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Bo Riccobono, *First Vice Chair*
Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Amanda Kahn Fried, *Treasurer*
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COMMUNITY BOARD No. 2, MANHATTAN

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

FULL BOARD MINUTES

DATE: September 17, 2009

TIME: 6:00 P.M.

PLACE: St. Vincent's Hospital, 170 W. 12th St. Cronin Auditorium, 10th Floor

NEED TO CORRECT ATTENDANCE-USED WRONG REPORT-GO TO SEPT. ATTN SHEET

BOARD MEMBERS PRESENT: Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Sigrid Burton, Lisa Cannistraci, Maria Passannante-Derr, Doris Diether, Ian Dutton, Sheelah Feinberg, Elizabeth Gilmore, 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, Arthur Kriemelman, Evan Lederman, Edward Ma, Ke-Wei Ma, Jason Mansfield, Jane McCarthy, Judy Paul, Lois Rakoff, David Reck, Robert Riccobono, Maury Schott, Arthur Z. Schwartz, Shirley Secunda, Shirley H. Smith, Richard Stewart, Carol Yankay, Elaine Young, Jin Ren Zhang

BOARD MEMBERS EXCUSED: Makrand Bhoot, Amanda Kahn Fried, Edward Gold, Raymond Lee, Erin Roeder, Rocio Sanz, Wendy Schlazer, James Solomon, Sean Sweeney,

BOARD MEMBERS ABSENT: Harriet Fields, 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, Sen. Daniel Squadron's office; Sandy Myers, Man. Borough President Scott Stringer's office; Lisa Parson, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Noah Isaacs, Council Speaker Christine Quinn's office; Paul Nagle, Council Member Alan Gerson's office; Kate Mikuliak, Council Member Rosie Mendez's office; Jennifer Craft, Elyssa Romino, Elizabeth Thompson, Kaiser Sandwipi, Luzdary Giraldo, John Cassanos, Gary Parker, Lawrence Page, Jeffrey Bloovman, Rhes Sohne Vadhu, K. Donaldson, Terri Cude, J. McNab, Eric Weingartner, Anni Zhu, Jim Glaser, Elizabeth Adam, Joshua Pickard, Chenault Spence, Gregory Moore, Na Xue, Robin Rothstein, Peter Mullan, Todd Weeks, Joan Engel,

MEETING SUMMARY

Meeting Date –September 17, 2009

Board Members Present – 36

Board Members Excused–12

Board Members Absent - 2

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II. PUBLIC SESSION

Non-Agenda Items

New York University

Gary Parker updated everyone on several NYU projects.

The Highline

Peter Mullan, from Friends of The Highline, reported on the new Highline park area.

WTC Environmental Clinics

Luzdary Giraldo reported on the WTC Clinics that are open and available to persons with health issues from the WTC disaster.

Mulberry Street Library

Jennifer Craft, from the library, updated everyone regarding programs available.

Justice for Jazz Artists

Todd Weeks, from AFM Local 802, spoke regarding pensions and contributions from club members.

Landmarks & Public Aesthetics Items

38 W. 10th Street

Elizabeth Thompson, architect for the applicant, spoke in favor of the proposed application.

SLA Licensing Items

Mika Food, LLC d/b/a Bala Boosda, 214 Mulberry St.

Joan Engel spoke against the application for a proposed liquor license.

Street Activity & Film Permit

Action Arts League/Green Halloween Festival

Jim Glaser, the applicant, spoke in favor of this proposed street event.

Traffic and Transportation Items

Support of Installing a Traffic Light at the Intersection of W. 4th and Horatio Sts.

Eric Weingartner spoke in favor of the proposed installation.

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, Sen. Elect Daniel Squadron's office;

John Ricker, NYC Comptroller's office;

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

Lisa Parson, Assembly Member Deborah Glick's office , introduced herself as the new community board liaison for CB2.

Noah Isaacs, of Council Speaker Christine Quinn's office

Paul Nagle, Council Member Alan Gerson's office.

Kate Mikuliak, Council Member Rosie Mendez's office.

V. ADOPTION OF MINUTES

Adoption of June minutes.

VI. EXECUTIVE SESSION

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

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

3.EXECUTIVE COMMITTEE

The following committees had resolutions which were heard at the August Executive Committee and adopted at the September Full Board meeting.

CHINATOWN WORKING GROUP

Endorsement of Chinatown Working Group's (CWG) Guiding Principles

Whereas the Chinatown Working Group is a community-based planning initiative on the future of Chinatown whose goal is to support the community's residents, businesses and visitors, and

Whereas the Chinatown Working Group members include Chinatown's stakeholders, representatives of community groups, Community Boards #1, 2 & 3, which contain portions of Chinatown within their boundaries, and interested parties whose focus is on issues of shared concern throughout Chinatown including but not limited to affordability, preservation, revitalization and the social and economic well being of families, and youths, and

Whereas the Chinatown Working Group's objective is to articulate common goals for Chinatown's future and work with City agencies to formulate and implement a community-based plan, and

Whereas the Chinatown Working Group is doing extensive outreach in the Chinatown community including hosting a Town Hall on June 1 at PS 124 attended by approximately 200 people; all Chinatown Working Group meetings are open to everyone and the minutes of its meetings (including a video of the Town Hall) are posted on its website: www.chinatownworkinggroup.org, and

Whereas the Chinatown Working Group conducts the following regular Working Team meetings: Culture, Affordability, Preservation and Zoning; Economics & Transportation; Immigrant Affairs & Parks; Education and Schools, and

Whereas these Working Teams have after extensive review/outreach proposed the attached Guiding Principles to be adopted by the full Chinatown Working Group at its next monthly meeting on September 14, as the basis for future planning recommendations by the CWG, and

Whereas CB#2, Man. is a voting member of the Chinatown Working Group represented by James Solomon (co-chair of the CWG), Edward Ma and Zella Jones, now

Therefore Be It Resolved CB#2, Man. endorses the Chinatown Working Group's Guiding Principles, attached hereto, as proposed by the CWG's Working Teams

Vote: Unanimous, with 36 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

Item 1 – 560 Broadway a/k/a 72-78 Prince St. & 98-104 Crosby St. - SoHo Historic District. A store building designed by Thomas Stent & built in 1883-84. Application is to modify storefront infill & install signage.

Whereas, Escada Sports Store plans to occupy the corner store in this building and a representative came to explain what changes they are planning for their storefront, and.

Whereas, the storefront currently contains two store windows and a central double door, with clear glass transom windows above, and

Whereas, it is proposed to change the present wood doors to metal doors with metal frames, painted black, and to change the left window to a single pane of glass by eliminating the transom divider and using that window for a publicity display (what we saw was a large photo of a girl in sports clothes), and

Whereas, additional advertising was planned as a sign panel over the store doors, a small sign at the bottom of each of the windows, and a blade sign attached to the brick panel at the corner, the blade sign 21" x 3'7" in size, and

Whereas, the existing bulkheads at the windows and door would be retained but reclad with metal, and

Whereas, the applicant had been informed the existing awnings were not legal, and he intends to eliminate them, and

Whereas, CB#2, Man. recommends approval of eliminating the awnings, and the signage including the blade sign provided it is attached at the mortar joints, but

Whereas, it was felt the transom bar on the left window should remain to match the other window and the doors, that the doors should be wood with no kick plate, not metal, and that using the left window full size for back-lit graphics was not in keeping with other such storefronts and would set a bad precedent,

THEREFORE BE IT RESOLVED CB#2, Man. recommends denial of most of the application for 560 Broadway, except for the elimination of the awnings and the signage provided the blade sign is attached at the mortar joints.

Vote: Unanimous, with 36 Board members in favor.

2. 24 Bond St. – NoHo Historic District. A Renaissance Revival style store & loft building designed by Buchman & Deisier & built in 1893. Application is to legalize the installation of sculpture & painting the storefront & façade without LPC permits.

Whereas, the building now houses the Gene Frankel Theater, and in order to attract attention to the Theater, the building was painted various colors and a sign indicating the theater was painted on the brick front of the building, and

Whereas, in approximately 1998 papier mache sculptures were attached to the side panel of the building at the second floor, and

Whereas, prior to that time, other papier mache sculptures were attached to the windows frames, also on the second floor, inside the fire escape, and

Whereas, these sculptures were created by an artist living at 24 Bond St., and

Whereas, it was unclear exactly what sculptures we were addressing, therefore the application is divided into three parts, and voted on separately,

THEREFORE BE IT RESOLVED CB#2, Man. finds the painting of the storefront and facade at 24 Bond St. not necessary to attract attention to the theater, and believes a simpler façade treatment would be more appropriate for this building in the NoHo Historic District, (Vote – Unanimous)

THEREFORE BE IT RESOLVED CB#2, Man. finds the sculpture on the side panel of the building inappropriate and could set a precedent for other such projects in our Historic Districts. (Vote – Unanimous)

THEREFORE BE IT RESOLVED CB#2, Man. does not find the sculptures around the windows on the second floor appropriate and would not like to see this repeated at the other floors of the building, as has been suggested. (Vote – 3 Board members & 3 Public Members in favor, 2 Board Members opposed.)

Vote: Unanimous, with 36 Board members in favor.

3. AMENDMENTS TO LPC RULES relating to payment of Application Fees.

Whereas, the LPC will hold a Public hearing on August 4 to amend their rules re fees for the issuance of permits, and

Whereas, the fees for permits for new buildings will continue to be not less than \$100 per structure but will increase from 13c to 20c per square foot for structures under Section 26-212(1)(a) and from 6c to 10c per square foot for structures under Section 26-212(1)(b), and

Whereas, fees for permits for building alterations will continue to be \$50 for the first \$25,000 of work, but will increase from \$3 to \$4 for each additional \$1,000 of cost, and

Whereas, the increases in the fees charged are minimal,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of these increases in permit fees.

Vote: Unanimous, with 36 Board members in favor.

4. PROPOSAL BY TWO BRIDGES NEIGHBORHOOD COUNCIL for designation of proposed Chinatown/Little Italy Historic District.

Whereas, Two Bridges Neighborhood Council has a proposal to sponsor designation on the National and State Registers of Historic Places of a proposed Chinatown/Little Italy Historic District, and

Whereas, the proposed area includes parts of Community Boards #2, #1 and #3, and

Whereas, Two Bridges Neighborhood Council has requested each of the Community Boards to consider and hopefully support the proposal, and

Whereas, the proposed District takes in roughly a 38-block area, generally bounded by Lafayette St. to the Bowery and East Houston St. to Worth St., and

Whereas, research on this area was undertaken by Ms. Kerri Culhane, a consultant architectural historian working with Two Bridges, and

Whereas, Public Hearings dealing with the designation will probably be held in August to give property owners and others a chance to concur or object to the proposed listing on the Registers, and therefore Two Bridges solicited a resolution from CB#2, Man.;

THEREFORE BE IT RESOLVED CB#2, Man. endorses the proposal by Two Bridges Neighborhood Council for the proposed Chinatown/Little Italy listing on the National and State Registers of Historic Places and looks forward to the planned Public Hearings.

Vote: Unanimous, with 36 Board members in favor.

2ND LANDMARKS MEETING

I. 181 West 10th St. – Greenwich Village Historic District. A neo-Grec style rowhouse designed by William T. Whittermore & built in 1839. Application is to modify the stoop & entrance, install a new door & signage, construct a rear yard addition.

Whereas, we understand from the applicant that the large sign on brackets adjacent to the building on the 7th Ave. South corner is grandfathered, and

Whereas, the major changes to this two-sided sign will be to paint the background black and the writing – “Uptown” on one side and “Downtown” on the other with the restaurant logo and two arrows – in white neon, and

Whereas, signage will be bracketed onto the present iron fence, one sign on each side approximately 18” x 29” with one for the name of the restaurant & the other indicating the cellar is open, to be removed at night, and

Whereas, above one of the small signs, will be a menu box approximately 23” x 29”, also to be removed at night, and

Whereas, the current front door to the building is planned to be replaced by a six panel wood door with a transom above, and

Whereas, according to the applicant, the top step has to be moved forward and the door will open out instead of in by order of the Fire Dept., and

Whereas, the applicant did not have enough exact information on the rear yard changes & said he would ask for those changes to be laid over at the LPC and come back to CB#2, Man. with the final plans, and

Whereas, three members of the public spoke at the meeting, indicating concern about the rear yard changes,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of the signage issues but has concerns about the changes to the front step and lacks enough information to be sure the change is necessary, so leaves it to LPC to verify the Fire Dept. requirements.

Vote: Unanimous, with Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

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

1. Sputo, Inc., d/b/a/ Spunto, 65 Carmine St., betw Seventh Ave and Bedford St., Block:582, Lot:42; Police Precinct:6; with 14 tables & 28 seats, on the Seventh Avenue side, DCA# 1324558.

Whereas, the area was posted, community groups notified and there was no community correspondence, and the applicant John Tweedy and his Attorney Glenn Wright were present, and,

Whereas, this lot has frontage of **25** feet and depth of 78.67 feet, with one building of five stories, built in 1910, with 14 residential units of a total 15 units in an area of Mixed Residential and Commercial Buildings, Zoning: C2-6, Zoning Map #: 12A, and

Whereas, a principal in the corporation lives in the building and has additionally reached out to building resident Michael Meseke who has agreed to be a resident liaison regarding any potential issues resulting from the operation of the sidewalk café in the quality of life of the residents directly above this location, and

Whereas, the sidewalk plan and method of operation seems otherwise compatible with the area and plans no sidewalk heaters, requiring any additional documentation,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a NEW unenclosed sidewalk café for **Sputo, Inc., d/b/a/ Spunto, 65 Carmine St., betw Seventh Ave and Bedford St., Block:582, Lot:42; Police Precinct:6; with 14 tables & 28 seats, on the Seventh Ave. side, DCA# 1324558.**

Vote: Unanimous, with 36 Board members in favor.

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

2, 13th Street Entertainment, LLC, d/b/a/ Bagatelle, 409 W. 13th St., Block: 646, Lot: 49; Police Precinct: 6; betw 9th Ave and Washington St., with 10 tables & 20 seats, DCA# 1324561

Whereas, the area was posted, community groups notified and there was no community correspondence, and the applicant Ryan Tarantino was present, and,

Whereas, this lot has frontage of **75** feet and depth of 103.25 feet, with one building of three stories, built in 1911, with 0 residential units of a total 2 units in an area of Commercial and Office Buildings, Zoning:M1-5, Zoning Map #: 8B, and

Whereas, the sidewalk plan has provided sufficient pedestrian right of way for the 15' sidewalk and plans no sidewalk heaters, requiring any additional documentation,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a NEW unenclosed sidewalk café for **13th Street Entertainment, LLC, d/b/a/ Bagatelle, 409 W. 13th St., Block: 646, Lot: 49; Police Precinct: 6; betw 9th Ave and Washington St., with 10 tables & 20 seats, DCA# 1324561.**

Vote: Unanimous, with 36 Board members in favor.

3. Jekyll & Hyde, Inc. 91 7th Avenue South, Block:591, Lot:15; Police Precinct:6; with 13 tables & 26 seats, DCA# 0884675.

Whereas, the area was posted, community groups notified and there was no community correspondence, and the applicant Stoyan Stoyanov and Attorney Steve Wygoda were present, and,

Whereas, this lot has frontage of **67.83** feet and depth of 89 feet, with one building of one story stories, built in 1900 (est), with 0 residential units of a total 3 units in an area of Commercial and Office Buildings, Zoning: C4-5, Zoning **Map #: 12A**, and

Whereas, this is a renewal application for a sidewalk café that has operated with no complaint for its last period and plans no sidewalk heaters, requiring any additional documentation,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a NEW unenclosed sidewalk café for **Jekyll & Hyde, Inc. 91 7th Avenue South, Block:591, Lot:15; Police Precinct:6;with 13 tables & 26 seats, DCA# 0884675.**

Vote: Unanimous, with 36 Board members in favor.

SLA LICENSING

1. Bowery Time, LLC, 356 Bowery (East 4th and Great Jones), NYC

Whereas, the applicant re-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 1,000 s.f. premise in a mixed use building located on Bowery between East 4th and Great Jones with 24 table seats with 1 bar and 14 bar seats with a maximum legal capacity of 70 persons; **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 background only; and,

Whereas, the applicant has reached out to several members of the community and this board; and,

Whereas, the applicant will be designating the ground level space as a catering establishment and seek all required permits, documents and approvals by New York State agencies; the ground level catering establishment will not be open to the general public; 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, the applicant has agreed to hire bonded security personnel during private events; and,

Whereas, the applicant has agreed to re-appear before this committee in the event the catering establishment cannot be designated, achieved and permitted by the New York State Liquor Authority; and,

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the proposed alteration to an On Premise license for **Bowery Time, LLC, 356 Bowery** unless those conditions agreed to by applicant relating to fifth, sixth, seventh and eighth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

2. Aguila & Sol, LLC 354 Bowery (East 4th and Great Jones), NYC

Whereas, the applicant re-appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on Bowery between East 4th Street and Great Jones for a 2,000 s.f. Mexican restaurant with 65 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 10:00 a.m. – 2:00 a.m. seven days a week; there will be no sidewalk café application and no backyard garden; music is background only; and,

Whereas, the applicant has reached out to several members of the community and this board; 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 applicant has agreed to seal off the demising wall between 354 Bowery and 356 Bowery and file all required applications as its own commercial unit; 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, no one appeared in opposition from the community; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the proposed alteration to an On Premise license for **Aguila & Sol, LLC 354 Bowery** unless those conditions agreed to by applicant relating to the sixth and seventh “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

3. Midnight Café, 218 Lafayette St. NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for renewal of an On Premise license for a 1980 s.f. restaurant in a mixed use building on Lafayette Street between Spring and Broome Streets with 68 table seats, 1 bar with 12 bar seats, and a maximum legal capacity of 68 persons; and,

Whereas, the applicant was previously approved by this committee on May 8th 2007 for a Beer and Wine license only with several stipulations on record including no private parties, no D.J. or live music and closing hours are 2:00 a.m. Monday – Saturday and 12:00 on Sundays; and,

Whereas, the applicant has blatantly deceived CB#2, Man. by obtaining a full On Premise liquor license on May 11th 2007 with the State Liquor Authority; and,

Whereas, the applicant has been operating for over 18 months with an On Premise with private parties, D.J. and live music and closing at 4:00 a.m. Monday – Saturday and 2:00 a.m. Sundays; and,

Whereas, the applicant has violated their duly licensed method of operation as stated by the SLA on several occasions, and,

Whereas, the applicant has a history of issues and 311 complaints within the community arising from noise and overcrowding; and,

Whereas, several members of the community submitted written testimony vehemently opposing this application; and,

Whereas, a member of Councilmember Alan Gerson’s office appeared to submit a written statement urging the board to deny the application for reasons stated herein; and,

THEREFORE BE IT RESOLVED that CB2, Man. strongly objects to the renewal of the On Premise license of **Midnight Café, 218 Lafayette St. NYC** and calls on the State Liquor Authority to verify that the establishment is not operating in violation of their duly licensed Method of Operation.

Vote: Unanimous, with 36 Board members in favor

4. Patrick Doyle or Corp. to be formed, 40-42 W. 8th St. (at MacDougal), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a commercial building at the corner of MacDougal and West 8th Street for a 4,000 s.f. bar/nightclub with no table seats, 2 bars with no seats, and a maximum legal capacity of 210 persons; and,

Whereas, the applicant stated the hours of operation for the bar/nightclub are 4:00 p.m. – 4:00 a.m. seven days a week; there will be no sidewalk café application and no backyard garden; music is live, juke box and D.J.; and,

Whereas, the applicant has agreed to use the West 8th Street side entrance only; and,

Whereas, several members of the community appeared to express concerns of the proposed establishment; citing; noise and overcrowding from the previous operator; and,

Whereas, a member of Council Speaker Christine Quinn’s office has requested a meeting with members of community to address their concerns; and,

Whereas, the applicant has yet but has agreed to meet with members of the community to resolve some of the issues stemming from the previous establishment; and,

Whereas, the committee has expressed concerns with this application without any dialogue or resolution with the nearby residents; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial to the proposed On Premise license for **Patrick Doyle or Corp. to be formed, 40-42 W. 8th St.**

Vote: Unanimous, with 36 Board members in favor.

5. Deviled Foods LLC, 189 West 10th Street (Bleecker and West 4th) NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for renewal of an On Premise license for a 1,200 s.f. Mexican restaurant in a mixed use building on West 10th Street between Bleecker and West 4th with 60 table seats, 1 bar with 5 bar seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated no changes to their previously approved method of operation; the hours of operation are 12:00 p.m. – 12:00 a.m. Sunday – Tuesday and 12:00 p.m. – 3:00 a.m. Wednesday - Saturday; there is no sidewalk café application and no backyard garden; music is background only; and,

Whereas, the applicant has agreed to close all French doors/windows by 11:00 p.m. daily with the bar area doors/windows closing by 9:00 p.m. daily; and,

Whereas, a member of the community appeared opposing this application and requested that the bar doors/windows are closed at all times; and,

Whereas, the applicant has established dialogue with this resident to address her concerns; and,

Whereas, the committee strongly urges the applicant to close the bar area doors/windows at all times; especially, on this residential block; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a renewal to the On Premise license of **Deviled Foods LLC, 189 West 10th Street** unless the condition relating to the “closure of the bar area windows and doors at all times” are incorporated into their duly licensed “Method of Operation”.

Vote: Unanimous, with 36 Board members in favor.

6. Downtown Restaurant Group, 50 Gansevoort St, NYC

Whereas, this application is for a renewal to an On Premise liquor license; and,

Whereas, the applicant has been operating without a valid Cabaret license and no Public Assembly permit for a few months; and,

Whereas, the applicant has a history of issues and 311 complaints within the community arising from noise and overcrowding; and,

Whereas, several members of the community submitted written testimony opposing this application; and,

Whereas, a member of the community appeared to express concerns with the noise emanating from the establishment; and,

Whereas, the applicant has agreed to submit a security plan and soundproofing documents to this committee for further review; and,

THEREFORE BE IT RESOLVED that CB2, Man. strongly objects to the renewal of the On Premise license of **Downtown Restaurant Group, 50 Gansevoort St, NYC** and calls on the State Liquor Authority, Department of Consumer Affairs and Department of Buildings to verify that the establishment is not operating in violation of their duly licensed Method of Operation.

Vote: Unanimous, with 36 Board members in favor.

7. 60 Greenwich LLC, d/b/a Gusto, 60 Greenwich Ave., 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 IT RESOLVED that CB2, Man. recommends denial of an On Premise liquor license to **60 Greenwich LLC, d/b/a Gusto, 60 Greenwich Ave. 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 36 Board members in favor.

8. South Brooklyn Pizza, Inc., 159 Prince St, NYC 10012

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 IT RESOLVED that CB2, Man. recommends denial of an On Premise liquor license to **South Brooklyn Pizza, Inc., 159 Prince St and requests that the SLA send this applicant back to CB2#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 Board members in favor.

9. T-Bone Restaurant, LLC, d/b/a Strip House, 13 East 12th St., NYC 10003

Whereas, this application is for an alteration to an existing 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 IT RESOLVED that CB2, Man. recommends denial of an alteration to an existing On Premise liquor license to **T-Bone Restaurant, LLC, d/b/a Strip House, 13 East 12th St. 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 36 Board members in favor.

ZONING AND HOUSING

Resolution in support of Intro 1015 sponsored by Council Member Dan Garodnick

Whereas, Council Member Dan Garodnick has introduced, with the co-sponsorship of Council Members Gale Brewer and Jessica Lappin, City Council Intro 1015 to maintain the safety of construction sites where permitted work is temporarily suspended; and

Whereas, According to the Department of Buildings (DOB), open construction sites are a greater safety hazard to the public than active ones; and

Whereas, Stalled or abandoned construction projects can be a drag on neighboring commercial activity and property values; and

Whereas, Difficult economic conditions are contributing to stalled construction projects, as developers lose the necessary financing to complete their buildings; and

Whereas, *The New York Times* reported on July 19, 2009 that there are currently 362 stalled construction sites around the city, including 57 in Manhattan; and

Whereas, Intro 1015 would allow developers to renew work permits that would otherwise expire due to inactivity, provided that they notify the Buildings Commissioner when permitted work will be suspended and when it will be resumed, and that they submit a detailed plan for maintaining the safety of the construction site during the period when permitted work will be suspended, and that such plan be approved by the Buildings Commissioner; and

Whereas, Such safety plan shall contain proposed measures for securing the site from access by unauthorized persons, and schedules for inspecting the equipment remaining on such site, and such other provisions as the Buildings Commissioner shall require; and

Whereas, Intro 1015 would lead to increased monitoring of inactive work sites and would engage developers and the DOB in safety planning before hazards arise, rather than reacting to accidents after they have occurred; and

Whereas, Intro 1015 as proposed would not impose undue burdens on developers, but rather would create an incentive for them to secure inactive work sites by saving them from having to refile and/or update their building plans; and

Whereas, The City has a clear interest in preventing construction accidents;

Therefore, be it resolved That CB#2, Man. supports the passage of Intro 1015, and urges its City Council members to vote in favor of such bill should it come before them for a vote.

Vote: Unanimous, with 36 Board members in favor.

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1. 565 Broadway a/ka/ 86 Prince St. – SoHo Cast Iron Historic District.

An Italianate style store & dwelling designed by John Kelliam & built in 1859-60.

Whereas, this building of two sections 5 stories and 3 stories high, currently in commercial use, will have the ground floor converted to a Victoria's Secret outlet, and

Whereas, the applicant intends to remove the existing awnings and paint the exposed louvers dark blue, and

Whereas, the proposed signage will be a large "PINK" above the main door, with indirect illumination and small signs at the bottom of the windows without illumination except that from within the store and

Whereas, the only other signage will be a 2' x 2' blade sign at the corner of the building 10' above the ground, and

Whereas, the windows will be further decorated with two narrow gold bands surrounding the edges of the windows,

Therefore, be it resolved CB#2, Man. recommends approval of the proposed changes for 565 Broadway provided the blade sign is attached to the mortar rather than into the fabric of the building.

Vote: Unanimous, with 36 Board members in favor.

2. 488-490 Broadway – E.V. Houghwout Building, Individual Landmark, SoHo Cast Iron Historic District. An Anglo-Italianate style store & loft building designed by J.P. Gaynor & built in 1857. Application is to paint the building and install signage.

Whereas, the applicant intends to remove the present awnings and replace the one over the door with a glass canopy and install a blade sign 2' x 3' in size, 10' above the sidewalk, and

Whereas, in order to distinguish the commercial space from the balance of the building, the applicant proposes to paint the first floor façade black with grey trim, and

Whereas, the applicant also proposes 4" logos on the glass windows, and

Whereas, for the non-commercial part of the building, the applicant proposes another canopy 5'9" x 40" with only the address of the building, and plans to restore the existing clock,

Therefore, be it resolved CB#2, Man. opposes the color change on the first floor of the building at 488-490 Broadway, an individual landmark, unless the applicant can prove that the building was not all one color originally, and

Be it further resolved, CB#2, Man. opposes the glass canopies, finding them too modern for this lovely 1857 building and but has no objection to the blade sign proposed provided the size is what is permitted in this Historic District.

Vote: Unanimous, with 36 Board members in favor.

3. 11 Fifth Ave, - Greenwich Village Historic District. A brick apartment building built in 1956. Application is to establish a Master Plan governing the future installation of terrace enclosures.

Whereas, this building, the Brevoort, proposes to unify the building by requiring Co-Op owners who wish to enclose their balconies to follow the design criteria which will be included in and part of the Co-Op agreements, with the new windows having silver colored frames and divided into either 3 or 4 panels depending upon the location of the balconies, and

Whereas, this would create, over time, a unified look to this major Fifth Avenue building,

Therefore, be it resolved CB#2, Man. recommends approval of this application for 11 Fifth Ave.

Vote: Unanimous, with 36 Board members in favor.

4. 1-9 West 3rd Street – NoHo Historic District There seemed to be major confusion about this application. The application, as forwarded to CB#2, seems to involve the whole block, with addresses 1-9 West 3rd St., aka 2-14 West 4 St, 248-256 Mercer St., 683-397 Broadway.

The applicant who appeared before our meeting was the tenant for the restaurant at 1-9 West 3 St. who was concerned with certain changes to his restaurant frontage. Therefore, our comments deal only with what was presented to us at our Landmarks meeting.

Whereas, the applicant would like to change the flag on the 5' pole with his own flag 4' x 6' in size, and

Whereas, he would like to install a neon sign advertising his restaurant, replacing the existing sign, and

Whereas, he would also like to install a menu box on the window, and

Whereas, he would like to install two small lamps on the façade of the building, and

Whereas, before he took over the premises, the windows on his area had already been changed and he was not responsible for the present ones,

Therefore, be it resolved, CB#2, Man. feels that the current windows are fine, and has no objection to the two newly proposed lamps for the façade of the building, and no awnings are planned, but

Be it further resolved, CB#2, Man. feels that the flag pole is causing damage to the building, strongly opposes the neon sign, feels that the menu box should be located no less than 18 inches from inside the store glass outside, and feels that the flag should either be eliminated or reduced in size for this restaurant space at 1-9 West 3rd St.

Vote: Passed, with 34 Board members in favor and 2 abstentions (S. Ashkinazy and Z. Jones).

5. 151 West 13 St. – Greenwich Village Historic District A Greek Revival style house built in 1847-48. Application is to excavate & construct a rear yard & rooftop addition.

Whereas, the proposal is to construct a solar panel roof above the current roof on this building, set back from the front of the building and at an angle so that it will not be visible from the street, and

Whereas, the proposal also included extending the building an additional 1' further into the yard than the adjacent buildings, and since it will be a multiple dwelling, a second means of egress is required, and this will be accomplished with a fire escape on the rear of the building extending an additional 5' out from the rear of the building, and

Whereas, the excavation mentioned in the LPC application was already done some time ago and is not on the calendar for this hearing, and

Whereas, the extension to the rear of the building and on the roof will be brick with steel windows and black trim, and the fire escape will also be painted black, and

Whereas, at least 5 neighbors took the time to come to the meeting to express their concern about the proposed work on this building,

Therefore, be it resolved CB#2, Man. has no objection to the rooftop addition at 151 West 13 St., but

Be it further resolved, CB#2, Man. does not feel the rear addition is appropriate since the building is original except for the first floor.

Vote: Unanimous, with 36 Board members in favor.

2ND LANDMARKS MEETING

1. 38 West 10 St. – Greenwich Village Historic District. An Anglo-Italianate style rowhouse, attributed to the architect James Renwich, Jr. & built in 1856. Application is to install ironwork at the areaway.

WHEREAS this building is part of a row of similar buildings built about the same time by the same architect, and the present fence is not in keeping with the others in this row, and

WHEREAS the proposal is to erect new fence work in keeping with the others in this row, and

WHEREAS the proposal calls for a new fence between the front lawn and the pathway to the garbage area in front of the building, a fence separating the garbage area from the entrance to the lower floor in the building, new fences at the lot lines between this lot and the two adjacent lots and a new fence at the front lot line of this lot, plus gates for entry to both the front entrance and the entrance to the lower level, and

WHEREAS the fence posts will be set on brownstone bases, and the bluestone on the paths will be restored or replaced,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of this application for 38 W 10th St.

Vote: Unanimous, with 36 Board members in favor.

2. 21-27 9th Ave. – Gansevoort Market Historic District. A row of four Greek Revival rowhouses, built circa 1844-1846 & altered in the 1880s & 1920s. Application is to construct a rooftop addition, alter a canopy, & install new storefront infill & signage.

WHEREAS this proposal is for a row of three three-story rowhouses and a three story corner building in poor condition, with the windows blocked up since 1940, broken lintels, and a faded wall sign on the 13th St. side of the corner building, and

WHEREAS the application is to restore the facades, replace the boarded up windows with double-hung windows on the upper floors, change the window openings on the 13th St. side to wider shop windows and install new doors, a vast improvement over the current conditions, and

WHEREAS it is proposed to repair the existing canopy and extend it to cover all of the buildings except the corner building, with three signs suspended from the canopy and

WHEREAS the plan is to have a new painted sign in the area which now has the faded wall sign on 13th Street, and

WHEREAS the corner building has a one story addition behind the building on 13th St. for a rear entry to the building, it is proposed to fill in a similar area on the other three building, but the full height of those buildings, for an elevator and connection between the structures, and

WHEREAS a rooftop addition is also planned for the three buildings but not including the corner building, a glass front one story structure framed by steel dividers to indicate the individual buildings, the addition to be set back 15' from the Avenue and 20' from 13th St. The addition will be visible, but the impact will be reduced when taller building behind them which has already received Landmarks approval is constructed, and

WHEREAS the proposal also calls for a glass fence along the front edge of the top floor, and

WHEREAS there was opposition to the rooftop addition and its style from a representative from the West Village, but it was pointed out that the addition would be permitted by the zoning and the only question was its design,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of the façade changes and the extension of the canopy, but does not approve of the rooftop addition on the three buildings. However, if it is approved, we would suggest more detailing on the 3 sets of glass panels to echo the buildings below, and

FURTHER BE IT RESOLVED CB#2, Man. recommends that the glass fence at the edge of the façade be set back 6 feet so it would not be visible from the street, and

BE IT FURTHER RESOLVED CB#2, Man. believes that the Landmarks Commission should require that if the painted wall sign is reinstated, it and the other signs proposed should be only for on-site tenants and not a billboard for other uses or advertisements.

Vote: Unanimous, with 36 Board members in favor.

3. 74 Grand St. – SoHo Cast Iron Historic District. A neo-Grec style loft building designed by George DaCunha & built in 1886. Application is to demolish the building & dismantle & store the cast iron façade for future reinstallation.

WHEREAS because the building at 72 Grand St. was demolished, substantial damage was done to this building such that it had to be braced, and it has now been condemned by the Dept. of Buildings and HPD, and

WHEREAS the proposal is to demolish the building as quickly as possible but to dismantle the façade and other salvageable parts of the building, including the existing vaults and fire shutters on the rear of the building, and retain them for re-use, stored securely on site after the building is demolished, and

WHEREAS in response to a concern voiced by several of the neighbors, they were assured that the nearby buildings would be monitored for any problems or damage,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of this application for 74 Grand St. but would like the Commission to secure assurances that the dismantled materials would be securely stored at the site for re-use.

Vote: Unanimous, with 36 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

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

1. 98 Kenmare Restaurant, Group LLC, d/b/a Civetta, 98 Kenmare St., Block: 481, Lot:32; Police Precinct:5, betw. Mulberry & Centre, with 14 tables & 28 seats, DCA# 1329276

Whereas, the area was posted, community groups notified and five people representing the community in this area were present but the applicant was not present, and,

Whereas, this lot has frontage of **100** feet, with one building of six stories, built in 1900 (est), with 30 residential units of a total 32 units in an area of Mixed Residential and Commercial Buildings, Zoning: C6-1, Zoning Map #: 12C, and

Whereas, members of the community appeared specifically to provide testimony regarding this location and the affect of numerous additional new establishments on this largely residential block, and

Whereas, the applicant was not present to hear or negotiate a possibly more favorable configuration for the sidewalk café, and

Whereas, there are some material faults with the sidewalk café plan, namely that there are benches around the trees that are rendered and that clearance from these benches would either require bench removal or reduction in the depth of the sidewalk café,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL for a NEW unenclosed sidewalk café for **98 Kenmare Restaurant, Group LLC, d/b/a Civetta, 98 Kenmare St., Block: 481, Lot:32; Police Precinct:5, betw. Mulberry & Centre, with 14 tables & 28 seats, DCA# 1329276.**

Vote: Unanimous, with 36 Board members in favor.

2. Renewal Applications for revocable consent to operate an Unenclosed sidewalk cafe for: French Roast, Inc., 78 W. 11th St., @ Sixth Ave., Block:574, Lot:7; Police Precinct:6, with 8 tables & 16 seats, DCA# 0907203

Whereas, the area was posted, community groups notified and nobody from the community in this area was present and the applicant was not present, and,

Whereas, this lot has frontage of 34.5 and depth (along Sixth Ave) of 121 feet, with one building of six stories, built in 1920, with 21 residential units of a total 22 units in an area of Mixed Residential Residential and Commercial Buildings, Zoning: C6-1, Zoning Map #: 12C, and

Whereas, this establishment has operated at this location for a number of years without incident, and this committee would otherwise approve of the renewal, but cannot unless the applicant appears, and

Whereas, the committee agreed to extend a layover to this application if the applicant will appear on the October calendar,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL for a RENEWAL of an unenclosed sidewalk café for French Roast, Inc., 78 W. 11th St., @ Sixth Ave., Block:574, Lot:7; Police Precinct:6 with 8 tables & 16 seats, DCA# 0907203, unless the applicant agrees to appear in October 2009. (The applicant's attorney Robert Bookman has confirmed attendance at the October hearing)

THE ABOVE APPLICANT WAS LAID OVER TO OCTOBER.

3. RDK Restaurant Corp., d/b/a Bistro Les Amis, 180 Spring St., Block:488; Lot:15; Police Precinct:1; betw LaGuardia & Thompson, with 14 tables & 30 seats, DCA# 1101999

Whereas, the area was posted, community groups notified and nobody from the community in this area was present and the applicant was present, and,

Whereas, this lot has frontage of 19.83 and depth 62.42 feet, with one building of four stories, built in 1910 (est), with 3 residential units of a total 4 units in an area of Mixed Residential and Commercial Buildings, Zoning:R7-2, with a Commercial Overlay of C1-5, Zoning Map #: 12A, and

Whereas, the sidewalk café, upon inspection complies with all regulations, except for the placement of some umbrellas in the public right-of-way, which the applicant has promised to remove,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a RENEWAL of an unenclosed sidewalk café for **RDK Restaurant Corp., d/b/a Bistro Les Amis, 180 Spring St., Block:488; Lot:15; Police Precinct:1; betw LaGuardia & Thompson, with 14 tables & 30 seats, DCA# 1101999**

Vote: Unanimous, with 36 Board members in favor.

4. Marbar LLC, d/b/a La Palapa, 359 6th Ave., Block:592, Lot:19; Police Precinct:6, betw Waverly & Washington Place, with 6 tables & 12 seats, DCA# 1141303

Whereas, the area was posted, community groups notified and nobody from the community in this area was present and the applicant was present, and,

Whereas, this lot has frontage of **39.25** and depth 85 feet, with one building of four stories, built in 1910 (est), with 3 residential units of a total 5 units in an area of Mixed Residential and Commercial Buildings, Zoning:R7-2, with a Commercial Overlay of C1-5, Zoning Map #: 12A, and

Whereas, the sidewalk café, upon inspection complies with all regulations,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a RENEWAL of an unenclosed sidewalk café for Marbar LLC, d/b/a La Palapa, 359 6th Ave., Block:592, Lot:19; Police Precinct:6, betw Waverly & Washington Place, with 6 tables & 12 seats, DCA# 1141303

Vote: Unanimous, with Board members in favor.

5. Yamasak Restaurant Corp., d/b/a Le Figaro Cafe, 174 Bleecker St., Block:526; Lot: 62; Police Precinct: 6 betw Sullivan & MacDougal, **with 4 tables & 8 seats , DCA# 1141909**

Whereas, the area was posted, community groups notified and there was a written inquiry from the community in this area, and the applicant was present, and,

Whereas, this lot has frontage of **22 feet** and depth 98 feet, with one building of five stories, built in 1900 (est), with 4 residential units of a total 5 units in an area of Mixed Residential and Commercial Buildings, Zoning:R7-2, with a Commercial Overlay of C1-5, Zoning Map #: 12A, and

Whereas, the name of the restaurant at this location has changed, but ownership and original configuration of the sidewalk café has not changed, and

Whereas, this committee noted that service of the tables from the restaurant, through doors to the sidewalk were blocked by additional interior tables, and

Whereas, there is insufficient room on the sidewalk for sidewalk service to these tables, and

Whereas, the applicant agreed to remove the interior tables to accommodate sidewalk café table service from the interior of the restaurant, and

Whereas, the Community represented by the Bleecker Area Merchants and Residents Association (BAMRA) expressed concern that the chairs of the sidewalk café frequently are occupied in the pedestrian right-of-way and the applicant agreed to take extra precaution that this condition does not continue,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a RENEWAL of an unenclosed sidewalk café for **Yamasak Restaurant Corp., d/b/a Le Figaro Cafe**, 174 Bleecker St., Block:526; Lot: 62; Police Precinct: 6 betw Sullivan & MacDougal, **with 4 tables & 8 seats , DCA# 1141909**

Vote: Unanimous, with 36 Board members in favor.

6. I Malatesta Trattoria, Inc., 649 Washington St., at Christopher St., Block: 630; Lot:1; Police Precinct:6, **with 18 tables & 35 seats, DCA# 1076713**

Whereas, the area was posted, community groups notified and there was attendance by a community member in this area, and the applicant was present, and,

Whereas, this lot has frontage of 31.75 feet and depth 68.25 feet, with one building of five stories, built in 1919 (est), with 12 residential units of a total 14 units in an area of Mixed Residential and Commercial Buildings, Zoning: R-6, Zoning Map #12A; and

Whereas, this establishment has been in this location without incident and a community member who is also a Public Member of this Community Board, appeared to commend the establishment and its owner,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a RENEWAL of an unenclosed sidewalk café for **I Malatesta Trattoria, Inc., 649 Washington St.,** at Christopher St., Block: 630; Lot:1; Police Precinct:6, **with 18 tables & 35 seats, DCA# 1076713**

Vote: Unanimous, with 36 Board members in favor.

SLA LICENSING

The following applicants were hears at the August SLA Licensing Committee, but were voted on at the September Full Board meeting:

1. The Brick Cellar, 100A Seventh Ave. South (Grove and Bleecker Street), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on 7th Avenue South between Grove and Bleecker Streets for a 3000 s.f. theatre/supper club with 150 table seats, 1 bar with 10 seats, and a maximum legal capacity of 150 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are 10:00 a.m. – 3:00 a.m. Sunday – Tuesday and 10:00 a.m. – 4:00 a.m. Wednesday - Saturday; there will not be a sidewalk café application and no backyard garden; music will be background and live only; and,

Whereas, the applicant has agreed to operate as a performance theatre only and will prohibit dancing on the premises; 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 provide food and menu items available up until 1 hr prior to closing; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **The Brick Cellar, 100A Seventh Ave. South** 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 36 Board members in favor.

2. Robert Werhane or entity to be formed, 308-310 Bleecker St. (at 7th Avenue South), 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 Bleecker Street and 7th Avenue South for a 2,000 s.f. for a Seafood restaurant/bar with 74 table seats, 1 bar with 14 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 – Wednesday and 10:00 a.m. – 4:00 a.m. Thursday - Saturday; there will be a sidewalk café application and will include a backyard garden with 10 tables and 18 table seats; music is background only; and,

Whereas, the applicant has agreed to enclose the backyard garden; and,

Whereas, the applicant has agreed to cease operations in the backyard garden at 12:00 a.m. Sunday – Thursday and 1:00 a.m. Friday and Saturday; and,

Whereas, the applicant has agreed to have no music of any kind in the backyard garden; and prohibit the use of the elevated garden space and will install planters to abate the noise; and,

Whereas, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents prior to the use of the On Premise license; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Robert Werhane or entity to be formed, 308-310 Bleecker St.** unless those condition agreed to by applicant relating to the fourth, fifth, sixth and seventh “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

3. Moz Restaurant, Inc., 581 Hudson St. (at Bank 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 Hudson and Bank Street for a 1150 s.f. (650 s.f ground floor and 500 s.f. basement) for a Mediterrean restaurant with 36 table seats, 1 bar with 4 seats, and a maximum legal capacity of 45 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 12:00 a.m. Monday – Thursday, 12:00 p.m. – 1:00 a.m. Friday, 10:00 a.m. – 1:00 a.m. Saturday and 10:00 a.m. – 12:00 a.m. Sunday; there will be a sidewalk café application but no backyard garden; music is background only; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise license for **Moz Restaurant, Inc., 581 Hudson St.**

Vote: Unanimous, with 36 Board members in favor.

2. Fabio Granato or Entity to be formed, 7 9th Ave. (at West 12th Street), 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 9th and 12th street for a 1,600 s.f. for an Italian restaurant with 60 table seats, 1 bar with 12 seats, and a maximum legal capacity of 80 persons; and,

Whereas, the applicant state the hours of operation are 24 hours per day; there will be a sidewalk café application but no backyard garden; music is background only; and,

Whereas, this committee and members of the community are very concerned with the proposed 24 hour operation; and this committee request a denial of the application unless the applicant agrees to close the establishment at 4:00 a.m. seven days a week; and,

Whereas, the applicant has agreed to operate the restaurant only on the 1st and 2nd Floors as promised to this committee; and agreed to file an alteration application in the event additional floors/space are added; and,

Whereas, the applicant has agreed to prohibit the use of outside promoters and private parties; 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, several letters and email were submitted to CB#2, Man. expressing their concerns with a 24 hour establishment in this area; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Fabio Granato or Entity to be formed, 7 9th Ave.** unless those condition agreed to by applicant relating to the fourth, fifth, sixth and seventh “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

5. Puar, LLC, 765 Washington St. (West 12th and Bethune Streets), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for a restaurant d/b/a Entwine located in a mixed use building located on Washington Street between West 12th and Bethune Streets with 28 table sets (interior) and 8 table seats (backyard) and 1 bar with 6 bar seats and a maximum legal capacity of 51 persons; **to add an additional 8 bar seats to the existing bar; and,**

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 11:00 a.m. – 12:00 a.m. seven days a week; music is background only; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **Puar, LLC, 765 Washington St.**

Vote: Unanimous, with 36 Board members in favor.

6. Bonarue Bleu Industries, Inc. d/b/a Florencia 13, 183 Sullivan St. (Bleecker and Houston Streets), 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 1000 s.f. premise in a mixed use building located on Sullivan Street between Bleecker and Houston Streets with 24 table seats and 1 bar with 12 bar seats and a maximum legal capacity of 40 persons; **to add 4 tables with 8 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 4:00 p.m. – 12:00 a.m. Monday – Thursday, 4:00 p.m. – 1:00 a.m. Friday, 12:00 p.m. – 1:00 a.m. Saturday and Sunday; music is background only; and,

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

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **Bonarue Bleu Industries, Inc. d/b/a Florencia 13, 183 Sullivan St.**

Vote: Unanimous, with 36 Board members in favor.

7. Diablo Royale, 189 W. 10th St., NYC

Whereas, this application is for a renewal to an On Premise liquor license; and,

Whereas, a member of the community appeared to express her concerns with the noise emanating from the establishment; and,

Whereas, the operator has reached out to members to the community to resolve the noise issues; and,

Whereas, the operator strongly request that the applicant closes the bar area doors at all times; and,

Whereas, the operator has agreed to continue with his community outreach efforts; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly objects to the renewal of the On Premise license of **Diablo Royale 189 W. 10th St., NYC** unless the operator agrees to close the bar areas doors at all times.

Vote: Unanimous, with 36 Board members in favor.

September SLA Resolutions

1. Prince Sullivan, LLC 131 Sullivan St. (at Prince), 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 Sullivan and Prince Streets for a 3,500 s.f. restaurant with 140 table seats, 1 bar with 12 seats, and a maximum legal capacity of 153 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are 7:00 a.m. – 2:00 a.m. seven days a week; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to keep background music at a moderate level; and,

Whereas, the applicant has agreed to maintain their refuse daily; and maintain any idle vehicles (for patrons) in front of the establishment; and,

Whereas, the applicant has agreed to make himself available at all times in the event issues arise; and,

Whereas, several residents in the building appeared to express their concerns with the previous operation; including noise and refuse issues; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Prince Sullivan, LLC 131 Sullivan 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 36 Board members in favor.

2. Patrick Doyle or Corp. to be formed, 40-42 W. 8th St. (at MacDougal), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a commercial building at the corner of MacDougal and West 8th Street for a 4,000 s.f. bar/nightclub with no table seats, 2 bars with no seats, and a maximum legal capacity of 210 persons; and,

Whereas, the applicant stated the hours of operation for the bar/nightclub are 4:00 p.m. – 4:00 a.m. seven days a week; there will be no sidewalk café application and no backyard garden; music is live, juke box and D.J.; and,

Whereas, the applicant has successfully operated a similar establishment in midtown Manhattan; and,

Whereas, the applicant has met with members of the community to resolve some of the issues stemming from the previous establishment; and,

Whereas, the applicant has agreed to the following set of conditions with members of the community:

- 1) The applicant has agreed to use the West 8th Street side entrance only; and,

- 2) The applicant has agreed to remove the rear speakers abutting the neighboring building; and,
- 3) The applicant has agreed to maintain the garbage including bottle/recycle pick-ups; and,
- 4) The applicant has agreed to prohibit the use of third party promoters; and,
- 5) The applicant has agreed to hire licensed security on the premises; and,
- 6) The applicant has agreed to direct the flow of pedestrian traffic to 6th Avenue; and,
- 7) The applicant has agreed to provide his contact information as requested by members of the community; and,
- 8) The applicant has agreed to community outreach including but not limited to quarterly meetings during the 1st year of operation; and,

Whereas, several members of the community appeared in support of the applicant barring the aforementioned stipulations; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Patrick Doyle or Corp. to be formed, 40-42 W. 8th St.** unless those conditions agreed to by applicant as outlined in the sixth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

3. Recette LLC, 328 W. 12th St. (at Greenwich), 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 West 12th and Greenwich Streets for a 1,000 s.f. restaurant with 42 table seats, 1 bar with 8 seats, and a maximum legal capacity of 50 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are 12:00 p.m. – 3:00 p.m. and 5:30 p.m. – 12:00 a.m. Sunday – Thursday and 12:00 p.m. – 3:00 p.m. and 5:30 p.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 has agreed to keep the background music at a moderate level; and,

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

Whereas, a member of the community appeared to express her concerns with a new establish replacing the previous, well respected operation; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Recette LLC, 328 W. 12th St.** unless those conditions agreed to by applicant relating to fourth and fifth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

4. Rubirosa Pizza & Ristorante, LLC d/b/a Rubirosa, 235 Mulberry St. (Prince and Spring), 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 Mulberry between Prince and Spring Streets for a 2,500 s.f. Italian restaurant with 50 table seats, 1 bar with 15 seats, and a maximum legal capacity of 87 persons; and,

Whereas, the applicant stated the hours of operation are 11:30 a.m. – 1:30 a.m. Sunday – Thursday and 11:30 a.m. – 3:00 a.m. Friday and Saturday; there will not be a sidewalk café application but will include a backyard garden for ambience only; music is background only; and,

Whereas, the applicant has agreed to prohibit access to the backyard garden at all times; 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 close the windows by 8:00 p.m. daily; 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, no one appeared in opposition from the community; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Rubirosa Pizza & Ristorante, LLC d/b/a Rubirosa, 235 Mulberry St.** unless those conditions agreed to by applicant relating to fourth, fifth, sixth and seventh “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

5. RRFB LLC d/b/a Rock Bar, 185 Christopher St. (Washington and West) 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 Christopher between Washington and West Streets for a 3,500 s.f. (including basement) bar and restaurant with 12 table seats, 1 bar with 5 seats, and a maximum legal capacity of 72 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 4:00 a.m. Monday – Friday and 1:00 p.m. – 4:00 a.m. Saturday and 1:00 p.m. – 2:00 a.m. Sunday; 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 IT RESOLVED that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **RRFB LLC d/b/a Rock Bar, 185 Christopher St.**, and,

BE IT FURTHER RESOLVED that CB#2, Man. recommends the SLA to verify that this establishment located at 185 Christopher 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).

Vote: Unanimous, with 36 Board members in favor.

6. Courtyard Management Corporation & 181 Varick St., LLC d/b/a New York Manhattan/SoHo Courtyard by Marriott, 181 Varick St. (King and Charlton), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a Hotel (52,000 s.f. premise) and 1st Floor lobby bar/restaurant on Varick between King and Charlton Street with 42 table seats, 1 bar with 5 bar seats; and a maximum capacity of 245 persons in the entire Hotel establishment; and,

Whereas, the applicant stated the hours of operation for the lobby bar/restaurant are 4:00 p.m. – 11:00 p.m. daily; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to manage the Food and Beverage services under Courtyard by Marriott management; and,

Whereas, the applicant has agreed to not seek a outdoor patio/mezzanine with this application; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Courtyard Management Corporation & 181 Varick St., LLC d/b/a New York Manhattan/SoHo Courtyard by Marriott, 181 Varick St** unless those conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

7. Panini Resources, LLC, 637 Hudson St., (at Horatio), 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 Hudson between Horatio and Hudson streets for a 2,000 s.f. restaurant with 67 table seats, 1 bar with 7 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 9:00 a.m. – 2:00 a.m. seven days a week; there will be a sidewalk café application (but WILL NOT be included in this application) and no backyard garden; music is background only; and,

Whereas, the applicant has agreed to revise the floor plans to reflect the new changes to the existing layout; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Panini Resources, LLC, 637 Hudson St.** unless the condition agreed to by applicant relating to the fourth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

8. L Plus L Productions LLC, LLC d/b/a Ostia, 113 7th Avenue So. (West 4th and Christopher), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on 7th Avenue South between West 4th and Christopher Street for a 1,200 s.f. restaurant with 60 table seats, 1 bar with 10 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are 8:00 a.m. – 2:00 a.m. seven days a week; there will be a sidewalk café application (but WILL NOT be included in this application) and no backyard garden; music is background only; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval to the proposed On Premise license for **L Plus L Productions LLC, LLC d/b/a Ostia, 113 7th Avenue So.**

Vote: Unanimous, with 36 Board members in favor.

9. Brown Stew, LLC, d/b/a Miss Lily's, 132 W. Houston St. (Sullivan and MacDougal), 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 Houston between Sullivan and MacDougal for a 1,500 s.f. restaurant with 55 table seats, 1 bar with 12 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are 8:00 a.m. – 2:00 a.m. seven days a week; there will be a sidewalk café application (3 tables with 12 table seats within property line) and no backyard garden; music will be background only; and,

Whereas, the applicant has close all French doors by 11:00 p.m. daily; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Brown Stew, LLC, d/b/a Miss Lily's, 132 W. Houston St.** unless the condition agreed to by applicant relating to fourth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license, and,

BE IT FURTHER RESOLVED that CB#2, Man. recommends the SLA to verify that this establishment located at 132 W. Houston 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 or worship).

Vote: Unanimous, with 36 Board members in favor.

10. Summit of the World, Inc. d/b/a Bone Lick Park, 75 Greenwich Ave. (7th Avenue and Bank), 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 Greenwich Avenue between 7th Avenue South and Bank Street for a 1,800 s.f. BBQ restaurant with 83 table seats, 1 bar with 8 seats, and a maximum legal capacity of 83 persons; and,

Whereas, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the hours of operation are 11:00 a.m. – 11:00 p.m. seven days a week; there is a sidewalk café but no backyard garden; music is background only; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **Summit of the World, Inc. d/b/a Bone Lick Park, 75 Greenwich Ave.**

Vote: Unanimous, with 36 Board members in favor.

11. Mika Food, LLC d/b/a Bala Boosda, 214 Mulberry St. (Prince and Spring), 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 Street between Prince and Spring Streets for a 800 s.f. restaurant d/b/a Bala Boosda with 30 table seats, 1 bar with 4 seats, and a maximum legal capacity of 34 persons; and,

Whereas, the applicant stated the hours of operation are 11:00 a.m. – 12:00 a.m. seven days a week; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, several members of the community appeared in strong opposition of this application; citing quality life concerns in a residential area; overcrowding issues in the neighborhood and the proliferation of bars and restaurants within a 500-foot radius; and,

Whereas, the committee recognizes the proliferation of bar and restaurant establishments in this residential area and expressed concerns with adding a new licensed establishment to the neighborhood; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Mika Food, LLC d/b/a Bala Boosda, 214 Mulberry St.**

Vote: Passed, with 35 Board members in favor, and 1 in opposition (R. Sanz).

12. Village Restaurant Group, LLC, 447 Hudson St. (at Morton), 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 Hudson and Morton Streets for a 850 s.f. restaurant with 57 table seats, 1 bar with 8 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 8:00 a.m. – 2:00 a.m. seven days a week; there will be a sidewalk café application and will include a backyard garden with 10 tables with 20 seats; 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 operate as a full service restaurant only; and

Whereas, the applicant has agreed to the following set of stipulations for the backyard garden

1. The applicant has agreed to no music of any kind in the backyard garden
2. The applicant has agreed to operate the backyard garden for dining purposed only
3. The applicant has agreed to implement sound/noise mitigation techniques for the backyard garden, including but not limited to planters, etc.
4. The applicant has agreed to cease operations in the backyard garden by 10:00 p.m. daily

Whereas, the applicant has submitted a petition with 80 signatures in support of the proposed establishment; and,

Whereas, several members of the community appeared in opposition; citing concerns with potential noise issues in the backyard garden within a residential block; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Village Restaurant Group, LLC, 447 Hudson St.** unless all conditions agreed to by applicant relating to the fourth, fifth and sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous with 36 Board members in favor.

13. Turks & Frogs, LLC, d/b/a Orient Express, 325 W. 11th St. (Greenwich and Washington), 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 11th Street between Greenwich and Washington Streets for a 650 s.f. restaurant/bar with 21 table seats, 1 bar with 7 seats, and a maximum legal capacity of 45 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are 11:00 a.m. – 1:00 a.m. Sunday – Tuesday and 11:00 a.m. – 2:00 a.m. Wednesday and Thursday and 11:00 a.m. – 4:00 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 has agreed to install proper sound proofing on the premises; and,

Whereas, the applicant has agreed to keep the doors and windows closed during operating hours; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Turks & Frogs, LLC, d/b/a Orient Express, 325 W. 11th St.** unless those conditions agreed to by applicant relating to fourth and fifth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with Board 36 members in favor.

14. Mulberry Street Bar, LLC, 176 ½ Mulberry St. (Grand and Broome), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for a bar located in 9,500 s.f. premise in a mixed use building located on Mulberry Street between Grand and Broome Streets with 29 table seats and 1 bar with 5 bar seats and a maximum legal capacity of 60 persons; **to add 2 tables with 8 table 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 bar hours are 11:00 a.m. – 2:00 a.m. seven days a week; music is juke box only; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **Mulberry Street Bar, LLC, 176 ½ Mulberry St.**

Vote: Unanimous, with 36 Board members in favor.

15. Ninetyone NY, Inc. d/b/a Il Cantuccio, 91 Christopher Street, NYC 10014

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,

Whereas, the applicant has made no attempts to notify this committee or members of the community of layovers or postponements; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Ninetyone NY, Inc. d/b/a Il Cantuccio, 91 Christopher Street, NYC 10014** **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 36 Board members in favor.

16. Cherche Midi, Inc. d/b/a Lucky Strike, 59 Grand St., NYC 10013

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,

Whereas, the applicant has made no attempts to notify this committee or members of the community of layovers or postponements; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Cherche Midi, Inc. d/b/a Lucky Strike, 59 Grand St., NYC 10013** **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 36 Board members in favor.

STREET ACTIVITY & FILM PERMITS

1. 10/3 - NYU Wagner School Alumni Day, Jersey St. bet. Lafayette & Mulberry Sts.

Setup: 8am

Breakdown: 3pm

Whereas, the applicant was represented by Michaella Holden of NYU Wagner; and

Whereas, the event will feature a Bar-B-Que lunch with the Dean of NYU Wagner and will promote public services activities in our community; and

Whereas, the Committee felt that Jersey Street was a low impact street to close for this type of event; and

Whereas, the event was held last year without any complaints; now

Therefore Be It Resolved that CB#2, Man. recommends approval for the Street Permit for NYU Wagner School.

Vote: Passed, with 35 Board members in favor, and 1 recusal (A.K. Fried).

2. 10/17 - Street Fair Activity Permit Application for The Jane / Horatio Neighbors Association (c/o Tavern on Jane) Annual Street Fair, Jane St. b/w 8th Ave. and Hudson St.

Setup: 11am

Breakdown: 5:30pm

Whereas, this is the 15th year of the Jane/Horatio Neighbors Street Fair and there have been no past complaints from the community regarding this event; and

Whereas, the purpose of this annual street fair is to provide a celebration for the children and parents of the community; and

Whereas, the street fair will include face painting, pony rides, story telling and entertainment featuring clowns; and

Whereas, no money is raised or solicited, and nothing is charged for the food or events at the street fair; and

Whereas, the applicant has agreed to clean up promptly after the fair, including any deposits that may be left by the pony; and

Whereas, the applicant has agreed to ending the street fair on time, to promptly cleaning up all other garbage and debris and to controlling noise levels; and

Whereas, the applicant intends to serve free beer, which they have safely done for the past 15 events, but has agreed to apply for an SLA permit to serve beer off premises in accordance with new SLA guidelines, and will only serve the beer if the permit is approved by the SLA; now

Therefore Be it Resolved that CB#2, Man. supports the Street Permit request for The Jane/Horatio Neighbors Association Annual Street Fair, and

Be it further resolved, that CB#2, Man. requires the applicant to apply for an SLA permit to serve beer off premises in accordance with new SLA guidelines, and that the applicant will only serve beer if the permit is approved by the SLA.

Vote: Passed, with 35 Board members in favor, and 1 recusal (A.K. Fried).

3. 9/20 - Street Activity Permit Request for the IL Buco Annual Pig Roast, Bond Street b/w Lafayette and Bowery

Setup: 12am

Breakdown: 8pm

Whereas, the applicant was represented at the Committee by the manager of IL Buco; and

Whereas, the applicant seeks to close only part of the street approximating two parking spots to roast a pig to be carved and served to the local community and IL Buco patrons; and

Whereas, the applicant is a commercial restaurant and has held its annual pig roast since 2004 without any complaints from the community; and

Whereas, the Committee and CB#2, Man. have repeatedly denied this application in past years because of its strictly commercial person; and

Whereas, the applicant has agreed this year to provide 25% of all proceeds raised from the pig roast to City Harvest and will verify such donation with the Committee; and

Whereas, the applicant has agreed to provide free plates of food to community members but will also charge \$20 a plate for those who can afford to purchase the food; and

Whereas, the applicant provided documentation showing that the IL Buco has provided more than \$10,000 in donations in the past year to charities and non-profits located within CB#2 Man.; and

Whereas, the Committee believes it is important to support local businesses who give back to the community during these trying economic times; now

Therefore Be it Resolved, that CB#2, Man. supports the Street Permit request for the IL Buco Annual Pig Roast.

Vote: Passed, with 35 Board members in favor, and 1 recusal (A.K. Fried).

4. 10/11 – Two Bridges Neighborhood Council Proclamation Day, Grand St. b/w Mulberry St. and Mott St.

Setup: 8am

Breakdown: 3pm

Whereas, the applicant was represented at the committee meeting by Wilson Soo of the Two Bridges Council; and

Whereas, the Two Bridges Council is an organization dedicated to promoting cross cultural community ties in Little Italy and Chinatown; and

Whereas, the purpose of the event is to celebrate the proclamation of the Chinatown/Little Italy Historic District and no food or beverages will be served nor will any vendors be present; and

Whereas, the proclamation will include many local and state elected officials and community leaders; and

Whereas, the event will bring together residents of both Chinatown and Little Italy to mark and celebrate their respective immigrant cultures; and

Whereas, this committee does recognize the heavy use of Mulberry Street as creating a community burden,

Therefore Be it Resolved, that CB#2, Man. supports the Street Permit request for the Two Bridges Council to mark and celebrate the proclamation of the Chinatown/Little Italy Historic District.

Vote: Passed, with 35 Board members in favor, and 1 recusal (A.K. Fried).

5. 10/31 - Green Halloween Community Health Festival, Mulberry Street b/w Spring and Kenmare Street

Setup: 10am

Breakdown: 4pm

Whereas, the applicant was represented at the Committee meeting by Jim Glaser; and

Whereas, the event is sponsored by Action Arts League, a local 501(c)(3) non-profit that promotes creative artistic expression and healthy living in our community; and

Whereas, Green Halloween's purpose is to promote a healthier and more earth friendly Halloween where children can learn about, and are provided with, nutritious foods instead of the typical high sugar candy handed out at Halloween; and

Whereas, Green Halloween is a free neighborhood festival that will feature interactive activities, performances, eco-friendly art and a healthy neighborhood trick or treat trail; and

Whereas, Green Halloween also plans to use DeSalvio playground and the Open House Gallery on both sides of the street closure; and

Whereas, Green Halloween has agreed that in future years it will not hold its event on Halloween day but on the weekend before or after Halloween so as to not interfere or overlap with the Halloween Day Parade; and

Whereas, Green Halloween has agreed to end their event 3 hours earlier at 4pm to avoid any overlap with the Halloween Day Parade; and

Whereas, this group has also requested a permit from the Parks Department for an event at Desalvio Playground from Noon to 5 PM; and

Whereas, this event will be a Children/Family oriented Arts Fair with performances, community participation, arts and crafts, and healthy/green education; and

Whereas, this will be a free event open to the public and there will be no commercial component to this event and no items will be sold; and

Whereas, the sponsors have agreed to meet on-site with the Parks Department and CB-2 representatives prior to approval of the permit by the Parks Department; and

Whereas, the sponsors are requesting a permit for amplified sound; and

Whereas, the sponsors propose to begin set-up at 8 AM and complete clean-up at 7 PM;

Therefore be it resolved, that CB#2, Man. supports the Street Permit request for Green Halloween; and

Be it further resolved, that CB#2, Man. does not object to this event at Desalvio Playground subject to agreements made at an on-site meeting, but CB#2, Man. asks that the impact be lessened by reducing the time for set-up and clean-up and possibly the event itself so the playground can still be used for part of the day, and also limiting the time of amplified sound to no more than a total of 2 hours.

Vote: Passed, with 35 Board members in favor, and 1 recusal (A.K. Fried).

TRAFFIC AND TRANSPORTATION

1. Resolution in support of installing a traffic light at the intersection of W. 4th and Horatio Sts.

Whereas drivers traveling eastbound on Horatio St. regularly run the stop sign at W. 4th St., both in response to and in anticipation of the traffic light turning green at 8th Avenue and Horatio St. about 100 feet ahead of the stop sign, seriously endangering the many pedestrians who cross the street at W. 4th; and

Whereas DOT recently placed louvers on the traffic light at the 8th Ave./Horatio St. intersection, obscuring the light's designation to approaching drivers during the day who now respond by stopping increasingly at the stop sign then, however the louvers do not work in the night, and the green light is still discernable, resulting in the same hazardous driving conditions during nighttime as before; and

Whereas the installation of a traffic light at the intersection of W. 4th and Horatio Sts. would signal strongly that drivers have to stop and would more effectively hinder their surging ahead, a solution that has been applied successfully for eastbound traffic on Morton St. at Bedford. St. and 7th Ave., which have a similar roadway configuration; and

Whereas a petition from the community (attached) was submitted requesting that a traffic light be installed at the intersection of W. 4th and Horatio Sts. to promote pedestrian safety there that was signed by over 85 people;

Therefore Be It Resolved that Community Board No. 2 Manhattan supports the installation of a traffic light at the intersection of W. 4th and Horatio Sts.

Vote: Unanimous, with 36 Board members in favor.

2. Resolution Opposing the Removal of Station Agents from Subway Stations (New Emergency Resolution Approved by Traffic and Transportation Committee by E-Mail)

Whereas station agents are the direct line of contact between customers and NYC Transit; and

Whereas persons with disabilities and oversized packages, strollers and/or walkers need to be buzzed in at many stations; and

Whereas NYC Transit intends to phase out many of these station agents, leaving passengers with special needs few options to enter stations; and

Whereas safety, security, and rising ridership may be compromised by the elimination of these agents, incurring increasing incidents of crime and fare evasion; and

Whereas many stations in CB#2, Man. such as Canal St. (Varick St., 6th Ave., and Broadway), Spring St. (SoHo), Prince St., Bleecker St., Broadway-Lafayette St., Houston St., W. 4th St., Christopher St., 8th St., Astor Pl., and 14th St. (8th Ave., 7th Ave. S, and Broadway/Park Ave. S.), will be impacted by these changes;

Therefore be it resolved that CB#2, Man. strongly opposes the removal of station agents as anti-customer and anti-passenger safety, jeopardizing the movement of persons with disabilities, and others, and strongly urges the MTA to abandon this penny-wise but pound-foolish action.

Vote: Unanimous with 36 Board members in favor.

ZONING AND HOUSING

1. 27-29 Great Jones St. (Block: 530, Lot: 20) BSA No. 193-97-BZ, Board of Standards and Appeals Special Permit application pursuant to Section 73-36 of the Zoning Resolution, on behalf of Great Jones Spa for the renewal of a Special Permit which had been granted by the Board in 1998 to allow a Physical Culture Establishment located in the sub-cellar, cellar, first floor and first floor mezzanine of an existing building, located in a M1-5B District, for a term not to exceed 10 years.

WHEREAS; There were community concerns that this establishment might expand into the adjoining hotel that is currently under construction, and

WHEREAS; The Applicant stated that, though there have been discussions with the hotel operators, there is currently no agreement and, if an agreement was reached, a new application would have to come before the Community Board for review and the Applicant further stated that they have never had a liquor license and they have no intention of obtaining one, and

WHEREAS, The proposed usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

THEREFORE BE IT RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, and

BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit Application, pursuant to ZR §73-36 on behalf of Great Jones Spa for the renewal of a Special Permit which had been granted by the Board in 1998 to allow a Physical Culture Establishment located in the sub-cellar, cellar, first floor and first floor mezzanine of an existing building, located in a M1-5B District, for a term not to exceed 10 years.

Vote: Unanimous, with 36 Board members in favor.

2. 550-556 Broadway (Block: 497, Lots: 11 & 12) CPC# C 090362 ZSM, City Planning Application pursuant to Section 74-922 of the Zoning Resolution for a special permit to allow the consolidation of two separate retail stores on the first and second floors, Use Groups 6 and 10A, into a single store of approximately 18,113 sq. ft. in an M1-B zoning district.

WHEREAS; The area was posted and there was no opposition to this application, and

WHEREAS; This special permit could not be used to allow an eating and drinking establishment of any size, and

WHEREAS, The proposed usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

THEREFORE BE IT RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit,

BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a City Planning Application pursuant to Section 74-922 of the Zoning Resolution for a special permit to allow the consolidation of two separate retail stores on the first and second floors, Use Groups 6 and 10A, into a single store of approximately 18,113 sq. ft. in an M1-B zoning district.

Vote: Unanimous, with 36 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Susan Kent, Secretary
Community Board #2, Manhattan