LLC, SoHo Grand Hotel, 310 W. Broadway 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

7. Sweetgreen New York LLC, d/b/a Sweetgreen Nolita, 100 Kenmare St. 10012 (beer wine license, laid over at request of applicant)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 10th, 2015, 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 **Sweetgreen New York LLC, d/b/a Sweetgreen Nolita, 100 Kenmare St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

8. Two Hands, 164 Mott St., 10013 (withdrawn by applicant)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 10th, 2015 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 Beer and Wine or On Premise license to **Two Hands, 164 Mott 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 38 Board members in favor.

9. 135 LLC, d/b/a Once Upon a Tart, 135 Sullivan St. North and South Stores 10012 (laid over at request of attorney)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 10th, 2015 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 Beer and Wine or On Premise license to **135 LLC, d/b/a Once Upon a Tart, 135 Sullivan St. North and South Storefronts** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

10. 135 LLC, d/b/a Once Upon a Tart, 135 Sullivan St. North Side 10012 (north side storefront only, laid over at request of attorney)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 10th, 2015 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 Beer and Wine or On Premise license to **135 LLC, d/b/a Once Upon a Tart, 135 Sullivan St. North Side** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

11. An Entity to be Formed by Daniel La Vain, 144 Sullivan St. 10012 (laid over at request of attorney)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 10th, 2015 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 Beer and Wine or On Premise license to **An Entity to be Formed by Daniel La Vain, 144 Sullivan St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

12. Comodo Food & Wine LLC, d/b/a Comodo, 58 MacDougal St. 10012 (withdrawn by applicant)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 10th, 2015 the principal/applicant requested 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 Beer and Wine or On Premise license to **Comodo Food & Wine LLC, d/b/a Comodo, 58 MacDougal St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

13. Herm LLC, 160 Prince St. 10012 (laid over at request of attorney)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 10th, 2015 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 an On Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Herm LLC, 160 Prince St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

14. Hatch LLC, 45 Grand St. 10013 (withdrawn)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 10th, 2015 the principal/applicant requested 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 Beer and Wine or On Premise license to **Hatch LLC, 45 Grand St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

15. DomoDomo LLC d/b/a Domodomo, 138 West Houston St. 10012 (New Restaurant Wine License)

Whereas, the applicant and applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a previously unlicensed location for a Japanese and Asian inspired restaurant/upscale sushi restaurant with sushi bar; and,

Whereas, this application is for a new restaurant wine license located in a mixed use building located on the ground floor on West Houston St. between Sullivan St and MacDougal St. for a roughly 1,000 sq. ft. premise with 3 tables and 6 seats and 1 sushi bar with 18 seats (this is not a standup bar) for a total of 24 interior seats, there will be no stand up bar and one service bar only, 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 Sunday from 5pm to 11pm and Monday to Saturday from 12pm to 11pm (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; and,

Whereas, the applicant met with the Bleecker Area Merchants' and Residents' Association (BAMRA); BAMRA voted to **support** this application, provided that the stipulations the applicant agreed to with BAMRA are included as conditions of their license; and,

Whereas, the applicant executed a stipulations agreement with CB2 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 Japanese and Asian inspired restaurant/upscale sushi restaurant with sushi bar.
2. The hours of operation will be Sunday from 5pm to 11pm and Monday to Saturday from 12pm 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 any 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 not have 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 French doors, operable windows or open facades and will keep all doors closed at all times except for patron ingress and egress.
11. The Premises will operate as a restaurant only.
12. There will only be 1 service bar (there will be no standup bar).
13. The licensee will never seek to upgrade to a full on-premise liquor license.
14. The premises will not have "unlimited" drink specials.
15. All agreements and stipulations agreed to with the Bleecker Area Merchants' and Residents' Association are also incorporated into this stipulations agreement and are attached.

Whereas, the agreements and stipulations agreed to with the Bleecker Area Merchants' and Residents' Association are as follows:

1. *Hours of Operation: The Establishment shall operate Sunday from 5:00 PM to 11:00 PM and Monday through Saturday from 12:00 PM to 11:00 PM.*
2. *Licensing History: This is a previously unlicensed space.*
3. *Alcohol & Food: The Operator stated that the Establishment will be operated as an upscale sushi restaurant with a sushi bar and 2 two-top tables having a total of 22 seats with an anticipated food/alcohol ratio of 80/20. The premises will have only a service bar for alcohol.*
4. *Certificates, Permits and Related Documents: The Operator shall obtain all required certificates, permits and related documents.*
5. *Traffic & Crowd Control: The Operator will use reasonable efforts to remedy any traffic issues brought to its attention, to the extent that it can. The Operator shall direct staff to monitor the patrons of the Establishment who are gathered outside the Establishment and the staff shall direct such persons or traffic going to and from the Establishment to keep the area clear and passable by pedestrians. The Operator will clean any debris left by its patrons (i.e.: cigarette butts, etc.) from the area in front of the Establishment and surrounding areas.*

6. *Manager: 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. All Managers and staff will operate under these stipulations as well. Any complaints made about the Establishment to BAMRA will be relayed to the Operator and the Operator will make their phone numbers available to complainant and will work with both the complainant and BAMRA to reasonably resolve any issues.*
7. *Music: The Operator shall play quiet, background level music from an ipod or like device with small speakers inside the Establishment and shall not play any music whatsoever outside the Establishment, nor deliberately direct music from within the Establishment to be heard outside the Establishment and shall not exceed NYC noise codes at any time. There will be no live music, no DJ's or 3rd-party promoted events. The operator agrees to install internal devices (such as a limiter, etc.) to control the volume of the sound system to keep it at acceptable levels and in compliance with NYC noise codes.*
8. *Television/Projectors: The Operator will have no televisions, projection screens or the like.*
9. *Sanitation: 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. *Lighting & Signage: The Operator shall not install illuminated signage or lighting, on or within the Establishment that would adversely and unreasonably disturb residents living near the Establishment.*
11. *Windows/Doors: Establishment doors will be closed at all times except for ingress and egress and states that no operable windows exist now (for either the front windows nor any in the back of the Establishment), nor will any be installed in the future.*
12. *Backyard: Operator states no backyard space exists now nor will any use of any backyard space happen in the future.*
13. *Basement/Cellar: The Operator will allow no patron use of any basement space.*
14. *Notification Of Change Of Ownership: The Operator shall notify Manhattan Community Board 2 in the event of a change of ownership as required by law.*
15. *License Renewal: The Operator will appear before BAMRA and Manhattan Community Board 2 before renewing this liquor license, to determine if the stipulations are working and are being adhered to.*

Whereas, there are currently approximately 30 On Premise Liquor Licenses within 500 ft of the premises (not including beer and wine licenses); and,

Whereas, there was concern voiced that this location was previously unlicensed and represents one of the last unlicensed (no SLA licenses) commercial storefronts that remain on this stretch of West Houston St.;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **DomoDomo LLC, 138 West Houston St. 10012** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 38 Board members in favor.

16. 998 LQ Sushi, Inc. d/b/a OkinII, 216 Thompson St. 10012 (New Restaurant Wine License)

Whereas, the applicant and 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 wine license for a previously licensed location for a Japanese Restaurant/Sushi Restaurant; and

Whereas, the applicant first notified CB2 Man. via a 30 day notice that this application would be submitted for a new restaurant on-premises liquor license; however, after meeting with the local merchants' and residents' association, the applicant decided to instead pursue a new restaurant wine license and their presentation to CB2 Man. was amended to reflect that change; and,

Whereas, this application is for a new restaurant wine license located in a mixed-use building located on the ground floor on Thompson St. between Bleecker St and West 3rd St. for a roughly 2,500 sq. ft. premise with 27 tables and 56 seats and 1 sushi counter with 6 seats (not a stand up bar) for a total of 62 interior seats, there will be 1 service bar only, 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 from 11am to 12am (midnight) 7 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 – the applicant explained that the diagrams indicating an operable façade were incorrect and the façade would remain closed at all times, 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; and,

Whereas, the applicant met with the Bleecker Area Merchants' and Residents' Association (BAMRA); at the time the applicant met with BAMRA it was still pursuing a new restaurant on-premise liquor license, BAMRA had suggested that they return the following month to further discuss this application and address their concerns; BAMRA voted to recommend denying the restaurant on-premise liquor license at the time; after amending their license to a restaurant wine application, the applicant chose to appear before CB2, Man. prior to meeting with BAMRA again; and,

Whereas, there were a number on concerns in that this is a predominately residential street with quiet commercial establishments on the ground floors, the applicant also cited as a model another sushi restaurant within CB2, Man. for which CB2, Man. has recently received complaints because that particular location has been serving unlimited, inexpensive drink specials at night to primarily college students inconsistent with its previously stated method of operation and as a result there was concern which resulted in a number of stipulations agreed to and additionally a vocal representation by the applicant and their representative that the applicant, if approved, would not impact the quality of life of local residents in the same manner as the other operator; 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 Japanese Restaurant/Sushi Restaurant.
2. The hours of operation will be 11am to 12am (midnight) 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a "lounge", tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have more than 2 televisions, no larger than 42 inches each (no projection tv's).
5. There will be no sound (zero volume) on any televisions.
6. Televisions will not be visible from the street (i.e. through the front façade).
7. The premises will not permit dancing.

8. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
9. The premises will not have a sidewalk café.
10. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
11. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. The premises 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.
13. The Premises will operate as a restaurant only.
14. There will be waiter service only. There will be no alcohol service to any standing patrons.
15. There will be no stand up bar – there will be 1 service bar only.
16. The storefront façade will remain closed at all times.
17. The licensee will never seek to upgrade to a full on-premise liquor license.
18. The premises will not have “unlimited” drink specials.
19. All happy hour specials will end by 7pm.
20. There will be no karaoke at any time.
21. Signage will not change from the existing style/design except for the name.

Whereas, there are currently approximately 38 On Premise Liquor Licenses within 500 ft. of the premises (not including beer and wine licenses);

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **998 LQ Sushi, Inc. d/b/a OkinII, 216 Thompson St. 10012** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 38 Board members in favor.

17. Tea and Sympathy, Inc. d/b/a Tea & Sympathy, 108 Greenwich Ave. 10011 (New Restaurant Wine License)

Whereas, the applicant and the applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new restaurant wine license for a previously unlicensed location for a English restaurant which has been open and operating at this location for the past 24 years; and

Whereas, this application is for a new restaurant wine license located in a mixed use building located on the ground floor on Greenwich Ave between West 12th St and West 13th St. for a roughly 375sq. ft premise with 8 tables and 16 seats, with a service bar only, there is no sidewalk café included in this application; and

Whereas, the hours of operation will be Sunday from 9:30am to 10pm, Monday to Friday from 11:30am to 10:30pm, and Saturday from 9:30am to 10:30pm (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 10:30 pm (closing hour of premises) 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; 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 an English restaurant.
2. The hours of operation will be Sunday from 9:30am to 10pm, Monday to Friday from 11:30am to 10:30pm, and Saturday from 9:30am to 10:30pm. 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 any 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 not have a sidewalk café now or in the future, but if permitted may have outdoor benches, however no beer or wine will be permitted to be served in any outdoor location.
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 French doors, operable windows or open facades and will keep all doors closed after 10:30pm when the premise closes.

Whereas, the applicant presented a petition in support; and,

Whereas, there are currently approximately 19 On Premise Liquor Licenses within 500 ft of the premises; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Tea and Sympathy, Inc. d/b/a Tea & Sympathy, 108 Greenwich Ave. 10011** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 38 Board members in favor.

18. Linifra, LLC d/b/a Bespoke Kitchen, 615 ½ Hudson St. 10014 (New Restaurant On-Premise Liquor)

Whereas, the applicant and the applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on-premise liquor license for a “farm to table restaurant” in a location that was only previously licensed for a restaurant wine license; and

Whereas, this application is for a new restaurant on-premise liquor license located in a mixed-use building located on the ground floor on Hudson St between Jane St and West 12th St for a roughly 1,900 sq. ft. premise (ground floor 992 sq. ft. for patron use and 992 sq. ft. accessory storage use) with 20 tables and 43 seats and 1 standup bar with 12 seats and 1 kitchen counter with 6 seats, there is no sidewalk café included in this application, and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is a “Letter of No Objection” for the 1st floor only; and,

Whereas, the hours of operation will be Sunday from 10am to 11pm, Monday to Wednesday from 11am to 11pm, Thursday to Friday from 11am to 12am and Saturday 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, private dining events will be in the rear room only, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

Whereas, the applicants met with a number of local residents who expressed concerns in regards to a new On-premise liquor license application at this location which was previously only licensed for a restaurant wine license, there were also concerns expressed regarding over saturation of liquor licenses in the area, the highly residential character of the area, the impact of noise and other quality of life concerns, lack of experience operating a licensed establishment and restaurant; and,

Whereas, a local resident spoke and CB2, Man. received a number of emails from those residents who met with the applicant stating that should the applicant agree to reduced hours of operation than originally submitted and other stipulations, they would be in support of the application for a new on-premise liquor license; and

Whereas, the applicant agreed to those reduced hours and stipulations in good faith; 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 “farm to table restaurant”.
2. The hours of operation will be Sunday from 10am to 11pm, Monday to Wednesday from 11am to 11pm, Thursday to Friday from 11am to 12am and Saturday 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 have any 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 play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The premises will not have French doors, operable windows or open facades and will keep all doors closed at all times except for patron ingress and egress.
10. The Premises will operate as a restaurant only.
11. There will not be “happy hours”.
12. Applicant will utilize and hire a sound engineer and follow any recommendation provided – will use Acoustilog.
13. While there is no sidewalk café included this application, any future sidewalk café will close no later than 10pm Sunday to Wednesday and 11pm Thursday to Saturday – all sidewalk tables and chairs will be removed at that time.
14. Any private dining events will be in the rear room only.

Whereas, there are currently approximately 15 On Premise Liquor Licenses within 500 ft. of the premises (not including beer and wine licenses);

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License for **Linifra LLC d/b/a Bespoke Kitchen, 615 ½ Hudson St. 10014** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 38 Board members in favor.

19. French Cuisine, Inc. d/b/a GLOO, 76-78 Carmine St. 10014 (New Restaurant On-Premise Liquor)

Whereas, the applicant and the applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on-premise liquor license for a previously licensed location for a “modern fine French cuisine” restaurant “featuring locally sourced and organic fare reasonably priced and served in a warm and convivial atmosphere”; and,

Whereas, this application is for a new restaurant on-premise license located in a mixed use building located on the ground floor on Carmine St between Varick and Carmine St for a roughly 2,800 sq. ft. premise (ground floor 2,000 sq. ft. for patron use and 800 sq. ft. accessory storage use) with 22 tables and 64 seats and 1 standup bar with 6 seats, there is no sidewalk café included in this application, 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 Sunday from 10am to 12am, Monday to Thursday from 11am to 12am, Friday from 11am to 1am and Saturday from 10am to 1am (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 10 pm except for patron ingress and egress, there will be no d.j., no promoted events, occasional private parties, 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 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 modern French cuisine restaurant.
2. The hours of operation will be Sunday from 10am to 12am, Monday to Thursday from 11am to 12am, Friday from 11am to 1am and Saturday from 10am to 1am. 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 any 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 play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The premises will not have French doors, operable windows or open facades and will keep all doors closed after 10pm except for patron ingress and egress.
10. The Premises will operate as a restaurant only.
11. There is no sidewalk café included this application

Whereas, the applicant had contacted the local Block Association and there was no opposition from the Block Association and a petition in support was presented; and,

Whereas, there are currently approximately 28 On Premise Liquor Licenses within 500 ft. of the premises (not including beer and wine licenses);

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On Premise Liquor License for **French Cuisine, Inc. d/b/a GLOO, 76-78 Carmine St. 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 38 Board members in favor.

20. Archbishop Fulton J. Sheen Center, Inc., d/b/a Sheen Center, 18 Bleecker St. 10012 (New Beer and Wine License for Theatre and Gallery)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on March 12th, 2015, the applicant requested to layover this application for a new beer and wine license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

Whereas, in the interim, the applicant will continue to meet with local residents to address questions and concerns as they relate to the daily operation of the theatre, gallery, performance and presentation venue;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed beer and wine license for **Archbishop Fulton J. Sheen Center, Inc., d/b/a Sheen Center, 18 Bleecker St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

21. JP Street, Inc., 52 E. 8th St. 10003 (New Restaurant Wine – Did not appear)

Whereas, the applicant failed to appear at CB2, Manhattan's SLA Licensing Committee Meeting on March 12th, 2015 and had previously appeared at CB2, Manhattan's SLA Licensing Committee Meeting on February 12th, 2015, at which time the applicant requested to layover this application for a new restaurant wine license in order to further investigate how this application could be brought into compliance with the New York State Liquor Authority's requirements regarding patron bathrooms; the

applicant will review if the existing bathroom which is accessible to patrons only by passing through food preparation areas which have no partitions and employee only areas can become compliant; the applicant 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 restaurant wine license, eating place beer license or other beer or wine license, corporate change, on premise liquor license, hotel liquor license, class change, alteration, transfer, upgrade or changes to any existing license for **JP Street, Inc., 52 E. 8th St. 10003** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

22. Bayrock Sapir Organization, LLC d/b/a Trump SoHo, 246 Spring St. 10013 (Corporate Change Application)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on March 12th, 2015, the Licensee's attorney notified CB2 Manhattan that even though a 30 day notice had been sent to CB2, Man. in regards to a Corporate Change Application, the Attorney for the Licensee determined that the Licensee was not in fact required to notify CB2, Man. as this was not a substantial corporate change; and,

CB2, Man. would like to note that any existing stipulations and representations continue unchanged for the current Licensee;

THEREFORE BE IT RESOLVED that CB#2, Man. notes that the Licensee asserts that a 30-day notice was sent in error in regards to a Corporate Change for which notice to CB2, Man. was not required and therefore has no objection to the non-appearance of the Licensee before CB2, Manhattan's SLA Licensing Committee Meeting on March 12th, 2015 provided that the 30-day notice was sent in error.

Vote: Unanimous, with 38 Board members in favor.

23. Dumpling 516 Hudson NY Inc., 516 Hudson St. 10014 (New Restaurant Wine – Layover request)

Whereas, prior to this months CB2, Manhattan's SLA Licensing Committee Meeting on March 12th, 2015, the applicant's attorney requested to **layover** this application for a new beer and wine 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 **Dumpling 516 Hudson NY Inc., 516 Hudson St. 10014** **until** the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

24. Doshermanos LLC, 95 MacDougal St. Store B 10012 (Restaurant Wine Transfer – Layover request)

Whereas, prior to this month’s CB2 SLA Licensing Committee meeting on March 12th, 2015 the applicant’s attorney requested to **layover** this application for a second time for a “transfer” of an existing restaurant wine license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

Whereas, as currently configured, this establishment and the existing Licensee from which the License will be “transferred” do not appear to have a code compliant bathroom accessible to patrons as required by the Liquor Authority and the applicant is attempting to see if this can be done in a code compliant manner and will return to CB2, Man. with either an explanation or alternate plans (the current bathroom is only accessible by patrons by requesting access to go behind a counter and walk through food preparation and kitchen areas which appear to be in violation of patron bathrooms as they relate to NYC regulations (because there are less than a certain number of seats, NYC does not require a patron bathroom, but the Liquor Authority does for this license) and therefore the current single bathroom appears in compliance for an employee bathroom only, not a patron bathroom);

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of “transfer” or new beer and wine license, on premise liquor license, corporate change, class change, alteration, upgrade or changes to any existing license for **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 38 Board members in favor.

25. T.P. Partners, 57 7th Ave. South 10014 (Restaurant On-Premise Liquor Transfer – Withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on March 12th, 2015, the applicant’s attorney and the applicant requested to **withdraw** this application for a new tavern liquor license/transfer application/transfer of a restaurant on-premise 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 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 **T.P. Partners, 57 7th Ave. South 10014** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

26. Legend West Village, LLC, 82 West 3rd St. 10012 (New Restaurant On-Premises Liquor – Layover request)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on March 12th, 2015, the applicant’s attorney or applicant requested to layover this application for a new restaurant on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

Whereas, CB2, Man. indicated to the applicant that they would need to follow the procedures outlined on CB2, Manhattan’s Website and ensure that they performed adequate community outreach;

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 **Legend West Village, LLC, 82 West 3rd St. 10012** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of installation of Street Seats on East 13th St. east of 5th Ave.

Whereas the New School is proposing a Street Seats installation on the north side of East 13th St. East of 5th Ave., in conjunction with the NYC Department of Transportation (DOT) program of that name, which is being designed and constructed by students from the New School’s Parsons School of Design in collaboration with other New School students to provide some attractive public space, seating and community friendly enhancements in an area that is devoid of these amenities; and

Whereas the installation will rest on a platform extending six feet into the street bed from the curb (and level with the sidewalk), claiming new public space where the crowded sidewalk is unable to accommodate this amenity. The structure will be three feet high, and 40 feet long in keeping with DOT’s requirement that maximum length be no longer than the (New School’s) building frontage less requisite distance from the surrounding fire hydrant and loading dock; and

Whereas the installation will be constructed of sustainable, recyclable materials, including chairs, some tables, plantings and possibly a beacon to provide extra illumination. Colored vertical posts, photo-luminescent for nighttime safety will be highly visible to approaching vehicles; and

Whereas in keeping with DOT guidelines, the following (and other requirements) will be observed:

- No smoking or alcohol consumption will be allowed. Signage prohibiting this will be provided by DOT. Although NYPD will be responsible for enforcement, a New School Security Desk looks out on the site and can act as a supplementary enforcer.
- The New School will take on liability as well as maintenance. New School staff will clean daily.
- The site will be open to the public from the sidewalk (to everyone, including students, residents, businesses, tourists, non-residents, etc.) and will be disabled accessible

- Safety measures will include white concrete wheel stop bars protecting and defining each of the two flanking sides, white lane markers, flexible delineators and “No Standing Anytime” signage, all furnished by DOT. Heavy planters may also be used to further protect the flanking sides. Because drivers will slow down in response to the structure and safety measures, there will be a traffic calming effect, making the street safer for all users.
- Collapsible tables and chairs will be stored nightly, and roped off; and

Whereas students will prefabricate and assemble the construction modules in the New School facilities, allowing for easy and non-intrusive installation on the street; and

Whereas hours will be between 8:00 am and 8:00 pm daily; and

Whereas installation will be seasonal, May to October. DOT and the New School will prepare a full report on conclusion, providing an opportunity for evaluation to inform application for renewal the next year; and

Whereas a petition with 330 signatures was submitted in support of the Street Seats installation, among them 266 signatures of immediately neighboring residents and businesses as well as many New School students who would greatly benefit from this amenity, along with six letters of support from businesses on the block, including one from the Dean of Parsons School of Constructed environments;

Therefore be it resolved that CB#2, Man. fully supports the proposed Street Seats installation on the north side of East 13th St. east of 5th Ave.; and

Be it further resolved that CB2, Man. looks forward to DOT’s and the New School’s evaluation and report on this installation when concluded; and

Be it finally resolved that CB2 expects that, if renewal is desired next year, submission will be made again to CB2, for review of modifications and evaluation of accomplished goals.

Vote: In Favor: 36 Board Members., Opposed: 1 Board Member (T. Conner), Abstain: 1 Board Member (S. Sweeney).

2. Resolution in support of bicycle corral in front of Korchma Taras Bulba, 357 W. Broadway

Whereas a bicycle corral has been proposed for the street curbside space in front of 357 W. Broadway bet. Broome and Grand Sts. (on the east side) to accommodate increasing demand for bicycle parking in that area; and

Whereas with heavy bicycle use on that street and a bike lane close by, the sidewalk is often cluttered with bicycles parked helter-skelter, interfering with pedestrian passage at a location of high pedestrian activity; and

Whereas the bicycle corral will occupy one daytime parking space and provide parking for eight bicycles, offering relief from sidewalk crowding by supplying alternative space for bikes to park; and

Whereas the corral will be defined and protected by reflective flexible delineators that can be seen at night, as well as by two large planters that also will add enhancement both to the parking space and to the block; and

Whereas Korchma Taras Bulba restaurant, the applicant approved for the bike corral and acting as a maintenance partner, is committed to maintaining the site by regularly sweeping and cleaning it, clearing out snow, watering the plantings and reporting abandoned bicycles; and

Whereas a petition in support of the bicycle corral was submitted with 20 signatures, all from locations on the very same block where the corral is proposed;

Therefore be it resolved that CB#2, Man. fully supports installation of a bicycle corral in the curbside street space in front of Korchma Taras Bulba, 357 W. Broadway.

Vote: In Favor: 37 Board Members; Abstain: 1 Board Member (S. Sweeney).

NEW BUSINESS

Request for Construction Safety Program

Community Board 2 is greatly saddened by the tragic death of Tram Thuy Nguyen, a 37-year old resident of our community who was struck by a wind-blown sheet of plywood while walking along a sidewalk adjacent to construction at the former St. Vincent's Hospital site. We express our deepest condolences to her family and friends.

CB2 calls on the Mayor and New York City Department of Buildings to create a program parallel to Vision Zero so that workers, residents, and pedestrians are fully protected from the injuries and deaths that too frequently result from preventable accidents at construction sites throughout the city.

Vote: Passed, Unanimous with 38 Board Members in favor.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan