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



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

COMMUNITY BOARD NO. 2, MANHATTAN

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

FULL BOARD MINUTES

DATE: April 23, 2015
TIME: 6:30 P.M.
PLACE: Scholastic Building, 557 Broadway, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Daniel Ballen, Keen Berger, Tobi Bergman, Chair; Anita Brandt, William Bray, Richard Caccappolo, Lisa Cannistraci, Denise Collins, Tom Connor, Terri Cude, Maria Passanante Derr, Doris Diether, Cristy Dwyer, Robert Ely, Joshua Frost, Jonathan Geballe, Sasha Greene, David Gruber, Anne Hearn, Susan Kent, Jeannine Kiely, Daniel Miller, Robin Rothstein, Sandy Russo, Maury Schott, Shirley Secunda, Federica Sigel, Shirley Smith, Sean Sweeney, Shannon Tyree, Antony Wong, Robert Woodworth, Elaine Young

BOARD MEMBERS ABSENT WITH NOTIFICATION: Lois Rakoff, Robert Riccobono, Rocio Sanz, Richard Stewart, Susan Wittenberg

BOARD MEMBERS ABSENT: Heather Campbell, Arthur Kriemelman, Alexander Meadows, Arthur Z. Schwartz

BOARD MEMBERS PRESENT/ARRIVED LATE: Carter Booth, Katy Bordonaro, Ritu Chattree, Coral Dawson, Robin Goldberg, Edward Ma, Chenault Spence

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; Tara Klein, Senator Brad Hoylman's office; Melissa Gindin, Senator Daniel Squadron's office; Patricia Ceccarelli and Morris Chan, Man. Borough President Gale Brewer's office; Charles Anderson, Assembly Member Deborah Glick's office, Crystal Feng, NYC Comptroller's office; Adam Chen, NYC Public Advocate Laticia James' office; Margaret Bangs, Council Member Corey Johnson's office; Matt Viggiano, Council Member Rosie Mendez's office; Sam Spokony, Council Member Margaret Chin's office; Billy Freeland, Susan Gammie, Maud Maron, Kristin Shea, Surya Bedinger, Pauline Augustine, Wendy Nodiff, Elizabeth Purcell, Mick Malisic, Maud Maron, Darlene Lutz, Pete Davies, Cynthia Chapin, Zella Jones, Phillipe Knab, Rachelle Krygier, Susan Stehlik, Alexandra Gaylord, Nalina Bhasin, Danielle Tomzack, Danielle Nazinitsky, Marie Monaco, Danielle Tcholakian, Thomas DeVito, Will Rogers, Tilemakos Koutsogetyas, Natalie Rivera, Thomas A. Swanson, Taylor Kuhn, John Gilbert, Ted Potkin, Amy Tse, Peter Farag, Martha Cataldo, Alec Bocerontso, Colleen Alderson, Katie Holten, Nichole Huff, Reena Jailwalla, Jean Lyman Goetz, Wayne Kawadler, Karen Loew, Janet Liff, Richard Tschudy

MEETING SUMMARY

Meeting Date –April 23, 2015

Board Members Present – 41

Board Members Absent With Notification - 5

Board Members Absent – 4

Board Members Present/Arrived Late - 7

Board Members Present/Left Early – None

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II. PUBLIC SESSION

Non-Agenda Items

Legal Aid Society

Phillipe Knab spoke regarding available legal assistance for low-income tenants.

MPIA

Amy Tse announced several upcoming events in the district.

Greenwich Village Society for Historic Preservation

Karen Loew spoke regarding the “Business of the Month” program.

Poe Room Event

Nichole Huff, from NYU, invited everyone to this upcoming event.

Washington Square Music Festival

Jean Lyman Goetz made an announcement regarding the upcoming music festival.

Holland Tunnel Traffic

Natalie Rivera spoke against the ongoing traffic congestion.

Lenox Hill HealthPlex

Wayne Kawadler updated everyone regarding new programs.

NYU Stern School of Business

Reena Jailwall spoke regarding the school.

Commune.io

Taylor Kuhn made an announcement for the recruitment of volunteers to create a digital directory of public meetings throughout all the five boros.

Sidewalks/Street Activities Items

132 4th Ave. Restaurant, LLC d/b/a The Fourth, 132 4th Ave.

Marie Monaco spoke against the proposed sidewalk café.

SoHo Art Strut

Danielle Nazinitsky spoke regarding this proposed Soho Art Street Fair.

SLA Licensing Items

Archbishop Fulton J. Sheen Center, Inc., d/b/a Sheen Center, 18 Bleecker St.

Zella Jones spoke regarding the proposed liquor license.

135 Tart, LLC, d/b/a Once Upon a Tart, 135 Sullivan St. North Side

Wendy Nodiff spoke against the proposed beer and wine license.

Traffic and Transportation Items

Spring St. Bike Lane

Janet Liff spoke in favor of the proposed bike lane. Richard Tschudy spoke against the proposed bike lane.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congressman Jerrold Nadler's office

Tara Klein, Senator Brad Hoylman's office

Melissa Gindin, Senator Daniel Squadron's office;

Crystal Feng, NYC Comptroller's office;

Patricia Ceccarelli and 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;

Matt Viggiano, Council Member Rosie Mendez’s office,

V. ADOPTION OF MINUTES

Adoption of the February and March minutes.

VI. EXECUTIVE SESSION

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

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

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1 - LPC Item: 374 West Broadway, aka 372-374 and 376 West Broadway, 504-506 Broome Street (former Tommy Hilfiger) - SoHo-Cast Iron Historic District Extension. A store building designed by Bridges & Lavin and built c. 2001. Application is to redesign the facades and construct a barrier-free access ramp.

Whereas, the applicant announced unabashedly that the motivation for this facade alteration is “to make the retail activity more visible from the street”. He proclaimed that this corner of SoHo is a “C location” and thus the need to attract high-paying renters was the driving force behind the design; but

Whereas, in historic districts, the underlying premise is that design is not to be driven by retail, but that retail should fit harmoniously within the historic district. Indeed, a cursory glance at the SoHo Historic District clearly shows that retail can flourish vigorously in an historic district with high standards of design; and

Whereas, the references provided by the applicant were facades designed before designation, or else were buildings whose facades did not compare credibly as a valid point of reference – and should be summarily discounted; and

Whereas, although the building was built pre-designation, it does have reference to the historic district and no one on the committee ever heard tell of anyone calling it unattractive; and

Whereas, this proposal seeks to drastically reduce the width of the mullions between the window panes to a couple of inches, effectively creating one large window-bay, thus removing historic scale and symmetry – solely for the purpose of making more room for mannequins and window dressing, as seen in the proposed rendering on page 15; and

Whereas, the proposal to lower the ground-floor windows to near the sidewalk may be acceptable for converted auto garages in the historic district; however, the applicant supplied no reference for it in multi-story buildings such as this; and

Whereas, ornamental elements are being removed solely to introduce more glass; and

Whereas, flattening the facade to align with the windows causes a loss of characteristic facade depth, which in turn removes the articulation necessary for the delightful shadow-play so common on the facades of SoHo buildings; and

Whereas, although glass fibre reinforced concrete (GFRC) was used in the original, pre-designation design, its in-kind replacement during this current facade re-pargeting is unacceptable. A more appropriate material should be considered; and

Whereas, we ask the Commission to determine whether the huge advertising billboard on the roof should be permitted; now

Therefore, be it resolved that CB#2, Man. strongly recommends denial of this application because:

- it is an example of Form-Following-Function Gone Wild, with retail spurring the design – instead of historical integrity being the motivator; and
- it removes this building further from any characteristic historical reference, instead of enhancing its character; and
- it does not address the inappropriate presence of a huge advertising billboard on the roof.

Vote: Unanimous, with 41 Board members in favor.

2 - LPC Item: 150-152 Mercer Street, aka 579-581 Broadway - SoHo-Cast Iron Historic District
A storehouse built c. 1860. Application is to install storefront infill, signage and lighting.

Whereas, we commend the applicant for retaining the original 1860s shutters and cast-iron elements; and

Whereas, the proposed design enhances the facade overall; but

Whereas, we do ask the LPC to examine the appropriateness of the door and the window's quarter-round moulding; and

Whereas, the lighting proposed to illuminate the facade is not characteristic of the historic district; now

Therefore, be it resolved that CB#2, Man. recommends general approval of this application, but recommends denial of the fixtures to illuminate the facade, a feature uncharacteristic of the historic district.

Vote: Unanimous, with 41 Board members in favor.

3 - LPC Item: 190 Bowery, aka 1-3 Spring Street – (formerly) Germania Bank Building – Individual Landmark. A Beaux-Arts style bank building designed by Robert Maynicke and built in 1898-99. Application is to alter the facade, install a new entrance, and modify windows.

Whereas, we praise this application as an excellent example of retail working harmoniously within the parameters of existing conditions; and

Whereas, the ADA requirement for modifying the door was handled well; and

Whereas, the sealing of the lot-line windows at the rear will only minimally detract from the building; and

Whereas, the vestibule restoration will enhance the building; and

Whereas, although the skylight will be removed, at least the sky bay will remain; and

Whereas, the required Siamese connection will not seriously detract from this beautiful building; but

Whereas, several committee members expressed disbelief that there is no plan to remove the graffiti; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application, crediting it as a fine example of retail working harmoniously within the parameters of existing conditions.

Vote: Unanimous, with 41 Board members in favor.

4. 154 West 14th Street -154 West 14th Street Building-Individual Landmark 16- 2086- Block 609, Lot 7, Zoned C6-3A, C2-6. A loft building incorporating Secessionist, Art Nouveau, Arts & Crafts, and Mission Revival style motifs, designed by Herman Lee Meader, and built in 1912-13. Application is to install rooftop mechanical equipment.

Whereas, The applicant represented that the tower is placed in the least visible, viable position in consideration of fire regulations and maximizing the distance from an adjacent apartment building; and

Whereas, the cooling tower is minimally visible; and

Whereas, a random assortment of ventilation louvers will be consolidated into a single row adjacent to the fire escape on the rear façade; therefore

Be it resolved, that CB#2, Man. recommends approval of the application.

Vote: Unanimous, with 41 Board members in favor.

5. 16-18 Charles Street - Greenwich Village Historic District 16-9365 - Block 1411, Lot 7502, Zoned R6. Two Greek Revival style townhouses built in 1845-1846 and combined and altered in the early 20th century. Application is to legalize and modify alterations made to the facade and areaway and the installation of key boxes and intercoms, all without Landmarks Preservation Commission permit(s); and to modify the areaway and install fencing.

Whereas, The entry and areaway will be restored to the condition at the time of designation including the bluestone curb, iron canopy, fence and gate and the original brick surrounding the entry way is not extant and the area will be covered with scored stucco, typical to the block; and

Whereas, the necessary intercom and key boxes do not spoil the look of the entryway; and

Whereas, a long term tenant in the building spoke in support of the application; therefore

Be it resolved, that CB#2, Man. recommends approval of the application.

Vote: Unanimous, with 41 Board members in favor.

6. 444 Sixth Avenue - Greenwich Village Historic District 16-7343 - Block 574, Lot 2, Zoned C1-6. A Greek Revival style rowhouse built in 1834-35 with a later rooftop addition. Application is to modify the rooftop addition and legalize the installation of railings and HVAC equipment in non-compliance with Certificate of Appropriateness 03-0464.

Whereas, the proposal is to raise the bulkhead and side walls by 1.5 feet resulting in a total height of the rooftop addition at 15'; and

Whereas, the applicant represented that the purpose of the increased height is to mask air condition equipment and eliminate a safety railing that is close to the street façade; and

Whereas, moving the fence to the usual position some distance from the façade toward the rear of the building would interfere with the use of an existing deck; and

Whereas, the addition presents an aggressively heavy top to an already inappropriate rooftop addition with an especially large portion of stucco in relation to the size of the windows and does not create an appropriate atelier feeling; therefore

Be it resolved, that CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 41 Board members in favor.

7. 135 Greene Street - SoHo-Cast Iron Historic District 16-5522 - Block 514, Lot 28, Zoned M1-5B. A cast-iron warehouse building designed by Henry Fernbach and built in 1882-83. Application is to create a new window opening.

Whereas, the proposal is to replace three windows on the south façade with one large, two story segmented window (11' 4" x 10' 10") which is in keeping with the aesthetic of an artist's studio; and

Whereas, the window is not visible from any public thoroughfare; therefore

Be it resolved, that CB#2, Man. recommends approval of the application.

Vote: Unanimous, with 41 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

St. Vincent's Park (located at the intersection of Seventh Avenue and Greenwich Avenue between West 12th and West 11th Streets.). Zoning text amendment N150267ZRM and zoning map amendment M150203MMM. The actions before the Board pertain to: 1) a zoning map amendment to transfer ownership of the park to the City and the formal designation of the park as a City park (M150203MMM) and 2) a zoning text amendment (N150267ZRM) to allow space that has been designated as "open space" to be designated as a city park instead. There are no changes to the design of the park.

Whereas:

1. This park was part of the deal made in 2011 by the Rudin Management. The developer promised to build a public park on this triangular plot of land as part of the approval to convert the old St. Vincent's Hospital site into condos.

2. The design of 16,000-square-foot open space has been before the Community Board before.
3. The proposal was not to change the design, but to transfer ownership and have this “open space” formally designated as a NYC Park.

Therefore, it is resolved that:

CB, Man. recommends approval of changes to the zoning text and zoning map, as proposed.

Vote: Unanimous, with 41 Board members in favor.

PARKS/ WATERFRONT

Resolution Regarding the Planned Renovation of Little Red Square

Whereas

1. Little Red Square is a much-used plaza on the east side of 6th Avenue (Avenue of the Americas) at the intersection with Bleecker Street;
2. The Parks Department, the local community, and local elected officials all believe that this open space requires renovation and restoration at this time;
3. The Parks Department presented a design to the CB2 Parks & Waterfront Committee that promises to increase green space while also improving pedestrian circulation;
4. The presented design features larger plant beds incorporating trees, additional bench seating and expanded lighting, along with clear pathways to encourage efficient pedestrian traffic;
5. The presented design also addresses the hazardous conditions of existing crosswalks at this location, specifically the six-way intersection of 6th Ave, Bleecker St, Downing St. and Minetta St., which are used by children coming and going to the schools in the area, - Our Lady of Pompeii, Little Red School House, the Academy of St. Joseph, PS 3 and PS 41 - and the design is thought to deliver significant improvement to this end by extending the plaza via removal of the an extra lane on the east side of 6th Ave, but there is still need for additional improvements to protect pedestrians at this dangerous crossing.

Therefore it is resolved that CB2, Man.

1. Supports this project, the design of which was presented by the Parks Department to our committee and the community,
2. Requests further study by the Department of Transportation to coordinate additional improvements in pedestrian safety at this crossing location in conjunction with this project

VOTE: Passed, Unanimous with 37 Board Members in favor.

SIDEWALKS/STREET ACTIVITIES

1. App. For Modification to operate an unenclosed sidewalk café for:

132 Fourth Ave. Restaurant, LLC d/b/a The Fourth, 132 Fourth Ave., with 12 tables & 24 Chairs (2005254-DCA)

Whereas, the area was posted, community groups notified, applicant appeared by its representative, Michael Kelly; and, one community member (who lives around the corner at 77 East 12th St.) appeared opposing the expansion of the café; and

Whereas, this café has operated with no issues; and

Whereas, the plan shows 19” x 24” tables; and

Whereas, members of the community were concerned about the applicant separating the tables, the table count should be reduced to six (6) 38”x 24” tables,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of an application for a **MODIFICATION** revocable consent to operate an unenclosed sidewalk café for: **132 Fourth Ave. Restaurant d/b/a The Fourth, 132 Fourth Ave., with 6 tables & 24 chairs (2005254- DCA)**

VOTE: Passed, Unanimous with 41 Board Members in favor.

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

Tava Café, LLC d/b/a Balzem, 202 Mott St. with 6 tables & 12 chairs (2828-2015-ASWC)

Whereas, the area was posted, community groups notified and there were no community members were present regarding this application and applicant’s principal, Balahen Bobus and his representative, Andrew Caraballo, appeared; and

Whereas, this restaurant has been operating with no issues; and

Whereas, applicant’s plan shows 18” x” 24” tables; and a DCA/Landmarks approved retractable awning; and

Whereas, applicant agreed to the following hours of operation: Monday – Thursday: 8 a.m. to 9 p.m.: Saturday & Sunday: Noon- 9 p.m. and service **ONLY** through the open façade French doors; and

Whereas, applicant submitted a petition of support of approximately 42 signatures primarily from Mott, Spring, Broome and Prince Streets;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **DENIAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Tava Café, LLC d/b/a Balzem, 202 Mott St. with 6 tables & 12 chairs (2828-2015-ASWC)**

UNLESS applicant complies with the terms of the “third” and “fourth” Whereas.

VOTE: Passed, with 39 Board Members in favor, and 2 in opposition (R. Goldberg, M. Schott).

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

International Hospitality Concepts LLC, d/b/a La Loteria, 29-7th Ave. South with 18 tables & 38 chairs (3125-2015 ASWC);

Whereas, the area was posted, community groups notified; no community members were present regarding this application and applicant appeared by its principal, Julieta Ballesteros together with her representative, Michael Kelly; and

Whereas, the owner is the former chef for more than five years at Mexicana Mamma and also owns and operates Crema restaurant on W. 17th Street; and

Whereas, applicant agreed 1) cafes hours of operation will be midnight on Friday and Saturday; 2) to maintain the DCA/Landmarks retractable awning; 3) remove two chairs from the application and, 4) remove the cement ramp at the entrance and level the sidewalk;

THEREFORE, BE IT RESOLVED, that CB2, Man. recommends **DENIAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for **International Hospitality Concepts LLC, d/b/a La Loteria, 29-7th Ave. South with 18 tables & 36 chairs (3125-2015 ASWC)**;

UNLESS applicant complies with the terms of the “third” Whereas.

VOTE: Passed, with 40 Board Members, and 1 in opposition (M. Schott).

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

Adoro Lei, LLC d/b/a Adoro Lei, 287 Hudson St., with 8 tables & 14 chairs (3125-2015) 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 principal, Joseph Primiano; and

Whereas, this is a 20-foot wide sidewalk at a restaurant located 50 feet south of Spring St.; and

Whereas, applicant agrees to install a DCA/Landmarks approved retractable awning; and, to operate pursuant to DCA regulated hours of operation;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **Adoro Lei, LLC d/b/a Adoro Lei, 287 Hudson St., with 8 tables & 14 chairs (3125-2015) ASWC)**;

VOTE: Passed, Unanimous with 41 Board Members in favor.

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

Nisida LLC, d/b/a Rossopomodoro, 118 Greenwich Ave., with 9 tables & 32 chairs (3420-2015-ASWC)

Whereas, the area was posted, community groups were notified, no community members were present, the applicant appeared by its principal, Simone Falco, together with his representative, Michael Kelly; and

Whereas, the applicant has operated this restaurant/pizzeria at this location for 4 ½ months and operates a restaurant/pizzeria at Eataly on 23rd St.; and

Whereas, the sidewalk on Greenwich Avenue measures 11’ 9 “, three inches less than the minimum twelve foot required sidewalk at this location; and, therefore no sidewalk café is legally permitted on Greenwich Avenue; and

Whereas, on 13th St. (13’, 2” wide), applicant is agreeable to a sidewalk café of no more than 8 two-top tables and 16 chairs with a 3” service aisle along 13th St., (identical to the DCA approved café plan of the prior owner) leaving the requisite 8’ clearance; for a total of **8 tables and 16 chairs; and**

Whereas, applicant agreed to close the café at midnight on Friday and Saturday; and shall maintain its DCA/Landmark’s retractable awnings; and

Whereas, applicant shall submit a new architect’s plan reflective of the “third” and “fourth” whereas, prior to the DCA hearing;

THEREFORE BE IT RESOLVED, that CB2, Man. recommends a **DENIAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café on Greenwich Avenue and **APPROVAL** of a NEW APPLICATION for revocable consent to operate an unenclosed sidewalk cafe for **Nisida LLC, d/b/a Rossopomodoro, 118 Greenwich Ave., on West 13th St. only with no more than 8 tables & 16 chairs (3420-2015- ASWC).**

VOTE: Passed, with 38 Board Members in favor and 3 in opposition (M. Schott, R. Chatree, K. Bordonaro).

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

390 Broome Restaurant, LLC, d/b/a Seamore’s, 390 Broome St., with 18 tables & 36 chairs (3288-2015- 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 principal, Michael Chernow, his general Manager, Robert Mallan and his representative, Michael Kelly; and

Whereas, Michael Chernow operates five sidewalk cafes with his “meatball” theme restaurant in CB1, CB2, CB3, CB4, and CB8 with no issues; and

Whereas, this location will be an affordable “seafood” theme restaurant at the corner of Broome & Mulberry Sts.; and

Whereas, the eleven tables on Mulberry St, shall measure 18” x 22”; and

Whereas, applicant will close the sidewalk café at 10pm from Sunday to Thursday and at 11pm on Fridays and Saturdays;

THEREFORE, BE IT RESOLVED, that CB2, Man. recommends **APPROVAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **390 Broome Restaurant, LLC, d/b/a Seamore’s. 390 Broome St., with 18 tables & 36 chairs (3288-2015-ASWC)**

VOTE: Passed, with 40 Board Members in favor, and 1 in opposition (M. Schott).

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

PB Hudson LLC Pizzeria Brunetti, 626 Hudson St., with 6 tables & 12 chairs (3784-2015-ASWC)

Whereas, the area was posted, community groups notified; applicant appeared by its principal, Jason Brunetti and his representative, Michael Kelly; and

Whereas, the Jane Street Block Association appeared by Paula Fedderson as well as two residents of 53 and 55 Jane Street, whose townhouses overlook the applicant's backyard and who filed a complaint with the Board Office about the backyard noise issue; and

Whereas, this owner, previously agreed to no sidewalk café at the SLA Committee hearing on February 21, 2013; and

Whereas, applicant agreed to the following terms to the satisfaction of the community:

Re: Backyard Garden: 1) close all service no later than 9:30 p.m. on Sunday- Thursday and 11 p.m. on Friday and Saturday; 2) to the best of their ability, install sound attenuating equipment; 3) shall not accommodate parties of more than 6 persons;

Re: Sidewalk Café: 1) reduce the café to 4 tables and 8 chairs; 2) close the sidewalk café at 10 p.m. from Sunday-Thursday and 11 pm. on Friday and Saturday; 3) install DCA/Landmarks approved retractable awning;

Whereas, the applicant entered into a stipulation incorporating the aforementioned terms;

THEREFORE, BE IT RESOLVED, that CB2, Man. recommends **DENIAL** of this NEW APPLICATION for revocable consent to operate an unenclosed sidewalk café for: **PB Hudson LLC Pizzeria Brunetti, 626 Hudson St., with 4 tables & 8 chairs (3784-2015-ASWC)**

UNLESS applicant complies with the "fourth" whereas clauses above.

VOTE: Passed, with 40 Board Members in favor and 1 in opposition (M. Schott).

FYI Renewals:

8. Renewal Applications For Sidewalk Cafés (Unenclosed & Enclosed):

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

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

- Bac Bars Group LLC, d/b/a Bayard's Ale House, 533 Hudson St. with 14 tables & 32 chairs (CA12488153-DCA)
- Sengupta Food Services LLC, d/b/a SoHo Park, 63 Prince St., with 7 tables & 14 chairs (1277362-DCA)
- 164 Mulberry St. Corp., d/b/a Da Nico Restaurant, 164 Mulberry St. (0949447-DCA)
- 151 Bleecker LLC d/b/a The Red Lion, 151 Bleecker St. with 7 tables and 13 chairs (DCA #1348216DCA) (ENCLOSED SWC)
- Zonor Rest. Corp. d/b/a Riviera Café, 225 West 4th St. with 17 tables and 36 chairs (DCA #0629616DCA) (ENCLOSED SWC)

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of the above referenced **RENEWAL** applications for revocable consents to operate unenclosed and enclosed sidewalk cafés.

VOTE: Passed, Unanimous with 41 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: and

New Applications for a Street Activity Event:

9. 6/13/15 Portuguese Soho Single Block Party, Sullivan St. bet W. Houston & Prince Sts.

Whereas, applicant, Arte Institute for Portuguese Contemporary Culture, appeared by its representative, Ana Miranda, for this non-commercial cultural engagement event; and

Whereas, 6/13/15 is the Feast of St. Anthony and there is scheduled (for more than 75 years now) the annual all day and evening celebratory program consisting of high mass, a procession through the neighborhood and attendance by approximately 1,000 people; and

Whereas, CB2, Man. would consider supporting this event if it is held on another day;

THEREFORE BE IT RESOLVED that C#2, Man. recommends **DENIAL** of this event at Sullivan St. bet W. Houston & Prince Sts.

Vote: Unanimous, with 41 Board members in favor.

10. 6/19/15 City As School End of year BBQ Block Party, 16 Clarkson St. bet Hudson St. & Varick St.

Whereas, this event is an expansion of last year's "end of the school year" party from the courtyard location to a full street closure; on a Friday, including set up and break down from 10 a.m. to 6 p.m. with an anticipated attendance of approximately 600 people, consisting of students, parents, teacher and administrators; and

Whereas, the applicant has an indigenous relationship with the community; and

Whereas, District School 75 for disabled students is located at this building; these students are brought to school and picked up by parents and aides by bus transportation that arrives and leaves the school every day on Clarkson St.; and

Whereas, closing Clarkson Street, a main artery for the Holland Tunnel, on any day of the week, will result a severe traffic disturbance; and

Whereas, we support this event in a location other than in Clarkson Street, perhaps in the park across the street, a safer environment for 600 children, parents, teachers and administrators;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **DENIAL** of this event on Clarkson St., bet. Hudson & Varick Sts.

Vote: Unanimous, with 41 Board members in favor.

11. 6/20/15 NYC Exotics Night Car Show, 1) 9th Ave. bet. W. 13th & W. 14th Sts.; 2) 9th Ave. bet. W. 13th & Little West 12th St.

Whereas, applicant did not appear nor request a lay over;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **DENIAL** of this event, on 1) 9th Ave. bet. W. 13th & W. 14th Sts.; 2) 9th Ave. bet. W. 13th & Little West 12th St.

Vote: Unanimous, with 41 Board members in favor.

12. 6/21/15 Make Music New York on Greene St. Block Party, Greene St. bet. Grand & Broome Sts.

Whereas, the applicant appeared by Daniel Goode, Soho composer, Aaron Friedman of the event sponsor, “Prime Make Music New York” and Jenny Undercofler, Director of “Face the Music”, the youth ensemble of 25 musicians who will gather and perform from 10 am. to 5 p.m.; and

Whereas, applicant stated that is event is identical to Make Music on Astor Place and Make Music on Cornelia St., which simultaneously has taken place, in previous years, on the Summer Soltise without any issues; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of this event on **Greene St. bet. Grand & Broome Sts.**

Vote: Unanimous, with 41 Board members in favor.

Renewal Application for a Street Activity Event:

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: and

13. 9/3/15 19th Annual New School Block Party, West 12th St. bet 5th & 6th Aves.

Whereas, the applicant has an indigenous relationship with the community;

Whereas, this is a family/student orientation from 3-7 p.m. held, every year, on the Thursday before Labor Day, on ½ of the block, closer to 6th Ave., with uniform and non-uniform security and no alcohol is served;

Whereas, an email was received from two residents who oppose the event and request that the event take place on 11th Street;

Whereas, the New School is unable to hold the event on 11th Street because the 11th Street freight elevator is in use throughout the day; there is no outside power source on 11th Street and there is better-suited street level access for this event from the three doors on 12th St.;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of this event on **West 12th St. bet 5th & 6th Aves.**

Vote: Unanimous, with 41 Board members in favor.

14. Renewal Applications for Street Activity Events (with NO issues):

- **5/2/15** – Cooke Center Street Fair, MacDougal St. between West Houston St. and King St.
- **5/30/15** – Jane St. Block Assoc. Street Sale, Jane St. between 8th Ave. and Hudson St.
- **5/29/15 - 5/31/15** – 2015 World Science Festival Street Fair, 1) LaGuardia Pl. between Washington Square South and West 3rd St., 2) Washington Square South between MacDougal St. and Washington Square East, 3) West 4th St. between Washington Square East and Mercer St.
- **6/1/15 – 11/2/15** – South Village Farmers Market, 6th Ave. between Carmine St. and West 3rd St.
- **6/7/15** – Open Air Street Fair, Crosby St. between Prince St. and E. Houston St.
- **6/21/15** – Make Music New York at Astor Place, Astor Place between Broadway and Lafayette St.
- **6/21/15** – Make Music New York on Cornelia St., Cornelia St. between Bleecker St. and West 4th St.
- **6/28/15** – Sons of Italy Anniversary Block Party, 203 Grand St. between Mulberry St. and Mott St.
- **10/1/15** – NYU Wellness Expo Block Party, Washington Pl. between Washington Square East and Greene St.
- **10/17/15** – Marco Polo 2015 Block Party, Grand St. between Mott St. and Mulberry St.

Whereas, the aforementioned street events have been held for 3 or more years without any issues; were 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 the aforementioned events.

Vote: Unanimous, with 41 Board members in favor.

SLA LICENSING

1. The Broome Street Bar, Inc. d/b/a Broome Street Bar, 361-363 W. Broadway 10013 (Corp. Change, existing On Premise Liquor License, SN1028408).

Whereas, the applicant appeared before CB2, Manhattan’s SLA Licensing Committee seeking to change its corporate structure to reflect new ownership between family members and to add an existing Manager as a shareholder to its existing business that has been operating at the same premises since 1972; and

Whereas, the applicants plan to continue to operate its neighborhood bar with the same method of operation that has existed for years in a corner storefront located in a 3 story mixed used building (circa 1826) on the corner of West Broadway and Broome Streets; and

Whereas, the corner storefront premises is located in is 1800 SF space (Ground Floor 1080 SF and 720 SF Basement) with 24 tables and 48 seats, 1 Bar with 12 seats for a total occupancy of 60, there is no sidewalk café or outdoor space; and

Whereas, the premises operates with two entrances, one on the corner of West Broadway and another on Broome Street, two bathrooms and 1 TV, there are also existing French windows on Broome Street that open out to the sidewalk; and

Whereas, the hours of operation will continue to be from 11 AM to 4 AM every day, seven days a week, all doors and windows will be closed every night by 10 pm daily, 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, 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 not operate as a Sports Bar and will only have one TV.
2. The hours of operation will be from 11 am to 4 am seven days per week.
3. All doors and windows will be closed by 10 pm daily.
4. There will be no dancing, 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.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the corp. change application of an On Premise Liquor License for **The Broome Street Bar, Inc. d/b/a Broome Street Bar, 361-363 W. Broadway 10013** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on its Restaurant Liquor License.

Vote: Passed, with 40 Board members in favor, and 1 in opposition (D. Diether).

2. Soho Sushi, Inc. d/b/a Soho Sushi, 231 Sullivan St. 10012 (Corp. Change existing Restaurant Wine License, SN1225542)

Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking to change its corporate structure to reflect new ownership of its existing business that has been operating at the same premises since 2009; and

Whereas, the applicant plans to continue to operate its sushi restaurant with the same method of operation that has existed since 2009 in a five-story mixed use building (circa 1900) on Sullivan Street between Bleecker and West 3rd Streets; and

Whereas, the storefront premises is located in is 900 SF space with 9 tables and 24 seats, no Bar, one bathroom and one entrance/exit for patrons for a total seating occupancy of 24, there is no sidewalk café or outdoor space; and

Whereas, the hours of operation will continue to be from 11:30 AM to 11 PM Sunday through Thursday and from 11:30 AM to 12 AM on Fridays and Saturdays, all doors and windows will be closed every night by 10 pm daily, 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, 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 operate as a full service restaurant with only one TV.

2. The hours of operation will be 11:30 AM to 11 PM Sunday through Thursday and from 11:30 AM to 12 AM on Fridays and Saturdays.
3. All doors and windows will be closed by 10 PM daily.
4. There will be no dancing, 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.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the corporate change application of a Restaurant Wine License for **Soho Sushi, Inc. d/b/a Soho Sushi, 231 Sullivan 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 Wine License.

Vote: Unanimous, with 41 Board members in favor.

3. Soho Grand Hotel, 310 West Broadway 10013 (existing hotel OP license seeking alteration to alter its layout to add an interior stand up bar on the second floor and to add service to two interior conference rooms on the ground floor)

Whereas, the applicant appeared before CB2’s SLA committee; and

Whereas, the applicant operates a 16 story hotel (circa 1996) on West Broadway between Canal and Grand Streets and also extends across to Thompson Street; and

Whereas, the Hotel is seeking to alter its existing OP license (#1023301 exp. June 30, 2015) limited to the interior of the premises and this application does not extend or apply to any exterior/outside or side yard portion of the premises; and

Whereas, members of CB2 Man.’s SLA Committee also appeared at and toured the Hotel premises; and

Whereas, the Hotel currently operates a Bar called the Cub Room consisting of two connected rooms with one stand up bar located on the southeast corner of the second floor of the Hotel premises and currently operates with hours of operation from 12 PM to 4 AM on Sundays and from 8 AM until 4 AM on every other day of the week; and

Whereas, the Hotel now seeks to alter its layout on change/convert an existing service bar into a stand up bar so that there will now be a stand up bar in each of the two connected rooms that make up the Cub Room; and

Whereas, the Hotel also seeks to add two additional rooms (2,500 SF combined) to the existing license and these rooms are located on the interior ground floor (grade level) connected to a grand hallway; and

Whereas, the first room is identified as a meeting room used for conferences and educational purposes in the middle of the Hotel’s floor plan and the Hotel seeks to extend its license to provide service to patrons attending such conferences limited to catered-type events and there will be third party promoters and no eating or drinking establishment such as a bar or restaurant located therein; and

Whereas, the second room is a storefront location on the street side southern portion of the Hotel’s floor plans but the storefront has windows to the sidewalk but no entrance to the public sidewalk and entry is the entire ground floor of the Hotel is only through the grand staircase in the Hotel’s floor plans; and

Whereas, the Hotel again seeks to extend its license to provide service to patrons attending conferences and meetings limited to catered-type events, there will be no third party promoters and no eating or drinking establishment such as a bar or restaurant located therein; 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 Hotel license and those stipulations are as follows:

1. The premises will be advertised and operated as a full service Hotel with multiple venues but will not permit any use or operation in or about any outdoor areas, including the ground floor side yards and the covered second floor landing and staircase on the south side of the Hotel's second floor until the operator returns to CB2 Man. for this purpose and is fully heard on any of these outdoor areas.
2. The Hotel currently operates a Bar called the Cub Room consisting of two connected rooms with one stand up bar located on the southeast corner of the second floor of the Hotel premises and currently operates with hours of operation from 12 PM to 4 AM on Sundays and from 8 AM until 4 AM on every other day of the week.
3. The Hotel will alter its layout to change/convert an existing service bar into a stand up bar so that there will now be a stand up bar in each of the two connected rooms that make up the Cub Room.
4. The Hotel will not permit patrons to enter or exit the exterior doors located in the Cub Room leading to a covered second floor landing and staircase located on the south side of the Hotel's second floor except for emergency egress (ie. Fire, Natural Disaster or Criminal Act) and will not permit patrons on the exterior landing itself except in the case of an emergency.
5. The Hotel will add two additional rooms (approximately 2500 SF combined) to the existing license and these rooms are located on the interior ground floor (grade level) connected to a grand hallway, staircase and ground floor entrance, the first room being found in the middle of the Hotel's floor plan and the second room being a storefront location on the southern portion of the Hotel's floor plans albeit without an entrance to the public sidewalk and the Hotel will extend its license to provide service to patrons attending meetings/conferences at catered-type events but those events will not involve third party promoters and there will be no eating or drinking establishment such as a bar or restaurant located therein.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the **interior only** alterations application for **Soho Grand Hotel, 310 West Broadway 10013** **unless** the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on its Hotel On Premise license.

Vote: Unanimous, with 41 Board members in favor.

4. 135 Tart LLC d/b/a t/b/a, 135 Sullivan St. 10012 (New Beer & Wine application, previously unlicensed location).

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

Whereas, the two storefronts were previously operated for many years as a small café and catering business known as “Once Upon a Tart” by a different operator serving pastries during daytime hours only and closing by 6 pm daily; and

Whereas, this is the third application for a liquor license at these same premises (July & August/2014 and January/2015) and all prior applications have resulted in a deny recommendation by CB2, Man.; and

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

Whereas, the current applicant has no catering background but intends to continue the bakery café with the prior menu, did not provide a dinner menu but indicated he is seeking the beer and wine license to offer boutique wines from around the world with imported, micro-brewed and handcrafted artisanal beer in the North Storefront with new hours of operation for the jointly operated storefronts from 8 AM to 11 PM Monday through Wednesday and from 8 AM to 2 AM Thursday through Saturday; and

Whereas, the applicant also plans to continue to use a sidewalk platform in front of each storefront for eating and drinking even though there is currently no permit or sidewalk café license to do so and the residential zoning prohibits sidewalk cafes for both premises and it has not been affirmatively demonstrated that these outdoor areas are within the building lot line; and

Whereas, the North storefront is a 360 s.f. space, including 1 stand-up bar with 15 seats, one bathroom but will have no kitchen; and

Whereas, the South Storefront is a 1,200 s.f. space, with 18 tables and 41 seats, one service bar, one bathroom and a kitchen; and

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

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

Whereas, residents from the building appeared in opposition explaining that the prior operator and current operator/applicant of the two storefront premises previously used the two doorways from each storefront leading into the common residential hallway on a daily basis to operate the combined business in the two storefronts, providing recent photos to demonstrate how the business operates in the residential hallway to gain access to **1)** its cold storage facilities located elsewhere in a basement area, **2)** garbage disposal and **3)** a third exterior egress/ingress that leads to a cemented passageway, without exterior illumination, which leads completely around the building in the rear and down one side of the building adjacent to residential terraces and residential windows of neighbors in two residential buildings and which ultimately leads to a basement gate leading to the sidewalk and Sullivan Street, a gate which residents indicated is often left unlocked, creating significant foreseeable security concerns for the existing residents of the building, not to mention quality of life concerns for the existing tenants; and

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

Whereas, CB#2 Man. once again has considerable concerns with how the operator will operate both storefronts serving alcohol as an eating and drinking establishment without using the interior common hallway used by the residential dwellers in the same building; and

Whereas, when the applicant was again specifically questioned about how he intended to operate the Wine Bar and restaurant/café in the separate storefronts without using the residential hallway to jointly operate both locations, the applicant responded that he could not and that he would continue to use the residential hallway for access between the two operations, the cold storage facilities and the exterior passageway, but that he would be serving alcohol in the north storefront and that the food would be cooked and prepared earlier in the day in the South storefront and that the pastries and meals would be transferred via the residential hallway doorways separating the two storefronts; and

Whereas, 25 residents from the immediate area appeared before CB2's SLA Committee in July/2014 in opposition to the proposed licensing of the two storefronts, 12 residents from the immediate area again appeared in August/2014 in opposition to the proposed license and 7 residents again appeared in January/2015, providing the committee with petitions, photographs demonstrating large crowds on the sidewalk in front of another existing restaurant on the same block and outlining their concerns as to the proliferation and over-saturation of liquor licenses on this particular block, that prior to 2009 there was only one licensed premises on this one block but now in 2015 there are six such licensed premises, with additional notices currently received for three additional applications, a significant increase in noise levels from the use of additional storefronts being operated with late night hours that did not previously exist and the poor layout of the premises in multiple but separate storefronts that will require the operator to access each storefront through the common hallway used by residents in the same building; and

Whereas, residents again appeared in opposition to the current license, again voicing the same concerns previously articulated and identified in July and August of 2014 to CB#2 Man., as the current application being presented exhibited the same problems and concerns as the prior applications in July/August of 2014 and again in January/2015; and

Whereas, residents also appeared in support of the current license, some of whom lived on the block and some of whom did not, promoting the character of the applicant, the character of the business and worried about chain stores that could potentially replace the existing cafe; and

Whereas, the applicant **1)** failed to establish how he will be able to coherently operate in both the North and South storefronts simultaneously without using and relying upon the use of the common residential hallway separating the two storefronts to operate as one business, **2)** failed to demonstrate that all necessary licenses and permits have been issued to operate the two separate storefronts as one restaurant in this Landmarked residentially-zoned block with no commercial overlays and **3)** failed to demonstrate how it will be legally permitted to serve alcohol on the public sidewalk in front of either storefront; and

Whereas, there are also concerns of an unreasonable encroachment on the residential dwellers living in the building with late-night hours that previously did not exist, an increase in the noise levels generated by the use of the two storefronts, the North Storefront having no kitchen but instead has a large stand up bar, neither storefront has ever been previously licensed and the storefronts are located within a

Landmarked residentially zoned block this proposed use of the two combined storefronts will result in a significant expansion of what this space has been used for and creates a direct impact on this residential block which was not intended to house these types of uses;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to **135 Tart LLC d/b/a t/b/a, 135 Sullivan St. 10012** on its application seeking an BW license; and

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

Vote: Unanimous, with 41 Board members in favor.

5. Legend West Village, LLC d/b/a t/b/d, 82 West 3rd St. 10012 (New OP, previously licensed location).

Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a new on premise restaurant liquor license to operate a full service Chinese Restaurant with a focus on Sichuan cuisine located in the parlor floor of a four-story mixed-use building on West 3rd Street between Thompson Street and LaGuardia Place; and

Whereas, the premises is located in a 1,900 SF space with 14 tables and 43 seats, 1 Bar with 8 seats for a total seating occupancy of 24, a full service kitchen, two bathrooms and one entrance/exit for patrons, no sidewalk café or outdoor space; and

Whereas, the hours of operation will be from 12 PM to 11 PM on Sundays and from 11 AM to 1 AM Monday through Saturday, all doors and windows will be closed at all times except for patron egress, 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, the landlord of the building, who lives in an apartment above the premises to be licensed, appeared in support of the application indicating that he was careful in leasing the premises to an operator with prior experience operating restaurants and not bars or other late night establishments; and

Whereas, the applicant already operates other Legend Restaurants specializing in Chinese fare in Chelsea and the Upper West Side and plans to open up a third such restaurant with a same method of operation at these premises; and

Whereas, the applicant met with the Bleecker Area Merchants' & Residents' Association (BAMRA) with respect to its application and BAMRA voted to approve the license subject to certain stipulated terms which are, to the most extent, incorporated herein; 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 operate as a full service Chinese restaurant.
2. There will be only one TV and it will not operate as a sports bar or tavern.
3. The hours of operation will be 11 AM to 11 PM Sundays and from 11 AM to

4. 1 AM Monday through Saturday through Thursday and from 11:30 AM to 12 AM on Fridays and Saturdays.
5. All doors and windows will be closed at all times.
6. There will be no dancing, 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.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Restaurant On Premise Liquor License for **Legend West Village, LLC, 82 West 3rd 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 On Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

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

6. **13 Sullivan Gents LLC, d/b/a 142 Sullivan, 142 Sullivan St.** (BW, laid over at request of licensee)

Whereas, after this month’s CB2 SLA Licensing Committee meeting on April 7, 2015, the principal/applicant requested to layover this application from consideration and agreed to reappear before CB2 regarding its application; and,

Whereas, this application is for a Beer Wine license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any proposed alteration to the Beer and Wine or On Premise license to **13 Sullivan Gents LLC, d/b/a 142 Sullivan, 142 Sullivan St.** until the applicant has returned and fully 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 41 Board members in favor.

7. **Liberty Theater, Inc., d/b/a Minetta Lane Theater, 18 Minetta Lane 10012** (RW laid over at request of licensee)

Whereas, prior to this month’s CB2 SLA Licensing Committee meeting on April 7, 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 Beer Wine license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any proposed alteration to the Beer and Wine or On Premise license to **Liberty Theater, Inc., d/b/a Minetta Lane Theater, 18 Minetta Lane 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 41 Board members in favor.

8. 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 41 Board members in favor.

9. 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 CB2, 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 41 Board members in favor.

10. Bar Glacosa Corp., d/b/a IL Pittino, 268-270 6th Ave. 10014 (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 CB2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **Bar Glacosa Corp., d/b/a IL Pittino, 268-270 6th Ave. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 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 CB2, 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 41 Board members in favor.

12. Doshermanos, LLC, 95 MacDougal St. Store B 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 CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Doshermanos, LLC, 95 MacDougal St. Store B 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

13. Indorama Inc., d/b/a Mirch Masala, 95 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 **Indorama Inc., d/b/a Mirch Masala, 95 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 41 Board members in favor.

14. Song & Napule Inc., 146 W. Houston 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 **Song & Napule Inc., 146 W. Houston St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

15. Dragonfly Soul, Inc., 140 W. 4th 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 CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Dragonfly Soul, Inc., 140 W. 4th 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 41 Board members in favor.

16. Herm LLC, 160 Prince St. 10012 (withdrawn)

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 CB2, 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 41 Board members in favor.

17. Soho Grand Hotel, 310 West Broadway 10013 (existing hotel OP license seeking alteration to modify and extend its existing licensed premises to include 5,479 s.f. outdoor space)

Whereas, the applicant appeared before CB2's SLA committee; and

Whereas, after this month's CB2 SLA Licensing Committee meeting on April 7, 2015, the principal/applicant Hotel through his attorney requested to layover this application from consideration and agreed to reappear before CB2 regarding its application in May/2015; and,

Whereas, this application is for an alteration to an existing OP license seeking an alteration to modify and extend its existing licensed premises to include 5,479 s.f. outdoor space;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed alteration to extend its existing OP license to any exterior premises adjacent to **Soho Grand Hotel, 310 West Broadway 10013** until the applicant has returned and fully 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 41 Board members in favor.

18. Hornblower NY, LLC d/b/a Espirit, 353 West St. – Pier 40 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Vessel Liquor license for a 96 foot long vessel named Espirit for chartered Hudson River cruises docked at Pier 40 in Hudson River Park on the West side of Manhattan at roughly West Houston Street and West St. with 20 tables, 150 table seats, two decks and 1 bars with no bar seats and 28 additional outdoor seats, the vessel currently holds all USCG permits; and

Whereas, the applicant stated the hours of operation are Monday through Sunday from 12pm to 1am; there will open air decks; music will be Live DJ, Live Music and music form Ipod/CD's at entertainment levels and background levels and the applicant agreed to specific stipulations regarding music as indicated below; and,

Whereas, the applicant has been approved and authorized by the Hudson River Park Trust and currently operates an additional 4 other licensed vessels which are indicated on their licensing information as docked at pier 40 as well as other vessels in other areas; and,

Whereas, complaints have been received and observations were shared at the meeting by members of the community and members of CB2, Man. in regards to the music volume levels played on the 4 currently licensed vessels owned and operated exclusively by Hornblower NY, LLC when they are docked at Pier 40 and as they leave Pier 40 and return to Pier 40 and the harmful quality of life impact that they have to the surrounding residential buildings and to other users of the park and the disruption to small music performances on Pier 46 and other users such as participatory dance groups; and,

Whereas, Hornblower N.Y. LLC has managed other issues that have previously been a concern to CB2 Man., specifically the high volume of patrons who arrive by vehicles in a very small window of time (less than one hour) between the hours of 5 pm and 6pm for a number of the applicants dinner ships and for this sightseeing ship, which is a peak hour for usage of the park, which impacts pedestrians, bicyclists and runners in the heavily trafficked Hudson River Park which vehicles have to cross over in order to reach the designated parking area and CB2 has always had concerns that this might impact the safety of users of Hudson River Park and continues to feel that should this become an issue, CB2 would like to revisit this; and

Whereas, the applicant has agreed to the following stipulations:

1. The licensed vessel will be operated and advertised as a Sightseeing and Dinner Cruise Vessel.
2. The hours of operation will be from 12 PM to 1 AM 7 days a week. All patrons will be cleared and no patrons will remain on the ship after stated closing times.
3. The premises will play quiet ambient recorded background music only while at Port (docked at Pier 40).
4. There will be designated parking in Pier 40 for each event/cruise.
5. At Port (while docked at Pier 40), when vessels are arriving or leaving Pier 40, music will be at background music levels only – the Licensee has also agreed that this will extend to all Hornblower N.Y. LLC owned vessels that are docked or licensed at Pier 40 (Hornblower N.Y. LLC Vessels currently docked and licensed at Pier 40 as of April 2015 include Infinity SN#1263750, Hornblower Hybrid SN#1264202, Serenity SN#2192934, John James Audubon SN#1278241, and Vista Jubilee SN#1279343)
6. Hornblower N.Y. LLC will develop policies and procedures that will be shared with CB2, Manhattan to address noise and quality of life issues.
7. Hornblower N.Y. LLC will indicate on their website a contact number for local residents for noise complaints. All complaints will be shared with senior management.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **DENIAL** of a Vessel Liquor License for **Hornblower NY, LLC d/b/a Espirit, 353 West St. – Pier 40 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 Vessel Liquor License.

Vote: Passed, with 30 Board members in favor, 10 in opposition (T. Bergman, K. Bordonaro, A. Brandt, W. Bray, R. Chatree, M.P.Derr, R. Goldberg, S. Greene, S. Russo, E. Young) and 1 abstention (S. Secunda).

19. 24 5th Ave., LLC d/b/a Claudette, 24 5th Ave. 10011 (Alt add SWC SN#1276301)

Whereas, the Licensee’s Manager and the Licensee’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an alteration application to the Liquor Authority to include a newly licensed sidewalk café for 10 tables and 20 seats into the existing premises for a full service neighborhood French/Mediterranean Restaurant open for lunch and dinner; and,

Whereas, the location has a current Restaurant On Premise Liquor License and is located in a mixed-use building in a residentially-zoned neighborhood located on the ground floor and basement (no patron use of basement) on Fifth Avenue between 9th and 10th Streets with 35 tables and 108 seats and 1 standup bar with 13 seats for a total of 121 interior seats, the maximum occupancy is 125 persons, this application is to include a sidewalk café with 10 tables and 20 seats, there are no other outdoor areas for patrons, no benches on the sidewalk, there is an existing Temporary Certificate of Occupancy; and,

Whereas, the hours of operation are Sunday from 11am to 12am, Monday to Wednesday from 11am to 1am and Thursday to Saturday from 11am to 2am (all patrons will be cleared and no patrons will remain after stated closing times, music is quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

Whereas, the Licensee has been in discussion with the Condominium and Cooperative Boards of 25 5th Avenue and 33 5th Avenue and the Licensee's Attorney stated that they had executed a Memorandum of Understanding with both buildings, a copy of which was provided to CB2, which had not yet been executed by the buildings, which outlined various aspects of 24 5th Ave. LLC's operation of their newly licensed sidewalk café including that the sidewalk café would never be expanded beyond 10 tables and 20 seats, that the sidewalk café would close at 10pm Sunday to Wednesday and 11pm Thursday to Saturday, that a retractable awning would be installed and extended by no later than 8pm each day and remain extended until closing, that all doors and windows would be closed by 10pm; and,

Whereas, the Licensee 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 existing method of operation on the existing Restaurant On Premise Liquor License SN#1256775 stating that:

1. The premises will be advertised and operated as a full service French Mediterranean Restaurant.
2. The hours of operation are Sunday from 11am to 12am, Monday to Wednesday form 11am to 1am and Thursday to Saturday from 11am to 2am. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a "lounge", tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will operate their sidewalk café no later than Sunday to Wednesday at 10pm and Thursday to Saturday at 11pm. At stated sidewalk café closing time, no patrons shall remain in the sidewalk café.
8. The sidewalk café will have no more than 10 tables and 20 seats and the licensee will not seek to expand the number of tables and chairs in the future.
9. When the sidewalk café awning is installed, awning will be extended at 8pm every night until the sidewalk café closes. The awning is anticipated to be installed shortly after the time these stipulations were entered into.
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 close all doors and windows at 10pm every night and anytime there is amplified music.
13. The alteration to incorporate a new sidewalk café will include no more than 10 tables and 20 seats in the sidewalk café.
14. All previous stipulations remain in effect except as modified to add the sidewalk café portion to the premises.
15. The Licensee will make available to immediate residents a designated manager's phone number to address issues as they arise.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to include a sidewalk café with 10 tables and 20 seats for the existing Restaurant On Premise Liquor License SN#1276301 for **24 5th Ave., LLC d/b/a Claudette, 24 5th 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 existing “Method of Operation” on the current SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

20. 61 Gans Restaurant LLC, d/b/a BFB, Opus, The Raven, 53-59 Gansevoort St. (SN#1268022 - OP Renewal – recommend denial)

Whereas, at the request of members of the community, CB2, Man. placed on the April 9th, 2015 CB2 SLA Licensing Committee Meeting agenda for discussion and recommendation to the Liquor Authority the renewal application for the liquor license SN#1268022 for 61 Gans Restaurant, LLC d/b/a BFB, Opus, The Raven, 53-59 Gansevoort St.; and,

Whereas, neither of the two principals on the liquor license appeared, but two individuals (James Chung and Victor Jung) representing one of the principals, Michael Shah, appeared; CB2 has been led to believe that the other principal, Matthew Levine, is no longer involved in the day to day operation of the premises and is apparently involved in ongoing litigation with Mr. Shah; and,

Whereas, a number of residents in the local community appeared and spoke in opposition to the renewal of the Liquor License for 61 Gans Restaurant, LLC and CB2 Man. received a number of email correspondence in opposition to the renewal of the liquor license for 61 Gans Restaurant LLC; and,

Whereas, for detailed information on the original presentation of this Liquor License and the proposed method of operation and stipulations agreed to, please refer to CB2, Manhattan's September 2012 Resolution sent to the Liquor Authority for “Corp. to be formed by Michael Shah (61 Gans Restaurant, LLC) dba TBD, 53-59 Gansevoort St. 10014” a copy of which will be provided under separate cover; and

Whereas, at the time the premises was originally presented to CB2 Man. it was described as a “full service restaurant paying homage to the meat packing district and old New York, with a Mexican inspired menu focused on local ingredients”; and,

Whereas, the basis for opposition to the renewal of the on-premise liquor license are as follows: **(1)** The Licensee is not regularly and in a bona fide manner operating a restaurant used and kept open for the serving of regular meals to guests **(2)** The Licensee stated that they are renting their kitchen space to another local restaurant in the area for use as a commissary kitchen and/or accessory kitchen and it is used for the location next door **(3)** The Licensee has stated to the Liquor Authority that their “Chef will be on site during all hours premises is open to the public” – but no restaurant is regularly open to serve the

public (4) As part of the original application, the Licensee submitted as a part of their 500 ft. statement that the principals “are experienced in the restaurant business, and have other licenses that are in good standing”, that the application was “approved when they appeared before their community board” – CB2 Man. recommended “denial unless” certain stipulations were followed and specifically, this recommendation was based on the premise that “all statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 4th and 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license” - the Licensee was represented by an Attorney and as experienced restaurateurs there should be no confusion as to what the definition of a “restaurant” operation is and the meaning and implications of agreeing to stipulations (5) The Licensee presented the method of operation as outlined in CB2’s September 2012 resolution as the premises being operated as the principal business a restaurant located on the ground floor and 2nd floor and an accessory bar in the basement, the primary business is now a lounge/nightclub/bar operating under ever changing names, many of which do not seem to have been properly reported to the SLA (6) The Licensee clearly indicated to the Liquor Authority that the Principals would manage the premises – this does not appear to be the case and it appears that James Chung and Victor Jung are managing the premises and (7) the Licensee is clearly violating on a regular basis almost all of the stipulations which were agreed to as a condition of their Liquor License, which undermines the reasoning for the issuance of the original license in the first place as the stipulations were the basis of the findings of the Liquor Authority that the issuance of the license would be in the public interest; and

Whereas, testimony was provided that the Licensee is regularly and in an ongoing manner violating stipulations that they agreed to as a condition of their license, specifically that (1) Licensee is regularly operating on the ground floor and 1st floor past hours to which they stipulated and patrons are remaining well past closing hours (2) there is no full service restaurant at the location (3) there is regularly patron dancing which is allowed by staff but the premises does not have a New York City Cabaret License (4) That in addition to the use of DJ’s in the basement, there are DJ’s on the Ground floor and 2nd Floor (5) music volume is often beyond any subjective qualification of “background music” on the ground and 2nd floor (6) Licensee has allowed live music performances (7) The Licensee regularly allows outside promoted events within the establishment which are evidence of which is easily found online when using the d/b/a name of the moment (8) The Licensee often charges cover charges for events and has bottle service with minimum purchase requirements for seating at tables (9) The Licensee regularly utilizes velvet ropes and barriers outside the establishment to queue patrons, in particular, they often manage 2 and sometimes 3 separate queues with “velvet ropes” (10) there are no identifying names or signage for the various d/b/a’s the premises is operating and/or advertising under (11) there are multiple entrances into the establishment and each floor is treated as a separate venue (12) That on certain nights when the spaces appeared to be booked or promoted or hosting popular events, the crowding outside and the contributing noise of rowdy patrons waiting to get in and drunk patrons leaving overwhelms the local community with quality of life issues (13) that the 6th Precinct regularly responds to the premises and is under the impression that this is a club and not a restaurant and as such tolerates certain behaviors that are unacceptable for a restaurant with accessory lounge; and,

Whereas, CB2 Man. requested that local residents who appeared and submitted correspondence to CB2 with evidence and testimony also send the same information directly to the Liquor Authority and consider making themselves available for any enforcement proceedings and/or cooperate directly with the Liquor Authority in providing relevant information or testimony ; and,

Whereas, CB2 Man. cannot support the renewal of this Liquor License for the many reasons which are summarized above, but the central reason is that the premises is not operating primarily and regularly as a bona fide restaurant open for regular service hours and is not closely following all of the stipulations which they agreed to as a condition of their Liquor License; and,

THEREFORE BE IT RESOLVED that CB2 Man. recommends **denial** of the renewal application for the liquor license SN#1268022 for **61 Gans Restaurant LLC, d/b/a BFB, Opus, The Raven, 53-59 Gansevoort St.**; and,

THEREFORE BE IT FURTHER RESOLVED that CB2 Man. respectfully requests that the Liquor Authority not issues any Renewal License or recall any Renewal License already issued, but not yet effective, until it has investigated the information presented by local residents directly to the Liquor Authority and summarized above; and,

THEREFORE BE IT FURTHER RESOLVED that CB2 Man. respectfully requests that the Liquor Authority conduct appropriate enforcement as it deems necessary; and,

THEREFORE BE IT FURTHER RESOLVED that should the Liquor Authority decide to issue a renewal license despite the reasons listed above, that it consider requesting that the Licensee place the license into safekeeping until such time a restaurant is opened on the Ground Floor and 2nd Floor as is indicated in the “method of operation”, in stipulations that are a condition of the license and in materials originally presented to CB2, Man. and to the Liquor Authority and that when it is removed from safekeeping that all agreed upon stipulations be fully adhered to for the rest of duration of the License and any subsequent renewals.

Vote: Unanimous, with 41 Board members in favor.

21. 31 Great Jones Restaurant Corp. d/b/a Vic’s, 31 Great Jones St. 10012 (Corp Change SN#1025221)

Whereas, the applicant’s representative appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a corporate change application to the Liquor Authority to add Chris Paraskevaides as a principal to the existing Restaurant On Premise Liquor License SN#1025221 for a family owned restaurant; and,

Whereas, the location has a current Restaurant On Premise Liquor License and is located in a mixed use located on the ground floor on Great Jones St. between Lafayette St. and Bowery with 30 tables and 90 seats and 1 standup bar with 12 seats for a total of 102 interior seats, the maximum occupancy is 158 persons, there is an existing licensed sidewalk café with 11 tables and 22 seats, but 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 are from 10:30am to 11pm 7 days a week (No patrons shall remain after the closing hour), music is 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 are closed at 10 p.m. 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, in the past there have been issues raised by local residents as they relate to venting issues including mechanical noise for which ECB violations were issued and odors in addition to issues relating to the operation of the sidewalk café and configuration, but those issues seem to have been addressed; and,

Whereas, the Licensee executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated in to the existing method of operation on the existing Restaurant On Premise Liquor License SN1025221 stating that:

1. The premises will be advertised and operated as a family owned full service restaurant.
2. The hours of operation will be 10:30am to 11pm 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (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 close all doors and windows at 10pm every night and anytime there is amplified music.
10. The Licensee will correct any outstanding issues related to noise, odors.
11. The Licensee will operate their licensed sidewalk café in compliance with Sidewalk Café Regulations.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the Corporate Change application to add Chris Paraskevaides as a principal to the existing to the existing Restaurant On Premise Liquor License SN#1025221 for **31 Great Jones Restaurant Corp. d/b/a Vic’s, 31 Great Jones 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 existing “Method of Operation” on the current SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

22. Cork Buzz LLC d/b/a Corkbuzz Wine Studio, 13 E. 13th St. 10013 (OP Alteration SN#1256775)

Whereas, the Licensee appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an alteration application to the Liquor Authority to extend the hours of operation on Thursday to Saturday nights until 2am from the previously stipulated hours of operation for those nights which ended at 1am for an existing Restaurant On Premise Liquor License SN#1256775 for a full service restaurant open for dinner all nights and weekend brunch which also offers a wine education component; and,

Whereas, the location has a current Restaurant On Premise Liquor License and is located in a mixed use building located on the ground floor on East 13th Street between 5th Avenue and University Place with 27 tables and 73 seats and 1 standup bar with 15 seats for a total of 88 interior seats, the maximum occupancy is 120 persons, there is no sidewalk café and no other outdoor areas for patrons, no benches on the sidewalk, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation are Sunday to Wednesday from 12pm to 12am and will now be Thursday to Saturday from 12pm to 2am (No patrons shall remain after the closing hour), music is quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be live jazz music during weekend brunch service from 12pm to 5pm, all

doors and windows are closed at all times except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

Whereas, Corkbuzz has been well received since its opening 4 years ago and has a strong reputation in both the Wine Community and Dining Community; and,

Whereas, the local block association provided a letter supporting this alteration; and,

Whereas, at the time of the original application for this License in April/2011, the location had not previously been licensed for liquor service and was fairly controversial among local community members; CB2 requested at that time and continues to request, that given the strong concerns that this neighborhood has concerning the over saturation of liquor licenses and that this location has not previously maintained a liquor license of any sort, that should this location change hands or transfer ownership in the future or adopt a different method of operation in the future, that the SLA not give weight in this specific circumstance to the fact that this location was licensed by the above referenced entity given that this establishment is unique in this neighborhood and is the primary reason this board recommended approval (please refer to CB2 resolution to the Liquor Authority in April/2011 for further details); and

Whereas, the Licensee executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated in to the existing method of operation on the existing Restaurant On Premise Liquor License SN#1256775 stating that:

1. The premises will be advertised and operated as a full service restaurant.
2. The hours of operation will be Sunday to Wednesday from 12pm to 12am and Thursday to Saturday from 12pm to 2am. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a "lounge", tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. There is no sidewalk café.
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, however there may be live Jazz music during weekend brunch service from 12pm to 5pm.
10. The premises will close all doors and windows at all times except for patron ingress and egress.
11. Any previous stipulations will remain in effect except for hours of operation as noted above and live music for weekend brunch as noted.
12. All garbage will continue to be stored inside until 1 hour before pickup.
13. There will continue to be no neon signage.
14. The exhaust and mechanical system will continue not to disrupt quality of life for surrounding residents.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to extend the hours of operation and to add weekend live jazz for brunch as described for the existing Restaurant On Premise Liquor License SN#1256775 for **Corkbuzz Wine Studio LLC d/b/a**

Corkbuzz, 13 E. 13th St. 10013 unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the current SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

23. Archbishop Fulton J. Sheen Center, Inc., d/b/a Sheen Center, 18 Bleecker St. 10012 (New Beer & Wine)

Whereas, the applicant and senior staff members appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a beer and wine license for the recently opened Sheen Center located at 18 Bleecker St; “The Sheen Center is a forum to highlight the true, the good, and the beautiful as they have been expressed throughout the ages. Cognizant of our creation in the image and likeness of God, the Sheen Center aspires to present the heights and depths of human expression in thought and culture, featuring humankind as fully alive. At the Sheen Center, we proclaim that life is worth living, especially when we seek to deepen, explore, challenge, and stimulate ourselves, Catholic and non-Catholic alike, intellectually, artistically, and spiritually”; and,

Whereas, this application is for portions of the building known as the Sheen Center located on the Southwest corner of Bleecker St. and Elizabeth St, the portions of the Sheen Center complex to be licensed encompasses 2 Theaters and an Art Gallery, as outlined in detail in the stipulations below, that will host live performances, film screenings, festivals, art shows and gallery related events and other gatherings that fit with the Sheen Center’s mission; there will be no outdoor areas for patrons or guests anywhere within the building and no benches on the sidewalk, there is an existing final Certificate of Occupancy; and,

Whereas, the applicant conducted extensive outreach efforts and met with members of the community, members of the public, members of the local neighborhood association and the local stakeholders organization and members of CB2, Man.; and,

Whereas, the applicant has already been operating the Sheen Center since the Summer of 2014 and there have been only a few complaints and steps have been taken to minimize the occurrence of similar future issues through adoption of best practices procedures; and,

Whereas, one of the local neighborhood stakeholder groups, The Noho Bowery Stakeholders submitted a petition in opposition with 68 signatures citing a number of concerns and requests for clarifications and the establishment of stipulations relating to the operation of the Sheen Center; a number of residents and residents representatives also spoke in opposition and stated reasons for objecting included increased noise from patrons entering and exiting the Sheen Center, that this is a quiet residential area with families, that there are already too many establishments dedicated exclusively to drinking in the immediate area, that loud disorderly patrons of the Sheen Center would disrupt quality of life for residents in surrounding buildings, that increased pedestrian congestion would overwhelm already over taxed sidewalks in the area and vehicles bringing patrons to the Sheen Center and picking up passengers after performances would further exacerbate known traffic issues during peak performance times and peak traffic times, and several specific incidents which occurred in the past year were raised for which there were complaints including a festival which occurred last year and a more recent incident concerning buses discharging, parking and idling and picking up patrons of the Sheen Center; and,

Whereas, the applicant, in response to a request from CB2 Man., agreed to lay this application over for 1 month in March 2015 and returned to CB2 in April 2015 with a list of stipulations that they would adhere in response to concerns from local residents and stakeholder groups and CB2, Manhattan; 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 their beer & wine license stating that:

1. The licensed premises will consist of [1] The Loreto Theatre containing 293 seats (service area includes the lobby entrance area, main seating area, mezzanine, mezzanine lobby and Elizabeth St lobby/gallery) [2] the Black Box Theatre containing 80 seats (includes the main seating/performance area and separate dedicated lobby area) and [3] the art gallery in the Loreto Theatre Elizabeth St. Lobby. These areas are clearly delineated on diagrams presented to CB2, Manhattan.
2. The Sheen Center is normally open 7 days a week from 9am – 11pm for patrons in the various portions of the Sheen Center; many of the uses are in areas which will not permit service of beer or wine including rehearsal rooms. There may be occasional rehearsal or technical rehearsals outside those times that will not include the service of Beer & Wine. Beer & Wine Service will be limited as described below.
3. Events involving an audience are required to end by 11pm.
4. At no time will any music or noise from inside the Sheen Center be audible in any contiguous residential apartments.
5. At no time will the Sheen Center utilize DJ's, allow patron dancing, utilize velvet ropes or other barricades to queue patrons or otherwise block areas of the sidewalk on the exterior of the building, use "red carpets" on the sidewalk or otherwise restrict access to the sidewalk surrounding the Sheen Center.
6. The Sheen Center will abide by all the regulations of the Department of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, Place of Assembly Permits and exterior signage, modifications and design.
7. The Sheen Center will assign at least one person ("Community Liaison") who will be available to speak with local residents during normal weekday business hours concerning any matters related to compliance with the terms of these stipulations or other concerns of local residents. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of these stipulations in the event emergency contact is required.
8. The Sheen Center agrees to design and operate the venue so as to comply with all NYC Noise Code standards. Should reasonable complaints be made to The Sheen Center and should any measures taken by The Sheen Center to answer such complaints not be sufficient to abate such sound, The Sheen Center agrees to, at their own expense, conduct sound testing to assure that any amplified, non-amplified sound or HVAC or other mechanical system sound is not present or audible outside or inside the contiguous residences beyond NYC noise control code levels.
9. Loading in and out of the Sheen Center for any event will occur only during the normal operating hours of 9am – 11pm. Full theatrical sets or large amounts of production equipment that require large trucks will not be allowed to load out past 9pm. The Sheen Center requires large load-outs to begin and end the following day of the last performance from 9am – 9pm, so as to avoid post-show load-outs. Smaller load-outs that are going into someone's car or minivan will be allowed until the Sheen Center closes at 11pm. Under no circumstances will any load-out/in occur prior to 9am or past 11pm.

10. Contact Information - Administrative personnel staff are available via the Sheen Center's main phone line during all open hours of operation and are able to put any caller with real-time complaints in touch directly to a senior staff member authorized to make decisions and rectify any ongoing situation. This person is stationed at the main operating entrance on Elizabeth St. This staff member will also log all complaints and provide senior management with all complaint information on an ongoing and timely basis. The phone number for the Sheen Center is 212-219-3132. Dial 0 to speak with the administrative staff on duty at anytime the Sheen Center is open.
11. Staffing at The Sheen Center - The Sheen Center is comprised of the following staff, which is subject to change. Executive Director: William Spencer Reilly, Executive Assistant: Mary Ann Randazzo, Director of Production and Operations: Benjamin Williams, Associate Director of Production: Aaron Mack, Freelance Production Personnel: Various positions as needed, Facilities Manager: Ray Cuddy, Full-Time Porter: Charles Oliver, Front of House Manager: Kyle Leacock, Other House Managers, Ushers, Concessions/Bar Staff, Box Office Staff, Administrative Front Desk Staff, Marketing Associate: Sean Leo, Programming Manager: Mandy Rinzel, Managing Director: Currently being filled, Director of Film, Television, and Mission Outreach: Currently being filled, GBCA Producing and Programming Consultants: Gary Bernstein and Jessica Bashline. It is anticipated that the Sheen Center will continue to have a full staff similar with similar positions to those outlined above running various components of the Sheen Center on an ongoing basis.
12. Beer and Wine Service Plans - The Sheen Center will have a total of 4 service stations: [1] Black Box Concessions Area [2] Loreto Theatre Bleecker Lobby [3] Loreto Theatre Mezzanine Lobby [4] Loreto Theatre Gallery Lobby. The Black Box concessions area [1], and the Loreto Theatre Bleecker Lobby [2] are both fixed service areas. The Loreto Theatre Mezzanine Lobby [3] and the Loreto Theatre Gallery Lobby [4] will consist of one mobile cart each. The mobile carts in areas [3] and [4] will have a fixed location when in use, and are only mobile for storage needs when not in use. All service areas are clearly designated on diagrams presented to CB2, Manhattan and do not include areas of the Sheen Center which are used for temporary housing, for rehearsal spaces, office space or other uses. All concessions staff responsible for overseeing or serving patrons beer and wine will be TIPS trained.

Beer and Wine Service Times – Service will only occur as follows:

Live Performances - 30 minutes prior to the beginning of a performance and during intermission, if there is an intermission, for no longer than 30 minutes. The service stations will be closed during any live performances and immediately following intermission and will not reopen after the live performance ends until the following event of there is one. All patrons will be ticketed or on a guest list.

Special Events/Fundraising Galas - The Sheen Center will occasionally hold post-show receptions during which wine and beer will be served. These receptions will not last longer than an hour past the performance, and patrons will not be served any beer or wine past the closing of the building (11pm). All patrons will leave the premises by 11:15pm. These post-show receptions will be limited to no more than 4 times per year. It is also anticipated that The Sheen Center will host fundraising galas quarterly. Beer and wine will be served at the galas. Galas will not serve beer or wine past midnight. All patrons will have exited the premises by 12:15am. Fundraising galas will be limited to no more than 4 times per year. CB2 and local community organizations will be notified of all such post-show receptions and galas no less than 10 ten days in advance of each occurrence.

Gallery Openings and events in the Loreto Theatre Gallery Lobby/Space [4] – Occasionally the Sheen Center will host a gallery opening for the presenting artist. Gallery openings normally occur between 5pm – 9pm and are by invitation only. Additionally, the Loreto Theatre Gallery

Lobby/Space may be used by other groups for small receptions or gatherings. Beer and Wine service in the Loreto Theatre Gallery Lobby/Space will never occur outside the hours of 5pm to 9pm and all events will be by invitation only. At no time will any use of the Loreto Theatre Gallery Lobby/Space overlap with another event that is using the main Loreto Theatre Space, and as such, there will not be two events attempting to be served wine or beer at the same time at the same service station.

Film Screenings - The same procedure as a “Live Performance” will be followed (detailed above).

Festivals - The same procedure as detailed under “Live Performance” will be followed for festivals.

Matinees and Festivals Times - On matinee and festival days, no wine or beer will be served prior to 12:30pm. After 12:30 pm, wine and beer will only be served 30 minutes prior to each performance, and during intermission, if applicable. At the end of intermission, service will be suspended until the following use of the space or performance.

13. Customer/Community Complaint Procedure - Contact the Front Desk at 212-219-3132 x0. Depending on the nature of the complaint, the front desk will alert the appropriate manager on duty. All complaints, comments, concerns, actions taken and resolutions are logged at the end of each shift and are reviewed by the Director of Production and Operations daily. Appropriate follow-up action is taken if required. All incidents are recorded via a closed circuit camera system and are reviewed by the Director of Production and Operations.
14. Access to Various Parts of the Sheen Center - Only ticketed patrons are allowed access to the relevant theatres and areas. The Sheen Center Front of House staff is responsible for the monitoring and directing of patron movement. Guests that are residing on the 4th or 5th floors, renters of rehearsal studios, and groups in theatres during non-performance times do not have access to the areas where beer and wine are served and those areas are considered separate areas for the purposes of the Licensed Premises. All fire exits and egress paths are strictly adhered to and the separation of spaces throughout the building does not affect the egress paths used by anyone attempting to exit the building in the event of an emergency.
15. Sidewalks and Exiting - Sheen Center staff will make every attempt to keep the sidewalks surrounding the building clear and as quiet as possible. Following performances in the Loreto Theatre and the Black Box Theatre, a post-show announcement will remind patrons of the residential neighborhood and direct them to subways and appropriate locations to hail a cab. Ushers will be stationed at the exits to help move people in and out of the building and answer any questions regarding directions, area restaurants/etc. as well as monitor congregating and noise levels on the street. As needed, 2 ushers may be assigned to patrol the exterior sidewalk in areas immediately adjacent to the Sheen Center. The Sheen Center staff will use best practices to make every effort to immediately respond to congregating or noisy patrons.
16. Buses and Vans discharging or loading visitors, patrons or guests of The Sheen Center will be requested to comply with all New York City and New York State Laws and utilize only legal designated spaces while loading and unloading passengers and for parking. Furthermore, while waiting and idling for extended periods of time, buses will be reminded to turn their engines off. The Sheen Center will also create a handout sheet for bus and van drivers highlighting the pertinent NYC and NYS Regulations as they pertain to Bus and Van idling, parking, layovers and suggest appropriate legal spaces for Van and Bus parking in the immediate area and perhaps include a map. If requested, the Sheen Center will also designate a staff member to contact via phone or text any bus driver who is unable to find a legal space to wait in the immediate area when any show or performance is ending, so that they may promptly return to pick up their passengers in an expedient manner. The Sheen Center will endeavor at all times to ensure that no travel lanes on Bleecker are blocked at any time and will discourage at all times any use of vans or buses on Elizabeth St to discharge or pickup passengers.

The Sheen Center will as a policy ask that no buses or vans or any commercial vehicles affiliated in any way with the Sheen Center utilize any areas on Elizabeth Street between Houston and Bleecker St due to the narrow width of the Street and narrow sightlines for pedestrian and bicyclist safety.

17. The Sheen Center, at the request of CB2, Man. will revisit any of the above stipulations as they relate to quality of life issues and will work with CB2, Manhattan to create additional best practices to mitigate any ongoing issues, specifically these issues most likely may relate to patron management outside the Sheen Center and vehicular traffic management outside the Sheen Center.
18. Any changes to the Method of Operation or other changes to beer and wine service or areas of service as indicated above and in materials submitted to CB2, Man. will require proper 30 day notice to CB2, Man. in conjunction with an alteration application to the Liquor Authority. CB2, Man. makes no representations as to any future actions and may choose not to recommend any alterations.

Whereas, there are currently approximately 24 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Beer and Wine License for **Archbishop Fulton J. Sheen Center, Inc., d/b/a Sheen Center, 18 Bleecker 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 Beer & Wine License.

THIS APPLICATION WAS LAID OVER TO THE FOLLOWING MONTH.

24. Feung Fu, Inc. d/b/a Lan Larb Soho, 227 Centre St. 10013 (New RW)

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 “small Thai restaurant with a seating capacity of 30” which will be operated by two principals who each individually have separately licensed restaurants which each have current beer and wine licenses; and,

Whereas, this application is for a new restaurant wine license located in a 2-story commercial building located on the ground floor on Centre St. between Grand St and Broome St. for a roughly 1,800 sq. ft. premise (1,000 sq. ft. ground floor for patron use and 832 sq. ft. basement for storage only) with 15 tables and 30 seats and no standup bars (1 service bar only) for a total of 30 interior seats, there will not be a sidewalk café pursuant to zoning regulations, 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 11:30am to 11pm 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, 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 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 Thai Restaurant.
2. The hours of operation will be 11:30am to 11pm 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (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. All doors and windows will be closed at all times except for patron ingress and egress.
10. The Premises will not have unlimited drink specials.
11. The Premises will not sell pitchers of beer or have “Sake Bomb” styles of drinks.

Whereas, there are currently approximately 21 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Feung Fu, Inc. d/b/a Lan Larb Soho, 227 Centre St. 10013** **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 41 Board members in favor.

25. Yerina Restaurant Corp., d/b/a Arte Restaurant, 21 E. 9th St. 10013 (Alteration Restaurant OP – Add SWC - SN#1024413)

Whereas, the applicant and applicant’s representative appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an alteration application to the Liquor Authority for an existing Restaurant On Premise Liquor License SN#1024413 for an Italian Restaurant that has been operating for 20 years to add a sidewalk café with 3 tables and 8 seats; and,

Whereas, the location has a current Restaurant On Premise Liquor License SN#1024413 and is located in a mixed-use 5-story building located on the ground floor on East 9th St between University Place and 5th Avenue for a roughly 3,200 sq. ft. premise (2,400 sq. ft. on ground floor for patron use and 800 sq. ft. basement for storage only) with 20 tables and 80 seats and 1 standup bar with 11 seats for a total of 91 interior seats, this alteration application is to add a licensed sidewalk café with 3 tables and 8 seats to the existing premises 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 of the interior of the premises are from 12pm to 12am 7 days a week (No patrons shall remain after the closing hour), music is 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 are closed at 10 p.m. 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 existing method of operation on the existing Restaurant On Premise Liquor License SN1024413 stating that:

1. The premises will be advertised and operated as an Italian Restaurant.
2. The hours of operation will be 12pm to 12am 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will operate their sidewalk café no later than Sunday to Thursday at 11pm and Friday and Saturday at 12am. At sidewalk café closing time, no patrons shall remain in the 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 close all doors and windows at 10pm every night and anytime there is amplified music.
11. The alteration to incorporate a new sidewalk café will include no more than 3 tables and 8 seats in the sidewalk cafe.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the alteration to the existing Restaurant On Premise Liquor License SN#1024413 for **Yerina Restaurant Corp., d/b/a Arte Restaurant, 21 E. 9th St. 10013** to add a sidewalk café unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the current SLA Restaurant Wine License.

Vote: Passed, with 40 Board members in favor, and 1 in opposition (M. Schott).

26. Margherita Corp, 197 Grand St. 10013 (New RW)

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 unlicensed location for a “specialty pizza and pasta restaurant where tourists, residents and workers in the area can have a taste of Italy for an affordable price; and,

Whereas, this application is for a new restaurant wine license located in a mixed-use 7-story building located on the ground floor on Grand St. between Mott St and Mulberry St. for a roughly 600 sq. ft. premise with 10 tables and 20 seats and no standup bars (1 service bar only) for a total of 20 interior seats, there will be a sidewalk café application in the future 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 1am 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 10 p.m. 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 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 Specialty Pizza and Pasta Restaurant.
2. The hours of operation will be 11am to 1am 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will apply for a sidewalk café in the future. The future sidewalk café will operate no later than Sunday to Thursday at 11pm and Friday and Saturday at 12am. At sidewalk café closing time, no patrons shall remain in the 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 close all doors and windows at 10pm every night and anytime there is amplified music.
11. The Premises will not have unlimited drink specials.
12. The Premises will not sell pitchers of beer.
13. The operable façade openings will be closed entirely each evening by 10 pm.

Whereas, there are currently approximately 23 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Margherita Corp, 197 Grand St. 10013** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Passed, with 40 Board members in favor, and 1 in opposition (M. Schott).

27. An entity to be formed by The Sheetz Group and Ken Friedman, 45 Bond St. 10012 (New OP – Prev Licensed)

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 on premise liquor license for a previously unlicensed location for a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’” ; and,

Whereas, this application is for a new restaurant on premise liquor license located in a mixed use 6 story loft building built in 1899 located on the ground floor and basement on Bond St. between Lafayette St and Bowery for a roughly 2,900 sq. ft. premise (1,700 sq. ft. ground floor and 1,200 sq. ft. basement, both with patron use) with 21 tables and 89 table seats and 1 standup bar on the ground floor with 11 seats and 1 stand up bar in the basement with 4 seats and 4 seats at a kitchen counter for a total of 108 interior seats, this application does not include a sidewalk café and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an Certificate of Occupancy which states the maximum occupancy is 143 and the applicant will obtain an updated Place of Assembly Permit; and,

Whereas, the hours of operation will be Sunday to Wednesday from 8am to 1am and Thursday to Saturday from 8am to 2am (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 9 p.m. 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 one of the local stakeholder organizations, the Noho Bowery Stakeholders, and a number of agreements were discussed and issues reviewed and as a result the applicant presented a list of proposed stipulations to CB2 Manhattan which they were willing to incorporate into a stipulations agreement with CB2, Manhattan; 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 wine license stating that:

1. The premises will be advertised and operated as a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’” and will operate at all times as a full service restaurant.
2. The hours of operation will be Sunday to Wednesday from 8am to 1am and Thursday to Saturday from 8am to 2am. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. There is no sidewalk café included with this application. Any future application for a sidewalk café will not be presented prior to the 2016 sidewalk café season and no guarantees are set forth as to approval of any sidewalk café application by CB2, Manhattan or the recommendation of approval of alcohol service within any future sidewalk café.
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The premises will close all doors and windows at 9pm every night and anytime there is amplified music.
11. Alcohol service will not begin before noon Sunday to Friday. Alcohol service will no begin before 10am on Saturdays.

12. There will never be more than 105 patrons (staff additional) in the premises at any time. This number of patrons, “guests”, is not to be substituted by DOB capacity, which may be greater than the above stated and agreed configuration capacity of the restaurant.
13. The establishment’s personnel will manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk immediately in front, and to additionally keep that portion of the sidewalk clean during all hours of operation.
14. The establishment will actively engage in all efforts to keep the sidewalk immediately in front of the premises and gutters free of debris and waste at all times, including the provision of containers in which to store garbage until third-party pick up and that all effort will be made to avoid garbage pick-ups between the hours of 2 AM and 7 AM, seven days a week.
15. Licensee will abide by all the regulations of the Department of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, the Public Assembly Permit and exterior signage, modifications and design.
16. Licensee will assign at least one person (“Community Liaison”) who will be available to speak with local residents during normal weekday business hours concerning any matter related to compliance with the terms of these stipulations. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of these stipulations in the event emergency contact is required.
17. Licensee agrees to design and operate the venue so as to comply with all NYC Noise Code standards. Should reasonable complaints be made to the Licensee and should any measures taken by Licensee to answer such complaints not be sufficient to abate such sound, the Licensee agrees to, at their own expense, conduct sound testing to assure that any amplified, non-amplified sound or HVAC system sound is not present or audible outside or inside the contiguous residences beyond NYC noise control code levels.
18. Licensee agrees to maintain its mechanical systems to provide industry standard venting and equipment that will minimize and/or prevent kitchen-related venting sound and odors.
19. Licensee agrees that any change in the method of operation, contrary to the terms and restrictions in these stipulations and in the materials submitted to CB2, Man. at the time of the initial application, will be submitted and reviewed for recommendation and approval through CB#2 Man. This also includes the addition of any future sidewalk café, which is not included in this application.
20. Licensee will maintain a reservation system for patrons at all times. Any walk in guests who are unable to be accommodated or guests for whom tables are not yet ready and who are unable to be hosted within the restaurant will not be permitted to queue or loiter in front of the establishment, but will instead be contacted by cell phone or other electronic means by the Licensee when their seating is available. At times, patrons may be encouraged to visit other establishments in the neighborhood until such time their table is ready. All conversations regarding seating and accommodation of guests with Restaurant staff will occur inside the restaurant. At all times, the licensee will use best practices to mitigate any quality of life issues, excess noise or traffic issues in managing their patrons as they come and go.

Whereas, there are currently approximately 24 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On Premises Liquor License for **An entity to be formed by The Sheetz Group and Ken Friedman, 45 Bond 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 41 Board members in favor.

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

28. Ogawa Sushi Inc., d/b/a Ogawa Café, 36 E. 4th St. 10003 (Did Not Appear)

Whereas, the applicant failed to appear before CB2, Manhattan’s SLA Licensing Committee Meeting on April 9th, 2015 after having submitted a “30 Day Notice” to CB2 for a new beer and wine license and having been placed on CB2’s SLA Licensing Committee’s Agenda;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed eating place beer, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Ogawa Sushi Inc., d/b/a Ogawa Café, 36 E. 4th 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 41 Board members in favor.

29. Emmanuel NY Corp., 194 Grand St. 10013 (Did Not Appear)

Whereas, the applicant failed to appear before CB2, Manhattan’s SLA Licensing Committee Meeting on April 9th, 2015 after having submitted a “30 Day Notice” to CB2 for a new beer and wine license and having been placed on CB2’s SLA Licensing Committee’s Agenda;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed eating place beer, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Emmanuel NY Corp., 194 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 41 Board members in favor.

30. San Remo Group One LLC, d/b/a San Remo, 201 Lafayette St. 10012 (Did Not Appear)

Whereas, the applicant failed to appear before CB2, Manhattan’s SLA Licensing Committee Meeting on April 9th, 2015 after having submitted a “30 Day Notice” to CB2 for a new on premise liquor license and having been placed on CB2’s SLA Licensing Committee’s Agenda; and

THEREFORE BE IT RESOLVED that CB 2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, eating place beer, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **San Remo Group One LLC, d/b/a San Remo, 201 Lafayette St. 10012** **until** the applicant has presented their application in front of

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

Vote: Unanimous, with 41 Board members in favor.

31. Dumpling 516 Hudson NY, Inc., 516 Hudson St. 10014 (request to layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9th, 2015, the applicant's attorney requested to **layover** this application for a new beer and wine license and they 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, beer and wine license, on premise liquor 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 41 Board members in favor.

32. NYPiada, Inc., 15 8th Ave. 10014 (request to layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9th, 2015, the applicant's attorney requested to **layover** this application for a new beer and wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB 2, Man. strongly recommends that the SLA **deny** any type of proposed eating place beer, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **NYPiada, Inc., 15 8th Ave. 10014 until** the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

33. Beer Factory, LLC, d/b/a Lionsbeerstore, 15 E. 12th St. 10003 (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9th, 2015, the applicant's attorney requested to **withdraw** this application for a new beer and wine license and they 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, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Beer Factory, LLC, d/b/a**

Lionsbeerstore, 15 E. 12th 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 41 Board members in favor.

34. La Gringa Christopher Street Corp., 82 Christopher St. 10014 (request to layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9th, 2015, the applicant's attorney requested to layover this application for a new beer and wine license and they 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, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **La Gringa Christopher Street Corp., 82 Christopher St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

35. Early Mist LLC, d/b/a Pastis, 54-56 Gansevoort St. 10014 (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9th, 2015, the applicant's attorney requested to withdraw this application for a new on-premise liquor license and they 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, eating place beer, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Early Mist LLC, d/b/a Pastis, 54-56 Gansevoort 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 41 Board members in favor.

36. Hudson Gastropub LLC, d/b/a The Hudson Division, 131 Christopher St. 10014 (request to layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9th, 2015, the applicant's attorney requested to layover this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, eating place beer, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Hudson Gastropub LLC, d/b/a The Hudson Division, 131 Christopher St. 10014** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of installation of a bike lane on Spring Street from Washington Street to Bowery which then extends a short distance into CB3 Manhattan to connect with an existing bike lane

Whereas at the request of residents in the area of Spring Street and Washington Street, CB2 Manhattan passed a resolution in October 2013 requesting NYC DoT install a bike lane on Spring Street between Washington Street and Varick Street, and study the possibility of extending the lane east from there; and

Whereas after studying the entire Spring Street corridor DoT determined that even without a bike lane there was already substantial – and growing – bike usage, particularly through the heart of SoHo, and the agency has, as presented by Nick Carey of the DoT Bike Program, proposed to implement a bike lane of varying composition extending from Washington Street to Bowery where it will connect to an existing east-bound bike lane in the CB3 Man. district; and

Whereas the meeting was attended by more than 40 members of the community who appeared to be roughly 2-1 in favor of the bike lane and the Board office received 20+ emails which were roughly evenly divided between supportive and not supportive; and

Whereas in designing the bike lane, DoT made the decision to not remove any parking for the bike lane throughout the length of Spring Street, but reallocate the space used by what is a single traffic lane throughout the length; and due to that decision and because the width of Spring Street varies considerably, progressively narrowing as it goes further east the street widths and bike lane is proposed as follows:

Section	Width	Proposed layout (looking west at oncoming traffic)
Washington St – Greenwich St	43’	extra-wide 14’ south parking lane, 11’ travel lane, 3’ buffer, 5’ bike lane, 10’ north parking lane
Greenwich St – 6th Ave	32-35’	8’ parking, 10’ travel, 5’ bike, 9’ parking
6th Ave – Wooster St	32-35’	same as above
Wooster St – Broadway	30’	8’ parking, 13’ shared traffic/bike, 8’ parking
Broadway – Lafayette St	25’	9’ parking, 10’ travel, 6’ curbside bike lane (parking/loading lane will be moved from the north side to the south side)
Broadway – Bowery	25’	17’ combined parking and shared traffic/bike lane, 8’ north parking lane

; and

Whereas there were many opponents of the bike lane who were concerned about the lane adding to traffic and pedestrian congestion along Spring Street but Mr. Carey reiterated the proposal was an attempt to address bike traffic that is already using Spring Street without removing any parking along the route in order to provide guidance to all users of the street as to where bikes and vehicles should be. The newly marked, more clearly aligned lanes will hopefully better organize traffic to make it safer; and

Whereas, another concern was the construction currently going on between Mercer Street and Broadway and Mr. Carey responded that as is DoT's standard practice, the bike lane will be implemented there once the construction is completed; and

Whereas, supporters of the lane asked why a parking-protected lane was not proposed for the very wide segments west of 6th Avenue and Mr. Carey explained that there are several large loading docks on the north side of those blocks and the change of alignment at 6th Avenue would require a confusing change in the bike lane's relationship with vehicular traffic; and

Whereas much of the opposition to the bike lane reflected general frustration and anger at the lack of enforcement of traffic rules, particularly for drivers and cyclists but at times for pedestrians as well; and

Whereas several supporters of the bike lane, including a majority of the committee wondered why DoT chose not to remove some of the parking, particularly on the most congested central segments where parking has been maintained on both sides of the street, in order to provide safer traffic, and it appeared DoT leadership is not prepared for that level of commitment, regardless of any stated goals under Vision Zero;

Therefore be it resolved that CB2, Man. strongly supports installation of a bike lane on Spring Street from Washington Street to Bowery, which then extends a short distance into CB3 Man. to connect with an existing bike lane on Stanton St.

VOTE: Passed, with 37 Board Members, in favor, 2 in opposition (R. Rothstein, J. Frost) and 2 Abstentions: 2 (S. Russo, S. Sweeney).

2. Resolution in support of restoration of rush hour parking on the east side of Varick Street north of Spring Street and the installation of a Leading Pedestrian Interval left-turn signal from Varick Street eastbound on Spring Street

Whereas, Nick Carey of NYC DoT presented a proposal to improve pedestrian safety at the dangerous corner of Varick Street and Spring Street, particularly in the crosswalk across Spring Street on the east side of Varick; and

Whereas, parking on Varick Street in the block north of Spring Street has been banned during evening rush hours for many years, but Mr. Carey stated that traffic on that section of Varick Street, which is already separated from Holland Tunnel traffic by bollards, is not sufficient to justify the parking ban, and that the lack of parking encourages drivers turning left onto Spring Street to do so at higher speeds; and

Whereas, DoT proposes to reinstate parking on that side of Varick Street in order to narrow the area of vehicular movement and somewhat shield pedestrians, and to implement a Leading Pedestrian Interval of seven seconds on the traffic light to allow pedestrians to establish their presence in the Spring Street crosswalk before vehicles are provided a green light;

Therefore be it resolved that CB2, Man. supports restoration of rush hour parking on the east side of Varick Street north of Spring Street and the installation of a Leading Pedestrian Interval left-turn signal from Varick Street eastbound on Spring Street.

VOTE: Passed, with 37 Board Members in favor, 2 in opposition (R. Rothstein, J. Frost), and 2 abstentions (S. Russo, S. Sweeney).

3. Resolution in support of installation of a left turn lane from eastbound Spring Street to northbound Lafayette Street

Whereas, Nick Carey of NYC DoT presented a proposal to a left turn lane from eastbound Spring Street to northbound Lafayette Street which would require the removal of approximately six loading zone spaces and a slight realignment of the bike lane proposed for Spring Street; and

Whereas, this proposal originated in part with the FDNY which hopes it will facilitate better access to the fire house on Lafayette north of Spring Street; and

Whereas, roughly 2/3 of the loading/parking on the north side of Spring Street between Crosby and Lafayette Streets would be removed to implement a left turn lane and the new Spring Street bike lane would shift slightly south to share the through-traffic lane; and

Whereas, there was concern with some members of the community and the committee that this arrangement might be more confusing than beneficial, it was decided that there was virtually no way to know for sure without implementing the change;

Therefore be it resolved that CB2, Man. supports installation of a left turn lane from eastbound Spring Street to northbound Lafayette Street.

Further be it resolved that the Board requests DoT carefully assess the impact of this change on vehicular, bicycle and pedestrian movement to ensure it does not decrease safety at this corner.

VOTE: Passed, with 37 Board Members in favor, 2 in opposition (R. Rothstein, J. Frost) and 2 abstentions (S. Russo, S. Sweeney).

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan