

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



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

FULL BOARD MINUTES

DATE: February 17, 2011
TIME: 6:00 P.M.
PLACE: SEIU Local 32BJ, 101 Avenue of Americas, Auditorium

BOARD MEMBERS PRESENT: Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Anita Brandt, Sigrid Burton, Heather Campbell, Lisa Cannistracci, Denise Collins, Terri Cude, Maria Passanante Derr, Doris Diether, Ian Dutton, Elizabeth Gilmore, Alison Greenberg, Jo Hamilton, Chair, Community Board #2, Manhattan (CB#2, Man.), Anne Hearn, Mary Johnson, Susan Kent, Arthur Kriemelman, Evan Lederman, Raymond Lee, Edward Ma, Jason Mansfield, Jane McCarthy, Alexander Meadows, Florent Morellet, Lois Rakoff, David Reck, Robert Riccobono, Erin Roeder, Robin Rothstein, Rocio Sanz, Wendy Schlazer, Maury Schott, Arthur Z. Schwartz, Shirley Secunda, Chenault Spence, Richard Stewart, Antony Wong, Elaine Young

BOARD MEMBERS EXCUSED: Robert Ely, Sheelah Feinberg, Sasha Greene, David Gruber, Brad Hoylman, Judy Paul, James Solomon, Sean Sweeney, Carol Yankay

BOARD MEMBERS ABSENT: None

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

GUESTS: Katie Smith, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Senator Daniel Squadron; Mary Cooley, Senator 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; Jasmin Torres, Council Member Rosie Mendez's office; Jake Itzkowitz, Council Member Margaret Chin's office; Sam Chung, Emily Marullo, Ralph Tramontana, Carmella Dellaporte, Connie DeCarluccio, Carmine Quilino, David Meung, Ricardo Morgan, Heather Brown, Sal Aquilato, Debra Tozzi, John Flood, Emily DePalo, Joseph Fratta, Bill Russo, Joseph A. Morrone, M. Moorhead, Peter Gleason, Les Schechte, Bob Maida, Zelsa Wirtschafter, Carole Wendt, Stephanie Benoro, Don Weston, Jayne Wexler, Connie Lee, Marc Ameruso, Tina L. Goody, Martin Singletary, Luna Lin, Kim Martin, Derek Sanders, Ellen Frankman, Alex Rodriguez, Annamarie Maniscalco, Jeanie Sams, Barbara Taube, Jean B. Grillo, Luis Fontana, Dena Bellaro, Joseph Dimino, Perry Criscitelli, Michael Generoso, Vincent Generoso, Frederica Sigel, Frank Costallna, Buck Moorhead, Elizabeth Adam, K. Walters, Alex Arbuckle, Vivian Catenaccio, Daniel Fratta, Ernest Magliato David Carll, Anna Iakoubtchik, Chick Pallotta, Toni Spinelli, Jimmy Kehoe, Donna Padula, Lindsay Wengler, Fred Moskowitz, Heejoo Lee, Carmela Livoli, A.J. Martucci, Ernest Rossia, Ursula Pipoli, Robert Marshall, Sal Malcals, Annette Piccolo, Joseph Granata, Emery Ungrady, Lara Idej, Casey Dedushi, Jeanine Fiandaca, Andrea Nicolay, John DeLutro, Lawrence J. Capici, Ramona Santaerlli, Elena Fratta, Robert Alleva, Erin Lavelle, Michael Chiara, Gary Parker, Dayna Sherman, Prescott Trudeau, Kim Martin, Georgette Fleischer, Sam Hurwitt, Charles Piazza

MEETING SUMMARY

Meeting Date –February 17, 2011
Board Members Present – 41
Board Members Excused–9
Board Members Absent 0

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	2
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
EXECUTIVE SESSION	4
STANDING COMMITTEE REPORTS	4
ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH	4
LANDMARKS AND PUBLIC AESTHETICS	5
LAND USE & BUSINESS DEVELOPMENT	9
SIDEWALKS, PUBLIC FACILITIES AND ACCESS	10
SLA LICENSING	18
SOCIAL SERVICES, & EDUCATION	35
STREET ACTIVITY & FILM PERMITS	36
TRAFFIC AND TRANSPORTATION	41
WATERFRONT	44
NEW BUSINESS	44

II. PUBLIC SESSION

Non-Agenda Items

Figli di San Gennaro Street Festival, Canal & Houston Sts. & Hester & Grand bet. Mott & Centre Sts.
Jean B. Grillo, Vivian Catenaccio, William Russo, Robert Marshall, John Fratta, Ernest Magliato, Lara Idej, Charles Piazza spoke in favor of keeping the original length of the feast.

In a show of hands, 75 people raised their hand in support of the San Gennaro festival.

Michael Chiara, Sam Hurwitt spoke against the annual feast.

Columbia University Project

Erin Lavalle spoke regarding an upcoming project by the university.

Departure

Gary Parker announced his move from NYU's Government and Community Affairs to their Department of Social Work.

The HighLine

Danya Sherman made several announcements regarding the Friends of the High Line.

Museum of the Arts

Prescott Trudeau announced the new location of the museum.

Environment, Public Safety & Public Health Items

Approve CB2’s status as “Intervener” with Fed. Energy Reg. Comm. RE: Pipeline Project by Spectra Buck Moorhead spike in favor of the intervention and against the proposed pipeline project.

Land Use and Business Development Items

59-61 Thompson St. CPC Special Permit app. to modify use regulations of to allow Use Group 6 Retail uses on portions of the ground floor and cellar of six-story building, on property in an M1-5B District. Zelda Wirtschafter spoke against the proposed special permit application.

Don Weston, the applicant, spoke in favor of the proposed special permit application.

Sidewalks, Public Facilities & Access Items

114 Kenmare Associates, LLC, d/b/a La Esquina, 114 Kenmare St (with 8 tables & 26 seats, (addition) Michael Chiara, KimSam Hurwitt, and Georgette Fleischer spoke against the addition to the existing sidewalk café. Kim Martin also spoke in opposition to the addition and the longer hours.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Katie Smith, Congressman Jerrold Nadler’s office

Crystal Gold-Pond, Senator Tom Duane’s office

Senator Daniel Squadron

Mary Cooley, Senator Daniel Squadron’s office;

John Ricker, NYC Comptroller’s office;

Sandy Myers, Man. Borough President Scott Stringer’s officee

Lisa Parson, Assembly Member Deborah Glick's office

Noah Isaacs, of Council Speaker Christine Quinn's office

Jake Itzkowitz, Council Member Margaret Chin’s office;

Jasmin Torres, Council Member Rosie Mendez’s office,

V. ADOPTION OF MINUTES

Adoption of December 2010 minutes and distribution of January 2011 minutes.

VI. EXECUTIVE SESSION

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

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

STANDING COMMITTEE REPORTS

ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH

1. Resolution approving Community Board 2's status as an "Intervener" with the Federal Energy Regulatory Commission with regard to the NY/NJ Pipeline Project proposed by Spectra (FERC Docket # CP11-56).

Whereas, CB#2, Man. has filed a "Motion to Intervene" with FERC in order that the board can reserve the ability to intervene if necessary during the application process, and

Whereas, in December 2010, this board passed a strong resolution stating our concerns with this proposed pipeline and itemized our requests for information to be included in the dEIS, and

Whereas, the "Basis for Intervening" language that was filed with FERC is as follows: "Manhattan Community Board 2 represents one of fifty-nine community board districts throughout the City of New York (twelve of which are in Manhattan); the boundaries of our district are 14th Street to Canal Street, 4th Ave/Bowery to the Hudson River. We are a body of fifty members – the Borough President of Manhattan appoints half our members, and three City Council Members who represent our district nominate the other half. This Board represents a wide range of interested parties including residents, business owners, students, and has an important advisory role in matters of land use, municipal service delivery, traffic and transportation, use of waterfront, park, and public spaces, among many others. As such, we assert that we have a direct and substantial interest in this matter because as it is currently proposed, this pipeline emerges from the riverbed in our district, travels through our district, and connects to the City gas pipeline grid in our district. Moreover, at a minimum, this project will create significant impacts on public safety, create noise, produce air quality problems, impede traffic flow on one of the busiest streets in the City, and affect fish and wildlife that live in and around the Hudson River. We maintain that we have a right to intervene, and that our intervention is in the public interest and necessary and appropriate to the administration of the National Gas Act. We respectfully request the Commission grant this motion to intervene with all rights appropriate to that status. Furthermore, we request that there be public hearings on this matter within our district and that we have ample time and opportunity to participate meaningfully in this matter as it progresses, and

Whereas, there are hundreds of people, corporations, and organizations that have filed a "Motion to Intervene" on this application, including Speaker Christine Quinn and Borough President Scott Stringer.

Therefore Be It Resolved, CB#2, Man. approves this "Motion to Intervene" as filed with FERC on January 26, 2011.

Vote: Unanimous, with 41 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1 - LPC Item 4: 8 Jane Street (Greenwich Ave/West 4th) – Greenwich Village Historic District. A Greek Revival style rowhouse built in 1843. Application is to excavate the cellar and construct a rooftop addition. Zoned R6/C1-6

Whereas, several neighbors attended our meeting to express concern that the excavation could compromise their building's foundation, as well as to comment that the roof top addition was quite visible from Greenwich Avenue; and

Whereas, the applicant's representative assured us that a top-rated engineering firm would carefully supervise the work, monitor its progress daily, and assist the neighbors in recording the conditions; and

Whereas, the materials proposed are appropriate; but

Whereas, we feel that the rooftop addition is more than minimally visible from Greenwich Avenue, and that sightline would do irreparable harm to the row of these three tranquil townhouses, which, as one resident noted, have survived intact the Civil War, Tammany Hall, two World Wars, Robert Moses and 9/11 only to be facing this assault from the applicant; and

Whereas, the applicant countered that the penthouse is visible because of its placement on the roof, which is dictated by the footprint of the interior staircase leading to the penthouse. However, one solution might be simply to re-arrange the stairway since the applicant is doing extensive work to the roof area anyway; and

Whereas, we appreciate the restoration of the rear façade and commend the applicant for not applying to destroy the historic material that we so commonly witness; but

Whereas, no actual elevation drawings were presented. So, we recommend that the new materials and style for the section exposed when removing the existing rear-yard addition replicate the existing original facade; and

Whereas, we do not oppose the basement excavation, particularly given the applicant's assurance that he will take due care, use reputable experts, and work with the neighbor; now

Therefore, be it resolved that CB#2, Man. recommends approval of the basement excavation and the work on the rear elevation, with our concerns listed above duly noted; but

Further, be it resolved that CB#2, Man. recommends that the roof top addition not be visible, and that the applicant work with the Commission to find a solution.

Vote: Unanimous, with 41 Board members in favor

2 - LPC Item 5: 57 Bank Street (West 4th/Bleecker)– Greenwich Village Historic District. A Greek Revival style rowhouse built in 1842. Application is to legalize the replacement of ironwork at the areaway and stoop without Landmarks Preservation Commission permits.

Whereas, the existing fence is out of context with the historical style of the building, specifically:

- the newel posts historically would be inserted into the steps, not suspended as they are now
- the tops of the newel posts also lack the traditional ornamentation, such as a pineapple, acorn or urn
- the medallions in the center of the fence posts are too small to be historically accurate; they should be larger
- a Greek-key pattern would be more appropriate for the pattern at the bottom of the fence; and

Whereas, a Village resident submitted that the original fence that was removed by this applicant was in “excellent” condition, and has provided a photo of the original fence to that effect. Incidentally, the extant fence at 55 Bank is identical to the original fence at 57 Bank that had been removed by the applicant, and can be used as a template for a replacement fence for 57; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application; and

Further, be it resolved that CB#2, Man. recommends that the existing fence be replaced with one identical to the fence original to the building at 55 Bank Street.

Vote: Unanimous, with 41 Board members in favor.

3 - LPC Item 6: 388 6th Avenue (Waverly/8th St)– Greenwich Village Historic District. A Modern style bank building built in 1941 and altered in 1955 and 1969. Application is to install illuminated signage

Whereas, the proposed work will not detract from the building or the district; now

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

Vote: Unanimous, with 41 Board members in favor.

4 - LPC Item 7: 442 6th Avenue, aka 71 West 10th Street – Greenwich Village Historic District. A house built in 1834-35. Application is to alter the ground floor and install rooftop mechanical equipment, storefront infill and signage.

Whereas, the proposed signage storefront design is acceptable in general, reflecting other store fronts in this part of the Village; however, we feel there should be more door frame and less glass; but

Whereas, the proposal to continue the fenestration around the side of this old building and to perforate the traditional masonry would not only destroy a considerable amount of original fabric but also would change the “side street” character of the southern elevation; and

Whereas, the mitigation proposed by the applicant was not persuasive, such as:

- the presence of other retail establishment down along West 10th Street, the relevance of which we cannot comprehend at all;
- photos of other wrap-around storefronts that had removed the original material. We believe that these examples are relatively recent renovations, done early to mid-20th century, and do not reflect the historical accuracy we expect to see in a house built in 1834; now

Therefore, be it resolved that CB#2, Man. recommends approval of the storefront, but with a bit less glass and more frame; and

Further, be it resolved that CB#2, Man. recommends denial of the proposed demolition and other work on the side of the building.

Vote: Unanimous, with 41 Board members in favor.

5 - LPC Item 8: 155 Wooster Street (Houston) – SoHo-Cast Iron Historic District. A Classical Revival style store and loft building designed by George F. Pelham and built in 1897-1898. Application is to establish a Master Plan governing the future installation of painted wall signs. Zoned M1-5A

Whereas, let it be noted that we believe that all but one of the examples of signage presented by the applicant were either painted without the proper LPC permits (MP-200.3, MP-200.4, MP-200.7, MP-300), grandfathered (MP-200.5), or are not within the historic district (MP-200.2). So, it is best to discount these; and

Whereas, although most of the proposals in the Master Plan are sensible, we object to the request for a 60 ft./20 ft. surface area for text-rich and image-rich signage.

The signage that we think works best aesthetically, e.g., MP-100.1, MP-100.2; MP-200.6 (even including some of the signage put up without permits) have coverage in the range of 11 ft. to 34%, not 60%. In fact, the sample that offered 59% image coverage (for the movie *Invictus*, MP-200.1) is very garish and overpowering, and does a disservice to the building and the district; now

Therefore, be it resolved that CB#2, Man. recommends approval of this Master Plan, but strongly calls for a ratio of 33%/10% for both image-rich and text-rich signage, instead of the proposed 60%/20% ratio.

Vote: Unanimous, with 41 Board members in favor.

2ND FEBRUARY 2011

1 - LPC Item:7 - 167 Spring Street (n.e. W.Bdwy) – SoHo-Cast Iron Historic District Extension
A Romanesque Revival style warehouse building, designed by Franklin Baylies, built in 1889. Application is to replace windows.

Whereas, this corner building has a hodge-podge of window styles installed prior to the recent designation and so this is a unique situation; now

Whereas, the window design presented by the applicant matches the majority of the windows in the building and thus presents a more unified look; now

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

Further, be it resolved that CB#2, Man. recommends that the Commission consider whether a master plan would benefit this building.

Vote: Unanimous, with 41 Board members in favor.

2 - LPC Item:8 - 75 Christopher Street, aka 116-18 7th Avenue and, aka 218-224 West 4th Street – Greenwich Village Historic District

Whereas the Landmarks Preservation Commission's own publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

Whereas the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application in the absence of this important step in the review process, and

Further, be it resolved that CB#2, Man. strongly urges that, before the Commission further entertains this application, the Chair order the applicant to return and present before the community board, which the vast majority of applicants do willingly and diligently and from which obligation this applicant should not be excused, but, rather, be required to follow, lest LPC send a bad signal to the more conscientious and professional applicants who present before the Commissioners, to the detriment of both the community board and the commission.

Vote: Unanimous, with 41 Board members in favor.

3- LPC Item:9 - 81 Horatio Street (Greenwich/Washington) Greenwich Village Historic District
A rowhouse designed by William Grant and built in 1870. Application is to construct a stair bulkhead and roof deck.

Whereas, the glass fence and proposed extended bulkhead can be seen from the Gansevoort Historic District a block away; but that sight-line will soon vanish, since a building is to be built that would block it; and

Whereas, only the fence and not the bulkhead can be seen from Horatio Street; and

Whereas, several property owners and neighbors attended the committee meeting to express their concern that the fence would be visible; but

Whereas, the Department of Buildings can require a rooftop fence be built when an application for significant renovation is filed, and this proposed fence is better than most that could be presented; now

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

Vote: Unanimous, with 41 Board members in favor.

5 - LPC Item:10 - 122-132 West 12th Street (6th/7th)- Greenwich Village Historic District. An apartment house designed by H. I. Feldman and built in 1940-1941. Application is to construct a rear addition.

Whereas, half a dozen or so of the adjacent property owners to the south attended the committee meeting and were distraught that the removal of the existing dilapidated fence might kill a 50-year old ivy vine that grows through their backyards and that is intertwined with the fence that the applicant wants removed; and

Whereas, that problem notwithstanding, the proposal is an improvement aesthetically; and it also produce less noise for the neighbors, since there will be no exposed condensing units in the backyard; and

Whereas, the committee suggested, if the ivy is to be removed, that the roots not be pulled up in the process, so that the plant might regenerate; or, we suggest that the ivy should have its own bearing structure in lieu of being attached to the new cedar fence; now

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

Further, be it resolved that CB#2, Man. encourages the applicant and LPC staff work with the property owners to resolve the issue of the ivy wall.

Vote: Unanimous, with 41 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

1. MANHATTAN BOROUGH BOARD REQUEST FOR A RESOLUTION IN 2307 Tenant Protection Act of 1974)

WHEREAS, all middle-class New Yorkers and especially rent-regulated tenants have 1000

WHEREAS, New York City continues to lose affordable rent regulated units; and

WHEREAS, provisions of the rent regulation laws have eroded tenant rights and protections over the past two decades; and

WHEREAS, the Manhattan Borough Board supports the right of hard working middle-class New Yorkers to live and raise a family in their home communities; and

WHEREAS, New York City resident on fixed incomes should be able to continue to live in their home communities; and

WHEREAS, New Yorkers should never have to suffer housing discrimination, harassment, or unsafe living conditions; and

WHEREAS, a recent analysis on rent regulation published by the Citizens Budget Commission concluded that 49.2 percent of Manhattan residents living in rent-regulated units would experience rent increases of fifty percent or more if rent regulation laws are allowed to sunset later this year; and

WHEREAS, the expiration of the New York State Rent Regulation Laws on June 15, 2011 without extension would be a disaster for millions of New York City residents;

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly supports the renewal and strengthening of New York State Rent Laws in anticipation of their sunset on June 15, 2011.

Vote: Unanimous, with 41 Board members in favor.

2. 59-61 Thompson Street (Block 489, Lot 36) (C 110043 ZSM) Department of City Planning Special Permit application pursuant to Section 74-781 to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 Retail uses on portions of the ground floor and cellar of an existing six-story building, on property located at in an M1-5B District.

WHEREAS, This application seeks to legalize a preexisting non-conforming use that lapsed for more than two years, And,

WHEREAS, This application also seeks to expand the preexisting non-conforming use of 300 Sq. Ft. by eliminating four rent stabilized apartments that have already been demolished, And,

WHEREAS; The existing non-conforming commercial uses in the area are mostly tiny stores, And,

WHEREAS; The size of these stores helps maintain the predominantly residential, old-New York character of the blocks; And,

WHEREAS; the proposed 3,800 Sq. Ft. commercial space for this site would be much larger than other stores on the block and would include restaurant seating in a cellar that has previously been used for utilities only; And

WHEREAS; Given the high value of commercial space in this area, the likely tenants will not be of the type serving neighborhood needs as normally anticipated for this street, And,

WHEREAS; the proposed two- level Eating and Drinking Establishment for this space would be very different in character from both the existing commercial uses on the site and existing commercial use in the other lots on this street and would greatly change the character of this block, And,

WHEREAS; The sidewalks on this block are very narrow and cannot accommodate the crowds that would inevitably congregate outside the restaurant to smoke; And

WHEREAS, There have been many problems with Eating and Drinking Establishments in the surrounding area, And

WHEREAS, The applicant refused a request to ban Eating and Drinking Establishments at this location; and

WHEREAS; Six neighbors came to a meeting on-site with the property owners representatives and the proposed restaurant operator and all were strongly opposed to expanding the commercial use on the site and to allowing a large eating and drinking establishment there.

THEREFORE BE IT RESOLVED, that CB#2, Man. finds that the preexisting non-conforming use is an acceptable and appropriate usage at this location, however, the Community Board finds that this is not an appropriate location to expand this commercial use, And

THEREFORE BE IT FURTHER RESOLVED, That CB#2, Man. strongly opposes the elimination of the four rent stabilized apartments and recommends that they be restored, And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. recommends denial of this Department of City Planning Special Permit application pursuant to Section 74-781 to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 Retail uses on portions of the ground floor and cellar of an existing six-story building, on property located at in an M1-5B District.

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

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

App. to Department of Consumer Affairs for:

1. A Newsstand at the Southeast Corner of Broadway & Spring St., DCA# 1379811

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant was not present, and

Whereas, it appeared that the applicant may not have been correctly notified of the committee hearing date as an unrelated applicant for a newsstand in Queens was notified in error of the CB2 committee meeting, and

Whereas, all members of the community that contacted this Committee were opposed to a newsstand at this location due to the considerable congestion on this block of Broadway,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL of this application for revocable consent to install a **Newsstand at the Southeast Corner of Broadway & Spring St., DCA# 1379811** UNLESS the applicant appears before the committee as required under DCA regulations.

Vote: Unanimous, with 41 Board members in favor.

2. A Newsstand at the Southwest corner of Bleecker St. & Thompson St. DCA# 1381603

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant was present, and

Whereas, all community members who contacted the committee were opposed to a newsstand on this block of Bleecker St due to congestion, and

Whereas, the community was particularly concerned about congestion as the newsstand is immediately adjacent to several nightclubs that produce substantial sidewalk crowds at night, and

Whereas, members of the community felt there are plentiful options in the immediate area where all products to be sold by the applicant at the newsstand are easily obtainable,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL of this application for revocable consent to install a **Newsstand at the Southwest corner of Bleecker St. & Thompson St. DCA# 1381603**

Vote: Unanimous, with 41 Board members in favor.

3. 2 Benches at 330 West Broadway (btw Canal St & Grand St)

Block:227 Lot:22	Lot Frontage:34.67' Lot Depth:84.33	Year Built:1920(estimated)
Number of Floors:1	Residential Units:0 Total # of Units:1	Zoning:M1-5A

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant was present, and

Whereas, this block is included in the area of W Broadway in SoHo in which sidewalk cafes are prohibited and 2 members of the committee agreed with several community members that benches such as those proposed would represent a backtracking on the sidewalk restrictions on W Broadway, in spirit if not in letter, and

Whereas, community members spoke in opposition to this proposal and others sent emails in opposition to the board office

Whereas, this is a problematic intersection with noisy bars at three corners

THEREFORE BE IT RESOLVED that CB#2, Man. opposes placement of benches as proposed at 330 West Broadway.

VOTE: Passed, with 33 Board members in favor and 8 against (Dutton, Ashkinazy, Schlazer, Meadows, Sanz, Derr, Morellet, Stewart)

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

4. PQ Union Square, Inc., d/b/a Le Pain Quotidien, 801 Broadway (NW corner of W 11 St), with 19 tables & 38 seats, DCA# 1380933

Block:563 Lot:37 Lot Frontage:76.58' Lot Depth:221.75 Year Built:1930(estimated)
Number of Floors:7 Residential Units:144 Total # of Units:152 Zoning:C6-1

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant was present, and

Whereas, this applicant has operated sidewalk cafes at other locations with no known issues, and

Whereas, the applicant stated that the restaurant will close by 11:00pm 7 nights a week, and

Whereas, the applicant has agreed to the reduction of 1 table and 2 chairs at the east end of the café and the movement west of the east café railing to ensure a building Siamese connection will now be outside the café, and

Whereas, the applicant has agreed to the elimination of several round planters that were shown spaced along the periphery of the café, and

Whereas, while two members of the community expressed concern over the size of the café and congestion on the corner, the committee felt that traffic on the block was actually relatively minimal, the café will not be open late and the removal of the table and 2 chairs closest to the corner should minimize any crowding issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for PQ Union Square, Inc., d/b/a Le Pain Quotidien, 801 Broadway (NW corner of W 11 St), **WITH THE REDUCED SIZE OF 18 tables & 36 seats, DCA# 1380933.**

VOTE: Unanimous, with 41 Board members in favor

5. L&D Hospitality Management, 5 King St, d/b/a The King (NE corner of 6th Ave), with 29 tables & 59 seats, DCA# 1381424

Block:520 Lot:85 Lot Frontage:34.9' Lot Depth:72.75 Year Built:1925(estimated)
Number of Floors:5 Residential Units:22 Total # of Units:22
Zoning:R7-2, Commercial Overlay:C1-5 Landmark Building:Yes Historic District: Charlton-King-Vandam

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicants and their representative, Steve Wygoda, were present, and

Whereas, the applicant has agreed to a reduction of 2 tables and 4 chairs at the north end of the café to provide more clearance between the café and one street light and 1 chair at the south end of the café with the south corner of the café angled further in toward the building to provide more clearance from a second street light, and

Whereas, the applicant has been advised that all furniture, umbrellas are to be cleared and bordering planters placed against the building when the café is not open, and

Whereas, while one resident of Houston St. contacted the committee to express concern over the location and size of the café, the committee felt the café was on a sidewalk with relatively light pedestrian traffic,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for L&D Hospitality Management, 5 King St, d/b/a The King (NE corner of 6th Ave)., DCA# 1381424 **WITH THE REDUCED SIZE OF 27 tables & 54 seats**

VOTE: Unanimous, with 41 Board members in favor.

6. SBAFO N.Y.C., LLC d/b/a Lievito Pizzeria, 581 Hudson St (btw W 11 St & Bank St), with 9 tables & 20 seats, DCA# 1381707 (addition)

Block:634 Lot:60	Lot Frontage:50.08' Lot Depth:71.08	Year Built:1930
Number of Floors:5	Residential Units:22	Total # of Units:25
Zoning:C1-6	Landmark Building:Yes	Historic District: Greenwich Village

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

Whereas, the applicant has been advised that all furniture, umbrellas are to be cleared when the café is not open, and

Whereas, the committee noted that there might be issues of sufficient clearance for entry to the establishment between the northernmost table and the adjacent sidewalk café, but that the spacing between the sidewalk café tables appeared to be sufficient to allow that table and 2 chairs to be shifted slightly south, and

Whereas, the committee noted that both a menu podium and sandwich board sign that have often been as much as 7 or 8 ft out into the sidewalk, and reminded the applicant that they must be up against the building or within the sidewalk café when it is operating and he committed to assure compliance,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for SBAFO N.Y.C., LLC d/b/a Lievito Pizzeria, 581 Hudson St (btw W 11 St & Bank St), with 9 tables & 20 seats, DCA# 1381707.

VOTE: Unanimous, with 41 Board members in favor.

7. Garden Cafe Associates, LLC d/b/a B Bar & Grill, 40 East 4th St (btw Bowery & Lafayette St)., with 14 tables & 28 seats, DCA# 1381793 (addition)

Block:531 Lot:37	Lot Frontage:81.5' Lot Depth:101.17	Year Built:1915
Number of Buildings:2,	Number of Floors:1 Residential Units:0	Total # of Units:1
Zoning:M1-5B		

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant 's representatives, Courtney Garron and David Latrielle were present, and

Whereas, this applicant has operated this restaurant with a capacity of 299 and a garden with a capacity of 151 for approximately 15 years, and

Whereas, this establishment has throughout its history been a constant thorn in the side of its neighbors, with issues of substantial crowds, music and amplified sound from the garden area, issues of DoB compliance with both the garden wall and partial roof over the garden, large concrete planters in front of the main entrance severely impeding the E 4th St sidewalk and still unresolved illegal signage fines of over \$90,000 relating to a painted billboard advertising the restaurant, and

Whereas, a nearby residential building replaced all the windows in the first 4 floors of the building to deal with the noise issues from the establishment, and

Whereas, the establishment's management has consistently done little to address noise and crowding issues when they've been brought to their attention, and

Whereas, the proposed sidewalk café would entail creating two openings in the garden wall, which would serve to exacerbate noise levels from the garden, and

Whereas, there appears to be a Stop Work order currently in effect on the wall alterations and it appears the wall was illegally constructed in the first place, and

Whereas, while the applicants stated the proposed sidewalk café was part of an intent to shift the focus of the business from more of a bar to more of a restaurant, they appeared unwilling to rule out any of the current 'bar' activities, including a long-running Tuesday night party,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for Garden Cafe Associates, LLC d/b/a B Bar & Grill, 40 East 4th St (btw Bowery & Lafayette St)., with 14 tables & 28 seats, DCA# 1381793 **UNLESS the café is governed by a Change Order, negotiated with community representatives and referred to the City Council for oversight**

VOTE: Unanimous, with 41 Board members in favor.

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

8. Zonor Rest Corp. d/b/a Riviera Café, 225 W. 4th St. (btw 7th Ave S & W 10th St) with 17 tables & 36 seats, DCA# 0629616

Block:610 Lot:9 Lot Frontage:90.25' Lot Depth:64.17 Year Built:1910
Number of Buildings:3, Number of Floors:4 Residential Units:12
Total # of Units:16 Zoning:C4-5 Landmark Building: Yes Historic District:Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this enclosed café has been operated by this applicant for several years with no known issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Enclosed sidewalk café for Zonor Rest Corp. d/b/a Riviera Café, 225 W. 4th St. (at 7th Ave S), with 17 tables & 36 seats, DCA# 0629616

VOTE: Unanimous, with 41 Board members in favor.

9. Red Bamboo on 7th Ave. Inc. d/b/a Soy & Sake Village Vegetarian Café, 47-49 7th Avenue So. (NE corner of Morton St), with 21 tables & 52 seats, DCA# 1301309

Block:587 Lot:7502 Lot Frontage:57.7' Lot Depth:54.76 Year Built:1925
Number of Floors:5 Residential Units:5 Total # of Units:7 Zoning:C2-6

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

Whereas, the applicant is required to appear before this committee as a condition for renewal of this renewal application,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL of this application for a RENEWAL App. for revocable consent to operate an Enclosed sidewalk café for Red Bamboo on 7th Ave. Inc. d/b/a Soy & Sake Village Vegetarian Café, 47-49 7th Avenue So. (NE corner of Morton St), with 21 tables & 52 seats, DCA# 1301309 **UNLESS the applicant appears before this committee as required.**

VOTE: Unanimous, with 41 Board members in favor.

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

10. Maneken Corp. d/b/a Petite Abeille, 466 Hudson St. (btw Barrow St & Grove St), with 6 tables & 11 seats, DCA# 0979768

Block:585 Lot:1 Lot Frontage:146.92' Lot Depth:189.08 Year Built:1900(estimated)
Number of Buildings:2, Number of Floors:6 Residential Units:133 Total # of
Units:137 Zoning:C1-6R6 Landmark Building:Yes Historic District:Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues, and

Whereas, the committee noted that a sandwich board sign and sometimes a 2nd sign have been placed well out on the sidewalk and the applicant assured they would be kept up against the building,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Maneken Corp. d/b/a Petite Abeille, 466 Hudson St. (btw Barrow St & Grove St), with 6 tables & 11 seats, DCA# 09797

VOTE: Unanimous, with 41 Board members in favor.

11. Cobra Caterers, Inc. d/b/a Dublin 6/Topsy, 575 Hudson St. (btw W 11th St & Bank St), with 7 tables & 25 seats, DCA# 1135398

Block:634 Lot:63 Lot Frontage:43.58' Lot Depth:75.17' Year Built:1900(estimated)
Number of Buildings:2 Number of Floors:4 Residential Units:7 Total # of Units:9
Zoning:C1-6 Landmark Building:Yes
Historic District:Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues, and

Whereas, the committee noted that the railings of the café have often been left set up on the sidewalk when the café was not in operation and the applicant committed to removing them or moving them against the building,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Cobra Caterers, Inc. d/b/a Dublin 6/Topsy, 575 Hudson St. (btw W 11th St & Bank St), with 7 tables & 25 seats, DCA# 11353

VOTE: Unanimous, with 41 Board members in favor.

12. Zonor Rest. Corp. d/b/a Riviera Café, 225 W. 4th St. (btw 7th Ave S & W 10th St), with 27 tables & 60 seats, DCA# 0922650

Block:610 Lot:9 Lot Frontage:90.25' Lot Depth:64.17 Year Built:1910
Number of Buildings:3, Number of Floors:4 Residential Units:12 Total # of Units:16
Zoning:C4-5 Landmark Building:Yes
Historic District:Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Zonor Rest. Corp. d/b/a Riviera Café, 225 W. 4th St. (btw 7th Ave S & W 10th St), with 27 tables & 60 seats, DCA# 0922650

VOTE: Unanimous, with 41 Board members in favor

13. 174 Grand St. d/b/a Onieals, 174 Grand St. (NE corner of Centre Market St) with 7 tables & 14 seats, DCA# 1218544

Block:471 Lot:28 Lot Frontage:24.75' Lot Depth:72.33 Year Built:1910(estimated)
Number of Floors:4 Residential Units:6 Total # of Units:7 Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for 174 Grand St. d/b/a Onieals, 174 Grand St. (NE corner of Centre Market St) with 7 tables & 14 seats, DCA# 1218544

VOTE: Unanimous, with 41 Board members in favor.

14. 114 Kenmare Associates, LLC, d/b/a La Esquina, 114 Kenmare St (btw Lafayette St & Centre St), with 8 tables & 26 seats, DCA # 1227042 (addition)

Block:482 Lot:7501

Lot Frontage:149.5' Lot Depth:100.42

Year Built:1900

Number of Floors:7

Residential Units:0 Total # of Units:25

Zoning:C6-2

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representatives, Ricardo Morgan and Arthur Goldstein, were present, and

Whereas, numerous additional comments were received by the committee in opposition to the renewal of this sidewalk café while no direct comments were received in favor, and

Whereas, the applicant presented a petition with approximately 600 signatures requesting the applicant be allowed to return to regular sidewalk café hours, although the committee noted that many of the addresses listed were not in the immediate vicinity of the establishment, and

Whereas, the confluence of streets immediately adjacent to Petrosino Park have become a 'ground zero' of sorts for a particularly rowdy brand of nightlife participants, much of it in great part initiated by this applicant who began violating their sidewalk café permit almost immediately after receiving it by hosting street parties around sports events with outdoor speakers and televisions, and

Whereas, most known violations of the sidewalk café permit appear to have been corrected, the applicant appears to have consistently addressed issues only to ensure renewal of the café permit or by force of agreement with the City Council under whose restrictions of nine (9) items it has been operating since its last sidewalk café renewal in 2009, and

Whereas, NYPD enforcement of nightlife issues remains virtually non-existent and there has been no other solution offered by the applicant to this location's nightlife issues, the committee feels the best path is to either eliminate the sidewalk café altogether or continue the existing 9-point agreement with the City Council from 2009 as noted below including all patrons being out of the sidewalk café by the closing times noted in items 2 & 3,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **114 Kenmare Associates, LLC, d/b/a La Esquina, 114 Kenmare St (btw Lafayette St & Centre St), with 8 tables & 26 seats, DCA # 1227042**

UNLESS the applicant continues to operate under the 9 points agreed to with the City Council in 2009:

- 1. The outdoor seating will remain at 26, down from its original 36**
- 2. The sidewalk café will close at 11:00 pm on Friday and Saturday**
- 3. The sidewalk café will close at 9:30 pm Sunday – Thursday except when the next day is a national holiday whereby it will stay open until 11:00 pm**
- 4. Takeout window will close at 9:30 pm seven days a week**
- 5. There will be 2 security guards on duty until the sidewalk café closes. One will be indoors and the other outdoors.**
- 6. Training will take place for the security team as well as for the general staff with the focus on outdoor activity**
- 7. Windows will be closed**
- 8. Will ensure patron queuing system can move people off the street where possible**
- 9. Meet with neighbors on a monthly basis if there are issues**

Whereas, the community provided testimony objecting to a burger and steak pub style restaurant in the neighborhood citing the residential character of the area on this residential street and the existence of other similar style pubs that create quality of life concerns in the neighborhood and stated that they had strong concerns regarding the operation with TV's that could create a sports style pub during certain hours of operation and with noise issues for the outdoor rear garden that is surrounded by residential buildings and felt that the description of the method of operation provided by the applicants was inappropriate for the neighborhood. They also felt strongly that the lack of interest in reaching out to members of the community, even when they were previously provided with contact information of both telephone and email addresses at a previous meeting and the request of this committee to meet with community members demonstrated a lack of interest in being a community friendly establishment. The community also stated strongly that they would not object to a restaurant that would cater to the residential character of this location and that would focus on food that would better suit the community; and

Whereas, the applicant was originally laid over from this committee last month so they could do community outreach but seemed to do minimal outreach and even failed to talk to either of the Chairs of the NLINA Association (Northern Little Italy Neighbors Association - the key neighborhood association at this location) or LINA (Little Italy Neighbors Association) even though contact information was provided; and,

Whereas, there are already over 20 licensed premises within 500 feet and CB#2, Man. request that the SLA conduct a 500 ft. rule hearing;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this new Full OP license for **Elizabeth Restaurant Group LLC, d/b/a Nolita Tavern, 265 Elizabeth St., NYC 10012.**

Vote: Unanimous, with 41 Board members in favor.

2. Emperor Japanese Tapas Shabu, 96 Bowery, 1st Floor, NYC 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this is an application for a family friendly restaurant that focuses on serving quality hot "pot" styled fare with a warm relaxed atmosphere; and,

Whereas, this application is for a new Full OP license in a commercial building (block #239 and lot #35) on Bowery on the corner of Grand St. and Bowery for a 2,160 s.f. restaurant with 14 tables and 50 seats, 1 bar with 10 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant requested to have the hours of operation being Sunday to Saturday 11:00 a.m. – 11:00 p.m.; there will be no sidewalk café, there will be no backyard garden, music would be background only; and,

Whereas, the applicant provided a Certificate of Occupancy that was not the current Certificate of Occupancy (the one provided was dated October 17, 1952 showing the use is allowed); and,

Whereas, the current Certificate of Occupancy as provided on the NYC Dept. of Buildings Website is dated November 3, 1986 and shows allowed use on the first floor is Use Group 11B for "Wholesale Establishment – equipment showroom" and according to the NYC Zoning Resolution, Article 3, Section 32-20, restaurant use is not included as a permitted use; and,

Whereas, the applicant was not able to explain the discrepancy in the uses allowed in the current Certificate of Occupancy, but did state that they would correct the situation if needed; and,

Whereas, there were no community opposition regarding this application; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the new full OP license to **Emperor Japanese Tapas Shabu, 96 Bowery, 1st Floor, NYC 10013** unless the issues regarding zoning and the “Certificate of Occupancy” are correct or corrected to allow restaurant use at the location.

Vote: Unanimous, with 41 Board members in favor.

3. B&R Sorrento Corp., d/b/a La Nonna, 134 Mulberry St, NYC 10003

Whereas, the applicant appeared before the committee; and,

Whereas, this Italian restaurant (whose corporate name used to be ASC, Inc. d/b/a La Nonna) is transferring ownership to two new principals, who have worked at the location for some time, under the corporate name B&R Sorrento Corp., d/b/a La Nonna; and

Whereas, this application is for a new Full On Premise license in a mixed use building on Mulberry Street between Hester and Grand Street in a 2,400 s.f. restaurant with 31 tables and 62 seats, 1 service bar which will have no seats and a total capacity of 74 persons; and,

Whereas, the applicant requested to have the same hours of operation as the existing license which are Sunday to Saturday 12:00 p.m. –12:00 a.m.; there will be a request for a sidewalk café, but there will be no backyard garden, music would be quiet background only; and,

Whereas, this location has been a restaurant for the last 20 years, and the only real change of the method of operation is the elimination of the stools at the existing bar, and the conversion of that bar to a service bar; and

Whereas, there were 2 members of the community who spoke regarding their concerns that the new owners would maintain a quiet restaurant; and

Whereas, the new owners agreed to decrease their hours of operation from 1:00 am to midnight 7 days a week; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a new Full On Premise license to **B&R Sorrento Corp., d/b/a La Nonna, 134 Mulberry St, NYC 10003** unless the mentioned hours of operation are enforced.

Vote: Unanimous, with 41 Board members in favor.

4. English Road, LLC, 264 Bowery, NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a Bourbon Bar and Southern Fare Tavern; and,

Whereas, this application is for a Full On Premise license in a mixed use building (block 507 / lot 32) on Bowery, between Houston and Prince Street in a 2,400 s.f. location (1400 s.f. restaurant and 1000 s.f. basement) with 11 tables and 38 seats, 1 stand up bar with 11 seats and a total capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation would be Sunday to Saturday 12:00 p.m. – 4:00 a.m.; there will be a no sidewalk café, and no backyard garden, music would be live with a D.J. at entertainment volume for some of the time and quiet background for other times which were not determined or specified; there will be promoted events and private parties that could be requiring “cover fee” charges; and,

Whereas, the community provided testimony that this location while vacant for several years had previously been operated illegally as a late night bar with DJ and Dancing and had caused many problems for the immediate neighborhood including significant late night noise issues from music due to inadequate soundproofing of party walls that are immediately adjacent to residential units on the sides as well as residents above among other issues; and

Whereas, there was also strong opposition from this community regarding the appropriateness of a tavern with DJ’s and late night hours at this location due to the high percentage of residential living around this address and the recent changes in the neighborhood which have been focused on fostering a residential community in the last few years including a new supermarket, a new hardware store, a new gallery, a new YMCA, new large scale residential development, the recent opening of the New Museum among other positive changes in a previously wholesale neighborhood with a large artist population; and,

Whereas, there were 8 members of the community who spoke in opposition regarding their concerns, 7 letters written requesting to deny this application and over 20 emails requesting the same; and,

Whereas, the applicant stated that soundproofing already existed but they plan to add more to the existing soundproofing; and,

Whereas, though there is existing soundproofing in this space from previous tenants, the community reiterated in response to the applicants stated plans to add soundproofing that the existing soundproofing was never enough and that a building as old as this one will never be able to be soundproofed adequately; and,

Whereas, this space requesting licensing also has an additional back room space identified on the floor plans as “community art display and storage space” that is illegal to occupy according to the applicant and not usable by the ruling of the Department of Buildings (“DOB”), but the applicant stated that they plan to hang art in it and put a glass wall in front of this space to add “ambiance”, but it was unclear how a space not legally constructed that includes a bathroom and not legal to occupy could be “under contract” and part of the licensed premise; and

Whereas, the community is concerned that this art space will promote art openings which will cause large gatherings that will spill out into the streets; and,

Whereas, the committee is unsure about how to approve a space not authorized by the DOB that would be included in the liquor license; and,

Whereas, the applicant did not provide kitchen plans or plans for the basement because the plans were not finalized; and,

Whereas, while the applicant did attempt to contact immediate neighbors it was done just days before CB2, Man.'s regularly scheduled SLA Committee meeting and their correspondence did not include their hours or the fact that the location would be utilizing a DJ; and

Whereas, the applicant has attended CB#2, Man. SLA meetings and after seeing concerns of this board and the community during previous meetings, still came before this committee and requested a live D.J. at entertainment level and a 4:00 a.m. closing which clearly shows a lack of willingness to move into this neighborhood as a friendly addition; and,

Whereas, the applicant gave an incorrect account of other licenses within 500 Ft and claimed there was only one other (Pulino's at 282 Bowery) even though a previous applicant in 2010 at this location stated there were at least 10 licensed premises within 500 ft; and

Whereas, CB2, Man. requests that the SLA conduct a 500 ft. rule hearing;

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends the denial of the new Full OP license to **English Road, LLC, 264 Bowery, NYC 10012.**

Vote: Unanimous, with 41 Board members in favor.

5. St. Jude Enterprises, LLC, d/b/a Benito's 1, 174 Mulberry St., NYC 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this is an application for a family style Italian restaurant; and,

Whereas, this application is for an On Premise license for a space that has been inactive for 6 months, in a mixed use building on Mulberry Street between Broome and Grand Street for a 1,140 s.f. restaurant with 9 tables and 36 seats, 1 bar with 4 seats, and a maximum legal capacity of 74 persons; and,

Whereas, applicant stated that this is a new license, however he will be using the previous operations name, signage and menu; and

Whereas, the applicant stated the hours of operation are Sunday – Saturday from 11:00 a.m. to 12:00 a.m.; there will be a sidewalk café but no backyard garden; music will be quiet background only; and,

Whereas, the applicant submitted a petition with 15 names in support of this license; and,

Whereas, there was no community opposition regarding this license; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the On Premise license for **St. Jude Enterprises, LLC, d/b/a Benito's 1, 174 Mulberry St., NYC 10013.**

Vote: Unanimous, with 41 Board members in favor.

6. 9 GJ & Bar & Restaurant, Inc., Acme Bar and Grill, 9 Great Jones St., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this is an alteration application for a family style Southern restaurant; and,

Whereas, this application is for the alteration of an existing On Premise license which will include converting the existing basement live music venue into more restaurant space with tables and chairs, in a mixed use building (block 530 / lot 12) on Great Jones Street between Great Jones Alley and Lafayette Street for an existing 3,600 s.f. restaurant with 55 tables and 133 seats, 2 bars with 26 seats, and a maximum legal capacity of 201 persons; and,

Whereas, the applicant stated the hours of operation remain unchanged and are Sunday – Saturday from 11:00 a.m. to 4:00 a.m.; there will be no sidewalk café and no backyard garden; music will remain unchanged and continue to be quiet background and occasional D.J.; and,

Whereas, the alteration to this license is a decrease in basement occupancy from 74 to 61 people and a change in use from live performance to tabled restaurant service, basement bar will increase from 7 seats to 10 seats; bar on 1st floor will decrease from 25 seats to 16 seats and be relocated from the left side of room to the right side of room so to be able to install an ADA compliant restroom; and finally on the 1st floor – tables and chairs will be replaced with banquet seating; and,

Whereas, CB#2, Man. and the community feels that these alterations are a benefit to this location and will eliminate concerns that the community had regarding lines outside on the sidewalk for the “live music” in the basement; and,

Whereas, there was some community support and no community opposition regarding this license;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the On Premise license for **9 GJ & Bar & Restaurant, Inc., Acme Bar and Grill, 9 Great Jones St., NYC.**

Vote: Unanimous, with 41 Board members in favor.

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

7. Augusto Cardona or Entity to be formed, d/b/a TBD, 352 Bowery, NYC 10012

Whereas, the applicant requested to be withdrawn from the CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Augusto Cardona or Entity to be formed, d/b/a TBD, 352 Bowery, NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

8. Augusto Cardona or Entity to be formed, d/b/a TBD, 348 Bowery, NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to Augusto Cardona or Entity to be formed, d/b/a TBD, 348 Bowery, NYC 10012 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

9. Toby's Public House II, LLC d/b/a Toby's Public House II, 86 Kenmare St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to Toby's Public House II, LLC d/b/a Toby's Public House II, 86 Kenmare St., NYC 10012 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

10. Parm Restaurant, LLC, d/b/a TBD, 248 Mulberry St., NYC 10012

Whereas, the applicant requested to be withdrawn from the CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to Parm Restaurant, LLC, d/b/a TBD, 248 Mulberry St., NYC 10012 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

11. Lucali Kenmare, LLC, d/b/a Lucali, 78-80 Kenmare St. aka 184 Mulberry St., NYC 10012

Whereas, the applicant requested to be withdrawn from the CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to Lucali Kenmare, LLC, d/b/a Lucali, 78-80 Kenmare St. aka 184 Mulberry St., NYC 10012 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

12. JNR 86 LLC, 86 Kenmare St., NYC 10012

Whereas, the applicant requested to be withdrawn from the CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to JNR 86 LLC, 86 Kenmare St., NYC 10012 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

13. 68 West 3rd Café Inc. TBD, 68 W. 3rd St., NYC 10012

Whereas, the applicant requested to be withdrawn from the CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to 68 West 3rd Café Inc. TBD, 68 W. 3rd St., NYC 10012 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

14. Moshi West Broadway, LLC, 330 West Broadway, NYC 10013

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to Moshi West Broadway, LLC, 330 West Broadway, NYC 10013 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

15. Spring Bar LIC, Inc., d/b/a Spring Bar, 5 Spring St. NYC

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to Spring Bar LIC, Inc., d/b/a Spring Bar, 5 Spring St. NYC until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

16. GDP Enterprises, Inc. d/b/a Agozar, 324 Bowery aka One Bleecker St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to . GDP Enterprises, Inc. d/b/a Agozar, 324 Bowery aka One Bleecker St., NYC 10012 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

17. Forcella Eatery, Inc. d/b/a Forcella, 334 Bowery, NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to Forcella Eatery, Inc. d/b/a Forcella, 334 Bowery, NYC 10012 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

18. Asia Dog, LLC, 66 Kenmare St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to Asia Dog, LLC, 66 Kenmare St., NYC 10012 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

19. Entity to be formed by Tracey Hecht Smilow & David Smilow, d/b/a The Hutch, 130 W. 10th St., NYC 10014

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to Entity to be formed by Tracey Hecht Smilow & David Smilow, d/b/a The Hutch, 130 W. 10th St., NYC 10014 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

20. Yeah Shanghai Deluxe, Inc., 135-137 Grand St., NYC 10013

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Yeah Shanghai Deluxe, Inc., 135-137 Grand St., NYC 10013** until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

21. David Kay d/b/a Rose Restaurant, 337 W. Broadway (at Grand), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license for a 2,400 s.f. French restaurant located in a mixed use building on the corner of West Broadway and Grand Street with 66 table seats and 2 bars with 6 bar seats; and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday from 12:00 p.m. to 12:30 a.m.; Monday through Wednesday from 5:00 p.m. to 12:30 a.m.; Thursday and Friday from 5:00 p.m. to 1:30 a.m. and Saturday from 12:00 p.m. to 1:30 a.m.; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to the following stipulations:

1. The applicant will close all French Doors by 8pm seven days a week
2. The applicant will limit its closing hours to 12:30 a.m. Sun-Wed and 1:30 a.m. on Friday and Saturday
3. The applicant will provide a GM contact information to nearby residents
4. The applicant will not use third party promoters
5. The applicant will not operate a D.J. or Live Music in the establishment
6. The applicant will play only ambient background music in the establishment

Whereas, this committee would like to highlight the 1996 Supreme Court Case ruling in favor of the SoHo community's Article 78 proceeding - The SLA's one-sentence general conclusion that a liquor license will generate employment and tax revenues does not constitute 'reasons' why a particular liquor license at a particular location is in the 'public interest; and,

Whereas, this committee request that the SLA determines that the proposed establishment serves the interest of the public; and,

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

Whereas, this committee would like to highlight the 1996 Supreme Court Case ruling in favor of the SoHo community's Article 78 proceeding - The SLA's one-sentence general conclusion that a liquor license will generate employment and tax revenues does not constitute 'reasons' why a particular liquor license at a particular location is in the 'public interest; and,

Whereas, this committee request that the SLA determines that the proposed establishment serves the interest of the public; 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 **David Kay d/b/a Rose Restaurant, 337 W. Broadway**, unless those conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 41 Board members in favor.

22. Jimmy Chin & Stephen Breskin or Entity to be formed d/b/a Jimmy Chin’s, 481 Washington St., (Spring and Canal), NYC

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

Whereas, this application is for an On Premise license for a 2,500 s.f. Chinese restaurant and Tavern located in a mixed use building on Washington Street between Spring and Canal Streets with 92 table seats and 1 bar with 16 bar seats; and,

Whereas, the applicant stated the hours of operation for the establishment are seven days a week from 1:00 p.m. to 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; music will be Juke Box and background only; and,

Whereas, the applicant has reached out to members of the community prior to re-appearing; and,

Whereas, several members of the community appeared in strong opposition; saturation issues, citing overcrowding and late night noise and weekend traffic issues in the neighborhood; and,

Whereas, over 100 signatures from nearby residents signed a petition in strong opposition of the proposed establishment; and,

Whereas, no one appeared in support of the proposed establishment; and,

Whereas, members of this committee expressed their concerns with late night tavern, light fare Chinese restaurant in a newly licensed location in an area that is quickly converting into a dense residential area;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Jimmy Chin & Stephen Breskin or Entity to be formed d/b/a Jimmy Chin’s, 481 Washington St.**

Vote: Unanimous, with 41 Board members in favor.

23. AB Green Gansevoort, LLC et al, 844-848 Washington St (at West 13th), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license in an upscale Hotel d/b/a The Standard Hotel for the covered beer garden in a 4,200 s.f. premise with 179 table seats and 1 bar with 12 seats; and a maximum capacity of 204; **to extend its closing hours in the to 1:00 a.m. Sunday to Thursday and 2:00 a.m. Friday and Saturday**; AND for an alteration to an existing rooftop bar located in a 2,222 s.f. premise on the 19th floor rooftop garden with 90 table seats with a maximum legal capacity of 185 persons; **to convert the service bar to a stand-up bar and to extend the closing hours to 2:00 a.m. daily and allow Background Music only**; AND for an alteration to an existing third floor private event space located in 1,400 s.f premise with 32 table seats with no bar; **to convert the 3rd floor private event space for INTERIOR public use only with operating hours seven days a week from 7:00 a.m. to 12:00 a.m.; and,**

Whereas, this application also includes a proposed license for an existing North Plaza area consisting of **48 table seats and no bar with operating hours Sunday to Thursday from 7:00 a.m. to 12:00 a.m. and Friday and Saturday from 7:00 a.m. to 1:00 a.m.; and,**

Whereas, the applicant has been operating successfully for the past several years; and,

Whereas, the applicant met with members of the community prior to the hearing to address any concerns and issues with the Hotel establishment; and,

Whereas, the applicant has agreed to the original set of stipulations for the rooftop bar, beer garden and third floor premise; rooftop bar's original stipulations - agreed to prohibit the use of outside promoters; and agreed to have the entrance to the rooftop solely at West 13th street; beer garden stipulations – agreed to no music of any kind played in the establishment; third floor premise – agreed to no music of any kind played in the 3rd floor terrace during private functions; and agreed to close the 3rd floor terrace for private functions by 2:00 a.m.; and,

Whereas, the applicant has agreed to include additional stipulations for this alteration applications:

1. The applicant will limit closing hours to 2:00 a.m. daily in the 19th Floor rooftop garden
2. The applicant will have Background Music only in the 19th Floor rooftop garden
3. The applicant will install speakers facing inward and away from neighboring buildings
4. The applicant will not market the 3rd Floor space for public use
5. The applicant will not use the 3rd Floor outdoor terrace for public use
6. The applicant will limit its closing hours to 12:00 a.m. daily in the 3rd Floor public space
7. The applicant will limit its closing hours to 1:00 a.m. Sunday through Thursday and 2:00 a.m. Friday and Saturday
8. The applicant will construct a barrier surrounding the North Plaza area
9. The applicant will play no music of any kind in the North Plaza area
10. The applicant will limit its closing hours of 12:00 a.m. Sunday through Thursday and 1:00 a.m. Friday and Saturday in the North Plaza area

Whereas, the applicant has agreed to continue their community outreach efforts, including but not limited to regular meetings with nearby residents; and,

Whereas, a few members of the community appeared to express their concerns; citing late night traffic issues on Washington Street; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed alterations to the On Premise license for **AB Green Gansevoort, LLC et al, 844-848 Washington St** unless all conditions agreed to by applicant relating to the sixth and seventh “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 41 Board members in favor.

24. Arsenoi Inc., 404 Sixth Ave. (West 8th and West 9th Street), NYC

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

Whereas, this application is for an On Premise license for a 4,013 s.f. Greek restaurant located in a mixed use building on 6th Avenue between West 8th and West 9th Streets with 89 table seats and 1 bar with 12 bar seats; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday to Wednesday from 11:00 a.m. to 2:00 a.m. and Thursday to Saturday 11:00 a.m. to 3:00 a.m.; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has not successfully reached out to members of the community as previously requested by this committee; and,

Whereas, a few members of the community appeared in opposition but left the meeting without providing a verbal testimony; and,

Whereas, the Co-Chair of the West 8th Street Block Association appeared to express some concerns with the proposed establishment but also proposed a few stipulations to the committee for consideration; and,

Whereas, no one appeared in support of the proposed establishment; and,

Whereas, members of this committee expressed their concerns with a late night Greek restaurant establishment in a residential area; and cited major issues with the previously licensed (although CB2 Manhattan had recommended a denial) establishment d/b/a Q-doba masquerading as a nightclub on the 2nd floor; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of an On Premise license for **Arsenoi Inc., 404 Sixth Ave.**

Vote: Unanimous, with 41 Board members in favor.

25. Emerald Pub, 308 Spring St, NYC

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

Whereas, the operator has agreed to the following stipulation for their renewal license:

1. The operator has agreed to keep back door closed at all times
2. The operator has agreed to close the front door at 11:00 p.m. daily
3. The operator has agreed to make best efforts to manage its refuse outside the establishment
4. The operator has agreed to post a “respect neighbors” type sign in front of the establishment

Whereas, several members of the community appeared its concerns with the establishment; noise issues and poor management with refuse; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the renewal of an On Premise license for **Emerald Pub, 308 Spring St** unless those conditions agreed to by applicant relating to the second “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 41 Board members in favor.

26. Mosle Khoshkeiman, d/b/a Howic, LLC, 3 Howard St., NYC

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

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Mosle Khoshkeiman, d/b/a Howic, LLC, 3 Howard St. and requests that the SLA send this applicant back to CB2 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 41 Board members in favor.

27. Damien C. Vizuet d/b/a Pigeon Café, 22 W. 8th St., NYC

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

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license **Damien C. Vizuet d/b/a Pigeon Café, 22 W. 8th St. and requests that the SLA send this applicant back to CB2 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 41 Board members in favor.

THE FOLLOWING ARE R RESOLUTIONS FOR ALL APPLICANTS THAT WERE LAID OVER OR WITHDRAWN BEFORE THEIR REQUESTED HEARING:

28. Eighth Avenue Italian Company, d/b/a La Piazzetta, 47 Eighth Ave., NYC

Whereas, the applicant did not appear before the committee but withdrew their application; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Eighth Avenue Italian Company, d/b/a La Pazzetta, 47 Eighth Ave., NYC** until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

29. Amagansett Hospitality Group, LLC d/b/a Not determined yet, 300 W. 4th St. aka 51 Bank St., NYC

Whereas, the applicant requested a layover for consideration of the application to the next CB2, Manhattan SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license for **Amagansett Hospitality Group, LLC d/b/a Not determined yet, 300 W. 4th St. aka 51 Bank St., NYC** until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

30. 228 West Houston St. Rest., Inc., 228 W. Houston St., NYC

Whereas, the applicant requested a layover for consideration of the application to the next CB2, Manhattan SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to **228 West Houston St. Rest., Inc., 228 W. Houston St., NYC** until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

31. Corp. to formed, or Thomas Makkos, d/b/a Nello, 67 Greene St., NYC

Whereas, the applicant did not appear before the committee but requested a 2nd layover requiring them to withdraw their application; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license for Corp. to formed, or Thomas Makkos, d/b/a Nello, 67 Greene St., NYC until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

32. Quimera Restaurant Group, LLC, TBD, 81 Greenwich Ave. a/k/a 2 Bank St., NYC

Whereas, the applicant requested a layover for consideration of the application to the next CB2, Manhattan SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license for Quimera Restaurant Group, LLC, TBD, 81 Greenwich Ave. a/k/a 2 Bank St., NYC until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

33. TBA d/b/a TBA, 20 W. 8th St., NYC

Whereas, the applicant requested a layover for consideration of the application to the next CB2, Manhattan SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license for TBA d/b/a TBA, 20 W. 8th St., NYC until the applicant has presented their application in front of the CB2, Man. SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

34. The Upper Crust, Inc. d/b/a 91 Event Space, 91 Horatio St., NYC

Whereas, the applicant requested a layover for consideration of the application to the next CB2, Manhattan SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license for **The Upper Crust, Inc. d/b/a 91 Event Space, 91 Horatio St., NYC** until the applicant has presented their application in front of the CB#2, Man. SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

35. 106 Greenwich Ave., LLC d/b/a Custom American Wine Bar, 106 Greenwich Ave. NYC

Whereas, the applicant requested a layover for consideration of the application to the next CB2, Manhattan SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license for **106 Greenwich Ave., LLC d/b/a Custom American Wine Bar, 106 Greenwich Ave. NYC** until the applicant has presented their application in front of the CB#2, Man. SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

36. 37 West 29th Street, LLC, 40 W. 8th St., NYC

Whereas, the applicant requested a layover for consideration of the application to the next CB2, Manhattan SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license for **37 West 29th Street, LLC, 40 W. 8th St., NYC** until the applicant has presented their application in front of the CB#2, Man. SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

37. 7th Avenue Restaurant Group, LLC, 130-138 7th Avenue South, NYC

Whereas, the applicant requested a layover for consideration of the application to the next CB2, Manhattan SLA Licensing Committee meeting; and,

Whereas, this application is for an alteration to an existing On Premise liquor license; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an alteration to an On Premise liquor license for **7th Avenue Restaurant Group, LLC, 130-138 7th Avenue South, NYC** **until the applicant has presented their application in front of the CB#2, Man. SLA Licensing Committee; and requests that the SLA send this applicant back to CB#2, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 41 Board members in favor.

38. Currywurst Bros. USA 182 LLC d/b/a Currywurst Bros., 183 Bleecker St., NYC

Whereas, the applicant requested a layover for consideration of the application to the next CB2, Manhattan SLA Licensing Committee meeting; and,

Whereas, this application is for a Beer and Wine license; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of a Beer and Wine license for **Currywurst Bros. USA 182 LLC d/b/a Currywurst Bros., 183 Bleecker St., NYC** **until the applicant has presented their application in front of the CB#2, Man. SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 41 Board members in favor.

SOCIAL SERVICES AND EDUCATION

Federal Housing Law does not protect Lesbian, Gay, Bisexual and Transgendered

Whereas, United States Federal Housing Law does not protect Lesbian, Gay, Bisexual and Transgendered persons (LGBT) from housing discrimination, and

Whereas, the Houses of Congress have not yet amended the 1964 Civil Rights Act to include sexual orientation and gender identity, and

Whereas, the United States Department of Housing and Urban Development (HUD) has announced its intent to issue a regulation barring discrimination based on sexual orientation and gender identity in its rental assistance efforts and by private sector lenders who participate in HUD's mortgage insurance program, and

Whereas, this new regulation will define family to include LGBT partners and will bar owners and operators of HUD assisted housing or housing financed or insured by HUD from asking about an applicant's or occupant's sexual orientation or gender identity, and

Whereas, the LGBT community still faces housing discrimination despite state and municipal legislation,

THEREFORE BE IT RESOLVED that CB#2, Man. commends Secretary Shaun Donovan and the United States Department of Housing and Urban Development for adopting this new regulation, and

BE IT FURTHER RESOLVED that CB#2, Man. urges our elected officials in the United States Senate and House of Representatives to pass laws that permanently ban LGBT housing discrimination.

Vote: Unanimous, with 41 Board members in favor.

STREET ACTIVITY & FILM PERMITS

1. Support of Various Street Fair Permit Applications (Renewals)

WHEREAS, each of the street fair permit applications listed below were approved by CB#2, Man. last year and are up for renewal this year; and

WHEREAS, each of the street fair permit applications listed below appear to not have changed in any material manner from last year; and

WHEREAS, each of the street fair permit applications listed below include a setup and breakdown time between 8:00 a.m. and 8:00 p.m.; and

WHEREAS, the sponsors of the street fair permit applications listed below appeared before the Committee to answer questions, and the Committee has determined in the exercise of its sound judgment that the sponsors meet the requirements of Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges, in that each such sponsor is a “community based, not-for-profit organization, association or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full responsibility for the conduct of the event”; and

WHEREAS, there is no community opposition to such applications from the public; now

THEREFORE BE IT RESOLVED, that CB#2, Man. supports the street fair permit applications on the dates and at the locations listed below:

1. 3/19/11-Saint Joseph School-Washington Place Festival, Washington Pl. bet. Grove St. & 6th Ave.

Vote: Unanimous, with 41 Board members in favor.

2. 3/26/11-Bailey House Christopher St. Festival, Christopher St. bet. Greenwich Ave. & 7th Ave.

Vote: Unanimous, with 41 Board members in favor.

3. 4/16/11-PAL Festival Street Festival, University Pl. bet. Waverly Pl. & East 14th St.

Vote: Unanimous, with 41 Board members in favor.

4. 4/22/11-Annual NYU Earth Day Street Fair, Washington Pl. bet Washington Sq. East & Greene St.

Vote: Unanimous, with 41 Board members in favor.

5. 5/6/11-Strawberry Festival-26th Annual, LaGuardia Pl. bet. Washington Square So. & West 3rd St.

Vote: Unanimous, with 41 Board members in favor.

6. 5/21/11-Christopher St. Block & Merchant Association Street Fair, Christopher St. bet. 7th Avenue South & Hudson St.

Vote: Unanimous, with 41 Board members in favor.

7. 5/21/11-Ye Olde Village Fair (BBC), Bedford St. bet. Christopher St. & Morton St.

Vote: Unanimous, with 41 Board members in favor.

8. 5/22/11-Greenwich Village Youth Council, Bleecker St. bet Bank St. and Christopher St. & Bleecker St. bet. Bank St. & Christopher St.

Vote: Unanimous, with 41 Board members in favor.

9. 6/11/11-Our Lady of Pompei Church, Bleecker St. bet. 6th Ave. & 7th Ave. So. & Carmine St. bet. 7th Ave. So. & 6th Ave.

Vote: Unanimous, with 41 Board members in favor.

10. 6/11/11-OLS At. Patrick's Cathedral- Annual Village Fair, Broadway bet West Houston St. & Grand St.

Vote: Unanimous, with 41 Board members in favor.

11. 6/26/11-PrideFest Street Festival, Hudson St. Bet. Bethune St. & West 14th St.

Vote: Unanimous, with 41 Board members in favor.

12. 7/2/11-Our Lady of Pompei Church Bleecker Street Festival, Bleecker St. bet. 6th Ave. & 7th Ave. So. & Carmine St. bet. 7th Ave. So. & 6th Ave.

Vote: Unanimous, with 41 Board members in favor.

13. 7/23/11-The Children's Aid Society-Washington Square Summer Fair, Bleecker St. bet. Broadway & 6th Ave.

Vote: Unanimous, with 41 Board members in favor.

14. 7/23/11-INT. AIDS Initiative-NYC Unfolds Street Fair, Broadway bet. Grand St. & East Houston St.

Vote: Unanimous, with 41 Board members in favor.

15. 8/6/11-Log Cabin Republicans-Greenwich Village Festival, Greenwich Ave. bet. 6th Ave. & 7th Ave.

Vote: Unanimous, with 41 Board members in favor.

16. 8/20/11-Our Lady of Pompei Church Bleecker Street Festival, Bleecker St. bet 6th Ave. & 7th Ave. So. & Carmine St. bet. 7th Ave. So. & 6th Ave.

Vote: Unanimous, with 41 Board members in favor.

17. 8/27/11-Washington Square Block Association 4th Street Festival, 4th St. bet. 6th Ave. & Washington Square East

Vote: FAILED, SEE NEW RESOLUTION BELOW.

18. 9/3/11-Andrew Glover Youth Program 4th Avenue Festival, 4th Ave. bet East 8th St. & East 14th St.

Vote: Unanimous, with 41 Board members in favor.

19. 9/4/11-Greenwich Village Chamber of Commerce Broadway Festival, Broadway bet. Waverly Pl. & East 14th St.

Vote: Unanimous, with 41 Board members in favor.

20. 9/17/11-Village Center for Care Bleecker St. Festival, Bleecker St. bet. 7th Ave. South & 8th Ave.

Vote: Unanimous, with 41 Board members in favor.

21. 9/24/11-C.O.R.E.-Broadway Autumn Fair, Broadway bet. Waverly Pl. & East 14th St.

Vote: Unanimous, with 41 Board members in favor.

22. 10/1/11-Saint Joseph's Church Washington Place Festival, Washington Pl. bet. Grove St. & Washington Square West

Vote: Unanimous, with 41 Board members in favor.

23. 10/8/11-Washington Square United Methodist Church West 4th Street Festival, West 4th St. bet. 6th Ave. & Washington Square East

Vote: FAILED, SEE NEW RESOLUTION BELOW.

24. 10/8/11-TR Republican Club-Washington Square Festival, Waverly Pl. bet. Broadway & University Pl.

Vote: Unanimous, with 41 Board members in favor.

25. 10/15/11-Village Independent Democrats Greenwich Avenue Festival, Greenwich Ave. bet. 6th Ave. & 7 Ave.

Vote: Unanimous, with 41 Board members in favor.

26. 10/22/11-Washington Square Village Tenants Association Bleecker Street Festival, Bleecker St. bet. Lafayette St. & Mercer St.

Vote: Unanimous, with 41 Board members in favor.

27. 10/29/11-Gay Lesbian Independent Democratic Club West 4th Street Festival, West 4th St. bet. Washington Square East & Lafayette St. & Washington Square South bet. Washington Square East & LaGuardia Pl.

Vote: Unanimous, with 41 Board members in favor.

28. 10/29/11-IND Downtown Republican Club-University Pl. Fall Fair, University Pl. bet. Waverly Pl. & East 14th St.

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

29. 8/27/11-Washington Square Block Association 4th Street Festival, 4th St. bet. 6th Ave. & Washington Square East

Whereas, the Washington Square Block Association's 4th Street Festival is no longer an active association; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the denial of this specific request; and

BE IT FURTHER RESOLVED that this organization may come before CB#2, Man. in the future.

Vote: Passed, with 39 Board members in favor, 1 in opposition (H. Campbell) and 1 abstention (I. Dutton).

30. 10/8/11-Washington Square United Methodist Church West 4th Street Festival, West 4th St. bet. 6th Ave. & Washington Square East

Whereas, the Washington Square United Methodist Church is no longer functioning as a religious institution:

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends the denial of this application.

Vote: Unanimous, with 41 Board members in favor.

31. Support for Perry Phernalia Block Party (Renewal)

Whereas the street fair permit application listed below was approved by CB#2, Man. last year and is up for renewal this year; and

Whereas, the street fair permit application listed below appears to not have changed in any material manner from last year; and

Whereas, street fair permit application listed below include a setup and breakdown time between 8:00 a.m. and 8:00 p.m.; and

Whereas, the sponsor of the street fair permit application listed below appeared before the Committee to answer questions, and the Committee has determined in the exercise of its sound judgment that the sponsor meets the requirements of Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges, in that each such sponsor is a "community based, not-for-profit organization, association or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full responsibility for the conduct of the event"; and

Whereas, CB#2, Man. recognizes that the Street Activity Permit office is considering an end time of 3 p.m. for all single-block festivals, we have no complaints about this event and recommend that it be allowed to end at 6pm; and

WHEREAS, there is no community opposition to such applications from the public; now

THEREFORE BE IT RESOLVED, that CB#2, Man. supports the street fair permit application on the date and at the locations listed below:

5/14/11-Perry-Phernalia Block Party, Perry St. bet. Bleecker St. & West 4th St.

Vote: Unanimous, with 41 Board members in favor.

32. Support for Urban Bear Festival (Renewal)

Whereas the street fair permit application listed below was approved by CB#2, Man. last year and is up for renewal this year; and

Whereas, the street fair permit application listed below appears to not have changed in any material manner from last year; and

Whereas, street fair permit application listed below include a setup and breakdown time between 10:00 a.m. and 8:00 p.m.; and

Whereas, the sponsor of the street fair permit application listed below appeared before the Committee to answer questions, and the Committee has determined in the exercise of its sound judgment that the sponsor meets the requirements of Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges, in that each such sponsor is a “community based, not-for-profit organization, association or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full responsibility for the conduct of the event”; and

Whereas, CB#2, Man. recognizes that the Street Activity Permit office is considering an end time of 3 p.m. for all single-block festivals, we have no complaints about this event and recommend that it be allowed to end at 6pm; and

WHEREAS, there is no community opposition to such applications from the public; now

THEREFORE BE IT RESOLVED, that CB#2, Man. supports the street fair permit application on the date and at the locations listed below:

5/15/11-Urban Bear Festival, Little West 12th St. bet. Washington St. & 10th Ave.

Vote: Unanimous, with 41 Board members in favor.

33. Abstention Pursuant to Conflict of Interest Board Advisory Opinion

5/8/11-Community Board 2 Broadway Festival, Broadway bet. East 8th St. & East 14th St.

The Board voted that as a matter of internal board policy, it supports CB2, Man.’s sponsorship of a street fair in 2011.

Vote: Passed, with 39 Board members in favor, 1 in opposition (T. Bergman) and 1 abstention (K. Berger).

Conditional Denials for No Shows

WHEREAS, each of the street fair permit applications listed below failed to appear before the Committee; and

WHEREAS, Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges requires applications to appear before the Committee as a condition to any SAPO approval of their street fair application; and

WHEREAS, it is the view of the Committee that any applicant who wishes to close down a public street must appear before the Committee and allow for community feedback and questions; now

THEREFORE BE IT RESOLVED, that CB#2, Man. denies the street fair permit applications on the dates and at the locations listed below until they appear before the Committee for review:

1. 3/27/11-Waverly Block Association, Waverly Place Festival, Waverly Pl. bet. Macdougall St. & Christopher St.

Vote: Unanimous, with 41 Board members in favor.

2. 6/11/11-Hare Krishna Festival of India, Washington Square South bet. LaGuardia Pl. & Washington Square East

Vote: Unanimous, with 41 Board members in favor.

3. 9/24/11-Stonewall Veterans Associations, S.V.A. Greenwich Ave. Festival, Greenwich Ave. bet. 6th Ave. & 7th Ave.

Vote: Unanimous, with 41 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in opposition to changing parking regulations to reduce street cleaning (no parking) time from 90 minutes to 30 minutes on both sides of W. 10th St. bet. 5th Ave. & Ave. of the Americas.

Whereas CB#2, Man. has received several letters of concern and in-person objections from the community in response to a request to change parking regulations to reduce street cleaning (no parking) time from 90 minutes to 30 minutes on both sides of W. 10th St. bet. 5th Ave. & Ave. of the Americas; and

Whereas one person requested this change in parking regulations to alleviate the discomfort and inconvenience of a 90-minute wait for street cleaning to proceed and indicated this can take as little as five or ten minutes; and

Whereas additional cautionary notes were received and people came to share their experience of the resulting chaos when no-parking/street-cleaning time was reduced to 30 minutes on their blocks, including E. 10th St. bet. 5th Ave. and University Pl. and W. 11th St. bet. 5th Ave. & Ave. of the Americas (restored to 90 minutes at 11th St.'s request), citing uncivil, dangerous, proprietary behavior, such as fist fights, cursing and driving up on sidewalks, as drivers try to squeeze out of and back into spaces in the short time frame, as well as blocking and slowing up of street sweepers; and

Whereas a member of CB#2, Man.'s Traffic and Transportation Committee conducted a survey of parking regulations from 8th to 14th Sts. bet. 7th Ave. and Broadway, the results showing that almost all blocks in that area with street cleaning rules are regulated by 90 minute-no parking provisions (see attached map);

Therefore Be It Resolved that CB#2, Man. is opposed to changing street cleaning (no parking) time from 90 minutes to 30 minutes on both sides of W. 10th St. bet. 5th Ave. & Ave. of the Americas and supports retention of the 90-minute no parking rules there.

Vote: Unanimous, with 41 Board members in favor.

2. Resolution opposing the planned installation of a left-turn signal on westbound W. Houston St. at West Broadway and requesting evaluation of alternative options.

Whereas the NYC Department of Transportation (DOT) undertook a warrant study of a turning traffic light signal for vehicles turning from westbound W. Houston St. onto southbound West Broadway at the request of Councilmember Chin's office, which was forwarding a resident request; and

Whereas a pattern of motor vehicle crashes was cited as the determining factor in recommending the installation of such a turning signal; and

Whereas during discussions over many years relating to the recent Houston St. redesign, CB#2, Man. consistently opposed efforts to add specific infrastructure to accommodate turning movements along Houston St. on the basis of it promoting faster vehicle speeds, creating the perception of vehicle priority over pedestrians and thus putting pedestrians at risk, shortening pedestrian crossing times and resulting in narrower pedestrian safety zones in medians; and

Whereas CB#2, Man. passed four resolutions opposing turning bays at this intersection between 2003 and 2005, including one in March of 2005 which specifically mentions opposition to a turning arrow at this location; and

Whereas pedestrians are commonly observed crossing on "Don't Walk" signals in the face of turning traffic at other intersections on Houston St. where turning signals are installed, putting the safety of those pedestrians in jeopardy, regardless of "right of way"; and

Whereas other potential solutions to reduce the rate of crashes at this intersection were found preferable in preliminary committee discussions, such as prohibiting turns from W. Houston St. onto West Broadway or the staggering of signal timing to create traffic gaps;

Therefore be it resolved that CB#2, Mn. urges DOT to refrain from installing a left turning traffic light signal on westbound W. Houston St. at the intersection of West Broadway at this time and requests that, in the spirit of collaboration that CB2 has appreciated with the current DOT administration, DOT share its data employed in the warrant study and discuss potential alternatives with CB2 that DOT then can study in further detail; and

Be it further resolved that CB#2, Man. requests that DOT consult with the community board before initiating future warrant studies at the request of a resident, elected official or other community members, the completion of which might put DOT in a legal “position of no return” without considering particular local issues or histories.

Vote: Unanimous, with 41 Board members in favor.

Resolution in Support of Transit Rider Bill of Rights

Whereas the vast majority of New Yorkers conduct their lives using the city’s transit system, and

Whereas with every bus and subway cut and every canceled line, the everyday experience of millions of New Yorkers changes for the worse, and

Whereas with the decision of Albany lawmakers to cut \$160 million from the MTA, riders have faced the loss of 2 subway lines, 38 bus routes, cuts to service citywide and another fare hike in 2011,

Therefore be it resolved that CB#2, Man. supports the Transit Rider Bill of Rights, affirming that New York City’s Transit Riding Public has the right to:

- Reliable travel throughout the five boroughs in an affordable and efficient manner by bus or by train.
- Fare hikes that are only enacted as a last resort when all other funding options have been exhausted, as well as stable funding for the MTA from the State and City, in good times and bad, that does not increase the current proportion of the budget borne by riders.
- Accurate real-time information and clear announcements about when trains and buses will arrive before swiping a MetroCard, or upon arrival at a bus stop.
- Well-lit and safe subway and bus facilities with MTA employees on hand to provide information and respond in case of emergency
- Clean, regularly maintained MTA facilities including subway stations, subway cars, buses and bus stops.
- A more accessible transit system, with level boarding for buses and working elevators and escalators within all subway stations.
- Helpful, courteous service from station agents, bus drivers and other MTA employees to be matched by respect and courtesy from the riding public.
- The official prioritization of operating, maintaining and improving the existing train and bus network.
- Transparent and easily-used lines of communication between riders/MTA with mechanisms in place to address rider concerns and complaints.
- A minimum of one transit worker and one transit rider as voting members of the MTA Board of Directors.

Be it further resolved that CB#2, Man. encourages the MTA to continue and expand existing policies to provide open and real time computer data on the performance of the transit system, to any interested member of the public for access via the Internet and/or third-party developers.

Vote: Unanimous, with 41 Board members in favor.

WATERFRONT

Movement of the Lilac

Whereas, the maintenance of historic vessels in Hudson River Park is an important element of the park, as is the generation of income from Pier 40 to support the operation of the park, and

Whereas, the Hudson River Park Trust's ("the Trust") offer of a berth to the Lilac at pier 26 appears to be a fair effort to meet both needs,

THEREFORE BE IT RESOLVED that CB#2, Man. approves of the movement of the Lilac from Pier 40 to Pier 25, and the permitting of another commercial vessel for the north side of Pier 40, so long as the permit for that vessel properly limits noise from the vessel and the Trust agrees to bring the proposal for the new vendor at Pier 40 to CB#2, Man.

Vote: Unanimous, with 41 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan