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Bob Gormley, *District Manager*



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## COMMUNITY BOARD No. 2, MANHATTAN

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### FULL BOARD MINUTES

**DATE:** July 23, 2009

**TIME:** 6:00 P.M.

**PLACE:** St. Vincent's Hospital, 170 W. 12<sup>th</sup> St. Cronin Auditorium, 10<sup>th</sup> Floor

**BOARD MEMBERS PRESENT:** Keen Berger, Tobi Bergman, Makrand Bhoot, Carter Booth, Sigrid Burton, Maria Passannante Derr, Doris Diether, Alison Greenberg, Sasha Greene, David Gruber, Jo Hamilton, Chair, Community Board #2, Manhattan (CB#2, Man.); Anne Hearn, Brad Hoylman, Mary Johnson, Zella Jones, Renee Kaufman, Susan Kent, Evan Lederman, Raymond Lee, Edward Ma, Ke-Wei Ma, Jane McCarthy, Lois Rakoff, David Reck, Rocio Sanz, Wendy Schlazer, Maury Schott, Shirley Secunda, Shirley H. Smith, James Solomon, Richard Stewart, Carol Yankay, Elaine Young

**BOARD MEMBERS EXCUSED:** Steve Ashkinazy, Lisa Cannistracci, Ian Dutton, Sheelah Feinberg, Harriet Fields, Amanda Kahn Fried, Elizabeth Gilmore, Edward Gold, Arthur Kriemelman, Jason Mansfield, Judy Paul, Robert Riccobono, Erin Roeder, Arthur Z. Schwartz, Sean Sweeney, Jin Ren Zhang

**BOARD MEMBERS ABSENT:** Annie Washburn

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

**GUESTS:** Erin Drinkwater, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Mary Cooley, Senator Daniel Squadron's office; Matt Borden, Assembly Member Deborah Glick's office; Sandy Myers and Shan Khan, Man. Borough President Scott Stringer's office; John Ricker, NYC Comptroller's office; Kate Seeley-Kirk, Council Speaker Christine Quinn's office; Council Member Alan Gerson, Paul Nagle, Council Member Alan Gerson's office; Council Member Eric Gioia, Council Member Rosie Mendez, Kate Mikuliak, Council Member Rosie Mendez's office; Adrienne Dobsovitz, Claudia Galvez, Elizabeth Adam, D. West, Dominique Morgan, Gil Horowitz, Jane Crotty, Williamson Henderson, Craig Koenig, Lawrence Kramer, Eric Bruzaitis, Andre Christie, Constance Dondure, Denise Levine, Jay Levine, Gary Parker, Sara Reismane, Terri Cude, Tom Illiceto, Tom McDonald, Guinevere Molina, Meredith Berkowitz, A. Harris, Alice Walkup, Anthony Williamson, Richard Aborn, Allison Pulizzi.

### MEETING SUMMARY

Meeting Date – July 23, 2009

Board Members Present – 33

Board Members Excused – 16

Board Members Absent - 1

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Construction Safety

Anthony Williamson, from the Construction Union, spoke regarding construction safety and fair wage practices.

#### Candidate for Manhattan District Attorney

Richard Aborn, candidate for Manhattan District Attorney, spoke before the Full Board.

#### 14<sup>th</sup> Street Corridor

Carol Yankay spoke regarding issues along the 14<sup>th</sup> Street corridor.

#### World Trade Center Health Registry

Allison Pulizzi, from the Dept. of Health, spoke to everyone regarding the registry.

#### Construction Projects and Film Permits

Constance Dondure spoke against the proliferation of construction projects and film permits issued.

### **Parks, Recreation & Open Space**

#### Proposal for Public Open Space to be Built above the NYU Co-Generation Plant of Mercer St.

Gary Parker, representing NYU, spoke in favor of the proposal for Mercer St. landscaping.  
Alice Walkup spoke in favor of the proposal.

### **SLA Licensing Items**

#### Bowery Time, LLC, 354-356 Bowery

Craig Koenig and Lawrence Kramer, principals, spoke in favor of the proposed liquor license.

## **Street Activity & Film Permits**

### The New School Welcome Street Event

Guinevere Molina, and Jane Crotty, representing the New School, spoke regarding the proposed application for their annual street event.

### Stonewall Veterans Street Event

Gil Horowitz, spoke in favor of the annual street event.

## **Traffic and Transportation Items**

### Support of widening the sidewalk on the south side of Spring St. bet. Washington & Greenwich Sts.

Denise Levine spoke in favor of the proposal. Meredith Berkowitz spoke.

## **III. ADOPTION OF AGENDA**

## **IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Erin Drinkwater, Congressman Jerrold Nadler's office

Crystal Gold-Pond, Senator Tom Duane's office

Mary Cooley, Senator Daniel Squadron's office

Matt Borden, Assembly Member Deborah Glick's office

John Ricker, NYC Comptroller's office

Shan Khan, Man. Borough President Scott Stringer's office

Sandy Myers, Man. Borough President Scott Stringer's office

Kate Seeley-Kirk, of Council Speaker Christine Quinn's office

Council Member Alan Gerson

Paul Nagle, Council Member Alan Gerson's office

Council Member Eric Gioia

Council Member Rosie Mendez

Kate Mikuliak, Council Member Rosie Mendez's office

## **V. ADOPTION OF MINUTES**

Adoption of May minutes and distribution of June minutes (**e-mail and website**).

## **VI. EXECUTIVE SESSION**

1. **Chair's Report** Jo Hamilton reported.

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

3. **Resolution in response to MTA NYC Transit Presentation of Alternative Concepts for housing the proposed subway fan plant at Mulry Square**

**Whereas**, CB#2, Man. thanks MTA NYC Transit (NYCT) for its presentation at our community input session on June 22, 2009, in response to CB2's request, of three alternative concepts for housing NYCT's proposed subway fan plant at Mulry Square; and

**Whereas**, CB#2, Man. recognizes that all three NYCT alternatives place some bulk below grade and thereby maintain a height of 40 feet in keeping with adjacent buildings and also appreciates the intention to build a green roof; and

**Whereas**, there was unanimous opposition from the community to all three alternative concepts that were presented, because:

- None of the alternatives reflect the importance of this site as a gateway to the Greenwich Village Historic District and the setting for the 9/11 memorial tiles, a meaningful piece of recent history of great significance to the community. Their off-the-shelf, generic nature fails to capture the spirit of the place in any way, and they appear to be superimposed rather than organically integrated within the existing context.
- The street walls in all three scenarios, especially at ground level, are blank and lifeless facades, lacking articulation and design elements or any dynamic link that would contribute to a sense of lively community. They neither relate to the surrounding area and its activities nor enhance the pedestrian experience, thereby creating the impression of a dead zone.
- Not one of these alternatives responds sufficiently to the community's repeated requests for usable open space. The small triangular green area does nothing to mitigate the structure's bulk or its lack of character, functioning more as a superfluous extension into the sidewalk than as an attractive, appealing public place.
- The options presented for incorporating the 9/11 commemorative tiles lack sensitivity to the tiles' importance as the only memorial to 9/11 in the Village (which was significantly impacted) and a historically unique response to the tragedy that deserves careful consideration in its treatment and representation through a respectful, deliberative process, as opposed to a hasty, ill-thought-out approach in which expediency is the driving force; and

**Whereas**, in addition to the general objections voiced about features common to all three alternatives, there also were concerns specific to each proposal as follows:

- NYCT "21<sup>st</sup> Century" –CB#2, Man. never approves generic architecture in our historic districts.
- "Faux Historic" –CB#2, Man. will not support a hollow, free-standing façade wall with cutouts and an unfitting wide expanse of glass, positioned in front of another wall.
- "Vertical Garden" –CB#2, Man. cannot undertake the responsibility to fund and maintain the plantings that would be required, that at any rate would require an exceptional design concept and application; and

**Whereas**, new construction in historic districts should not necessarily imitate surrounding structures, but should reflect and complement them in terms of materials, proportion, rhythm, and texture of openings; and

**Whereas**, the NYC Landmarks Preservation Commission (LPC) has oversight of all changes and new construction in the City’s historic districts, and the NYC Public Design Commission reviews art, architecture and landscape architecture on City-owned property;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly calls upon NYCT to immediately engage the LPC in a Certificate of Appropriateness process to develop a new design for housing the ventilation plant at Mulry Square that is appropriate to the Greenwich Village Historic District and that enhances the character of the neighborhood and its street life; and

**BE IT FURTHER RESOLVED** that CB#2, Man. believes that it is essential for NYCT to work with its Arts for Transit program to select outside art and museum curatorial professionals to incorporate the “9/11 Tiles for America” into an appropriate and sensitive design at the Mulry Square site, and that the design be presented to the NYC Public Design Commission; and

**BE IT FINALLY RESOLVED** that CB#2, Man. asks that NYCT return as soon as possible to CB#2, Man., to consult with CB#2, Man. representatives and our elected officials, concerning the necessity for re-thinking the design for both housing the fan plant and the preservation/maintenance of the tiles, and the parameters of the process to move the project forward.

Vote: Unanimous, with 33 Board members in favor

## **STANDING COMMITTEE REPORTS**

### **LANDMARKS AND PUBLIC AESTHETICS**

#### **1<sup>ST</sup> LANDMARKS MEETING**

**Item 1 : 317 Canal Street- SoHo Cast Iron Historic District.** A Federal style house built in 1821 & altered in 1869. Application is to install new storefront infill.

**WHEREAS**, the premises consists of two stores on the ground floor, and going back to the original design with one central door and two store windows would not be practical, and

**WHEREAS**, the applicant will be removing the present awning, and

**WHEREAS**, instead of a single entry to the two stores, the applicant proposes to put double doors at the center of the storefront, with two transoms, one over each door, and one sign above the transoms, with wood framing on the storefronts, appropriate to the district,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of the application for 317 Canal Street.

Vote: Unanimous, with 33 Board members in favor.

**Item 2 – 659-659A Broadway a/k/a 218-216 Mercer St. & 77 Bleecker St.-NoHo Historic District.** An Italianate style store building designed by Griffith Thomas & built in 1866-67. Application is to legalize alterations to the storefront & the installation of signage without LPC permits.

**WHEREAS**, this store has been in business at this location for many years, but alterations were made without LPC approval, and

**WHEREAS**, the applicant intends to repair the columns by covering them with trim to preserve the columns, and

**WHEREAS**, the applicant proposes to remove the existing bulkheads on the store windows and bring the glass down to the street level, and

**WHEREAS**, two of the four existing banners on the storefront will be removed, and

**WHEREAS**, the present large sign will be removed and replaced with 28”sign with letters only illuminated from within plus the store symbol, and

**WHEREAS**, the door will be changed from one that opens inward to one recessed slightly and opening out but not obstructing the sidewalk, made of aluminum,

**THEREFORE, BE IT RESOLVED** CB#2, Man. approves some of the proposed changes at 659-659A Broadway, but feels an 18”bulkhead for the store windows is more in keeping with this historic district, and also requests that LPC require the 3’ x 7’ banners conform to the size limitations in effect in this historic district.

Vote: Passed, with 32 Board members in favor, and 1 in opposition (M. Schott).

**Item 3 – 159 West 13 St.- Greenwich Village Historic District.** A row house built in 1847-48 & altered in the 20<sup>th</sup> Century. Application is to install windows & a cornice, & re-clad brick façade.

**WHEREAS**, the façade of the building, part of a row of townhouses on this street, is in poor condition, and

**WHEREAS**, the applicant intends to rebrick the façade with similar brick to the existing, and

**WHEREAS**, the applicant intends to change the existing windows from their current style to 6 over 6 windows in the same openings, including the windows on the ground floor, and

**WHEREAS**, the applicant intends to install a new cornice to match the one on the adjacent building and use brownstone trim, and

**WHEREAS**, the applicant plans to retain the style of the front door and the current lantern,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of the façade work, cornice, and new windows for 159 West 13 St., but feels the ground floor door should be more appropriate, wood with rectangle panels instead of square ones, and that the lantern be removed.

Vote: Unanimous, with 33 Board members in favor.

**Item 4 – 23 8<sup>th</sup> Ave. –Greenwich Village Historic District.** A rowhouse built in 1845. Application is to alter the existing rooftop addition.

**WHEREAS**, the building currently has a bedroom on the roof, which would not be visible from the street except that the adjoining building was demolished, and

**WHEREAS**, the applicant wishes to enlarge the existing rooftop structure by adding approximately 2’ to the height and 3’ to the length,

**WHEREAS**, the addition is about 20’ back from the façade of the building, but is minimally visible from the adjacent garden,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of the proposed alteration to the existing rooftop addition for 23 8th Ave., but suggests that the addition should be in a finish other than brick, to make it distinct from the original building.

Vote: Unanimous, with 33 Board members in favor.

## **PROPOSED SOHO CAST IRON HISTORIC DISTRICT EXTENSION**

### **Area 1 – West Broadway Corridor**

**WHEREAS, CB#2, Man.** has always felt that the Landmarking of only the east side of West Broadway was not logical since this is a major street running through SoHo, and

**WHEREAS**, the vote of the Landmarks Commission to schedule the west side of West Broadway to be included in the SoHo Historic District seems completely appropriate,

**THEREFORE, BE IT RESOLVED** CB#2, Man. endorses the calendaring of the west side of West Boardway as an important part of protecting the SoHo Cast Iron Historic District and looks forward to an early date for the hearing.

Vote: Unanimous, with 33 Board members in favor.

### **Area 2 – Area of SoHo between Broadway and LafayetteSt./Bowery.**

**WHEREAS**, this area is tied to the main SoHo area by its similar building types and uses and

**WHEREAS**, leaving this narrow area between the currently protected SoHo community and the also protected (by zoning) Little Italy Special District, opens up this area to inappropriate development which would impact both the SoHo and Little Italy areas,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends early calendaring of this area for landmarking.

Vote: Unanimous, with 33 Board members in favor.

## **PROPOSED GREENWICHVILLAGE HISTORIC DISTRICT EXTENSION II**

**WHEREAS**, CB#2, Man. is pleased to see that the Landmarks Commission has scheduled for calendaring parts of the South Village Study Area recommended in the Dolkart report of several years ago, and

**WHEREAS**, the area west of Sixth Avenue is certainly eligible for landmarking, but

**WHEREAS**, CB#2, Man. recommended the landmarking of a larger district in June 2007(see Resolution attached),

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends early calendaring of the proposed areas voted on in June of this year by the Commission, but urges that the Commission looks again at our June 2007 resolution and considers adding to the area to be calendared for preservation.

Vote: Unanimous, with 33 Board members in favor.

### **2<sup>ND</sup> LANDMARKS MEETING**

#### **Item 1 – 640 Broadway a/k/a 172 Crosby Street & 60-74 Bleecker Street – NoHo Historic District.**

A Classical Revival style store, loft, and office building designed by DeLemos and Cordes, and built in 1896-97. Application is to create a Master Plan governing the future installation of storefront infill.

**WHEREAS**, the applicant showed plans for a proposed master plan for this block-long building which would tend to unify the commercial establishments by changing the windows and doors to a large glass opening below and two smaller glass openings above each of the larger windows or doors, and

**WHEREAS**, the windows would have channeling around the windows on all four sides with wood trim, and metal bands between the glass panels, and

**WHEREAS**, the bulkhead on all the stores would be wood, and

**WHEREAS**, the applicant was planning to eliminate the large outside awnings, but retain the smaller awnings within the window openings as they presently are on the Angelica Café, and

**WHEREAS**, CB#2, Man. had some questions about how this Master Plan would be put into effect – one store at a time as they vacated, or changes to the existing stores, and the applicant said it would be put into effect as stores vacated,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of the Master Plan provided the plan also includes the proviso that as each store is vacated it is understood by the new tenant that he must comply with the Master Plan, and

**BE IT FURTHER RESOLVED** CB#2, Man. does not approve of the proposal to add awnings to the stores since they distract from the overall design of the building at 640 Broadway.

Vote: Unanimous, with 33 Board members in favor.

**Item 2 – 79 Christopher St, - Greenwich Village Historic District** A house built in 1868. Application is to install a stoop gate.

**WHEREAS**, CB#2, Man. normally is opposed to stoop gates on buildings in the Historic District, but

**WHEREAS**, there is an unusual crime scene on Christopher St. and this inviting set of steps has become a hang-out for characters on the block, some of whom are actually threatening to the owner/occupants of this building, and

**WHEREAS**, the proposed gates on the stoop match in design and height the adjacent fences on the front yard,

**THEREFORE, BE IT RESOLVED CB#2, Man.** has no objection to the LPC approving the proposed stoop gates for 79 Christopher St.

Vote: Unanimous, with 33 Board members in favor.

**Item 3–33-37 Grove St.–Greenwich Village Historic District.** Three transitional Queen Anne/Romanesque Revival style apartment houses, designed by F.T. Camp & built in 1881. Application is to legalize modifications to the areaways without LPC permits.

**WHEREAS**, it was unclear exactly what the CB should be commenting on, and

**WHEREAS**, two of the former entrances to the basement under the stairs had been closed up and were no longer in use, but the openings under the stairs still exist and are sometimes used by vagrants and others to the concern of the building residents, and therefore the proposal was to enclose them with gates to match the gates now on the basement windows, and

**WHEREAS**, all of the original metal fencing had been replaced sometime in the past, and the current owner has no idea when, and

**WHEREAS**, the gates on the basement windows seemed appropriate since they were needed for protection, but

**WHEREAS**, the similar gates on the bottom of the parlor floor windows seemed unnecessary and if child protection gates were desired, they should be interior ones, and

**WHEREAS**, the garbage compartments inside the gates were not particularly attractive, visible garbage cans might be even more unsightly, and

**WHEREAS**, two of the front yards now had planters, but the planters were not the same,

**THEREFORE, BE IT RESOLVED CB#2, Man.** would probably not object to the design as shown to us but felt that the two planters in the front yards were a minor problem which would be solved fairly easily by stucco on the brick planter, painted, to make it disappear, and CB#2, Man. would have recommend approval of the rest of the changes, the gates to the understair openings, etc. at 33-37 Grove St.

Vote: Unanimous, with 33 Board members in favor.

**Item 4 – 89 7<sup>th</sup> Avenue South aka 16 Barrow St. – Greenwich Village Historic District.**

An apartment house designed by George F. Pelham, built in 1897 and altered in 1921. Application is to install storefront infill.

**WHEREAS**, the proposal is to clean the existing stucco, and change the storefront to French doors with glass panels above, the doors to open inwards and the name on the panel above the doors, and

**WHEREAS**, the building sits on a platform approximately 16” high, so the entrances would not be handicapped accessible but a sidewalk café is apparently planned to take care of patrons not able to scale the steps, and

**WHEREAS**, this building is on a street with other similar premises with similarly designed exteriors,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of the proposed changes to the building at 89 7<sup>th</sup> Avenue South.

Vote: Unanimous, with 33 Board members in favor.

**PARKS, RECREATION & OPEN SPACE**

**1. Resolution Supporting Proposed Plaques for Petrosino Park**

**SEE ATTACHED RESOLUTION.**

**2. Resolution Supporting Proposal for Public Open Space to be built above the NYU Co-Generation Plant of Mercer St.**

**SEE ATTACHED RESOLUTION.**

**SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

**1. Lupe’s East L.A. Kitchen, Inc. 110 6<sup>th</sup> Ave., @ Watts, Block: 476, Lot:15, Police Precinct:1, with 8 tables & 16 seats, DCA# 1321335.**

**Whereas**, the area was posted, community groups notified and there was no community correspondence, and the applicant, David Seixas and Attorney Frank Palillo were present, and,

**Whereas**, this lot has frontage of **51.58** feet and depth of 127.08 feet, with one building of six stories, built in 1900, with 30 residential units of a total 34 units in an area of Multi-Family Walk-up Buildings, Zoning: M1-6, Zoning Map #: 12A, and

**Whereas**, this restaurant has been at this location for 20 years and has a 21 foot sidewalk, and,

**Whereas**, the applicant would like to add a retractable awning, subject to landlord approval, that will help to reduce any sound from the Sidewalk Café to the residential neighbors living above this location;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL for a NEW unenclosed sidewalk café for **Lupe’s East L.A. Kitchen, Inc. 110 6<sup>th</sup> Ave., @ Watts, Block: 476, Lot:15, Police Precinct:1, with 8 tables & 16 seats, DCA# 1321335.**

Vote: Unanimous, with 33 Board members in favor

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

**2. Kitchen Club Inc. 30 Prince St.,** Block:493, Lot:13, Police Precinct:5, @ Mott St. with 14 tables & 28 seats, DCA# 1247195.

**Whereas,** the area was posted, community groups notified and there was no community correspondence, and the applicant, Marja Samsom was present, and,

**Whereas,** this lot has frontage of **23.5** feet and depth of 126 feet, with one building of six stories, built in 1900, with 25 residential units of a total 30 units in an area of Mixed Residential an Commercial Buildings, Zoning:C6-2, Zoning Map #: 12C, and

**Whereas,** this restaurant has been an this location for 20 years and has a well-established rapport with its neighbors,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL for a RENEWAL APPLICATION for an unenclosed sidewalk café for **Kitchen Club Inc. 30 Prince St.,** Block:493, Lot:13, Police Precinct:5, @ Mott St. with 14 tables & 28 seats, DCA# 1247195.

Vote: Unanimous, with 33 Board members in favor

**3. 177 NAP, Inc. d/b/a Famous Ben’s Pizza of SoHo, 177 Spring St., @ Thompson St.**Block:502, Lot:44, Police Precinct:1, with 3 tables & 7 seats, DCA# 1257247

**Whereas,** the area was posted, community groups notified and there was no community correspondence, and the applicant’s representative, John Motera, was present, and,

**Whereas,** this lot has frontage of **23.58** feet and depth of 64 feet, with one building of five stories, built in 1900, with 8 residential units of a total 10 units in an area of Mixed Residential and Commercial Buildings, Zoning:R7-2, with a C1-5 Commercial Overlay, Zoning Map #: 12A, and

**Whereas,** this establishment has been at this corner for over 30 years and this is the first renewal period for this sidewalk café and there have been no complaints,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL for a RENEWAL APPLICATION for an unenclosed sidewalk café for **177 NAP, Inc. d/b/a Famous Ben’s Pizza of SoHo, 177 Spring St., @ Thompson St.**Block:502, Lot:44, Police Precinct:1, with 3 tables & 7 seats, DCA# 1257247.

Vote: Unanimous, with 33 Board members in favor.

**4. Cevicheria Grove Inc. d/b/a Mercadito Grove, 100 7<sup>th</sup> Ave. So. @ Grove,** Block:591, Lot:10, Police Precinct: 6, with 22 tables & 44 seats, DCA# 1202961

**Whereas,** the area was posted, community groups notified and there was no community correspondence, and the applicant’s representative, Rubens Meza-Henderson, was present, and,

**Whereas,** this lot has frontage of **86.5** feet and depth of 117.92 feet, with one building of five stories, built in 1910, with 6 residential units of a total 10 units in an area of Mixed Residential and Commercial Buildings, Zoning:C1-6, Zoning Map #: 12A, and

**Whereas**, there have been no complaints or issues brought to this Committee in this renewal period,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL for a RENEWAL APPLICATION for an unenclosed sidewalk café for **Cevicheria Grove Inc. d/b/a Mercadito Grove, 100 7<sup>th</sup> Ave. So. @ Grove**, Block:591, Lot:10, Police Precinct: 6, with 22 tables & 44 seats, DCA# 1202961

Vote: Unanimous, with 33 Board members in favor

**5. 225 Restaurant, LLC d/b/a Steak Frites**, 225 Varick St., @ Carmine, Block:581, Lot: 63, Police Precinct: 6, with 16 tables & 52 seats, DCA# 1280510

**Whereas**, the area was posted, community groups notified and there was no community correspondence, and the applicant's representative, Loyda Gisela Guzman, was present, and,

**Whereas**, this lot has frontage of **200** feet and depth of 125 feet, with one building of 12 stories, built in 1926, with 0 residential units of a total 33 units in an area of, Industrial and Manufacturing, Zoning: M1-5, Zoning Map #: 12A, and

**Whereas** in 2008 this establishment was transferred to a new corporation name and in this 2009 application there is a change in d/b/a name, but nothing else has changed in the plan or operation,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL for a RENEWAL APPLICATION for an unenclosed sidewalk café for **225 Restaurant, LLC d/b/a Steak Frites**, 225 Varick St., @ Carmine, Block:581, Lot: 63, Police Precinct: 6, with 16 tables & 52 seats, DCA# 1280510.

Vote: Unanimous, with 33 Board members in favor.

### **SLA LICENSING**

**1. Stephen Hanson or entity to be formed, 22 9<sup>th</sup> Ave. (at West 13<sup>th</sup> Street), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building at the corner of 9<sup>th</sup> Avenue and West 13<sup>th</sup> Street for a 2,300 s.f. American fare restaurant with 58 table seats, 1 bar with 6 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 11:00 a.m. – 4:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to re-appear in front of the committee in the event any changes are made to the proposed method of operation; and,

**Whereas**, no one appeared in opposition from the community;

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **Stephen Hanson or entity to be formed, 22 9<sup>th</sup> Ave.**

Vote: Passed, with 33 Board members in favor, and 1 recusal (W. Schlazer).

**2. CLB No. 2, Inc. d/b/a Grove Thai, 49 Grove St. (Bleecker & 7<sup>th</sup> Avenue), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on Grove Street between Bleecker and 7<sup>th</sup> Avenue for a 1600 s.f. bar/restaurant with 72 table seats, 1 bar with 20 seats, and a maximum legal capacity of 95 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 6:00 p.m. – 12:00 a.m. Monday and Tuesday and 6:00 p.m. – 1:00 a.m. Wednesday - Sunday; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to operate as a full service restaurant only; and,

**Whereas**, the applicant has agreed to obtain a Letter of No Objection or valid Certificate of Occupancy prior to opening the establishment; and,

**Whereas**, the applicant has agreed to not exceed legal capacity of 74 persons unless a Public Assembly Permit has been obtained; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **CLB No. 2, Inc. d/b/a Grove Thai, 49 Grove St.** unless those conditions agreed to by applicant relating to fourth, fifth and sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.

**3. 153 Elizabeth St., Hotel, LLC & Blue Bell Rest. LLC, as Manager, 153 Elizabeth St a/k/a 40 Kenmare St. (Kenmare and Broome), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license for a Hotel, lobby lounge and 2<sup>nd</sup> floor private terrace collectively 470 s.f. (lobby lounge is 220 s.f., and 2<sup>nd</sup> floor private terrace is 250 s.f. of usable space) on the corner of Elizabeth and Kenmare with 4 table seats, no bar and a maximum legal capacity of 10 persons for the lobby lounge; and a maximum capacity of 20 persons for the 2<sup>nd</sup> floor private terrace; and,

**Whereas**, the applicant stated the hours of operation for the lobby lounge and 2<sup>nd</sup> floor meeting room are 8:00 a.m. – 12:00 a.m. Monday – Thursday and 8:00 a.m. – 1:00 a.m. Friday and Saturday; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

**Whereas**, the applicant stated the closing hour for the 2<sup>nd</sup> floor private terrace is 11:00 p.m. seven days a week; and,

**Whereas**, the applicant has agreed to never play music whatsoever at the 2<sup>nd</sup> floor private terrace; and,

**Whereas**, the applicant has agreed to limit use of the 2<sup>nd</sup> floor private terrace to overnight, paid hotel guests at the adjoining suite; and,

**Whereas**, the applicant has agreed to not have a bar or service bar of any kind on the 2<sup>nd</sup> floor private terrace; and,

**Whereas**, the applicant has agreed to not seek a rooftop On Premise license for this application; and,

**Whereas**, the applicant has agreed to abide by the regulations associated with all New York City Departments and safety organizations and will obtain all required certificates, permits and related documents; and,

**Whereas**, a few members of the community appeared in opposition of the application, including a written statement by a member of the Little Italy Neighbors Association; citing quality life concerns; proliferation of bars and restaurants in this residential area; overcrowding and noise issues, particularly with the 2<sup>nd</sup> floor terrace; and expressed concerns that the height of the building exceeds 85 feet, the maximum allowed in the Little Italy special zoning district; and,

**Whereas**, the applicant provided documentation from the NYC Buildings Department stating that the building does not exceed 85 feet in height; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **153 Elizabeth St., Hotel, LLC & Blue Bell Rest. LLC, as Manager, 153 Elizabeth St a/k/a 40 Kenmare St.** unless those conditions agreed to by applicant relating to the fourth, fifth, sixth, seventh, eighth and ninth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.

#### **4. Blue Bell Rest., LLC 153 Elizabeth St. (Kenmare and Broome), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, the application is for an On Premise license in a commercial building (hotel) on Elizabeth Street between Kenmare and Broome Streets for a 1,800 s.f. restaurant with 90 table seats, 1 bar with 10 bar seats, and a maximum legal capacity of 110 persons pending the issuance of a valid Certificate of Occupancy; and,

**Whereas**, the applicant stated the hours of operation are 7:00 a.m. – 10:00 a.m., 12:00 p.m. – 2:30 p.m., 5:00 p.m. 12:00 a.m. Sunday – Thursday and 7:00 a.m. – 10:00 a.m., 12:00 p.m. – 2:30 p.m., 5:00 p.m. 12:00 a.m. Friday and Saturday; there will be a sidewalk café application but no backyard garden; music is background only; and,

**Whereas**, the applicant has provided a letter from Community Board 4, Manhattan in support; and,

**Whereas**, the applicant has agreed to operate as a fully service restaurant only; and,

**Whereas**, the applicant has agreed to not install French Doors or anything of its kind on the façade of this establishment; and,

**Whereas**, the applicant has agreed to provide food and menu items available up until 1 hr prior to closing; and,

**Whereas**, the applicant has agreed to abide by the regulations associated with all New York City Departments and safety organizations and will obtain all required certificates, permits and related documents prior to opening the establishment; and,

**Whereas**, a few members of the community appeared in opposition of the application, including a written statement by a member of the Little Italy Neighbors Association; citing quality life concerns; proliferation of bars and restaurants in this residential area; overcrowding and noise issues; and expressed concerns that the height of the proposed hotel exceeds 85 feet, the maximum allowed in the Little Italy special zoning district; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Blue Bell Rest., LLC 153 Elizabeth St** unless those conditions agreed to by applicant relating to the fifth, sixth, seventh, eighth and ninth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.

#### **5. Bowery Time, LLC, 354-356 Bowery (East 4<sup>th</sup> and Great Jones), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to an existing On Premise license for a lounge/restaurant located in a 2,000 s.f. premise in a mixed use building located on Bowery between East 4<sup>th</sup> and Great Jones with 66 table seats (36 ground floor and 30 cellar) with 1 bar and 14 bar seats with a maximum legal capacity of 140 persons (70 persons ground floor and 70 persons cellar); **to relinquish the space at 354 Bowery to another prospective operator; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the lounge/restaurant hours are 5:00 p.m. – 4:00 a.m. seven days a week; music is D.J. and background only; and,

**Whereas**, the applicant has agreed to obtain a Public Assembly permit, if required; and,

**Whereas**, the committee has strong concerns with increased capacity and method of operation resulting from the proposed modifications to 354 and 356 Bowery; and expressed concerns with the saturation of on-premise licenses in this area; and,

**Whereas**, a resident from the neighborhood appeared in opposition; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial of the proposed alteration to an On Premise license for **Bowery Time, LLC, 354-356 Bowery.**

Vote: Unanimous, with 34 Board members in favor.

#### **6. Aguila & Sol, LLC 354 Bowery (East 4<sup>th</sup> and Great Jones), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on Bowery between East 4<sup>th</sup> Street and Great Jones for a 2,000 s.f. Mexican restaurant with 55 table seats, 1 bar with 10 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 9:30 a.m. – 4:00 a.m. seven days a week; there will be no sidewalk café application and no backyard garden; music is background with D.J.s on weekends only; and,

**Whereas**, the applicant has agreed to receive a Letter of No Objection or revised Certificate of Occupancy from the New York City Department of Buildings prior to operating the restaurant; and,

**Whereas**, the currently licensed establishment Bowery Time, LLC is proposing to relinquish the space at 354 Bowery and lease the adjacent unit to this applicant; and,

**Whereas**, the committee has strong concerns with increased capacity and method of operation resulting from the proposed modifications to 354 and 356 Bowery; and expressed concerns with the saturation of on-premise licenses in this area; and,

**Whereas**, a nearby resident of the applicant's existing establishment in DUMBO appeared in support; and,

**Whereas**, a resident from the neighborhood appeared in opposition;

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Aguila & Sol, LLC 354 Bowery**

Vote: Passed, with 30 Board members in favor and 4 in opposition (A. Greenberg, E. Lederman, R. Sanz, C. Yankay).

**7. Scott Sartiano & Richard Akiva, or Corp. to be formed, 244 W. 14<sup>th</sup> LLC (7<sup>th</sup> and 8<sup>th</sup> Avenues), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license and DCA cabaret license for an upscale restaurant/lounge located in a 10,000 s.f. premise in a commercial building located on West 14<sup>th</sup> Street between 7<sup>th</sup> and 8<sup>th</sup> Avenues, with 140 table seats, 3 bars with 25 seats and a maximum legal capacity of 548 persons; and,

**Whereas**, the applicant stated the hours of operation are 11:00 a.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café nor a backyard garden; music will be live, background and DJ only; and,

**Whereas**, the applicant reached out to members of the community prior to appearing before the committee; and,

**Whereas**, the committee acknowledges the applicants and their Michelin rated chef's good track record and high level of professionalism at another establishment in this community; and,

**Whereas**, the applicant has agreed to have security staff present during operating hours; and,

**Whereas**, the applicant has agreed to have a dedicated staff member present to monitor and control traffic; and,

**Whereas**, the applicant has agreed to have a menu available at all time up until 2 hours prior to closing; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial of an On Premise license and DCA Cabaret license for **Scott Sariano & Richard Akiva, or Corp. to be formed, 244 W. 14<sup>th</sup> LLC** unless those conditions agreed to by applicant relating to the sixth, seventh and eighth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.

**8. Garrity Walsh Corp. 35 W. 8<sup>th</sup> St. (MacDougal and 6<sup>th</sup> Avenue), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on West 8<sup>th</sup> between MacDougal and 6<sup>th</sup> Avenue for a 2,200 s.f. (1,600 s.f. ground floor and 600 s.f. basement) Irish restaurant with 58 table seats, 1 bar with 12 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant state the hours of operation are 10:00 a.m. – 2:00 a.m. Sunday – Thursday and 10:00 a.m. – 3:00 a.m. Friday and Saturday; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to community outreach initiatives, including but not limited to holding quarterly meetings with neighbors during the 1<sup>st</sup> year of operation; and,

**Whereas**, the applicant has agreed to have a principal/owner present or accessible at all times; and,

**Whereas**, a member of the community appeared in support; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Garrity Walsh Corp. 35 W. 8<sup>th</sup> St.** unless those condition agreed to by applicant relating to the fourth and fifth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.

**9. Philippe Express LLC, d/b/a Philippe Express, 469 6<sup>th</sup> Ave. (11<sup>th</sup> and 12<sup>th</sup> Streets), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an upgrade from a Beer and Wine license to an On Premise license for a Chinese restaurant located in a 2,500 s.f. premise in a mixed use building located on 6<sup>th</sup> Avenue between West 12<sup>th</sup> and West 13<sup>th</sup> Streets with 40 table seats, 1 bar with 5 bar seats and a maximum legal capacity of 60 persons; and,

**Whereas**, the applicant stated there are no plans to change the existing operation; the applicant stated the hours are 12:00 p.m. – 12:00 a.m. Monday – Saturday and 12:00 p.m. – 11:00 p.m. Sunday; there is no sidewalk café and no backyard garden; music is background only; and,

**Whereas**, the applicant has been operating with a Beer and Wine license for almost a year with no violations on record; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends approval of the proposed upgrade to an On Premise license for **Philippe Express LLC, d/b/a Philippe Express, 469 6<sup>th</sup> Ave.**

Vote: Unanimous, with 34 Board members in favor.

**10. 128 Billiard, Inc., 128 Elizabeth St. (Grand and Broome Streets), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an upgrade from a Beer and Wine license to an On Premise license for a pool hall located in a mixed use building located on Elizabeth street between Grand and Broome streets, with no table seats, 1 bar with 8 bar seats and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated there are no plans to change the existing operation; the applicant stated the hours are 12:00 p.m. – 3:00 a.m. Monday – Saturday and 12:00 p.m. – 12:00 a.m. Sunday; there is no sidewalk café and no backyard garden; music is jukebox and background only; and,

**Whereas**, the applicant has been operating with a Beer and Wine license for over 3 years with no violations on record; and,

**Whereas**, a few members of the community appeared to express their concerns; citing quality of life concerns and noise and overcrowding issues on a residential block; and,

**Whereas**, the applicant stated to have no affiliation with the adjacent lounge, d/b/a Randolph; and,

**Whereas**, a member of the community appeared in support of the applicant; and 4 letters of support were submitted to this committee; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for 128 Billiard, Inc., 128 Elizabeth St unless the condition agreed to by applicant relating to the third “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license; and,

**BE IT FURTHER RESOLVED** that CB#2, Man. strongly recommends the SLA to verify that this establishment located at 128 Elizabeth Street does not violate the 200-ft rule (the prohibition of issuing an On Premise license to an establishment located within 200 feet of a school or place of worship); and,

**BE IT FURTHER RESOLVED** that CB#2, Man. strongly recommends that the SLA conduct a 500-foot rule hearing with the applicant and members of the community to determine if licensing this restaurant is in the public interest.

**Vote: Sent back to Committee; with 31 Board members in favor and 1 in opposition (D. Gruber).**

**11. 34 8<sup>th</sup> Ave. d/b/a Undecided, 34 8<sup>th</sup> Ave. (Jane and West 12<sup>th</sup>), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on 8<sup>th</sup> Avenue between Jane and West 12<sup>th</sup> street for a 880 s.f. Italian restaurant with 42 table seats, 2 bars with 17 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant state the hours of operation are 5:00 p.m. – 2:30 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to receive a Letter of No Objection or revised Certificate of Occupancy from the New York City Department of Buildings prior to operating the restaurant; and,

**Whereas**, the applicant has agreed to not install French Doors or anything of its kind on the façade of this establishment; and,

**Whereas**, a member of the community appeared in support; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **34 8<sup>th</sup> Ave. d/b/a Undecided, 34 8<sup>th</sup> Ave** unless those conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.

## **12. New Restart, Inc., 147 Mulberry St. (Grand and Hester), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on Mulberry between Grand and Hester streets for a 5,000 s.f. Italian restaurant with 70 table seats, 1 bar with 18 seats, and a maximum legal capacity of 88 persons; and,

**Whereas**, the applicant stated the hours of operation are 12:00 p.m. – 11:30 p.m. Sunday – Thursday and 12:00 p.m. – 1:00 a.m. Friday and Saturday; there will be a sidewalk café application but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to obtain a Public Assembly permit prior to opening the establishment; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **New Restart, Inc., 147 Mulberry St.**

Vote: Unanimous, with 34 Board members in favor.

## **13. Cereli, Inc. d/b/a Mole Mexican, 57 Jane St. (at Hudson), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on the corner of Jane and Hudson streets for a Mexican restaurant with 32 table seats, 1 bar with 4 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 11:00 a.m. – 11:00 p.m. Sunday – Thursday and 11:00 a.m. – 1:00 a.m. Friday and Saturday; there will be a sidewalk café application but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to receive a Letter of No Objection or revised Certificate of Occupancy from the New York City Department of Buildings prior to operating the restaurant; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **Cereli, Inc. d/b/a Mole Mexican, 57 Jane St.**

Vote: Unanimous, with 34 Board members in favor.

#### **14. 265 Pastry, LLC, 265 Lafayette St. (Prince and Spring), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an upgrade from a Beer and Wine license to an On Premise license for an Italian restaurant located in a 1,400 s.f. premise (including basement storage) in a mixed use building located on Lafayette between Prince and Spring Streets with 28 table seats, 1 bar with 5 bar seats and a maximum legal capacity of 30 persons; and,

**Whereas**, the applicant stated there are no plans to change the existing operation; the applicant stated the hours are 7:00 a.m. – 2:00 a.m. seven days a week; there is a sidewalk café with 4 tables and 8 table seats but no backyard garden; music is background only; and,

**Whereas**, the applicant has been operating with a Beer and Wine license for a year with no violations on record; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **265 Pastry, LLC, 265 Lafayette St** unless the condition agreed to by applicant relating to the third “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.

#### **15. R&G SoHo, LLC, 184 Prince St. (Sullivan and Thompson), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a transfer of an existing On Premise license in a mixed use building on Prince between Sullivan and Thompson Streets for a 368 s.f. (180 s.f. basement kitchen) restaurant with 20 table seats, 1 bar with 2 seats, and a maximum legal capacity of 35 persons; and,

**Whereas**, the applicant stated the hours of operation are 8:00 a.m. – 11:00 p.m. seven days per week; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **R&G SoHo, ILC, 184 Prince St.**

Vote: Unanimous, with 34 Board members in favor.

**16. 150 RFT Varick Corp., 150 Varick St. (Van Dam and Barrett), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to an existing On Premise license for a 7,400 s.f. nightclub located in a commercial building located on Varick between Van Dam and Barrett streets with 280 table seats 3 bars with no bar seats and a maximum legal capacity of 590 persons; **to incorporate a 2,000 s.f. basement space; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the hours are 6:00 p.m. – 4:00 a.m. seven days a week; there is no sidewalk café nor a backyard garden; music is D.J. and live only; and,

**Whereas**, the previously approved method of operation d/b/a Flow cease to exist; and the establishment has since changed owners by way of stock transfer d/b/a Greenhouse; and,

**Whereas**, the SLA Licensing Committee has strong concerns with noise and overcrowding issues at the establishment; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial of the proposed alteration to On Premise license for **150 RFT Varick Corp., 150 Varick St.**

Vote: Unanimous, with 34 Board members in favor.

**17. Lupe’s East LA Kitchen, Inc., 110 6<sup>th</sup> Ave. (at Watts), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to an existing On Premise license for a Mexican restaurant located in 650 s.f. premise in a mixed use building located at the corner of 6<sup>th</sup> Avenue and Watts Street with 40 table seats and 1 bar with 2 bar seats and a maximum legal capacity of 42 persons; **to add 4 tables with 16 seats in an unenclosed sidewalk cafe; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 11:30 a.m. – 11:00 p.m. Sunday – Tuesday and 11:30 a.m. – 12:00 a.m. Wednesday - Saturday; music is background only; and,

**Whereas**, the applicant has been approved by the Sidewalks & Public Access Committee of CB#2, Man.; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **Lupe’s East LA Kitchen, Inc., 110 6<sup>th</sup> Ave.**

Vote: Unanimous, with 34 Board members in favor.

**18. CGM-GH LLC d/b/a Ono, 18 9<sup>th</sup> Ave. (at West 13<sup>th</sup> Street), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to an existing On Premise license for a Sushi restaurant located in a commercial (hotel) building located at the corner of 9<sup>th</sup> Avenue and West 13<sup>th</sup> Street with 121 table seats, 1 bar with 43 seats and a maximum legal capacity of 164 persons; **to relinquish a section of the outdoor garden space to a previously approved sub-tenant and remove an outdoor bar; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 7:00 a.m. – 2:00 p.m. seven days a week; music is background only; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **CGM-GH LLC d/b/a Ono, 18 9<sup>th</sup> Ave.**

Vote: Unanimous, with 34 Board members in favor.

**19. Out of the Kitchen, Inc., 420 Hudson St. (at Leroy), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to an existing On Premise license for an American restaurant located in a mixed use building located at the corner of Hudson and Watts Streets with 26 table sets and no bar and a maximum legal capacity of 74 persons; **to add 8 tables with 18 seats in an unenclosed sidewalk cafe; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 7:00 a.m. – 10:00 p.m. Monday – Friday, 9:00 a.m. – 10:00 p.m. Saturdays and 11:00 a.m. – 5:00 p.m. Sundays; music is background only; and,

**Whereas**, the applicant has been previously approved by the sidewalks committee of CB#2, Man.; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **Out of the Kitchen, Inc., 420 Hudson St.**

Vote: Unanimous, with 34 Board members in favor.

**20. Union Square News Shop, Inc., 100 W. 14<sup>th</sup> St., NYC 10011**

**Whereas**, this application is for an On Premise liquor license; and,

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**THEREFORE, BE RESOLVED** that CB#2, Man. recommends denial of an On Premise liquor license to **Union Square News Shop, Inc., 100 W. 14<sup>th</sup> St., NYC 10011** **and requests that the SLA send this applicant back to CB#2, Man. should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 34 Board members in favor.

### **STREET ACTIVITY & FILM PERMITS**

**1. 9/3 The New School,** 12th Street bet. 5th and 6th Avenues, for Orientation, 9AM -8PM (annual)

**Whereas** this agreement includes preparation and cleanup: and

**Whereas** there are stipulations: wrist bans for residents of the block, residents allowed to load for Labor Day weekend, deliveries allowed for residents, to be held on the Eastern end of the block. and

**Whereas** The New School will investigate and give this committee any results concerning the use of 11th Street for alternate years for this street fair and start now to work on plans with the community.

**Therefore,** be it resolved that CB#2, Man. approve this application.

Vote: Unanimous, with 34 Board members in favor.

**2. 9/13 Minetta Block Association,** Minetta Lane bet. Corner of Bleecker Street & 6th Avenue, MacDougal St. & 6th Ave.: (annual)

**Whereas** an annual Outdoor Dinner will be held from 1PM to 9PM, and

**Whereas** it will include preparation, dinner and cleanup,

**Therefore,** be it resolved that CB#2, Man. approves this application.

Vote: Unanimous, with 34 Board members in favor.

**3. 9/26: Village Alliance Fashion Show:** (new) one time event, 8th Street bet. 6th Avenue & 5th Avenues:

**Whereas this will be held as a “one time” event between 3PM to 6PM** to show the Fashions of the merchants/merchandise on this block of 8<sup>th</sup> Street as a business stimulus.

**Therefore,** be it resolved that CB#2, Man. approves this application.

Vote: Unanimous, with 34 Board members in favor.

**4. 9/26: Housing Works Bookstore,** Crosby Street bet. Prince & Houston Streets:

**Whereas** this is an annual event from 8AM-8PM that includes set up and cleanup, and

**Whereas** the actual event is 10AM – 6PM;

**Therefore**, be it resolved that CB#2, Man. approve this application.

Vote: Unanimous, with 34 Board members in favor.

**5. 9/26: Stonewall Veterans Association**, (annual) Greenwich Avenue bet. 6th & 7th Avenues, 8AM -8PM

**Whereas** this includes preparation and cleanup, and

**Whereas** this vote is contingent upon receipt of evidence of charity status (see attached),

**Therefore**, be it resolved that this application is approved by CB#2, Man. with one vote opposed,

Vote: Passed, with 32 Board members in favor, and 1 in opposition (A. Hearn).

**6. 10/31: Children’s Halloween Parade**, LaGuardia Place bet. Washington Square South & West 3rd St., 1PM -4PM

**Whereas** this is an annual event much anticipated by the children of this community,.

**Therefore**, be it resolved that CB#2, Man. approves this application.

Vote: Unanimous, with 34 Board members in favor.

**7. 9/10, Fashion Night Out**, (one time event) new, Bleecker Street bet. Hudson St. & 7th Avenue, 6PM to 11PM

**Whereas** this is a “fashion stimulus”, stores will remain open; Perry Street bet. West 4th & Bleecker Sts. 6PM -8PM high school students clothes donation (part of 5 boro event); and

**Whereas** a Perry Street Block Association representative, has met with event coordinator to discuss the impact on Perry Street.

**Therefore**, be it resolved that CB#2, Man. approves this application.

Vote: Unanimous, with 34 Board members in favor.

## **TRAFFIC AND TRANSPORTATION**

**Resolution in support of widening the sidewalk on the south side of Spring St. bet. Washington & Greenwich Sts.**

**Whereas** the residential population on Spring St. between Washington and Greenwich Sts. has vastly increased, especially on the south side, with over 500 new neighbors in the area, along with many new commercial uses, including restaurants, resulting in greater pedestrian activity and crowding on the south sidewalk; and

**Whereas** both residents and businesses have requested that the sidewalk be widened on the south side of Spring St. between Washington & Greenwich Sts., extending out for the entire width of the current parking lane there, to alleviate this crowding and provide a more pedestrian- and neighborhood-friendly environment; and

**Whereas** the current street bed is four lanes wide, an excessive width that endangers pedestrians and is no longer needed in this formerly industrial area where UPS has ceased using this street as a roundabout, and there is less traffic because of the changed pattern to the Holland Tunnel, allowing not only sufficient space for a sidewalk widening, but also for parking on both sides of the street without encumbering traffic flow; and

**Whereas** Spring St. west of Washington St. is the anticipated site of a huge sanitation garage, and the Spring-between-Washington-&-Greenwich neighbors feel that widening their south sidewalk can offer some separation and relief from the facility's negative impacts; and

**Whereas** directly east on Spring St., between Greenwich & Hudson Sts., the street bed is narrower than between Greenwich & Washington, resulting in vehicular traffic from the east dangerously surging into the wider street;

**Whereas** the north side of Spring Street is rather barren and completely devoid of trees; and

**Whereas** the 505 Greenwich Condominium, a 103-unit building on Greenwich St. at Spring St., has spoken with merchants on the south side of Spring St., who have shown willingness to plant new trees to fill out the bare spaces between the trees already there.

**Therefore Be It Resolved** that CB#2, Man. fully supports and requests that the sidewalk be widened on the south side of Spring St. between Washington & Greenwich Sts., and asks the merchants on the south side to plant additional trees there extending out for the entire width of the current parking lane there, with parking retained on both sides of the street along with current parking regulations (No Parking 10 am-6 pm); and

**Be It Further Resolved** that CB#2, Man. requests that trees be planted on the north side of Spring St. between Washington & Greenwich Sts. to further enhance the pedestrian and community environment.

Vote: Unanimous, with 33 Board members in favor.

## **WATERFRONT**

### **PIER 57**

#### **WHEREAS:**

1. Pier 57, which is located at 15th Street, is not within CB2 but has an impact on the area encompassed by CB2;
2. The Hudson River Park Trust ("HRPT") has posted an RFP seeking proposals to develop Pier 57;
3. A Working Group created by the Hudson River Park Trust Advisory Council has vetted the proposals and has together with the Trust, held a public forum/hearing regarding the three proposals;

4. The Working Group has issued a recommendation, a copy of which is annexed, endorsing the proposal of Young Woo Associates;

5. While all of the proposals are community friendly and respect the integrity of the Park, the Young Woo proposal:

- includes the most innovative construction methods and materials (use of used shipping containers) and is the most “green” and energy efficient;
- is the only proposal which preserves the entire rooftop for the public;
- is the only proposal which does not attract cars and is the best designed to eliminate traffic in the surrounding neighborhood; and
- best expands the developing arts uses from the surrounding community;

**THEREFORE BE IT RESOLVED:**

1. That CB#2, Man. endorses the Report of the Pier 57 Working Group and recommends that the HRPT choose Young Woo Associates as the developer for Pier 57.

2. Urges the Trust and Young Woo to make sure that the final plan provides facilities amenable to the launching of human-powered boats and other small vessels, and allows for the mooring of historic vessels.

3. CB4 has endorsed the Young Woo proposal.

**Vote: Unanimous, with 33 Board members in favor. (See attached report regarding the Young Woo proposal.)**

**NEW BUSINESS**

Respectfully submitted,

Susan Kent  
Secretary  
Community Board #2, Manhattan