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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: November 19, 2015
TIME: 6:30 P.M.
PLACE: Scholastic Building, 557 Broadway, Auditorium

BOARD MEMBERS PRESENT: Daniel Ballen, Keen Berger, Tobi Bergman, Chair; Don Borelli, Anita Brandt, Richard Caccappolo, Lisa Cannistraci, Ritu Chattree, Tom Connor, Terri Cude, Doris Diether, Cristy Dwyer, Robert Ely, Jonathan Geballe, Robin Goldberg, Jeannine Kiely, Maud Maron, Daniel Miller, Lois Rakoff, Sandy Russo, Maury Schott, Shirley Secunda, Kristin Shea, Federica Sigel, Sean Sweeney, Susan Wittenberg, Antony Wong, Robert Woodworth, Elaine Young

BOARD MEMBERS ABSENT WITH NOTIFICATION: William Bray, Coral Dawson, Billy Friedland, Joshua Frost, Sasha Greene, Edward Ma, Rocio Sanz, Chenault Spence

BOARD MEMBERS ABSENT: None

BOARD MEMBERS PRESENT/ARRIVED LATE: Carter Booth, Susan Gammie, David Gruber, Susan Kent, Alexander Meadows, Shirley Smith

BOARD MEMBERS PRESENT/LEFT EARLY: Susanna Aaron, Katy Bordonaro, David Gruber, Robert Riccobono, Robin Rothstein

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

GUESTS: Robert Atterbury, Congressman Jerrold Nadler's office; Jared Odessky, Senator Brad Hoylman's office; Andrea Bender, Senator Daniel Squadron's office; Morris Chan, Manhattan Borough President Gale Brewer's office; Charles Anderson, Assembly Member Deborah Glick's office, Crystal Feng, NYC Comptroller Scott Stringer's office; Adam Chen, Public Advocate Letitia James' office; David Moss, Council Member Corey Johnson's office; Aura Olavarria, Council Member Rosie Mendez's office; Vincent Fang, Council Member Margaret Chin's office; Gary Ginsberg, Elizabeth Sabo, Eyzabeth Gaumer, Leslie Clarke, Marilyn Bai, John P. Tanmora, Donato Savoie, Caroline Harris, Atit Javeri, Brian Ripel, Betty Lou Hudson, Theo Chino, Sheryl Woodruff, Gabriel Stulman, Tracey Hummer, Sindell Faraun, Valerie Reynolds, Peter Stevens, Gina Stulman, Jane Carey, Amy Tse, Mitchell Forman, Nick Sabatino, Pete Davies, Ken Wallach, Jiawen Chen

MEETING SUMMARY

Meeting Date – November 19, 2015
Board Members Present – 38
Board Members Absent With Notification – 8
Board Members Absent - 0
Board Members Present/Arrived Late - 6
Board Members Present/Left Early – 5

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	2
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
EXECUTIVE SESSION	3
STANDING COMMITTEE REPORTS	4
LANDMARKS AND PUBLIC AESTHETICS	4
LAND USE & BUSINESS DEVELOPMENT	10
PIER 40 AIR RIGHTS TRANSFER WORKING GROUP	13
SCHOOLS & EDUCATION	16
SIDEWALKS/STREET ACTIVITIES	17
SLA LICENSING	18
TRAFFIC AND TRANSPORTATION	44

II. PUBLIC SESSION

Non-Agenda Items

St. Luke's Christmas Fair

Jeanine Kiely made an announcement regarding the upcoming fair.

Replacement of DA in 2017

Theo Chio spoke regarding full disk encryption and replacement of the DA in 2017.

Community Events

Lois Rakoff made announcements regarding free community events.

Washington Square Park Conservancy

Sheryl Woodruff updated everyone on Washington Square Park/

Landmarks & Public Aesthetics Items

10 Greene St. Landmarks application to construct a rooftop addition

Caroline Harris, Atit Javeri and Brian Ripel, all representing the applicant, spoke in favor of the proposed rooftop addition.

Donato Savoie, and Betty Lou Hudson spoke against the proposed rooftop addition, citing visibility concerns.

Tracey Hummer spoke regarding the application.

SLA Licensing Items

George Marcel LLC, d/b/a Perla, (removal from 24 Minetta Lane), 234 W. 4th St.

Gabriel Stulman (principal), John Tammoro, and Gary Ginsberg, spoke in favor of the relocation of the liquor license to 234 W. 4th St.

Marilyn Bai, Leslie Clark, Elyzabeth Garmer, and Elizabeth Sabo, spoke against the proposed relocation of the liquor license.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congressman Jerrold Nadler's office

Jared Odessky, Senator Brad Hoylman's office

Andrea Bender, Senator Daniel Squadron's office;

Crystal Feng, NYC Comptroller Scott Stringer's office;

Morris Chan, Manhattan Borough President Gale Brewer's office

Charles Anderson, Assembly Member Deborah Glick's office

David Moss, Council Member Corey Johnson's office

Vincent Fang, Council Member Margaret Chin's office;

Aura Olavarria, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Adoption of September and October 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

FIRST LANDMARKS MEETING

1 - 10 Greene Street (Canal/Grand) - SoHo-Cast Iron Historic District. A store and warehouse designed by John B. Snook and built in 1869. Application is to construct a rooftop addition and install storefront infill.

Whereas, a number of residents from the adjacent building spoke out against the application, stating that the rooftop addition is too visible and that the requested change of use will harm the character of the neighborhood; and

Whereas, we appreciate the applicant's solution of the ADA accessibility issue by obtaining a Variance for an interior lift, instead of the all-too-common simplistic solution of destroying exterior historical elements on the stoop to facilitate the installation of a lift or ramp there; and

Whereas, the work proposed will enhance the building, restoring and replacing damaged architectural elements; and

Whereas, the applicant claims that only the elevator bulkhead and not the "penthouse" will be visible – and only from a couple of spots outside the historic district; now

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

Vote: Unanimous, with 38 Board members in favor

2 - 10 Greene Street (Canal/Grand) - SoHo-Cast Iron Historic District. A store and warehouse designed by John B. Snook and built in 1869. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution.

Whereas, echoing the sentiments of the neighbors who spoke against this application, it is our belief that current market conditions in SoHo no longer justify the use of 74-711 to support a deviation from the conforming uses established under the Zoning Resolution.

Section 74-711 was intended to be used when buildings were in danger of major deterioration due to neglect. This situation is not prevalent in SoHo today. Market values have increased astronomically, prompting many property owners to invest gratuitously in capital improvements, and not requesting a change of use in exchange; and

Whereas, since 74-711 is anachronistic in this neighborhood at this time now;

Therefore, be it resolved that CB2, Man. recommends denial of this application, since 74-711 is anachronistic in this neighborhood at this time.

Vote: Passed, with 31 Board members in favor, 6 opposed (J. Geballe, S. Russo, A. Meadows, D. Miller, and R. Caccappolo) and 1 recusal (R. Woodworth)

3 - 59 Greene Street (Grand/Broome) - SoHo-Cast Iron Historic District. A commercial building designed by Edward H. Kendell and built in 1876-77. Application is to alter storefront infill.

Whereas, this proposal to lower the storefront bulkhead for the sole purpose of increasing the size of the display window unnecessarily distorts the historical dimension of the windows and bulkhead, simply to facilitate retail use; and

Whereas, the precedent of a lowered bulkhead at the Drawing Center at 35 Wooster offered by the applicant failed to note that this alteration of historic detail was permitted by LPC in order to comply with legally mandated provisions of the ADA – and not for the sole purpose of enhancing retail at the expense of historic accuracy; now

Therefore, be it resolved that CB2, Man. recommends denial of this application, since it sacrifices historical authenticity for the sake of retail consideration: form following function in a landmark district, instead of form following historicity.

Vote: Unanimous, with 38 Board members in favor.

4 - 734 Broadway (Astor/W.4) - NoHo Historic District. A neo-Grec style store building designed by D&J Jardine and built in 1872-73. Application is to replace storefront and entrance infill and cladding.

Whereas, although this building traditionally had an asymmetrically articulated storefront, this proposal is too modernist and does not fit with the rest of this 19th century building; now

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

Vote: Passed, with 35 Board members in favor, and 3 in opposition (D Ballen, L. Cannistraci, and S. Sweeney)

5 - 195-205 Lafayette Street, aka 106-118 Kenmare Street & 4-8 Cleveland Place - SoHo-Cast Iron Historic District Extension. A neo-Classical style store and loft building designed by Max Epstein and built in 1911-12, with a one-story commercial addition on Kenmare Street. Application is to legalize artwork and display boxes installed without Landmarks Preservation Commission permit(s).

Whereas, the “art screen” we feel is being installed to conceal the large ventilation unit on the roof, and is not art for art’s sake; and

Whereas, the Special Permit that allowed a zoning conversion for the building a dozen years ago required specific, sound-insulated window. Windows must conform with the Negative Declaration dated March 8, 2004 with respect to CEQR # 03DCP068M, which required the applicant to install and maintain specific window conditions. The proposed vitrines violate that requirement of the Permit.

Furthermore, the recessed glass display boxes detract from the building and are not historically accurate; now

Therefore, be it resolved that CB2, Man. recommends denial of this application, since the art screen’s main purpose is not art, but rather is to conceal a huge mechanical unit on the roof that is much larger than the unit that was originally there; and, further,

Be it resolved, CB2, Man. recommends denial of the window display boxes, since the vitrines are not sympathetic with the rest of the building's glazing, and, further, they violate the conditions of the Special Permit (CEQR # 03DCP068M) that requires specific insulated windows meant for sound attenuation - not the recessed windows that the applicant installed.

Vote: Unanimous, with 38 Board members in favor.

SECOND LANDMARKS MEETING

6. 95 Horatio St. - Application to LPC for a Certificate of Appropriateness for the Whitney Museum's outdoor art.

Whereas:

- A. The Whitney Museum has arranged with the owner of the building to display a series of temporary installations of artwork on the space covering the entrance to the abandoned railroad right of way through the building; and
- B. The installations, selected by the Museum at its sole discretion, will rotate with six months for each work and each new piece will be reviewed by the Commission staff to ensure that it conforms to the guidelines laid out in the agreement; and
- C. The metal frame structure for mounting the works is permanently attached to non-historic infill covering the railroad opening; and
- D. A small plaque will be attached to the building at street level to identify the piece; now

Therefore be it resolved:

That CB2, Man. recommends approval of this application.

Vote: Unanimous, with 38 Board members in favor.

7. 269 W. 11th St. – Application is to restore stoop, excavate the rear yard to extend the cellar level, construct rear façade/addition, and to construct rooftop bulkhead for stair and elevator access.

Whereas:

- A. The stoop, entry, windows, including lowering the parlor windows to floor level, and other details are to be replicate based on the pristine neighboring buildings; and
- B. The ironwork proposed for the stoop lack any historic reference and are not in keeping with the period of the restored entry; and
- C. A rooftop structure is not visible from any public thoroughfare; and
- D. The chimney extension is, unnecessarily visible and jarring in that it does not lie against an adjoining structure; and
- E. The rear extension and the small remaining section of the original rear wall are to be removed; and

- F. The cellar and a portion of the garden are to be excavated leaving existing condition adjacent to the neighboring properties; and
- G. An 8' rear extension in gray stucco with large plate glass windows is proposed for the parlor, second, and third floors and above a balcony with glass railing that is clearly visible from West 4th Street through the adjoining gardens that provides a rare glimpse of an interior of a village block; now

Therefore be it resolved that CB2, Man. recommends:

- A. Approval of the stoop, entry, windows and other details of the facade; and
- B. Denial of the proposed ironwork and in its place there be a handrail, balustrade and newel posts that are appropriate to the style and period of the restored facade; and
- C. Approval of the rooftop structure; and
- D. Denial of the chimney and in its place recommend the flues and chimney be offset to decrease visibility; and
- E. Denial of the grey stucco finish of the extension and in its place, brick as a material typical of the area especially since it is visible through the adjoining gardens from a public thoroughfare; and
- F. Denial of the glass railing on top of the extension that is clearly from the public thoroughfare and in its stead use iron work not a modern, reflective material; and
- G. Denial of the fenestration of the extension and recommends that the placement of the window opening should reference the location and rhythm of the original openings with regard to the distance from the property lines (party walls) and the separation of the three windows as reference to the original windows.

Vote: Passed, with 32 Board members in favor and 6 in opposition (D. Diether, C. Dwyer, S. Kent, A. meadows, L. Rakoff, and S. Russo).

8. 69 Washington Pl. – Application is to construct a rear yard addition.

Whereas:

- A. A hidden, rear courtyard is to be enclosed with glass and metal greenhouse with a glass roof; and
- B. The addition is not visible from a public thoroughfare nor does it intrude on an existing garden;

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

Vote: Unanimous, with 38 Board members in favor.

8. 69 Washington Pl. – Application is to construct a rear yard addition.

Whereas:

- A. A hidden, rear courtyard is to be enclosed with glass and metal greenhouse with a glass roof; and
- B. The addition is not visible from a public thoroughfare nor does it intrude on an existing garden;

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

Vote: Unanimous, with 38 Board members in favor.

10. 15 W. 9th St. – Application is to restore an existing multiple dwelling into a single family home, restore facades, replace windows/doors and install rooftop mechanical equipment. At rear: remove 2-story brick extension, enlarge existing opening at 1st floor, install a metal deck and stair to the rear yard and install a traditionally-detailed glazed bay window extension at the 2nd floor, and new planting beds, stone pavers, decking and a water feature at the rear garden.

Whereas:

- A. The façade is to be restored to the original condition; and
- B. A non-original rear bay extension in poor condition is to be removed; and
- C. New railings and stairs are to be installed in the garden; and
- D. The applicant did not present details of the garden noted in the application; and
- E. A large, modern, steel and glass oriel window with glazed sides is proposed for the parlor floor rear façade; and
- F. Six lighting fixtures that replicate the front façade fixtures are proposed at three levels on the rear;
now

Be it resolved that CB2, Man. recommends

- A. Approval of the front façade restoration; and
- B. Approval of the demolition of the rear bay; and
- C. Denial of the oriel window in that is large, assertive, overly glazed and does not reference any aspect of the building or historical examples and recommends in its place an historically referenced bay window or oriel window; and
- D. Denial of approval for the lighting fixtures on the rear facade; and
- E. No position is taken on the design of the garden which, though it is a part of the application, was not presented at the Committee hearing.

Vote: Unanimous, with 38 Board members in favor

11. 412 W. 14th St. - Application is to install storefront infill, lighting, signage, and a canopy, and mechanical equipment with acoustical panels at the roof.

Whereas:

- A. The applicant stated that the goal of the ground floor work was to open the building to the street and a portion of the infill of the side bays is to be removed and filled by egress doors and, on the east a vitrine and on the west a full length window; and
- B. The center bay is to be configured with a double sliding glass door, represented by the applicant as bringing the Japanese branding of the building occupant to the entryway, which is inappropriate to the updated industrial design of the building and with the addition of an adaptation of an historic shed canopy above; and
- C. An interior illuminated sign above the central opening and two interior illuminated large blade signs attached to the east and west ends of the building are proposed; and
- D. The rooftop mechanicals are to be reconfigured to conform to required fire code regulations and enclosed by a black metal sound deadening baffle required by noise regulations; now

Therefore be it resolved that CB2, Man. recommends:

- A. Denial of the infill in the three bays and that the three openings be increased to the full size of the original openings (clearly marked by recesses in the brick-work) with infill referencing the industrial reference of the handsom existing windows in the upper floors; and
- B. That the infill of the side bays be open and symmetrical; and
- C. That the sliding glass door, totally without reference to the district and the building, be denied and be replace by doors that reflect the industrial references of the existing windows in the upper floors; and
- D. That the shed canopy be wider, in keeping with historic design; and
- E. That there be no interior illumination of any of the signs in keeping with the regulations in the district; and
- F. That the blade signs be simple, flat designs of a size according to district regulations and hung from the canopy as is typical of the district; and
- G. Approval of the rooftop equipment reconfigured with sound baffle walls surrounding it.

Vote: Unanimous, with 38 Board members in favor.

12. 378 6th Ave. - Application is to legalize the installation of signage installed without LPC permits.

Whereas;

- A. The signage consists of a backlight relief the company logo, a backlight sign with the name of the establishment and an illuminated blade sign; and
- B. The blade sign's edge are bright and the white portion of the blade sign is unduly harsh; therefore CB2, Man. recommends
- A. That the logo and the name sign be approved; and
- B. That the edge of the blade sign be darkened and that the white portion of the face of the blade sign be replaced with a darker face around the logo.

Vote: Unanimous, with 38 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

1. 59 Thompson Street (west side, between Spring and Broome Streets) located in an M1-5B zone. Application 170-15-BZ to the Board of Standards and Appeals pursuant to ZR 73-36 for a special permit to operate a physical culture establishment (yoga studio) to be operated by Exhale Enterprises in the cellar with a lobby on the ground floor.

Whereas

- 1. Fredrick Becker , applicant's representative, appeared for the applicant at the October 14, 2015 meeting of CB2's Land Use committee.
- 2. The committee uncovered some discrepancies between the language on the application and the intentions of the applicant.
- 3. Mr. Becker returned to the Land Use committee on November 4, 2015 with corrected language.
- 4. There was no public comment for or against the application.
- 5. The proposed use is a reasonable and non-disruptive use for a primarily residential, narrow street with many non-conforming commercial stores.
- 6. CB2 previously opposed an application to allow Use Group 6 at this location.

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

Vote: Unanimous, with 38 Board members in favor.

2. Mandatory Inclusionary Housing (MIH) Presentation by the staff of Department of City Planning to review the impact on our district of the proposed city wide zoning text amendment: Mandatory Inclusionary Housing.

Whereas

1. As a key initiative of Housing New York (Mayor DeBlasio's housing plan), the Department of City Planning is proposing a Mandatory Inclusionary Housing program that would require a share of new housing to be affordable through zoning actions.
2. This proposal is for mandatory and permanent affordable housing to be a part of every application when developers build in an area zoned for MIH.
3. This also includes applications, including rezonings and special permits, that substantially increase floor area above what is allowed by zoning.
4. Under the proposal, the City Planning Commission and City Council would apply one or both of the following requirements to each MIH area:
 - a. 25% of residential floor area must be for affordable housing units for residents with incomes averaging 60% AMI.
 - b. 30% of residential floor area must be for affordable housing units for residents with incomes averaging 80% AMI.
5. In addition, the City Planning Commission and City Council could decide to apply an additional, limited “workforce” option (Option C) for markets where moderate- or middle-income development is marginally financially feasible without subsidy, in which case 30% of residential floor area must be for affordable housing units for residents with incomes averaging 120% AMI, but this will not apply to Manhattan Community Districts 1-8.
6. CB2 has been disappointed by the tendency in the Hudson Square Special District for developers to build without inclusionary units even though we were assured at the time of the rezoning that incentives would work to achieve the desired goals of diversity and affordability.
7. MIH would allow an increase to the height limit on Hudson Square narrow streets including for developments that do not provide inclusionary units, thereby allowing more development without necessarily providing more affordable units, and increasing the impacts of the recent Hudson Square Rezoning without review of the Environmental Impact Study.
8. MIH will also require affordable units where residential floor area is substantially increased by special permit or other zoning action in buildings with more than 10 units or more than 12,500 square feet of floor area, with buildings smaller than the thresholds required to contribute to an affordable housing subsidy fund for use within the Community District.

Therefore, be it resolved that CB2, Man.:

1. Supports this important initiative as it pertains to residential development in CB2.
2. Requests application of the inclusionary housing requirements to districts where VIH is now in place, especially in high value areas such as Hudson Square where there is no question that the requirements can be achieved without need for subsidies.

3. Is concerned that insufficient information has been provided to assure that the subsidy fund will be administered in a way that adds diversity and affordability in our neighborhoods.
4. Requests availability of the “workforce” option (Option C) if developers provide additional affordable units over a broad range of AMI bands;
5. Would recommend approval of height increases on narrow streets in Hudson Square if they applied only to inclusionary developments, but strongly opposes increases that will allow taller buildings even if no affordable units are provided.

Vote: Unanimous, with 38 Board members in favor.

3. Zoning for Quality and Affordability (ZQA) Presentation by the staff of Department of City Planning to review the impact of the proposed citywide zoning text amendment: Zoning for Quality and Affordability (ZQA).

Whereas

1. Zoning for Quality and Affordability (ZQA) is a proposal for a citywide text amendment affecting the height and bulk of buildings in residential zones.
2. In an effort to increase development of inclusionary housing and to improve the design of buildings in contextual zones, ZQA generally allows for taller buildings and more utilization of floor area allowances.
3. ZQA seeks to encourage more affordable senior housing by encouraging unit types that correlate with available programs and by reducing costs to developers (for example, by reducing parking requirements).
4. ZQA will allow permanent height increases to senior housing developments that will not be permanently affordable.
5. Because it is a citywide zoning text change, in-depth analysis of environmental impacts is not required, even though the changes will allow larger developments in areas where current limits were established under ULURP and after detailed negotiations with community boards, borough presidents, and council members.
6. Because the Department of City Planning opted to alter existing zones rather than offer ZQA as an additional option, the “zoning toolbox” available to neighborhoods will be reduced and in many cases restrictions providing for appropriately-scaled development will no longer be available.
7. While CB2, Man. strongly supports the goals of improving housing quality and increasing the acceptance rate by developers of bonuses for inclusionary housing, no evidence has been provided that the solutions offered will effectively address the problem.
8. DCP has offered only anecdotal evidence--essentially complaints from “practitioners”--to justify the proposed height increases of up to 31%for inclusionary developments.
9. Similarly, no study was performed to demonstrate that allowing housing- related uses in rear yard obstructions will increase uptake by developers of opportunities for inclusionary developments.

10. There is no way to know that the result of these changes will not be the same amount of affordable housing, but in taller buildings with no rear yards.
11. New rear yard obstructions are potentially very harmful in built-up areas with mixed building types, and also may increase run-off flow into the sewer system.
12. Zoning provisions preventing sliver infill buildings were put in place after recognition of the significant harm these buildings do to the built environment.
13. CB2 appreciates the attention to detail and clarity of responses provided by DCP during extensive presentations and sessions with the CB2 Land Use Committee and Board leadership.

Therefore it is resolved that CB2, Man.:

1. Supports the goal of increasing inclusionary housing, but strongly opposes the proposed text changes because they will result in taller buildings without any environmental review and without any evidence that more inclusionary housing will be developed.
2. Opposes height increases in existing zones until a study is completed that demonstrates that the increases will result in additional inclusionary housing.
3. Would only support the enactment of ZQA’s zoning rule changes if they were additions to the existing zoning text (i.e. text for new zoning districts that do not currently exist) as opposed to replacing the existing districts whole cloth. This would allow the new rules which DCP is putting forward to move forward through ULURP on a case-by-case, community by community basis.
4. Supports efforts to create opportunities for contextual buildings with improved presentation at the street level.
5. Opposes allowances for rear yard obstructions outside commercial zones;
6. Opposes any changes that will allow development of “sliver” buildings.

Vote: Unanimous, with 38 Board members in favor.

PIER 40 AIR RIGHTS TRANSFER WORKING GROUP

Resolution concerning recommendations for changes to the draft scope for the Environmental Impact Study concerning the 550 Washington Street/Special Hudson River Park District Proposal

Economics and Pier 40 air rights transfer

Whereas, the Hudson River Park Trust (“HRPT”) was created as a public/private partnership and the Trust is charged with creating its own operating and maintenance funds; and

Whereas, as one of the principal reasons that the Hudson River Park Zoning District is being proposed is to give the HRPT the opportunity to sell its air rights as per the New York State enabling legislation of 2013; and

Whereas, major concerns were voiced about the economics of the proposed sale of those air rights in that the HPRT, and by extension the community, should be the major beneficiary of the those air right sales and provide the Trust operating and maintenance monies for years to come, rather than creating a windfall for the developer; and

Whereas, this community is concerned that any future transferring of air rights from Pier 40 across the Interstate 9A, beyond the 200,000 sq. ft. (of the 600,000 sq. ft. +available) air rights transfer proposed for this project, would be the catalyst for inappropriate development and/or re-development, as very few receiving sites are available in our community in the permitted transfer area, as per a study by Cornell University for the Trust; and

Whereas, the sheer size and magnitude of the potentially extremely high market rate value of the subject building, along with collectively other proposed and already realized projects in our community board, will cause a significant high value ripple effect on development in other areas of our community (as well as pushing up property taxes that will drive out existing affordable units for long time local residents), both in our historic districts and contextual zones, while several already proposed and CB2, Man. approved plans for height and context are still pending.

Therefore, be it resolved that an open and transparent evaluation of the air rights that are to be transferred be immediately studied as part of the scoping process; and

Be it further resolved that CB2, Man. strongly urges the Department of City Planning, as part of the scoping process, to help mitigate the ripple effect and study how to expeditiously take all necessary steps and required studies to support the Community Board-approved proposals for contextual zoning in the South Village and University Place and Broadway corridors, as well as implementing the third and final leg of the South Village Landmark District with the goal of doing this concurrently with the proposed Special Zoning District, so that it leads to approvals of these plans and proposals at the same time as the possible approval of the Hudson River Park Zoning District.

Schools

Whereas, there are collectively many new buildings, both already built and proposed in the immediate district, that by themselves did not trigger a school ULURP analysis; and

Whereas, a new elementary school at Duarte Square that the community anticipated would be open by now has been delayed with no indication of a start date in sight; and

Whereas, that school is already projected to be near full capacity, if and when it is opened; and

Whereas, there is absolutely no agreement on the NYU campus “Bleecker School” as yet; and

Whereas, our existing elementary schools are at or near capacity;

Therefore, be it resolved that a more focused neighborhood CB2, Man. school sub- district be included in the scope to analyze not only the impact on the units added by this project, but also taking into account all the new residential buildings both recently completed and/or planned in the immediate area; and

Be it further resolved that no assumptions of potential schools that may or may not ever materialize be included in the study.

Retail, parking and pedestrian flow

Whereas, the proposed development is calling for over 200,000 sq ft of retail space, including a destination big box store; and

Whereas, parking for over 600 cars will create yet more congestion along an already over-crowded roadway and street system that feeds the into the Holland Tunnel, Brooklyn and Long Island; and

Whereas, the creation of large numbers of parking spaces will be competitive with the HPRT existing parking facilities and will be counterproductive to the HRPT cash flow that contributes to the Park's operating and maintenance funds; and

Whereas, there are elevator towers proposed as part of the project plans.

Therefore, be it resolved the scope study: **a)** the negative impact of 600 parking spaces on traffic and road congestion; **b)** the impact of a destination box store against the need for a local shops, such as a large supermarket that will serve the project and the immediate surrounding community; **c)** the concept of the project using the available parking right across the highway, which would enhance the HRPT cash flow and thin out the massive request for 600 spaces; and, finally **d)** the creation of a footbridge, at the developer's expense, that is tied into their elevator towers that would allow not only car parkers, both long and short term, but pedestrians and varied Pier 40 users, adult and children alike, to cross a six-lane highway safely and efficiently.

Seniors

Whereas, the sidewalk on Washington Street between Clarkson and Houston Streets, the site of the senior housing, is exceptionally narrow and hundreds of Fedex and UPS trucks use Washington Street as a venue on the way to their routes; and

Whereas, the only AMI levels in the proposal as it now stands are a 60% AMI and a 130% AMI with nothing in-between; and

Whereas, the allotment and allocation of apartments are currently 75% studios and 25% one bedroom apartments as part of the senior housing plan.

Therefore, be it resolved that the scope study the possibility of either reducing the size of the building footprint to accommodate a wider sidewalk, or study the effects of creating a wider sidewalk by narrowing Washington Street between Houston and Clarkson Streets, so that the increased pedestrian flow from the Senior Center and other amenities at the site can be accommodated; and

Be it further resolved that additional and varied income bands between 60% AMI and 130% AMI, and even greater than 130% AMI, needs to be studied (nearby West Village Houses uses 165% AMI) to create and accommodate a truly diverse community; and

Be it also further resolved that the scoping study statistically what percentage of seniors are married or have partners and might require more than a studio, given the allotment that is currently 75% studios and only 25% one bedroom apartments.

Technical, environmental and open space

Whereas, the project is in the NYC flood plain; and

Whereas, the project is located at the very edge of the community and concerns were voiced about the delivery of Municipal and other services and the lack of open space.

Therefore, be it resolved that

1. if dry walling for flood mitigation is used, the impact that might have on nearby properties be included in the scope;
2. anticipated fire and police response times to the project site be studied as part of the scope;
3. anticipated hospital or other health facility response times be studied, especially with so many seniors on site as part of the scope;
4. while the overall sewers are adequate, there are local inadequacies experienced within the district, such as sewer backup and flooding during heavy rain, and these conditions need to be studied as part of the scope;
5. CB2 is estimated to rank at the very bottom of community boards in open space. The scope needs to study having this development provide public open space for not only its residents, but for the community as a whole.

Vote: Unanimous, with 38 Board members in favor.

SCHOOLS AND EDUCATION

Resolution In Favor of Selection of the 75 Morton Principal before September 2016

Whereas:

1. **Whereas** CB2, Man. is thrilled that construction for 75 Morton has begun and welcomes the continued collaboration between the community, Councilmember Johnson, Senator Hoylman, Assembly Member Glick and the Department of Education; and
2. **Whereas** a well-attended meeting of more than 121 community members including parents from 20 public schools attended the 75 Morton Community Alliance Envisioning Meeting on November 2, 2015; and
3. **Whereas** parents and current 4th grade students will choose middle schools in the fall of 2016; and
4. **Whereas** the deciding factor for many parents is the school leader and educational philosophy; and
5. **Whereas** the community is actively forming the educational philosophy and seeks an experienced, responsive, and creative leader to guide the school; and,
6. **Whereas** the timing for establishing 75 Morton is critical to its success.

Therefore be it resolved that CB2, Man. urges the Department of Education and Bonnie Laboy, CECD2 Superintendent, to search, vet, and select a principal for 75 Morton as soon as possible and before September 2016 so that the leader of the school is included in the middle school directory used in the first round of admissions for sixth grade admission in September 2017.

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

SIDEWALKS/STREET ACTIVITIES

1.* Assignment of Existing App. for revocable consent to operate an unenclosed sidewalk cafe for: Bobwhite Counter, LLC, 57 7th Ave. South with 10 tables & 30 chairs (14003-2015-ASWC)

Whereas, the applicant's principal, appeared requesting assignment of the existing consent for an unenclosed Sidewalk Café license with 10 tables & 30 chairs which expires December 2015; and

Whereas, applicant agreed to close the sidewalk café at 11 p.m., seven days a week and remove all tables & chairs at 12a.m.; and

Whereas, the applicant was made aware that after December 2015, he would need to apply to renew his sidewalk café license and consent.

THEREFORE, BE IT RESOLVED, that CB2, Man. recommends **approval** of the assignment of existing application for revocable consent to operate an unenclosed café to **Bobwhite Counter, LLC, 57 7th Ave. South with 10 tables & 30 chairs (14003-2015-ASWC)**.

VOTE: Unanimous, with 38 Board Members in favor

2.* New App. for revocable consent to operate an enclosed sidewalk cafe for:

Wink NYC, Inc., d/b/a Wink, 88 7th Ave. South with 6 tables & 16 chairs (2675-2014-ASWC) (withdrawn)

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

Down and Dirty Tacos & Tequila Bar Meatpacking, LLC, d/b/a Sugar Factory, 835 Washington St. with 16 tables & 48 chairs (14011-2015-ASWC)

Whereas, the applicant's principal, appeared requesting a new application for an unenclosed sidewalk café license with 16 tables & 48 chairs; and

Whereas, applicant agreed to close the sidewalk café at 12 a.m., seven days a week and remove all tables & chairs at 12a.m.

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **approval** of a new application for revocable consent to operate an unenclosed café to **Down and Dirty Tacos & Tequila Bar Meatpacking, LLC, d/b/a Sugar Factory, 835 Washington St. with 16 tables & 48 chairs (14011-2015-ASWC)**.

VOTE: Unanimous, with 38 Board Members in favor

4. FYI 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 two years by these applicants and the Board has not been notified of any issues with their operation:

- Molly Picon, LLC, d/b/a Jack's Wife Freda, 224 Lafayette St. with 3 tables & 12 chairs (1426863-DCA)(small unenclosed)
- The Original Vincent's Established 1904, Inc., 119 Mott St. with 9 tables & 18 chairs (1139678-DCA)(Unenclosed)
- Rustic Table, LLC, d/b/a The Quarter, 522 Hudson St. with 16 tables & 32 chairs (1444395-DCA)(Unenclosed)
- Cornelia Street Café, Inc., d/b/a Cornelia Street Café S/C #480, 29 Cornelia St. with 6 tables & 14 chairs (0786740-DCA)(Unenclosed)
- Layla Tov, Inc., d/b/a Westville, 333 Hudson St. with 10 tables & 22 chairs (2022051-DCA)(Unenclosed)
- Pssp NY, Inc., 143 Mulberry St. with 5 tables & 10 chairs (1383044-DCA)(Unenclosed)

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

VOTE: Unanimous, with 33 Board Members in favor

SLA LICENSING

1. Akram Restaurant Management, Inc., d/b/a Da Gennaro, 129 Mulberry St. 10013 (Alteration to transfer Stand up Bar from one storefront to second storefront in separate building, existing OP License, SN1195719 Exp. 10/31/2017).

A. Whereas, the applicant currently operates an Italian Restaurant in a ground level storefront at 129 Mulberry Street and appeared before CB2, Manhattan's SLA Licensing Committee seeking an alteration to its existing On Premise license to move and/or erect and build a stand up bar to a second, non-contiguous ground level storefront premises located in an adjacent building with a separate address at 131 Mulberry Street; and

B. Whereas, the applicant has been operating an eating and drinking establishment out of the second, noncontiguous storefront located at 131 Mulberry Street since 2012 without a prior Certificate of Occupancy permitting such use and occupancy and installed a new awning over the storefront misrepresenting its address as 129 Mulberry Street to extend its sidewalk café across the front residential entrance at 129 Mulberry Street; and

C. Whereas, the existing sidewalk café extends across and immediately adjacent to the front residential entrance of 129 Mulberry Street and when the applicant was questioned about the front entrance to 129 Mulberry Street stated that it was the front entrance to the Restaurant when the front entrance to the Restaurant was elsewhere and located on the corner of Mulberry and Hester Streets; and

D. Whereas, the 450 SF noncontiguous storefront located at 131 Mulberry Street has no kitchen or physical interior connection with the restaurant at 129 Mulberry Street so that the service of food and alcohol originates from the restaurant at 129 Mulberry Street and can only be delivered via the public sidewalk across the front residential entrance to 129 Mulberry Street to patrons located in the second storefront at 131 Mulberry Street; and

E. Whereas, when the applicant last appeared before CB2 Man in July/2011 seeking to add the second storefront at 131 Mulberry Street to its existing license, CB2 Man. previously voted to deny the alteration application at that time and recommended to the SLA to deny any alteration to the license for this purpose citing many of the same concerns and illegalities identified herein; and

F. Whereas, because the second storefront at 131 Mulberry Street is not physically connected and contiguous in any manner with the interior Restaurant premises located in a separate building at 129 Mulberry Street aka 193 Hester Street, the alteration would be improper and should be denied; and

G. Whereas, by seeking in this application to operate a bar in the non-contiguous 450 SF storefront premises at 131 Mulberry Street, the applicant should also be subject to the 500 ft rule to operate, use and occupy these premises in this manner; and

H. Whereas, the applicant appeared with her attorney and appears to be concealing the correct addresses for the two separate premises in their application to the SLA and has installed a business awning over the storefront premises misrepresenting the address for the storefront as 129 Mulberry Street; and

I. Whereas, the over-all impact of adding another bar in a mixed use, historic area would be significant and not representing a public interest, especially in that there are 21 existing on premise liquor licenses within 500 ft. of the premises, 34 existing on premise liquor licenses within 750 ft. of the premises and a public school (PS 130 DeSoto School) within 200 ft. of the applicant's premises within a historic area of CB2 greatly saturated with liquor licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Akram Restaurant Management, Inc., d/b/a Da Gennaro, 129 Mulberry St. 10013** on its application for an alteration to its existing on premise license; and,

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that Liquor Authority place this matter before the Full Board of the New York State Liquor Authority for consideration at a regularly scheduled meeting should this application be presented to the Liquor Authority so that the Commissioners may review the recommendation of CB#2 Man.

Vote: Unanimous, with 38 Board members in favor.

2. Hitchcock Restaurant Group LLC, d/b/a Camaje, 83-85 MacDougal St. 10012 (Alteration seeking to add Stand up Bar to Premises)

Whereas, the applicant appeared before CB2 Manhattan's SLA Licensing Committee to add a stand up bar to its existing On Premise license located in a ground floor storefront in a seven-story mixed use building on MacDougal Street between Bleecker and Houston Streets; and

Whereas, the applicant has been operating the existing storefront premises for years as a full service French-American restaurant, there is an existing stipulation agreement for the premises and the existing license and there will be no other changes to its existing method of operation; and

Whereas, the licensed premises are 1,680 s.f. (first floor 840 s.f. and basement 840 s.f.), there are 13 tables and 30 seats but will be adding one stand up bar with 5 seats for an overall occupancy of 35 patrons seats; and

Whereas, there are existing French doors that open out to the sidewalk but there is no sidewalk café permitted, there are no TVs, music is background only; and

Whereas, the applicant agreed to hours of operation from 5:30 pm to 12 am Monday through Thursday and from 12 pm to 12 am on Saturdays and Sundays; and

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

1. The premises will be operated as a full service French-American restaurant.
2. Will operate with hours of operation from 5:30 pm to 12 am Monday through Thursday and from 12 pm to 12 am on Saturdays and Sundays.
3. There will be no outdoor area or sidewalk café.
4. The existing French doors/ windows on the storefront façade will be closed by 10 PM every evening and/or earlier if noise level rises to be loud enough to be heard in adjacent apartments.
5. Music will be quiet, background level only, there will be private parties but there will not be live music, dj's, promoted events, movable ropes or barriers on the sidewalk, scheduled performances or any events for which a cover fee is charged.
6. There will no TVs.
7. Will surrender license if business closes and there will be no transfer of temporary license.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to an existing On-Premise liquor license to **Hitchcock Restaurant Group LLC, d/b/a Camaje, 83-85 MacDougal St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the OP License.

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

3. ITA Concepts, LLC d/b/a Aunt Jakes Italian Specialties, 151 Mulberry St. 10013 (Restaurant BW license, previously licensed location).

A. Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for a new restaurant wine license to operate an upscale fast casual restaurant serving Italian Specialties on Mulberry Street between Grand and Hester Streets in a two story storefront within a commercial use two story building in Little Italy; and

B. Whereas, the location was previously operated as an Italian restaurant (IL Palazzo) and will continue to operate with the same or similar business hours; and

C. Whereas, the premises is approximately 1,300 SF (first floor 750 SF and 550 SF 2nd story), 7 tables with 19 seats, a service station/counter but no stand up bar, one bathrooms, no TVs and music will be background only; and

D. Whereas, the hours of operation for the Restaurant will be from 11 AM to 12 AM seven days a week, the premises will operate as a fast casual restaurant serving Italian Specialties, there will be a sidewalk café, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and; and

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

1. The premises will be advertised and operated as a fast casual restaurant serving Italian Specialties.
2. The hours of operation for the restaurant will be from 11 AM to 12 AM seven days a week.
3. The sidewalk café will close by 10 PM.
4. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 10 PM every night.
5. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
6. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.
7. There will be no stand up bar.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a transfer of a Beer and Wine license to **ITA Concepts, LLC d/b/a Aunt Jakes Italian Specialties, 151 Mulberry St. 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 the Beer and Wine License.

Vote: Unanimous, with 38 Board members in favor.

4. Osteria Piemonte Corporation, d/b/a San Carlo Osteria Piemonte, 90 Thompson St. 10012
(OP license, previously licensed location)

A. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a new on premise liquor license to operate a "quiet", "low-key and romantic" Italian Restaurant serving northern Italian food in a previously licensed location within a six story mixed use building (Circa 1900) in a Historic District directly across from Vesuvio Playground and Park on Thompson Street between Spring and Prince Streets; and

B. Whereas, the premises was previously operated as Le Pescadeux, a full service restaurant and French Bistro until midnight seven days a week and was licensed for the service of alcohol; and

C. Whereas, the premises is located in a 2075 SF ground floor space (1,100 SF first floor and 975 SF basement) with French Doors that open out to the sidewalk, there will be 20 tables and 43 seats, 1 stand up bar with 6 seats for a total seating occupancy of 49, there will be 1 TV behind the stand-up bar, there will be a full service kitchen, one bathroom and one entrance/exit for patrons but there will be no sidewalk café or outdoor space; and

D. Whereas, the hours of operation will be from 7 AM to 12 AM Sunday through Thursday and from 7 AM to 1 AM Fridays and Saturdays, all doors and windows will be closed by 9 PM every night 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 scheduled performances or cover fees, no velvet ropes and no movable barriers; and

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

1. The premises will be advertised as a full service Italian Restaurant and will not operate as a Lounge, Tavern, Bar or Sports Bar.
2. The hours of operation will be from 8 AM to 12 AM Sunday through Thursday and from 8 AM to 1 AM Fridays and Saturdays.
3. There will be no sidewalk café or any outdoor space.
4. There will only be one television.
5. All doors and windows will be closed by 9 pm daily.
6. Will operate under only one d/b/a name.
7. There will be only one stand up bar with six seats.
8. There will be no all you can drink, all you eat specials or boozy brunches.
9. There will be no dancing.
10. There will be no patron use of basement.
11. 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 On Premise license application for **Osteria Piemonte Corporation, d/b/a San Carlo Osteria Piemonte, 90 Thompson St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on its Restaurant Liquor License.

Vote: Unanimous, with 38 Board members in favor.

5. International Culinary Center, LLC, d/b/a FCI Catering and Events, 462 Broadway 10013 (change in class of license to catering OP license).

A. Whereas, the applicant appeared before CB2, Manhattan’s SLA Licensing Committee for a change in classification of license from Restaurant On Premise to Catering Liquor license; and

B. Whereas, the premises will continue to operate as a Catering Business and Culinary Institute/School on multiple upper floors 2, 3, 4 and 5 covering approximately 50,000 SF in a commercial building on the corner of Broadway and Crosby Streets, between Broome and Grand Streets but will be illuminating and will no longer operate its full service restaurant on the ground floor of the same building; and

C. Whereas, method of operation on the upper floors will not change and those floors will continue to operate as a culinary school and catering event center with classrooms and kitchens for instruction as well as for catering events and as an event space, there will be no permanent stand up bars but temporary food counters and bars will be installed for specific events, with the hours of operation that will to be from 11:30 AM to 11 PM on Sundays, from 12 PM to 12 AM Mondays through Thursdays and from 12 PM to 1 AM Fridays and Saturdays, music will be quiet background and there will be no d.j.s, no TVs, no outdoor spaces or sidewalk cafe; and

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

1. The premises will be advertised and operate as a culinary school and catering event center.
2. The hours of operation will be 11:30 AM to 11 PM on Sundays, from 12 PM to 12 AM Mondays through Thursdays and from 12 PM to 1 AM Fridays and Saturdays.

3. There will be no Sidewalk café or outdoor service.
4. There will be no no d.j.s.
5. Events will not exceed 120 patrons and/or occupancy required.
6. There will be no TVs.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a Catering Liquor License for **International Culinary Center, LLC, d/b/a FCI Catering and Events, 462 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 Catering Liquor License.

Vote: Unanimous, with 38 Board members in favor.

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

6. Ambleside Partners, LLC d/b/a Pravda, 281 Lafayette St. 10012 (alteration to existing on-premise license) (laid over and withdrawn)

Whereas, prior to this month’s CB2 SLA Licensing Committee meeting on November 10, 2015, the principal/applicant requested to lay over and withdraw this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for an alteration to an existing on premise liquor license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **Ambleside Partners, LLC d/b/a Pravda, 281 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 38 Board members in favor.

7. 157 Lafayette Café LLC, d/b/a Salon de Lafayette, 157 Lafayette St. 10013 (on-premise) (withdrawn)

Whereas, prior to this month’s CB2 SLA Licensing Committee meeting on November 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 alteration to an existing license to increase hours of operation;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **157 Lafayette Café LLC, d/b/a Salon de Lafayette, 157 Lafayette St. 10013** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

8. Village 122 Café, Inc., d/b/a MacDougal Street Ale House, 122 MacDougal St. 10012 (on-premise) (requested layover at meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant's attorney requested **to layover** this application for a corporate change of an existing on premise 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 tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Village 122 Café, Inc., d/b/a MacDougal Street Ale House, 122 MacDougal St. 10012 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

9. Rolso, Inc., d/b/a Café Novecento, 343 West Broadway 10013 (corporate change/failed to appear)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 10th, 2015 the principal/applicant did not appear before CB2 regarding its application; and,

Whereas, this application is for a corporate change of an existing 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 **Rolso, Inc., d/b/a Café Novecento, 343 West Broadway 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

10. Barrow 15 Café, Ltd. d/b/a Barrow Street Ale House, 15 Barrow St. 10014 (on-premise)(requested layover at meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant requested to **lay over** this application for a new on-premise liquor license and so that may 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 tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Barrow 15 Café, Ltd. d/b/a Barrow Street Ale House, 15 Barrow St. 10014 until** the

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

Vote: Unanimous, with 38 Board members in favor.

11. Bamboo Village Restaurant, Inc., 96 Bowery #A1 10013 (beer wine)(layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant requested to **layover** this application for a new beer 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 tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Bamboo Village Restaurant, Inc., 96 Bowery #A1 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

11. Da Massimo, LLC, 142 W. Houston St. 10012 (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant requested to **layover** this application for a new beer 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 tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Da Massimo, LLC, 142 W. Houston St. 10012 (laid over)** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

12. San Remos Group One, LLC, d/b/a Corp to be formed by Benjamin Kotler, 201 Lafayette St. 10012 (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 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 tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **San Remos Group One, LLC, d/b/a Corp to be formed by Benjamin Kotler, 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 38 Board members in favor.

13. 185 Grand Street Operating Group, LLC, 185 Grand St. 10013 (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 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;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **185 Grand Street Operating Group, LLC, 185 Grand St. 10013** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

14. Oaxaca Greenwich, LLC, d/b/a Oaxaca Taqueria, 48 Greenwich Ave. 10011 (New TW)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new tavern wine license for a previously unlicensed location for a Mexican taqueria restaurant with no cooking on premises; and,

Whereas, this application is for a new tavern wine license located in a mixed-use building located on the ground floor on Greenwich Ave between Charles Street and Perry St for a roughly 270 sq. ft. premise with 1 table and 3 seats and 1 bar with 7 seats, for a total of 10 seats, there is no sidewalk café and there are no other outdoor areas for patrons, a Letter of No Objection has been obtained from the NYC Department of Buildings because there is no Certificate of Occupancy; and,

Whereas, the hours of operation will be Sunday from 12pm to 11pm, Monday to Thursday from 11am to 12am, Friday to Saturday from 12pm to 1am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9pm except for ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's, there will be no use by patrons of the basement; and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated into the method of operation on the new tavern wine SLA license stating that:

1. Premises will be advertised and operated as a Mexican taqueria.
2. A full food menu will be available at all times and menu items available until closing every night.
3. The hours of operation are Sunday from 12pm to 11pm, Monday to Thursday from 11am to 12am (midnight), Friday to Saturday from 12pm to 1am. No patrons will remain after closing time.
4. Premises will not operate as a nightclub, disco or lounge and will not seek a Department of Consumer Affairs Cabaret License. It may operate as a Tavern wine establishment.
5. There is no backyard garden.
6. There is no sidewalk café.
7. Sufficient soundproofing is already installed.
8. All doors and windows will be closed at 9pm every night except for ingress and egress.
9. There will be no French doors or windows. There are no operable windows.
10. There will be no DJs, live music, promoted events, any events at which a cover is charged or scheduled performances.
11. There will be no televisions.
12. Music will be quiet ambient background music only not audible from outside the premises.
13. All cooking will take place at the establishments properly licensed Commissary Kitchen located in Brooklyn.
14. There will be reheating of food only at this premises.

Whereas, the applicant previously presented a limited petition with local signatures in support of the application;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Tavern Wine License for **Oaxaca Greenwich LLC, d/b/a Oaxaca Taqueria, 48 Greenwich Ave. 10011** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 38 Board members in favor.

15. Burger & Lobster Midtown, LLC, d/b/a Burger & Lobster, 1-3 Little W. 12th St. 10014 (New OP)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on-premise liquor license in a location which has never been issued a liquor license before for a “an upscale-casual full service restaurant concept primarily three entrees: “a 10 oz. hamburger, a 1.5 lb. lobster, and a lobster roll (each served with a side salad and thin-cut French fries) complimented by a full beverage menu including craft cocktails, beers and wine”; and,

ii. Whereas, this application is for a new Restaurant On-Premise Liquor; the premises is in a commercial district with residential loft units across the street located on the ground floor and cellar of a 5-story commercial building on Little West 12th St. between Hudson St. and 9th Avenue for a roughly 5,250 sq. ft. premise (2,750 sq. ft. ground floor and 2,500 sq. ft. basement), with 49 tables and 154 seats (of those – 18 tables and 50 seats are in the basement – the rest on the ground floor), and 2 standup bars with 1 on the ground floor with 5 seats and 1 in the basement with 4 seats, for a total of 163 interior seats, the maximum

occupancy for the premises is stated to be 234; there is no rear yard, rooftop or patio seating not including areas which may be licensed for a future DCA sidewalk café of which it is anticipated there will be no more than 8 tables and 16 seats, there are existing building permits and certificates of occupancy, but they **do not support the current application as presented** (it appears that Certificate of Occupancy #100169 issued 3/2/1992 has been superseded by a new c of o which does not include this space), – the applicant will need to update certificates of occupancy and any permits and place of assembly permits to reflect the current proposal and as such, **all permits presented to the Liquor Authority should be dated 2015 or later with each use within the building specifically designated (there are other licensed premises on the same block & lot number in different buildings which may appear on the same C of O) in order for the license to be issued unless a detailed explanation is presented and reviewed by the Authority;** and

iii. Whereas, the hours of operation of the interior of the premises will be Sunday to Wednesday from 11AM to 12AM and Thursday to Saturday from 11AM to 1AM (All patrons will be cleared from the premises and no patrons will remain after stated closing time), the hours of operation of the sidewalk café will be Sunday to Wednesday from 11AM to 10PM and Thursday to Saturday from 11AM to 11PM (No patrons shall remain in the sidewalk café after the stated sidewalk café closing hours), 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 10PM 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; and,

iv. Whereas, the applicant operates a number of other Burger & Lobster Restaurants including 1 other in New York City and 13 European locations; and,

v. Whereas, the Applicant reached out to and met with number of local residents and stakeholders in order to discuss their concerns and the Applicant and stakeholders were able to agree on a number of stipulations which are incorporated into a stipulations agreement with CB2, Manhattan as noted below; and,

vi. Whereas, there is a pending application before the Liquor Authority for this same location for Macelleria Rest., Inc., 13 Little West 12th Street New York NY 10014 SN1289649 which it has been expressed to CB2, Man. will be withdrawn prior to the submission of this new restaurant on-premise liquor license; and,

vii. Whereas, even though this applicant reached out to and met with local residents, there were concerns regarding the addition of this premises as yet another full license in a already over saturated area in the Meat Packing District, that the high turnover model would draw additional traffic congestion and parking issues, additional pedestrians, impact the existing noise level and exacerbate ongoing quality of life issues in the area, there was significant concern regarding noise in warmer weather months, that residents felt betrayed by Macelleria, a neighborhood restaurant which had been recommended for approval based on their representations to local residents and CB2, Man. at this location but which was in negotiations with this applicant to take over the lease; and,

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

1. The establishment will be operated as an upscale-casual full service restaurant concept serving primarily three entrees: “a 10 oz. hamburger, a 1.5 lb. lobster, and a lobster roll (each served with a side salad and thin-cut French fries) complimented by a full beverage menu including craft cocktails, beers and wine.”
2. The hours of public operation of the interior of the premises will be Sunday to Wednesday from 11AM to 12AM and Thursday to Saturday from 11AM to 1AM. All patrons will be cleared from the premises and no patrons will remain after stated closing time.
3. The hours of public operation of the sidewalk café will be Sunday to Wednesday from 11AM to 10PM and Thursday to Saturday from 11AM to 11PM. All patrons will be cleared from the sidewalk café and no patrons will remain in the sidewalk after stated closing time.
4. 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.
5. The premises will not have televisions. There will be no projectors.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
8. The premises will play 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 Licensee will obtain all required certificates, permits and related documents including a revised Certificate of Occupancy and Place of Assembly permit prior to opening and will keep current all certificates, permits and related documents.
11. There will be no French doors or operable windows.
12. There will be no patron use of the door adjacent to the “bar” area. The door will be for staff use or emergency egress use only and will not remain propped open at anytime.
13. All doors will remain closed after 10 pm except for patron ingress and egress.
14. The kitchen will remain open until closing time.
15. The premises and all mechanicals will comply with all NYC Noise Codes.
16. Approximately 550 square feet of space will be used as a interior patron waiting area as shown on diagrams and a remote/text message system will be utilized to let patrons know when tables are ready in order to discourage patrons from waiting in the immediate vicinity and in front of the premises.
17. There will be no “bottle service” other than typical restaurant beer/wine by the bottle.
18. There will be no velvet ropes or barricades used to control patrons.
19. If there is an ownership change or change in position of control of greater than 49% in the Licensee entity then the Licensee agrees to submit notice to CB2 Manhattan in the usual manner of any substantial change in ownership even if not required by the Liquor Authority regarding the change in ownership and will present the Corporate Change Application to the Liquor Authority in front of CB2’s SLA Licensing Committee prior to submitting the Corporate Change Application to the Liquor Authority.

ix. Whereas, this location has been the subject of a number of applications to the Liquor Authority, but no entity has carried through with their application and actually opened a restaurant and had a license issued after receiving all proper permits, certificates of occupancy and place of assembly permits; and,

x. Whereas, there are currently approximately 28 On Premise Liquor Licenses within 500 ft. of the premises, many large scale multi floor venues, and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License for **Burger & Lobster Midtown, LLC, d/b/a Burger & Lobster, 1-3 Little W. 12th St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License and that the pending restaurant on premise liquor license application by Macelleria Rest., Inc. SN1289649 be withdrawn.

Vote: Unanimous, with 38 Board members in favor.

16. Garrity Walsh Corp. d/b/a Pour George (Whiskey Social), 35 West 8th St. 10011 (SN#1230107 OP Renewal)

i. Whereas, a representative of the Licensee appeared before CB2’s SLA Licensing committee to present a renewal application for Garrity Walsh Corp. d/b/a Pour George at 35 West 8th St. 10011 which is now operating as Whiskey Social SN#1230107 at the request of CB2, Manhattan based on complaints over time regarding the Licensees operation and at the request of the West 8th St. Block Association; and

ii. Whereas, correspondence was received and a representative of the West 8th St. Block Association addressed concerns regarding a troubled history with the licensed operation even though recent operations are improved and the Licensee has been diligent about observing stipulations and requested that the Licensee consider reducing their hours of operation on Thursday nights and keeping all windows closed at all times to be in line with the many other licensed premises on the Block and in keeping in the spirit of the mixed use residential component of the block during all weekdays and it was further noted that this stretch of West 8th St. has had a tremendous growth in a very short number of years of licensed premises and that focusing on quality of life and the residential component of this mixed use character was essential during the week in order to maintain a healthy balance in the immediate community; and

iii. Whereas, in consideration of the West 8th St. Block Associations concerns, the Licensee executed a new 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 for the restaurant on-premise liquor license SN#1230107 stating that:

1. The premise will be advertised and operated as an “American Restaurant” with the kitchen open and full menu item available until closing every night.
2. The hours of operation will be Sunday to Wednesday from 11 a.m. to 12 a.m., Thursday from 11 a.m. to 2 a.m. and Friday to Saturday from 11 a.m. to 3 a.m. All patrons will be cleared from the premises and no patrons will remain after stated closing time.
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 establishment will not permit dancing.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes. No sidewalk cafes are permitted at this location.
6. All doors and windows will be closed by 9 p.m. and anytime there is amplified music including the rear kitchen door, which has been a source of ongoing complaints.
7. The “front” exterior door in the “new” expansion area which is the subject of this alteration agreement will be utilized for emergency egress only; and,
8. There will be no DJ’s, live music, promoted events, any events where a cover fee is charged or scheduled performances.
9. All past stipulations agreed to on 2/15/2013 are incorporated into this stipulations agreement and will be incorporated into the existing “method of operation”.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the renewal application for a Restaurant On Premise Liquor License for **Garrity Walsh Corp. d/b/a Pour George (Whiskey Social), 35 West 8th St. 10011** **unless** the statements the Licensee has presented are accurate and complete, and that those conditions and stipulations agreed to by the Licensee above are incorporated into the existing “Method of Operation” on the SLA Restaurant On Premise Liquor License SN#1230107.

Vote: Unanimous, with 38 Board members in favor.

17. George Marcel LLC, d/b/a Perla, 234 W. 4th St. 10014 (SN1260538 OP Removal from 24 Minetta Lane)

i. Whereas, the Licensee appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a removal application of a current restaurant on-premise liquor license (SN1260538) for George Marcel, LLC d/b/a Perla from 23 Minetta Lane to 234 W. 4th St. for a full service neighborhood Italian restaurant focusing on “regional Italian cuisine specializing in homemade pastas, breads and off cuts.”; and,

ii. Whereas, this application is for the removal of an existing restaurant on-premise liquor license to a new premises which is located in a grandfathered mixed-use building located in an R6 zoning district on the Southwest corner of West 4th St and West 10th St. for a roughly 1,000 sq. ft. premise with accessory basement (no patron use of basement) with 13 tables and 36 seats, 1 stand up bar with 15 seats, and 7 counter seats for a grand total of 58 interior seats, there is an existing letter of no objection from the NYC Department of Buildings; and,

iii. Whereas, the hours of operation for the new premises will be from 11AM to 12AM 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 & windows will be closed at 9PM, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. 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 for the restaurant on-premise liquor license at the new location stating that:

1. The establishment will be advertised and operated as a full service neighborhood Italian restaurant focusing on “regional Italian cuisine specializing in homemade pastas, breads and off cuts.”
2. The hours of operation of the premises will be from 11AM to 12AM 7 days a week. All patrons will be cleared from the premises and no patrons will remain after stated closing time
3. The kitchen will remain open and the full food menu will be available until closing time.
4. 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.
5. The premises will not have televisions. There will be no projectors.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a DCA Licensed 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 licensee will obtain all required certificates, permits and related documents and will keep current all certificates, permits and related documents.
11. All doors and windows will be closed at 9PM every night and anytime there is amplified music. All doors will remain closed after 9 pm except for patron ingress and egress.
12. The premises and all mechanicals will comply with all NYC Noise Codes at all times.
13. The licensee will install Landmark's approved awnings subject to approval from the landlord and relevant City Agencies.
14. The licensee will post a "Please be considerate of our neighbors" style sign that is visible to patrons both entering and exiting the premises.
15. There will be no discounting from full price of any alcohol for "happy hour".
16. The licensee will install an upgraded air-conditioning system in consultation with an HVAC specialist that is capable of adequately cooling the premises without the need to open any windows for ventilation. Any new air conditioning or mechanicals will comply with all NYC Noise codes.
17. There will be no A-frames, sandwich boards or other sidewalk obstructions utilized by the premises.
18. No Staff members will serve patrons on the sidewalk, from the sidewalk or through any windows at anytime.
19. A portion of the Maitre D's job responsibilities will include managing patrons in the immediate exterior sidewalk area outside the premises.
20. There will be no velvet ropes, barricades, planters or other sidewalk obstructions used to control patrons.

v. Whereas, this location has a long adverse history and while currently unlicensed was most recently licensed as Dorsia 8:30 LLC d/b/a Windsor SN1210408 which was for years the subject of extensive complaints from local residents, of enforcement and disciplinary actions by the Liquor Authority and was the source of significant quality of life erosion in the immediate area; CB2, Man. submitted resolutions against the renewal of a liquor license for Dorsia 8:30, LLC in both November 2012 and November 2014; CB2's October 2012 and November 2014 resolutions for Dorsia 8:30, LLC provide a more detailed overview on the adverse history of this premises; Dorsia 8:30, LLC surrendered their license in the face of ongoing disciplinary action by the Liquor Authority; and,

vi. Whereas, the primary principal lives in the immediate area with his family and also has a number of other licensed establishments in the immediate area including one directly across the street and another on the same block and several more in the immediate neighborhood; and,

vii. Whereas, one of the principals other premises located across the street, St. Helene, LLC d/b/a Bar Sardine has received complaints from local residents and in October 2014 CB2, Man. recommended to the Liquor Authority that they deny the renewal of their on-premise liquor license for reasons outlined in CB2's resolution dated October 2014; and,

viii. Whereas, one of the primary reasons that CB2, Man. recommended not renewing the liquor license for St. Helene, LLC d/b/a Chez Sardine and now Bar Sardine was that the Licensee approached CB2 to alter the existing license in June 2014 to change some of the seating in the restaurant and extend the hours of operation for which CB2 recommended approval, but then after CB2's recommendation the operator instead began operating as primarily a bar operation with food advertising themselves as a bar, they also changed their name to Bar Sardine and their website claimed they were "a West Village corner bar" that is "serious about food and crazy about drinks", their website also stated "Open from noon on each day, Bar Sardine has the drop-in-anytime accessibility and friendly hospitality of a classic neighborhood bar while its thoughtful approach to food and drink give it the trappings of a modern cocktail destination"; the

premises also started showing sporting events on a television and advertising those events and offering discounted drinks during events; since then the licensee has removed all references to operating as a bar except in the name of the premises or advertising sports events, however the change in seating from mostly low traditional booth and table seating in the establishment to predominantly high chair seating and building eating and drinking counters directly into operable open windows with patrons seated facing out onto the sidewalk has created a loud and noisy establishment, which is a signature of the licensee and for which his premises are known; this has in turn fostered a serious distrust from local residents and members of the local community regarding any of his future intentions even if he does serve food and calls his premises a restaurant, especially as they relate to any premises that have open facades and windows and it is further exacerbated as local residents feel and have shown time stamped photographs as evidence of those windows remaining open after stipulated closing hours and of employees serving patrons inside the premises from the sidewalk outside through the operable windows and of patrons consuming alcohol on the sidewalk by reaching for drinks through the windows – the sidewalk is not licensed for the consumption of alcohol; and,

ix. Whereas, a number of emails in support were submitted to CB2, Man. and a number of local residents including those who are immediate neighbors spoke in support of the Licensee, a number of people were also investors, employees or friends, and testified as to **(1)** the good character of the Licensee, **(2)** the high quality of his existing restaurants, **(3)** that this would be another good addition to the neighborhood, **(4)** that they had positive experiences at his existing restaurants, **(5)** that this would be a vast improvement over the prior operators at this location, **(6)** that the Licensee treats his customers well; and,

x. Whereas, a number of emails and letters in opposition were submitted to CB2, Man. and a number of residents spoke in opposition including some who live immediately across the street and in adjacent buildings, **(1)** the main issues revolve around the design of the premises which includes a total of 34 linear feet of operable windows in a grandfathered commercial space in a residentially zoned area; **(2)** that of the 34 linear feet of operable windows, 16 ft. are located on West 4th Street and have window ledges built in with customer seating facing out into the street, directly behind those seats is a large 15 person bar, this configuration is comparable to the previous operation at this location which generated significant noise from patrons that directly impact neighbors living across the street and substantially reduce their quality of life – that previous operator surrendered their Liquor License in the face of disciplinary actions which the Liquor Authority was pursuing; **(3)** that despite any assertions that this is a food driven business, the style of this premises will be to create an open air environment that is noisy and sceney and a destination location which brings with it large crowds, congested sidewalks and disruption which directly impact local residents; **(4)** that the mere fact that the licensee would not agree to close his windows before 9pm or take other sound mitigation steps was a significant concern even though it was pointed out that the previous operator was a significant problem and that the previous operator had agreed to window closings at 8pm; **(5)** that the licensee's own establishment across the street, Bar Sardine, was also a big ongoing problem because it also was located on a corner with large operable windows with a similar style of eating at window ledges facing out into the street and it also creates a noisy establishment when the windows are open; **(6)** that despite what the licensee may state, his business across the street at Bar Sardine morphed from a restaurant with one type of normal restaurant seating layout to a new restaurant/bar with a layout as currently exists with mostly counter seating with elevated window seating facing out to the street and that it was not what was originally presented and the change in seating created a loud establishment by design among other things and was all that the neighborhood could expect from this new location; **(7)** that while the operator is popular with a certain trendy set and that his restaurants are popular destinations, this does not make him popular with his immediate neighbors who's quality of life is infringed upon by his locations more so than other locations because of the style of his operations

and the noise that pours out of the open facades – several other establishments in the area have open facades and they have also been the subject of complaints by residents and CB2, Man. alike; (8) that there are already 9 liquor licenses on this immediate intersection and that no further noise from inside any establishments should be tolerated; and (9) that there was no outreach by the Principal to neighbors who had previously complained to him regarding his other premises across the street for this new premises until after the November 2015 CB2 SLA Licensing Committee meeting at which time the licensee was prompted to meet with local residents; the licensee did subsequently meet with local residents in opposition and there were follow up communications but no resolution could be reached in regards to the operable façade and other noise mitigation steps among other issues that would be amenable to residents and it appears that those neighbors in opposition still continue to distrust the licensee and do not feel the stipulations warrant this premises of reaching the standard of the public interest or that this licensee should be issued a license at this location; and,

xi. Whereas, there are currently approximately 26 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 removal application for a restaurant on-premise liquor license application for **George Marcel, LLC, d/b/a Perla, 234 W. 4th St. 10014** **unless** the statements the Licensee has presented are accurate and complete, and that those conditions and stipulations agreed to by the Licensee above are incorporated into the “Method of Operation” on the existing SLA Restaurant On Premise Liquor License **SN#1260538**;

Vote: Passed, with 25 Board members in favor, 12 in opposition (C. Booth, T. Bergman, K. Bordonaro, T. Cude, R. Ely, D. Gruber, S. Kent, L. Rakoff, R. Riccobono, S. Sweeney, S. Wittenberg, A. Wong), and 1 recusal (S. Aaron).

18. Waxstone NYC, LLC, d/b/a TBD, 113 Horatio St. 10014 (New OP)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a restaurant on-premise liquor license for a full service restaurant serving breakfast, lunch and dinner after having first appeared in October 2015 and subsequently requesting to layover the application until November 2015 in part to reach out to local community residents; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license for a location in a mixed-use building located on Horatio St between Washington St. and West St. for a roughly 6,000 sq. ft. premise located on the ground floor, basement and old outdoor loading dock connected to the first floor (3,000 sq. ft. per floor, patron use of both floors) with 36 tables and 102 table seats on the ground floor, 1 standup bar on the ground floor with 18 bar seats, 10 seats in the exterior loading dock area connected to the first floor and 50 seats in the basement private dining room and 1 service bar in the basement private dining room; a new (revised) Certificate of Occupancy and Place of Assembly permit will be provided prior to opening the establishment; and,

iii. Whereas, the hours of operation of the ground floor interior of the premises will be Sunday to Wednesday from 8AM to 1AM and Thursday to Saturday from 8AM to 2AM (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), the basement floor level will operate as a Private Dining Room only and the hours of operation of the basement will be from 8AM to 11PM (all patrons will be cleared from the basement and no patrons will remain after stated basement closing time), the hours of operation of the exterior seating on the loading dock will be Sunday

to Thursday from 8AM to 12AM and Friday to Saturday from 8AM to 1AM (all patrons will be cleared from the exterior seating on the loading dock and no patrons will remain after stated closing time), there will be no sidewalk café, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The establishment will be advertised and operated as a full service restaurant serving breakfast, lunch and dinner.
2. There will be a maximum of 120 seats on the ground floor level exclusive of the 10 seats on the exterior loading dock and patrons waiting to be seated. The hours of operation of the ground floor interior of the premises will be Sunday to Wednesday from 8AM to 1AM and Thursday to Saturday from 8AM to 2AM. All patrons will be cleared from the premises and no patrons will remain after stated closing time.
3. The basement floor level will operate as a Private Dining Room only. There will be no more than 50 seats in the basement and patron occupancy standing or seated will not exceed 50 at anytime. The hours of operation of the basement of the premises will be 8AM to 11PM. All patrons will be cleared from the basement and no patrons will remain after stated basement closing time.
4. There is an exterior area for patron seating located on an old loading dock. There will be a maximum of 10 seats on the loading dock. The hours of operation of the exterior seating on the loading dock will be Sunday to Thursday from 8AM to 12AM and Friday to Saturday from 8AM to 1AM (same exterior hours as previous operator). All patrons will be cleared from the loading dock area and no patrons will remain after stated closing time.
5. There is no sidewalk café. The premises will not operate a backyard garden or any outdoor area except for the seating on the loading dock for commercial purposes.
6. 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.
7. The premises will not permit dancing in any portion of the premises.
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 Licensee will obtain all required certificates, permits and related documents including a revised Certificate of Occupancy and Place of Assembly permit prior to opening and will keep current all certificates, permits and related documents.
11. Licensee will move the main entrance to the space from Horatio Street to West Street/10th Ave. Licensee will publicize the West St/10th Avenue address as the official address of the restaurant and will make best efforts to insure that this address is the only address that appears on Google maps and other mapping or eating and dining applications. The Horatio entrance will be used only for deliveries, ADA and other special needs patrons, and emergency egress use.
12. There will be no French doors or operable windows.
13. All doors will remain closed after 10 pm except for patron ingress and egress.
14. The kitchen will remain open and the full food menu available until 30 minutes before closing time.
15. The premises and all mechanicals will comply with all NYC Noise Codes.
16. There will be no “bottle service” other than typical restaurant beer/wine by the bottle.

17. There will be no velvet ropes or barricades used to control patrons. There will be space on the interior of the premises for patrons to wait inside. A remote/text message system may be utilized to let patrons know when tables are ready in order to discourage patrons from waiting in the immediate vicinity outside and/or in front of the premises.
18. If there is an ownership change or change in position of control of greater than 49%, the Licensee agrees to submit notice to CB2 Manhattan in the usual manner of any substantial change in ownership even if not required by the Liquor Authority regarding the change in ownership and will present the Corporate Change Application to the Liquor Authority in front of CB2's SLA Licensing Committee prior to submitting the Corporate Change Application to the Liquor Authority.

v. Whereas, after appearing before CB2, Man. in October 2015 and subsequently requesting to layover the application until November 2015, the Applicant was able to meet with a number of local residents and stakeholders in order to discuss their concerns and the applicant substantively modified their application and agreed to a number of stipulations that were incorporated into a stipulations agreement with CB2, Man. as noted above; and,

vi. Whereas, several local residents appeared in support of the applicant and reviewed their concerns which they felt were addressed through stipulations that the applicant agreed to; some of the primary concerns of local residents and stakeholders include the large increase in occupancy at the previously licensed premises, the additional traffic impact to Horatio St. and surrounding area which already has several destination style licensed premises, the lack of public transportation in the immediate area, the lack of available parking and the increase of noise in the area and local community that would be generated by the new large premises and their patrons; and,

vii. Whereas, the primary Principal is also a principal of several other licensed establishments including Barbuto located several blocks away within CB2, Man.; and,

viii. Whereas, there are currently approximately 10 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 On Premise Liquor License for **Waxstone NYC, LLC, d/b/a TBD, 113 Horatio St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant On Premise Liquor License.

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

19. Tejo Rest., Inc., d/b/a Garota De Ipanema, 252 W. 14th St. 10011 (OP Corp Change)

i. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a "corporate change" for an existing On-Premise Liquor License (SN#1024966) for a neighborhood bar for a change in ownership from Jose DeCouto (100%) to Patricia DeCouto (50%), Alexandria DeCouto (25%) and Tesia DeCouto (25%); and,

ii. Whereas, this application is for a "corporate change" as described above for an existing neighborhood bar in a mixed-use building located on 14th St. between 7th Avenue and 8th Avenue for a currently licensed location on the ground floor with 2 tables with 8 table seats and 1 standup bar with 17 seats (the

previously expired 2nd stand up bar is no longer active or in use ever and is not included in this application), for a grand total of 25 seats, there is a pool table, the maximum occupancy is 70 people and there is a Certificate of Occupancy, there is no sidewalk café and no backyard or outdoor areas in use or part of this application; and,

iii. Whereas, the hours of operation will be from 11AM to 4AM 7 days a week (no patrons will remain in the premises after closing), music will continue to be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there is existing soundproofing, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the new principals will execute a stipulations agreement with CB2, Man. that they agree will be attached and incorporated in to the “existing” method of operation for the current On-Premise Liquor License SN1024966, stating that:

1. Premises will be advertised and operated as neighborhood bar.
2. Hours of operation will be from 11AM to 4AM 7 days a week. No patrons will remain in the premises after closing.
3. Premises will not operate as a nightclub or disco.
4. Premises will not seek a New York City Department of Consumer Affairs Cabaret License
5. There will be no sidewalk café or outdoor areas.
6. All windows and doors will remain closed at all times except for patron ingress and egress.
7. There will be no DJs, no live music, no promoted events, no scheduled performances and no event at which a cover fee is charged.
8. Music will be quiet ambient background music only.
9. There will be no more than 5 televisions, no larger than 42 inches. There will be no projectors.
10. Premises will employ a doorman/security personnel 7 days a week.
11. This application is for a change in ownership from Jose DeCouto (100%) to Patricia DeCouto (50%), Alexandria DeCouto (25%) and Tesia DeCouto (25%).
12. There will be one stand-up bar only along the East wall of the premises with 17 seats.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a “corporate change” application for the existing On Premise Liquor License (SN#1024966) as described above for **Tejo Rest., Inc., d/b/a Garota De Ipanema, 252 W. 14th St. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On-Premise Liquor License.

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

20. Wild Kitchen Corp, d/b/a Bowllin, 1 University Pl. 10003 (New RW)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a “Korean fusion restaurant that will serve bowls & sandwiches with meat marinated in Korean BBQ sauces with rice and vegetable”; and,

ii. Whereas, this application is for a restaurant wine license for a 540 sq. ft. premises located on the ground floor in a mixed use building with 4 tables and 10 seats and 1 standup bar with 3 seats for a total of 13 seats, there is a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be 11AM 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 9PM every night and anytime there is amplified 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

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

1. The premises will be advertised and operated as a Korean fusion restaurant as described.
2. The hours of operation will be from 11AM 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 not have a sidewalk café.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The Premises will close all doors and windows at 9PM every night and anytime there is amplified music.

v. Whereas, there are currently approximately 6 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, Manhattan recommends **denial** of a new restaurant wine license for **Wild Kitchen Corp, d/b/a Bowllin, 1 University Pl. 10003** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

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

21. Quinto Quarto, Inc., d/b/a Abbottega (aka Da Tommy Osteria), 14-16 Bedford St. 10014 (OP Corp Change)

i. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for another “corporate change” for an existing Restaurant On-Premise Liquor License (SN#1214646); a separate corporate change was previously presented to CB2, Man. in 10/2014, one of the existing principals will now own 95% plus of the shares as a result of the issuance of new shares as a result of a capital infusion; the premises will continue to be a restaurant that focuses on high end Italian cuisine with a slight reduction in hours of operation; and,

ii. Whereas, this application is for a “corporate change” as described above for an existing high-end Italian restaurant in a mixed-use building located on Bedford St. between 6th Avenue and Downing Street for a currently licensed location on the ground floor with 15 tables with 40 table seats and 1 standup bar with 2 seats, for a grand total of 42 seats; the maximum occupancy as stated by the applicant is 74 people, there is a “letter of no objection” from the NYC Department of Buildings, the premises is located within a residentially zoned (R6) block and lot with no commercial overlay, the applicant states this is a “grandfathered” location for use as a commercial space, use group 6 on the ground floor, there is no sidewalk café and no backyard or outdoor areas in use or part of this application; and

iii. Whereas, the hours of operation will be Sunday to Thursday from 12 PM to 10:30 PM, and Friday and Saturday from 12 PM to 12 AM, no patrons will remain in the premises after closing, music will continue to be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there is existing soundproofing, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the controlling new principal will execute a stipulations agreement with CB2, Man. that they agree will be attached and incorporated in to the “existing” method of operation for the current Restaurant On-Premise Liquor License for Quintoquarto, Inc. d/b/a Abbottega, SN1214646, stating that:

1. Premises will be advertised and operated as a full service high-end Italian restaurant.
2. Hours of operation will be Sunday to Thursday from 12 PM to 10:30 PM and Friday & Saturday from 12 PM to 12 AM. No patrons will remain in the premises after closing.
3. Premises will not operate as a nightclub or disco.
4. Premises will not seek a New York City Department of Consumer Affairs Cabaret License
5. There will be no sidewalk café or outdoor areas.
6. All windows and French doors will remain closed at all times except for ingress and egress.
7. There will be no DJs, no live music, no promoted events, no scheduled performances and no event at which a cover fee is charged.
8. Music will be quiet ambient background music only.
9. There will be no televisions.
10. Patrons will not use the rear yard garden ever.
11. Patrons will be discouraged from smoking in front of residential windows and the sidewalk will be actively managed so that patrons do not block sidewalk or street.
12. Any sidewalk furniture including benches if allowed will be removed at 6 PM every day with no exceptions.
13. All previously existing stipulations will also remain in effect with the corporate change.

v. Whereas, a petition with small number of signatures from both business operators on Bedford St. and residents was presented; and,

vi. Whereas, the new principal agreed to the above noted stipulations; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a “corporate change” application for the existing Restaurant On Premise Liquor License (SN#1214646) as described above for **Quintoquarto, Inc. d/b/a Abbottega, 14-16 Bedford St. 10014 unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clauses above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 38 Board members in favor.

22. West 4th & Barrow, LLC, 192 W. 4th St. 10014 (New OP)

i. Whereas, the applicant appeared before CB2 Manhattan’s SLA Licensing Committee "to re-instate their application (over 1 year has passed since the initial new restaurant on-premise liquor license “OP license” was presented in October 2014) to operate a neighborhood restaurant serving American fare on the ground floor of a nine story mixed use building in a Historic District on West 4th street at the corner with Barrow Street; and

ii. Whereas, the total licensed premises is 4,000 sq. ft. (2,000 sq. ft. ground floor and 2,000 sq. ft. basement), the basement will be used for mechanical and storage facilities ancillary to the restaurant but not for patrons, and there is a Certificate of Occupancy for the premises permitted eating and drinking on the ground floor only; and

iii. Whereas, there will a total of 22 tables and 102 seats and one bar with 24 seats for an occupancy of 126 patrons, one TV only, music will be background music only and there will be no sidewalk café or backyard garden; and

iv. Whereas, the hours of operation will be from 12 pm to 4 am from Monday to Friday and from 11 am to 4 am on Saturday and Sunday, there will be occasional private parties and there will be dedicated security outside the premises Thursday through Saturday; and

v. Whereas, the applicant agreed not to install new French doors or windows that open up to the sidewalk on Barrow and West 4th Streets and further agreed to close all doors and windows at all times, and the kitchen will remain open during all hours; and

vi. Whereas, there will be only one TV, music will be background only, and the applicant specifically agreed never to operate the premises as a “Sports Bar”; and

vii. Whereas, the applicant met with the Central Village Block Association (“CVBA”) and agreed to and executed stipulations with CVBA which are incorporated into the instant resolution, including but not limited to an obligation to post exterior signage at the front door directing patrons to be courteous and quiet when exiting the establishment and to conduct community meetings to review the on-going method of operation for the premises; and

viii. Whereas, previously, the President and a number of members of the Residential Cooperative directly above the premises appeared and met with the applicant and despite initial concerns, appeared content with the proposed method of operation and with the stipulations in place for the premises; and

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

1. Premises will be advertised as a neighbor restaurant welcoming families and couples.
2. Will not operate a sidewalk café.
3. There will be 1 TV only.
4. Will not install new windows or door that open out to the sidewalks.
5. The hours of operation will be from 12 pm to 4am from Sunday to Friday and from 11 am to 4 am on Saturdays and Sundays and all patrons will be gone by closing.

6. The front façade doors and windows will be close at all times except for egress and ingress every night.
7. Music will be quiet, background level only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
8. There will be dedicated security outside the premises Thursday through Saturday.
9. All stipulations agreed to with the Central Village Block Associate on 11/6/2015 / at the time of this application / will be incorporated into this agreement with CB2.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a full On Premises license to **West 4th & Barrow, LLC, 192 W. 4th St., 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the OP License.

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

23. M. Merrill on behalf of entity TBD d/b/a Beatrice Inn, 285 W. 12th St. 10014 (New OP via transfer)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new on-premise liquor license via a transfer application for a “restaurant serving New American cuisine; there will be no major change to the current approved method of operation”; and,

ii. Whereas, this application is for a restaurant on premise liquor license for a 2,000 sq. ft. restaurant located in the basement in a mixed use building on West 12th between West 4th Street and 8th Avenue with 35 tables, 82 table seats, 1 standup bar with 11 bar seats for a total of 93 interior seats and a maximum legal capacity of 125 persons, there is an existing place of assembly permit and Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be Sunday from 11AM to 12AM, Monday to Thursday from 5PM to 12AM, Friday from 5pm to 1AM and Saturday from 11AM to 1AM (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will not be a sidewalk café application and no backyard garden, 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,

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

1. The premises will be advertised and operated as a restaurant serving new American cuisine as described.
2. The hours of operation will be Sunday from 11AM to 12AM, Monday to Thursday from 5PM to 12AM, Friday from 5pm to 1AM and Saturday from 11AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.

5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will not have a sidewalk café.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The Premises will not have French doors, operable windows or open facades and will close all doors at all times except for patron ingress and egress.
11. The Licensee has agreed to obtain all required certificates, permits and related documents.
12. The Premises will adhere to and not violate all NYC noise codes.
13. The Licensee will use best efforts to soundproof the establishment
14. The Licensee will have a double door vestibule that prevents noise from escaping onto the sidewalk.
15. The Licensee has agreed to not store garbage or garbage dumpsters outside of the establishment.
16. The Licensee will not place refuse at the curb and arrange trash pick up between the hours of 8am and 6pm.
17. The Licensee has agreed to not use any new or additional neon signage/lighting or LED's on the establishment except for the historic "Beatrice Inn" sign.

v. Whereas, the Applicant met with the Middle West 12th St. Block Association and reaffirmed that they would continue to abide by the stipulations executed by West 12th St. Partners, LLC who currently operate the premises and stated that they would expand service times to include brunch on weekends; and

vi. Whereas, there are currently approximately 17 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 on-premise liquor license via a "transfer" application **for M. Merrill on behalf of entity TBD d/b/a Beatrice Inn, 285 W. 12th St. 10014 unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA restaurant on-premise liquor license.

Vote: Unanimous, with 38 Board members in favor.

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

24. Whynot My Way, LLC d/b/a Whynot Bistro (Dominic Bistro), 14 Christopher St. 10011 (Layover - Alteration to existing TW)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 12th, 2015, the Applicant's attorney requested to **layover** this application for an alteration application for the method of operation and physical layout for an existing tavern wine license in conjunction with an upgrade to an 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 alteration to any existing tavern wine license, on premise liquor license, corporate change, class change/upgrade application, transfer, or changes to any existing license for **Whynot My Way, LLC d/b/a Whynot Bistro (Dominic Bistro), 14 Christopher St. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

25. Whynot My Way, LLC d/b/a Whynot Bistro (Dominic Bistro), 14 Christopher St. 10011 (RW) (Layover - upgrade from Tavern Wine to On Premise Liquor)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 12th, 2015, the Applicant's attorney requested to **layover** this application for an upgrade application/change in class application from a tavern wine license to a on-premise liquor license in conjunction with an alteration application to the existing method of operation and physical layout 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 class change/upgrade application to an on-premise liquor license, alteration to any existing tavern wine license, on premise liquor license, corporate change, transfer, or changes to any existing license for **Whynot My Way, LLC d/b/a Whynot Bistro (Dominic Bistro), 14 Christopher St. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

26. Ramen by Mew, LLC, 7 Cornelia St. Northwest Store 10014 (Layover – New RW)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 12th, 2015, the Applicant's attorney requested to **layover** this application for a new restaurant 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 restaurant wine, tavern wine license, eating place beer, on premise liquor license, corporate change, class change/upgrade, transfer, or changes to any existing license for **Ramen by Mew, LLC, 7 Cornelia St. Northwest Store 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

27. FJF Hospitality Group, Inc., d/b/a Tavo, 615 Hudson St. 10014 (Layover – New OP)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 12th, 2015, the Applicant’s attorney requested to **layover** this application for a new restaurant 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, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **FJF Hospitality Group, Inc., d/b/a Tavo, 615 Hudson St. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

28. Phil Alotta or an entity to be formed, 310 Spring St. 10013 (Layover – New OP)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on November 12th, 2015, the Applicant’s attorney requested to **layover** this application for a new restaurant 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, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Phil Alotta or an entity to be formed, 310 Spring St. 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in response to MTA NYC Transit proposal for the M5 bus route

Whereas CB2, Man. thanks MTA NYC Transit for presenting a proposal for an alternate M5 bus route to replace the current existing M5 route with its lengthy, often bottlenecked journey (the longest in Manhattan) that entails long waits, frequent bunching and failures to complete the entire route; and

Whereas MTA NYCT proposes splitting the M-5 route into two routes, i.e., two routes northbound and two routes southbound, with the split occurring at 37th St.; and

Whereas the course of the current 12-mile route would remain the same, between the George Washington Bridge bus terminal at 178th St. and South Ferry/Whitehall St., but with the routes split between an 8-mile run between 178th St. and 37th St. and a 4-mile run between 37th St. and South Ferry, with the scheduled frequency to remain the same; and

Whereas MTA NYCT will be presenting this route proposal to all of the communities along the route and soliciting input, as well as to their own board for approval, and then hold a public hearing; and

Whereas splitting the M5 route at 37th St. will not serve the needs of the CB2 community, because:

- It will compel the significant number of northbound users headed to destinations (including work, shopping, professional services, recreation) in what comprises the total Midtown area (up to 59th St.) to get off the bus, and then wait for and board another bus for a second leg of their trip that may encompass a few blocks, and similarly break their southbound trips just a few blocks from where they started, taking up needless getting off, boarding, and waiting time.
- It will introduce unnecessary discomfort for the many elderly, physically challenged and/or mobility impaired users en route to those Midtown area destinations that rely on convenient bus service as their only means of getting around.
- The 37th St. location is not a common, well-frequented destination. It is completely isolated at night, and therefore, not suitably secure as a transfer/waiting place. The community has a well-founded concern about the lack of safety in waiting there.
- The route split on 37th St. is unevenly skewed with a continuous northern route that is twice as long as the southern route; and

Whereas no surveys of riders have been done (although customers' preferences and needs should be paramount), no evidence has been provided that the proposed M5 alternative would save time and increase efficiency, and no benefits precedent has been presented; and

Whereas the discontinuing of the original M5 route turning west on Houston St. and then heading north again on 6th Ave. has eliminated a compact, more efficient route that served a sizable population, many of them of advanced age and limited mobility who now are challenged or unable to walk the distance to the uptown M5 on 6th Ave., and its restoration twice an hour, as previously requested, would provide the accessibility this population needs, help cut the current lengthy M5 trip, reduce conflicts and increase reliability by balancing longer and shorter trips; and

Whereas the M5 Limited is rarely used below 14th St., especially between the hours of 10 a.m. and 4 p.m. when senior citizens, school children and others intensively use the M5 local stops which provide them with convenient and easy-to-access service;

Therefore be it resolved that CB2, Man. strongly opposes the proposed splitting of the M5 bus route at 37th St.; and

Be it further resolved that CB2, Man. urges MTA NYCT to partially restore the former M5 route turning west at Houston St. from Broadway and beginning its uptown trek at Houston St. and 6th Ave. twice an hour; and

Be it further resolved that CB2, Man. emphatically urges that the number of M5 buses that are currently in operation not be reduced; and

Be it further resolved that CB2, Man. highly recommends that the M5 Limited (Express) service be discontinued south of 14th St. at least between the hours of 10 a.m. and 4 p.m., and that all M5 local bus service and stops below 14th St. be preserved; and

Be it further resolved that CB2, Man. asks that should a Midtown split route for the M5 continue to be pursued that:

- The split should occur at 59th St. or no further south than 42nd St.
- A free transfer must be in place to change from one split of the route to the other.
- The changeover stops for the split bus routes should be contiguous to avoid long, uncomfortable and time-consuming treks from one to the other.
- Bus shelters/kiosks should be provided at the stops with plentiful seating to accommodate transferring users;

Be it finally resolved that CB2, Man. suggests that MTA NYCT investigate overlapping the split routes in the heavily-used Midtown corridor from 23rd St. to at least 59th St., to provide options that more appropriately serve riders' needs.

Vote: Unanimous, with 38 Board Members in favor.

2. Resolution in response to MTA NYC Transit proposal for the M1 bus route and requesting a downtown bus service link from 14th St. to 8th St. (and continuing further south) on Broadway

Whereas CB2, Man. thanks MTA NYC Transit for presenting a proposal for extended M1 bus service south and a revised M1 northern route; and

Whereas the MTA NYCT proposal includes:

- Extending the southbound M1 route for every other M1 to turn south on Broadway from 8th St. and go down Broadway to Worth St. on weekdays, and for all M1s to turn south from 8th St. and go down Broadway to Worth St. on weekends.
- Running the northbound M1 from Worth St. via Centre St., then Lafayette St., and continuing on 4th Ave. from 8th St. on its current northerly route.
- Running the M1 every 24 minutes in the morning and every 16 minutes in the afternoon on weekdays and every 12 minutes in the morning and every 18 minutes in the afternoon on weekends; and

Whereas MTA NYCT will be presenting this route proposal to all of the communities along the route and soliciting input, as well as to their own board for approval, and then hold a public hearing; and

Whereas the proposed M1 northbound route will restore, though only in part, the missing segment of vastly needed east side uptown service the M1 had originally provided, but had been discontinued, to SoHo, Little Italy, much of the South Village, parts of Chinatown, and southern NoHo, and is very welcome, even though the route will not originate, as it did originally, from further down at South Ferry; and

Whereas one essential part of the original M1 southbound route was service on Broadway from 14th St. all the way down through 8th St., Houston St. and to South Ferry (which now would go only as far as Worth St.), providing a vital direct conveyance to all those in the above-cited communities to get home with heavy packages from shopping on 14th St. for less expensive goods, especially food, as well as from

healthcare facilities at Union Sq. and transit connections. However, bus service on Broadway from 14th St. to 8th St. has not been included in the M1 proposal, which would continue to deprive this population of the direct access they sorely need; and

Whereas a 24-minute morning wait is much too long, especially for the large numbers of riders on their way to work, parents and children on their way to school, and the elderly and disabled who have limited physical ability to stand for lengthy times; and

Whereas MTA NYCT seemed to indicate a link between the proposed M1 and M5 routes, although these routes cover completely different corridors and area needs, and there was some intimation that M5 buses might be needed for the M1 extension, totally untenable in view of the already thin coverage and the need for more, not less, service;

Therefore be it resolved that CB2, Man. fully supports the proposed M1 northbound route, and asks that this service be extended to begin, as it did originally, from South Ferry instead of Worth St., as soon as feasible; and

Be it further resolved that CB2, Man. supports the proposed M1 southbound extension on a temporary basis, although we ask for it to be provided on every weekday trip as well as all trips on weekends, and run to South Ferry instead of Worth St. as soon as feasible; and

Be it further resolved that CB2, Man. urges that bus service on Broadway from 14th St. to 8th St. be reinstated as it originally was on the downtown M1 route (or on the M2 or M5) to provide a direct, continuous ride from 14th St. all the way down through 8th St., Houston St. and to Worth St. (with the possibility of extending to South Ferry at a future date), possibly switching from 5th Ave. over to Broadway at 24th St. (as the inter-borough buses already do); and

Be it further resolved that CB2, Man. asks that the proposed 24-minute gap between M1 buses in the morning be reduced to a much shorter wait; and

Be it finally resolved that CB2, Man. strongly urges that there be no reduction of service on one route to provide service on another route.

Vote: Unanimous, with 38 Board Members in favor.

3. Resolution requesting installation of STOP Signs at the NE and NW corners of Washington and Little West 12th Streets

Whereas the intersection of Washington and Little W. 12th Sts. is located in the highly popular Meatpacking District, one block away from the Whitney Museum which will attract an estimated 1,000,000 *additional* visitors to the area in 2015; and

Whereas Washington St. is confusing and idiosyncratic at this intersection, running two-way to the north and one-way to the south, with narrow sidewalks or none at all on the western side between Little West 12th and Gansevoort Sts., creating a dangerous situation for pedestrians; and

Whereas the corridor has a heavy and growing pedestrian presence: It is an entry point for the High Line and the Whitney Museum and is surrounded by busy stores and restaurants including the Standard Biergarten, the Standard Grill, Sugar Factory and Santana; and

Whereas speeding vehicles driving down Washington which tend to race through the intersection after exiting the West Side Highway pose a significant risk to both pedestrians and motorists; and

Whereas frequent bottlenecks caused by idling taxis and black cars at the Standard Hotel add to the danger and confusion; and

Whereas in the absence of any traffic controls at the intersection, pedestrian safety is seriously threatened by vehicles surging through without having to stop; and

Whereas there is strong support to add signage to control traffic at the intersection, including 35 letters requesting installation of STOP signs that were received from local residents as well as from the Meatpacking Improvement Association;

Therefore be it resolved that CB2, Man. requests that the NYC Department of Transportation install two STOP signs at the NE and NW corners of Washington and Little West 12th Sts.

Vote: Unanimous, with 38 Board Members in favor.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan